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Ministry of Attorney General and Minister Responsible for Housing

2022/23 Estimates Debates Note

Last updated Date: April 12, 2022

2022/23 – 2024/25 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 2022/23 MAG Service Plan profiles the Ministry's responsibilities and priorities, including Housing, Homelessness, Anti-racism, as well as other priorities related to access to justice in response to changes brought about by COVID-19.
- The strategies included in the 2022/23 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 2022/23 Service Plan contains five performance measures in total, with one performance measure currently under development (i.e. reduction in the percentage of people experiencing homelessness in B.C).

BACKGROUND:

- The 2022/23 Service Plan is the second year of an independent MAG Service Plan. The inaugural MAG Service plan was released in April 2021. 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 reflected the priorities of the new housing, homelessness, multiculturalism, and anti-racism portfolios.
- The financial summary includes the operating and capital expenses for 2022/23 and 2023/24 - 2024/25. The six major capital projects (over \$50 million) included are:
 - Stanley New Fountain Hotel (affordable rental housing)
 - 6585 Sussex Avenue Housing Development (affordable rental housing)
 - Clark & 1st Avenue Housing Development (affordable rental housing)
 - 13583 81st Ave Development (affordable rental housing)
 - Crosstown Development (mixed-use community housing and supportive housing programs).
 - 58 W. Hasting Street Development (mixed-use income assistance and affordable rental units, integrated health unit, and commercial retail space)

CROSS REFERENCE:

- **Note 2** – Mandate Letter Status Update

Contact: Erin Anderson, Director, Partnerships and Planning	Mobile: Government Financial Information
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Table 1: Service Plan Goals, Objectives, and Performance Measures

Goals	Objectives	Performance Measures
1) The justice and public safety sector in British Columbia is fair	1.1) Increased access to justice	Number of substantive Family Justice Service client service activities provided
	1.2) Improved outcomes for Indigenous people through strengthened partnerships with Indigenous leadership and communities	Number of Indigenous clients supported at Indigenous Justice Centres
2) Safe, affordable and appropriate housing for all British Columbians	2.1) Reduce homelessness through permanent housing and services in partnership with provincial ministries, agencies and local governments	Reduce the number of people experiencing homelessness in B.C. [under development – as part of the forthcoming Homelessness Strategy to be released in 2022/23]
	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	Number of affordable and supportive housing units completed by BC Housing including affordable rental and social housing (including HousingHub)
	2.3) Enhanced safety, occupant health and accessibility, and sustainability of the built environment	CleanBC: Number of local governments referencing the Energy Step Code in bylaws and policies [2022/23 Target: to be revisited following implementation of regulatory amendments]
3) B.C.'s communities and institutions are free from racism	3.1) Champion anti-racism across government, address systemic discrimination, and support communities to respond to public incidents of racism and hate	Number of B.C. communities engaged in projects that build intercultural trust and understanding and reduce racism and systemic barriers

Ministry of Attorney General and Minister Responsible for Housing

2022/23 Estimates Debates Note

Last updated Date: April 11, 2022

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 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 (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).

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.

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- The Ministry is responsible for legal services including sheriff and court administration services, legal aid, prosecution services, administrative tribunals, civil and family justice services, protection and promotion of human rights, and providing legal advice to Government.
- 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, as well as promoting multi-culturalism and leading anti-racism initiatives through the Parliamentary Secretary for Anti-Racism Initiatives.

CROSS REFERENCE:

- **Note 1** – Service Plan Overview

Contact: Erin Anderson, Director, Partnerships and Planning	Tel: Government Financial Information
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Table 1: Progress Status of Mandate Letter Items (Attorney General and Minister responsible for Housing)

MANDATE LETTER ACCOUNTABILITY	STATUS
<p>Work with the Minister of Public Safety and Solicitor General, Indigenous communities, and the BC First Nations Justice Council to advance the First Nations Justice Strategy and to improve access to culturally appropriate justice, including continuing to establish Indigenous Justice Centres across the province.</p>	<p>In progress - July 12, 2021, the FNJS implementation workplan was presented to P&P Cabinet Committee for approval. <small>Cabinet Confidences</small></p> <p><small>Cabinet Confidences</small></p> <p>Strategy 6: Beginning April 1, 2021, management of BC's Gladue report program transitioned from Legal Aid BC (LABC) to the BC First Nations Justice Council (BCFNJC). The transition of Gladue services to the BCFNJC allows the removal of barriers related to requesting a Gladue report. As of April 1, 2021, any First Nations, Métis, or Inuit person can request a Gladue report, regardless of whether they have a private lawyer or are a client of Legal Aid BC.</p> <p>Strategy 4: In October 2021, the Virtual Indigenous Justice Centre (VIJC), which provides representation to Indigenous clients with criminal or family law legal matters who may not otherwise have access to legal representation, was implemented. In addition to legal services, Indigenous clients are assisted with accessing culturally appropriate supports to assist with addressing the challenges they face in dealing with the current mainstream justice system, including access to housing, transportation, social and health and wellness supports. The VIJC, which</p>

	<p>provides services virtually across the entire province, is part of a suite of existing in-person Indigenous Justice Centres (IJC) located in Merritt, Prince George, and Prince Rupert that were opened in the Spring of 2020.</p> <p>Strategy 17: January 20, 2022, the BCFNJC, BC and Canada announced the signing of a tripartite memorandum of understanding to support their shared agenda, including the implementation of the BC First Nations Justice Strategy, and collaboration on the development of a National Indigenous Justice Strategy. Canada has also provided funding to support IJCs, Gladue and capacity for the Council.</p>
<p>Work with the Minister of Public Safety and Solicitor General (PSSG) and the Minister of Mental Health and Addictions (MHA) to fast track the move toward decriminalization by working with police chiefs to push Ottawa to decriminalize simple possession of small amounts of illicit drugs for personal use. In the absence of prompt federal action, develop a made-in-B.C. solution that will help save lives.</p>	<p>In progress – On November 1, 2021, B.C. became the first province to apply for a Section 56(1) exemption from the federal Controlled Drugs and Substances Act to remove criminal penalties for the possession of small amounts of illicit drugs for personal use.</p> <p>Decriminalization is one component of BC’s comprehensive response to the illicit drug poisoning crisis, alongside treatment and recovery, harm reduction services, and efforts to scale up safe supply.</p> <p>Under BC’s proposed model, all adults in the province would be exempt from arrest or charges for “simple possession” of up to 4.5g total of opioids, crack/powder cocaine and/or methamphetamine.</p>

	<p>In addition, law enforcement would not seize included drugs under the 4.5g threshold. Instead, individuals found to be in possession under the threshold would be provided with information on local treatment options, harm reduction and social service supports.</p> <p>Trafficking would remain illegal, even if amounts of substances in possession for the purpose of trafficking are under the threshold amount.</p> <p>Decriminalization is a necessary shift towards acknowledging substance dependency as a health issue and is a compassionate and rationale response to a health crisis.</p> <p>The exemption application is a big first step. Over the coming months BC's Ministry of Mental Health and Addictions will work with Health Canada in an iterative process to ensure that the policy framework satisfies the needs and perspectives of both levels of government.</p>
<p>Advance recommendations from the findings of the Cullen Commission and the German Report to fight money laundering.</p>	<p>The Cullen Commission is looking at the full scope of money laundering in BC, including real estate, gambling, luxury goods, financial institutions, and the corporate and professional sectors. The Gaming Policy and Enforcement Branch (GPEB) engaged extensively in the Commission through the provision of historical documents, participation through testimony and affidavits, and the production of various supporting materials.</p>

Government participated in the Cullen Commission of Inquiry, which will provide its findings and recommendations in the final report in June 2022.

Government has addressed 38 of Dr. German's 48 recommendations for the gambling sector. The remaining ten recommendations will be addressed through amendments to the Gaming Control Act (GCA), which are anticipated in fall 2022. The amendments will strengthen the regulator's role in setting requirements for the gambling industry and establish a statutory requirement for source of funds declarations.

The Gaming Policy and Enforcement Branch (GPEB), the BC Lottery Corporation (BCLC) and the Joint Illegal Gaming Investigation Team (JIGIT) have established the Gaming Integrity Group (GIG) to review and respond to suspicious transactions in casinos, including placing patrons on cash conditions, banning patrons, and initiating investigations as appropriate.

GPEB and JIGIT have established the Gaming Intelligence Investigative Unit (GIU), which produces intelligence reports for GPEB and law enforcement about changing money laundering risks. This work supports effective allocation of resources and prioritization of investigations. 9 GPEB staff (investigators and intelligence analysts) are co-located with JIGIT as part of GIU.

	Since casinos reopened in July 2021, GPEB's Enforcement Division continues to provide a regulator presence in casinos to respond in real-time to high-risk incidents. 12 investigators provide coverage seven days per week for 14 hours per day at the five largest Lower Mainland casinos. Investigators are available after hours through a dedicated email address.
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.	Completed - Complete with Bill 7 Tenancy Statutes Amendment Act 2021 passed in Spring 2021
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 partnership to create 114,000 affordable homes.	In progress - Government (Crown Agencies Secretariat, AG CMSB, GCPE and HPB) monitors progress and prepares quarterly reports of direct funded affordable housing delivered via BC Housing (Build BC, Housing Hub, legacy and other programs) and AEST (direct funded and post-secondary institution self-funded programs).

	As of March 31, 2022, 33,765 units of affordable housing units were complete, underway, or funding was planned
Lead government's efforts to address homelessness by implementing a homelessness strategy.	<p>Substantially completed – Through the Homelessness Policy and Partnerships Branch, MAG has led the development of a Provincial Homelessness Strategy with partner ministries.</p> <p>Budget 2022 included \$633 million in funding for the Homelessness Strategy components over three years; including Youth Transitions (MCF) - \$35M, Homelessness Supports (HLTH/AG) - \$170M, Permanent Housing Plan (AG) - \$264M and Complex Care Housing (MMHA) - \$164M.</p> <p>Implementation and a public launch of the Provincial Homelessness Strategy is expected <small>Advice/Recommendations</small></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>In progress - As of March 31, 2021, there are 5,488 units in various stages of development under HousingHub programs.</p> <p>4,934 of those units are under the Provincial Rental Supply Program and 554 are under the Affordable Home Ownership Program.</p> <p>HousingHub's bolstered resources are anticipated to facilitate the creation of approximately 9,000 new homes.</p>

	<p>Budget 2021 provided \$2 billion to increase HousingHub's debt limit. Budget 2022 provided \$8 million to support HousingHub's project development capacity.</p> <p>Approximately \$2.7 million in funding will be provided in 2022/23 to increase HousingHub staffing.</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 pollution performance standards for new buildings.	<p>In Progress - In partnership with the Energy Step Code Council and other partners, Building and Safety Standards Branch (BSSB) is developing standards for operational carbon emissions of new construction. This development also considers affordability, and these standards are expected to be phased in over 2024, 2027, and 2030. BSSB is preparing to seek ministerial direction to conduct public review of proposed regulatory provisions in Spring/Summer 2022.</p>
Bring in "right-to-charge" legislation that will enable installation of electric vehicle charging infrastructure in more strata and apartment buildings.	<p>In progress - Ministry staff have been researching other jurisdictions and consulting with the strata community, experts and interested parties about implementing right-to-charge in strata housing.</p> <p>Future-proofing is also an important consideration so that strata corporations can plan ahead to maximize effective use of electrical capacity.</p> <p>The Province will build on the steps already taken in 2018 when the Strata Property Regulation was changed to allow strata corporations to recover costs for electric vehicle charging stations through user fees.</p>

	The new Provincial budget has generous grants to support electric vehicle charging, and both strata corporations and landlords are eligible to apply.
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.	In progress – The Building and Safety Standards Branch (BSSB) completed a public consultation in January to help determine areas of focus when making new buildings more accessible for all people. BSSB continues to gather public feedback while working with national partners to inform the development of new accessibility requirements that will satisfy the commitment under the Construction Codes Reconciliation Agreement (part of the Canadian Free Trade Agreement) to increase the harmonization of the BC Building Code with the model National Building Code of Canada.
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>In progress – This Mandate Item is being led by the Ministry of Finance.</p> <p>Government has taken three key steps to address the increase in strata insurance costs in recent years:</p> <ul style="list-style-type: none"> • First, the Ministry of Finance directed the B.C. Financial Services Authority to conduct a review of strata insurance in British Columbia. The final report, released in December 2020, informs the policy measures we have taken; • Second, the Legislature amended the Strata Property Act and Financial Institutions Act in Bill 14 (2020) to mitigate the rising costs of insurance. Some of the changes to the Strata Property Act required further consultation and regulation changes are forthcoming;

	<ul style="list-style-type: none"> • Third, government put an end to the practice of best-terms pricing in strata insurance, which was responsible for some of the worst premium increases.
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>In progress - Action 3.12: Prioritize implementation of the First Nations Justice Strategy (see above).</p> <p>Action 3.13: Prioritize endorsement and implementation of the Métis Justice Strategy:</p> <ul style="list-style-type: none"> • December 2021, the Province received an embargoed copy of the Métis Justice Strategy to put forward for endorsement. ^{-Cabinet Confidences} <p>^{Cabinet Confidences}</p> <p>^{Cabinet Confiden} Additionally, IJPLD is drafting a Cabinet submission, which will require further consultation with the Province prior to endorsement.</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>In Progress - This is led by Ministry of Mental Health and Addictions (MMHA).</p> <p>Through the Homelessness Policy and Partnerships Branch, MAG is supporting the work of MMHA to develop and deliver Complex Care housing as part of a comprehensive Provincial Homelessness Strategy.</p> <p>This work is supported by a joint cabinet committee on Housing and Homelessness, as well as policy, engagement and implementation working groups.</p>
Support the work of the Minister of Indigenous Relations and Reconciliation to bring the federal government to the	<p>In Progress - This is led by Ministry of Indigenous Relations and Reconciliation (MIRR).</p>

table to match our funding to build much-needed housing for Indigenous peoples both on and off reserve.	<p>Government has begun engaging in discussions with Canada at the ADM level. Following initial ADM discussions in the spring of 2022, a working group has been established between HPB, MIRR, Indigenous Services Canada, and CMHC.</p> <p>The working group is working in partnership to collect data and complete a needs analysis to better inform where the \$550 million will have the biggest impact.</p>
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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>In progress - At this time, policy research has begun to help determine the scope of the broader anti-racism legislation, including reviewing key reports and action plans.</p> <p>The legislation is tentatively scheduled to be introduced in Fall 2023.</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>In progress -</p> <p>The anti-racism data legislation was introduced in the House on May 2, 2022.</p>

<p>Honour the Japanese-Canadian community by providing lasting recognition of the traumatic internment of more than 22,000 Japanese-Canadians during World War II in libraries, communities and at the BC Legislature.</p>	<p>In progress - Parliamentary Secretary Singh hosted a series of cross-government meetings with over thirty members of the Japanese Canadian community to discuss the National Association of Japanese Canadian recommendations.</p> <p>Based upon these consultations, a Historical Wrongs Framework was developed and approved by Cabinet on February 16, 2022.</p> <p>A Treasury Board submission to provide recognition was submitted in Spring 2022.</p>
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November 26, 2020

Honourable David Eby
Attorney General
Parliament Buildings
Victoria, British Columbia V8V 1X4

Dear Attorney General Eby:

Thank you for agreeing to serve British Columbians as Attorney General and Minister responsible for Housing. You are taking on this responsibility at a time when people in our province face significant challenges as a result of the global COVID-19 pandemic.

COVID-19 has turned the lives of British Columbians upside down. None of us expected to face the challenges of the past number of months, yet British Columbians have demonstrated incredible resilience, time and time again. We will get through the pandemic and its aftereffects by building on this resilience and focusing on what matters most to people.

British Columbians voted for a government focused on their priorities: fighting the COVID-19 pandemic, providing better health care for people and families, delivering affordability and security in our communities, and investing in good jobs and livelihoods in a clean-energy future.

I expect you – and the work of your ministry – to focus on the commitments detailed in our platform, *Working for You*, along with the following foundational principles:

- **Putting people first:** Since 2017, our government has focused on making decisions to meet people's needs. That focus drove our work in our first term and will continue to be our priority. British Columbians are counting on the government to keep them safe and to build an economic recovery that works for everyone, not just those at the top. Keeping people at the centre of everything we do means protecting and enhancing the public services people rely on and working to make life more affordable for everyone.
- **Lasting and meaningful reconciliation:** Reconciliation is an ongoing process and a shared responsibility for us all. The unanimous passage of the *Declaration on the Rights of Indigenous Peoples Act* was a significant step forward in this journey. True

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reconciliation will take time and ongoing commitment to work with Indigenous peoples as they move toward self-determination. Our government – and every ministry – must remain focused on creating opportunities for Indigenous peoples to be full partners in our economy and providing a clear and sustainable path for everyone to work toward lasting reconciliation.

- **Equity and anti-racism:** Our province's history, identity and strength are rooted in its diverse population. Yet racialized and marginalized people face historic and present-day barriers that limit their full participation in their communities, workplaces, government and their lives. Our government has a moral and ethical responsibility to tackle systemic discrimination in all its forms – and every ministry has a role in this work. While our caucus elected a record number of women, more work remains to address gender equity. Delivering on our commitments to address racial discrimination will require a commitment by all of government to ensure increased IBPOC (Indigenous, Black and People of Colour) representation within the public service, including in government appointments. Our efforts to address systemic discrimination must also inform policy and budget decisions by reviewing all decisions through a Gender-Based Analysis Plus (GBA+) lens.
- **A better future through fighting climate change:** In 2018, our government launched our CleanBC climate action plan. CleanBC puts British Columbia on the path to a cleaner, better future by building a low-carbon economy with new clean-energy jobs and opportunities, protecting our air, land and water and supporting communities to prepare for climate impacts. It is every Minister's responsibility to ensure your ministry's work continues to achieve CleanBC's goals.
- **A strong, sustainable economy that works for everyone:** We will continue our work to support British Columbians through the pandemic and the economic recovery by investing in health care, getting people back to work, helping businesses and communities, and building the clean, innovative economy of the future. Our plan will train the workforce of tomorrow, help businesses hire and grow and invest in the infrastructure needed to build our province.

The pandemic has reminded us that we're strongest when we work together. Delivering on our commitments to people will require a coordinated effort with your cabinet and caucus colleagues, supported by the skilled professionals in the public service. You will also support your cabinet colleagues to do their work, particularly where commitments cross ministry lines.

British Columbians expect their elected representatives to work together to advance the broader public good despite their partisan perspectives. That means seeking out, fostering and championing good ideas, regardless of their origin. I expect you to reach out to elected members from all parties as you deliver on your mandate. Further, you will build thoughtful and sustained relationships through public and stakeholder engagement plans that connect with people to incorporate their perspectives early in the policy development process. These plans must include measurable outcomes and ensure active dialogue and ongoing outreach in your ministry's actions and priorities.

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Over the course of our mandate, I expect you will make progress on the following items:

- 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.
- Work with the Minister of Public Safety and Solicitor General and the Minister of Mental Health and Addictions 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.
- Advance recommendations from the findings of the Cullen Commission and the German Report to fight money laundering.
- 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.
- 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 partnership to create 114,000 affordable homes.
- Lead government's efforts to address homelessness by implementing a homelessness strategy.
- 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.
- 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 pollution performance standards for new buildings.
- Bring in "right-to-charge" legislation that will enable installation of electric vehicle charging infrastructure in more strata and apartment buildings.
- 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.
- 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.

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- 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.
- 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.
- 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.

To assist you in meeting the commitments we have made to British Columbians, you are assigned a Parliamentary Secretary for Anti-Racism Initiatives. You will work closely together and ensure your Parliamentary Secretary receives appropriate support to deliver on the following priorities, outlined in the mandate letter issued to them:

- 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.
- 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.
- 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.

Our work as a government must continually evolve to meet the changing needs of people in this province. Issues not contemplated in this letter will come forward for government action and I ask you to bring such matters forward for consideration by the Planning and Priorities Committee of cabinet, with the expectation that any proposed initiatives will be subject to the usual cabinet and Treasury Board oversight. Your ministry's priorities must reflect our government's overall strategic plan as determined by cabinet.

All cabinet members are expected to review, understand, and act according to the *Members' Conflict of Interest Act* and conduct themselves with the highest level of integrity. As a minister of the Crown, your conduct will reflect not only on you but on cabinet and our government. You are responsible for providing strong, professional and ethical leadership within cabinet and your ministry. You will establish a collaborative working relationship with your deputy minister and

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the public servants under their direction who provide the professional, non-partisan advice that is fundamental to delivering on our government's priorities. You must ensure your minister's office meets the highest standards for integrity and provides a respectful and rewarding environment for all staff.

My commitment to all British Columbians is to do my level best to make sure people's lives are better, safer and more affordable. I believe the challenges we face can and will be overcome by working together. By way of this letter, I am expressing my faith that people can expect the same commitment from you.

Sincerely,

A handwritten signature in black ink, reading "John J. Horgan", with a long horizontal flourish extending to the right.

John Horgan
Premier

Ministry of Attorney General and Minister Responsible for Housing

2022/23 Estimates Debates Note

Last updated Date: May 5, 2022

COVID-19 AND COURT OPERATIONS

KEY MESSAGES:

- Our top priority is to ensure the safety and security of all courthouse users and staff, while minimizing any disruptions to access to justice.
- Both the Supreme Court of BC and BC Provincial Court have taken actions throughout the pandemic to ensure the health and safety of court users, judiciary, and staff.
- Notices to the Profession have been updated by the Courts on a regular basis as the situation evolves. On April 11, 2022, all levels of Courts provided notice that most restrictions will be lifted.
- In consultation with all levels of the Courts, the Branch has been implementing modern and improved technology solutions, such as MS Teams, to expand the use of virtual court hearings for courtroom participants, and to explore possible opportunities for virtual staffing for certain functions performed by Court Services staff.
- Supreme Court criminal jury trials re-commenced on September 7, 2020. Assessments of courthouse locations were conducted to determine whether jury trials can be held in the courthouse in accordance with public health guidelines. Where the assessments revealed that there was no suitable space for a jury trial within the courthouse, the Ministry identified alternate locations to safely accommodate the jury trial.
- Supreme Court civil jury trial matters have been temporarily suspended until October 8, 2022.

- Alternate locations for Indigenous courts (family and criminal) were also assessed on a community-by-community basis. However, with restrictions being lifted on April 11, 2022, the Provincial Court has started to move some Indigenous courts back into the community courthouse.
- 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.

BACKGROUND:

- Since the onset of the Pandemic in March 2020, and to ensure the safety of all court users and staff, Court Services Branch in collaboration with the judiciary, implemented COVID-19 related health and safety measures in accordance with all current advice, directives, and recommendations from the Provincial Health Officer, BCCDC, WorkSafe BC, and BC PSA Workplace Health and Safety.
- With the exception of services being temporarily impacted in the first quarter of 2020, in-person registry services have continued to be provided since June 2020.
- In consultation with the Courts, CSB staff have updated policy and procedures applicable to all levels of court to minimize disruption for participants and address COVID-19 related safety, security, and resourcing challenges.
- As of April 11, 2022, many of the restrictions have been lifted with the following measures still in place:
 - Mask use is now a personal choice in all areas of the courthouse including secure or judicial spaces. Within the courtroom, mask use is a personal choice unless directed otherwise by the presiding judge, justice, master or registrar;
 - Installed barriers will remain in place in all areas of the courthouse, including employee-only work areas;
 - Hand hygiene signage and sanitization stations are to remain in place; and,
 - Anyone entering the secure or restricted areas in a courthouse (staff-only or judicial areas) must continue to provide proof of being fully vaccinated.

- Additionally, a Courthouse Guidance document has been established between Courts, CSB and BCCDC for managing COVID-19 court related incidents and communication and reporting protocols.

FINANCES:

- To support the costs for enhanced cleaning, alternate locations and modifications to courthouse and courtrooms, In FY 2021/22 the Ministry spent approximately:
 - FY 2021/22 Day Porters \$10.5 million
 - FY 2021/22 Alternate locations and facility modifications \$0.65 million
- Measures such as cleaning service levels are being reduced to pre-pandemic levels.
 - FY 2022/23 limited number of Day Porters included in base funding effective May 6, 2022
 - FY 2022/23 enhanced touchpoint cleaning will cease as of May 14, 2022.
- These costs are managed by Corporate Management Services Branch.

Contact: Adrienne Hunt, Director, Business Transformation & Training

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Ministry of Attorney General and Minister Responsible for Housing

2022/23 Estimates Debates Note

Last updated Date: May 4, 2022

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 process indictably or summarily (In the *Matter of Hearing Office Bail Hearings (Re)*, 2017 ABQB 74).
- At the time, police in B.C. conducted approximately 1,400 out-of-court, after-hours, weekend, and statutory holiday bail hearings per month in all locations outside of Vancouver.
- The BCPS Bail Program has three components:

1) Weekend Bail

- 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.
- The current staffing requirements for weekends are nine Crown Counsel and ten Legal Assistants (total of 19 FTEs).
- Costs for weekend bail were estimated at \$1.94 million in the COVID-19 impacted 2021/22 fiscal year, ending March 31, 2022. Costs were less than the estimated requirements of \$3.0 million due primarily to the pandemic, which resulted in fewer bail hearings taking place and hiring lags.

2) Evening Bail

- An evening bail program has been in place in the Vancouver/Coastal Region for many years. Expansion of Crown-led evening bail to other Regions was delayed by the pandemic and the Provincial Court's introduction of a virtual weekday bail pilot in the North region. On March 28, 2022, evening bail expanded to the North Region.
- It is estimated that ten Crown and ten Staff FTEs will be required to efficiently operate a province-wide evening bail program.

3) Virtual Weekday Bail

- A virtual weekday bail pilot began in the North Region in April of 2021. The Provincial Court has indicated that it wishes to have all phases of Crown-led bail operating province-wide by the end of 2022. The virtual weekday bail program operates most efficiently when combined with a weekday evening program.
- Some JUSTIN system enhancements have been required to allow for electronic charge assessment for smaller and more remote detachments. A new system was introduced to enable secure electronic transfer of evidence from police to Crown Counsel at the hub locations.
- The Crown Led Bail model adapted well to the COVID-19 Court shutdown. Aspects of the model's pandemic response, including reliance on remote rather than in person appearances at bail hearings by accused persons, are expected to continue, to permanently reduce the need to move prisoners back and forth from police lockups to courthouses.
- Once fully implemented, in addition to better access to justice, the BC Prosecution Service 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:

- The base budget allocation for the Weekend bail program is \$3.3 million. Costs for weekend bail are estimated at \$1.9 million in the COVID-19 impacted 2021/22 fiscal year, ending March 31, 2022. Costs were less than the estimated requirements of \$3.0 million due primarily to the pandemic, which resulted in fewer bail hearings taking place and hiring lags.
- Fiscal 2022/23 costs for Evening bail are still to be determined, based on implementation timing.
- Total estimated annualized requirements for Weekend and Evening bail upon full implementation are \$7 million.
- Current Weekend Bail FTEs are 16. Requirements upon full implementation of Weekend and Evening bail are estimated at 36 FTEs.
- Any additional resource requirements for Daytime Virtual Bail will be determined as the program is implemented.

BACKGROUND:

- At the time of the Alberta judgment, B.C. 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.

Contact: Brian Anderson, Executive Director, Business Operations, BCPS	Mobile: Government Financial Information
Contact: Paul Sandhu, Director, Legal Operations, BCPS	Mobile: Government Financial Information

Ministry of Attorney General and Minister Responsible for Housing

2022/23 Estimates Debates Note

Last updated Date: April 8, 2022

CROWN COUNSEL ASSOCIATION BARGAINING

KEY MESSAGES:

- The 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 general wage increases 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 per cent of Judges’ salaries.
- The parties commenced bargaining a new 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 Agreement remains in force, but without the additional “catch up” amount.
- This ruling had the effect of providing a 1.51 per cent increase to Crown Counsel salaries effective April 1, 2019.
- Attempts to reach an Agreement through bargaining have taken place in 2020, and most recently in July 2021. The most recent attempts confirmed that an impasse remains.
- The previous Agreement remains in effect and the salary linkage to Provincial Court Judges continues. Crown Counsel received a general wage increase of

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2.22 per cent effective April 1, 2020, an additional 2.26 per cent increase on April 1, 2021, and a further 2.21 per cent on April 1, 2022.

FINANCES:

- Budget 21 provided funding of \$8.6 million to fund the 2019-2021 increases, including lockstep and benefits.
- The estimated cost of the April 2022, 2.2 per cent increase, including benefits is \$2.39 million for fiscal 2022/23; discussions regarding funding are underway with Ministry of Finance/Treasury Board Staff.

STATISTICS:

- There are currently approximately 490 Crown Counsel Association members and a further 23 who are inactive (for example on parental leave) employees.
- Included Crown Counsel salaries currently range from \$95,022 to \$244,872 annually and average approximately \$172,000.

BACKGROUND

BARGAINING HISTORY SINCE 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 paused again to allow time for the BC Crown Counsel Association to consult with their members and confirm their bargaining mandate regarding the salary linkage to Provincial Court Judges.
- Negotiations arrived at an impasse in August 2020 despite both parties expressing a willingness to arrive at an agreement through bargaining.
- Further attempts to negotiate took place in July 2021. The sessions clarified that both parties were unmoved from their positions, and that an impasse remained.

Contact: Brian Anderson, Executive Director, Business Operations, BCPS	Mobile: Government Financial Information
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Ministry of Attorney General and Minister Responsible for Housing

2022/23 Estimates Debates Note

Last updated Date: April 6, 2022

R. V. JORDAN; JUDICIAL STAY FOR UNREASONABLE DELAY

KEY MESSAGES:

- Only 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 can 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.
- 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.

BACKGROUND:

- Starting in 2012, BCPS has implemented several 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;
- Increased flexibility on the use of Direct Indictments;
- 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 BCPS's largest prosecutions.
- 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 aimed at increasing efficiencies and reducing delay in criminal case disclosure.
 - 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.
 - The implementation of a technology platform to facilitate the end to end management of digital evidence and disclosure. The Digital Evidence and Disclosure Management System (DEMS) will enhance efficiency, privacy and security; protect against future cost and resource pressures; and contribute to the modernization of the Justice Sector.
- 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.

Contact: Dan McLaughlin, Communications Counsel, BCPS

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Ministry of Attorney General and Minister Responsible for Housing

2022/22 Estimates Debates Note

Last updated Date: May 4, 2022

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.
- BC Prosecution Service 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 monthly 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.

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.

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- 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.
- A BCPS representative has been available for consultation to the Cross-Ministry Working Group on Anti-Racism and Anti-Hate and contributed expertise to the Anti-Racism Network – Reliance BC. 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.
- The BCPS is responding to on-going enquiries from the BC Human Rights Commission about this area of the law. The Commissioner announced the holding of a public inquiry into pandemic related hate incidents in August 2021.

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Contact: Trevor Shaw, Director, Criminal Appeals and Special Prosecutions, BCPS	Mobile:

Ministry of Attorney General and Minister Responsible for Housing

2022/23 Estimates Debates Note

Last updated Date: April 28, 2022

PROLIFIC OFFENDERS

KEY MESSAGES:

- The phrase “prolific offender” is not defined in the Criminal Code, nor does it, by itself, form the basis for any BC Prosecution Service policies. The phrase is typically used by police services to describe repeat offenders measured on variable metrics, for example:
 - Recent correspondence from the BC Urban Mayors Caucus defines a “prolific offender” as an offender who commits greater than 30 offences per year. It also uses this term to describe persons involved in 30 “negative (police) contacts” in a year.
 - In the same correspondence, the Abbotsford Police Department describes prolific offenders as individuals with 10-29 convictions.
 - Others have observed that “Prolific offenders are people who repeatedly break the law and are at high risk to break it again.”
- Some public discussions tend to conflate the situation of persons with complex needs who repeatedly commit low level property, breach, and nuisance offences with offenders who commit random sometimes serious and unexplained violent offences.
- However the term is defined, every person suspected of a criminal offence is entitled to the presumption of innocence, reasonable bail, an independent and impartial charge assessment, and a fair trial according to the rule of law.

- The background of an offender and, specifically, the number and type of convictions on their record has an impact on BCPS processes in three policies: Charge Assessment Guidelines (CHA 1), Bail – Adults (BAI 1) and Sentencing – Adults (SEN 1).

Charge assessment

- The BCPS applies a two-part test to determine whether criminal charges will be approved, and a prosecution initiated. Crown Counsel must independently, objectively, and fairly measure all available evidence against a two-part test:
 1. whether there is a substantial likelihood of conviction; and, if so,
 2. whether the public interest requires a prosecution.
- In CHA 1, the Crown considers the criminal history of an individual when assessing whether the public interest requires a prosecution, including:
 - the alleged offender's history of relevant previous convictions or previous allegations that resulted in alternative measures
 - that the alleged offender was under an order of the court at the time of the offence
 - reasonable grounds for believing the offence is likely to be continued or repeated

Bail

- The decision by Crown Counsel whether to seek conditions on a person's release after charge or to seek their detention until trial, is informed by the provisions of the Criminal Code and guided by the BCPS bail policy (BAI 1).
- Section 515 of the Code deals with Judicial Interim Release (bail). According to this section, the court must consider whether the accused has been previously convicted of a criminal offence when determining if a person should be detained or if conditions of bail should be imposed.

- Parliament has directed the courts to exercise a “principle of restraint” in bail hearings and give primary consideration to the release of the accused at the earliest reasonable opportunity, on the least onerous conditions that are appropriate in the circumstances and are reasonably practicable for the accused to comply with.
- As confirmed by various reports and decisions of the Supreme Court of Canada, Indigenous Peoples are overrepresented in the criminal justice system and are also disproportionately affected by unnecessary and unreasonable bail conditions and resulting breach charges.

Sentencing

- The number and type of previous convictions is a factor to consider when formulating a position on sentencing, but the court has the final say on the appropriate sentence.
- The BCPS policy on sentencing (SEN 1) directs Crown Counsel to inform the court of the offender’s previous convictions, but that does not dictate or preclude any sentence that may be appropriate in the circumstances. If the principles of sentencing, including the protection of the public, could be adequately addressed by a non-custodial sentence, Crown Counsel should seek a non-custodial sentence. Even for offenders who have previously received custodial sentences, imprisonment should be seen as a sanction of last resort.
- SEN 1 provides that when the established sentencing range could support a custodial sentence of less than two years, Crown Counsel must consider seeking a community-based sentence, unless:
 - the offender poses a danger to the victim or community
 - a community-based sentence is not available at law

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- In formulating a sentencing position with respect to an Indigenous offender, Crown Counsel must apply the principles established in *R v Gladue* and consider the unique systemic and background factors that may have played a part in bringing the offender before the courts as well as the types of sentencing procedures and sanctions that may be appropriate because of their particular Indigenous heritage or connection.

Contact: Dan McLaughlin, Communications Counsel, BCPS	Mobile: Government Financial Information
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Ministry of Attorney General and Minister Responsible for Housing

2022/23 Estimates Debates Note

Last updated Date: April 6, 2022

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.

Contact: Dan McLaughlin, Communications Counsel, BCPS	Mobile: Government Financial Information
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Ministry of Attorney General and Minister Responsible for Housing

2022/23 Estimates Debates Note

Last updated date: April 13, 2022

ASSESSMENT OF CRIMINAL, FAMILY, AND CIVIL SCHEDULING TIMELINESS

KEY MESSAGES:

- This Ministry is committed to reducing delays and improving the timeliness of matters coming before the courts.
- We recognize there is a need to make improvements and reduce delays and have supported this area with 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.

STATISTICS:

- One indicator of timeliness is the Provincial Court Time to Trial Update reports, which report on time to trial measures. The most current data are from September 30, 2021.

Criminal matters

- As of September 2021, the time to schedule a criminal adult trial is:
 - Less than 2 days – delay of 5.9 months (OCJ standard 6 months)
 - 2 to 4 days – delay of 7.2 months (OCJ standard 7 months)
 - 5 days or more – delay of 7.8 months (OCJ standard 8 months)
- Between January 1 and December 31, 2021, there were ten Provincial Court Adult cases judicially stayed due to systemic delay. There were no Supreme Court cases stayed during this period. In 2022 (to April 6, 2022), there was one Supreme Court criminal case judicially stayed due to systemic delay and no Provincial Court Adult cases stayed.

Family matters

- As of September 2021, the time to schedule a general family trial:
 - Less than 2 days – delay of 5.4 months (OCJ standard 4 months)
 - 2 to 4 days – delay of 6.2 months (OCJ standard 5 months)
 - 5 days or more – delay of 6.8 months (OCJ standard 6 months).
- As of September 2021, the time to schedule a child protection hearing:
 - Less than 2 days - current delay 4.6 months (OCJ standard 3 months)
 - 2 to 4 days - delay of 5.8 months (OCJ standard 4 months)
 - 5 days or more - delay of 6.6 months (OCJ standard 6 months).

Civil matters

- As of September 2021, the time to schedule a small claims trial:
 - Less than 2 days – delay of 6 months (OCJ standard 5 months)
 - 2 to 4 days – delay of 5.6 months (OCJ standard 6 months)
 - 5 days or more – delay of 6.1 months (OCJ standard 8 months).

BACKGROUND:

- While most categories improved over the last two years, the September 2021 OCJ Time to Trial Update reports Criminal trials between 2-4 days long, Small Claims trials less than two days, and all types of Family trials continue to exceed OCJ established standards.
- Delays in scheduling look similar to pre-COVID-19 levels, though there are some individual court locations where delays have increased.
- While there is a decreasing trend in judicially stayed cases since the *R. v. Jordan* Supreme Court of Canada decision in 2016, B.C. has been diligent in monitoring judicial stays due to systemic delay.
- The Courts introduced several steps to reduce delays in the justice system and backlogs resulting from the pandemic including:
 - Mandatory pre-trial conferences for all Criminal, Family, and Small Claims trials.

- Evening and alternative hearing locations for disputed violation ticket matters.
- Implementation of new and more accessible videoconference and audioconference options for court participants.
- Continuation of virtual bail hearings in the North region and since March 2022, Crown conducting evening bail matters. Plans to expand the virtual bail model will be implemented in the Vancouver Island and Interior regions later this fiscal year.
- Implementation the Surrey Early Resolution Model in December 2020. Victoria, implemented in May 2019, demonstrated better outcomes for families through improved understanding and readiness, appropriate and early response, client satisfaction, and more effective and efficient use of Court.
- For the rest of the province, implemented new Provincial Court Family Rules on May 17, 2021, to streamline the family court process.
- 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.
 - Some lengthier delays 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 civil and family case processing timeliness include capacity, participant readiness, implementation of more efficient processes, alternatives to court, and overall caseload trends.

Contact: Cindy Eng, Manager, Performance Measurement and Business Intelligence

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Ministry of Attorney General and Minister Responsible for Housing

2022/23 Estimates Debates Note

Last updated Date: April 22, 2022

ADEQUATE FUNDING FOR COURTS

KEY MESSAGES:

- Budget 2022 provides new funding to address existing pressures in the Court Services Branch (CSB). This funding includes support for Sheriff overtime, recent expansion of the Abbotsford Law Courts, Sheriff temporary market adjustment, Intersection Safety Camera initiatives as well as support for Provincial and Supreme Court complement increases.
- CSB is managing funding pressures due to virtual court, maintaining Sheriff vehicles, amortization for capital assets, and continued COVID-19 related costs.

FINANCES:

- Budget 2022 and prior budget decisions include funding increases of \$5.980 million and 49.8 FTEs for the following items:
 - Provincial Court Judge support (\$1.340 million/11.2 FTEs) to support funding to backfill three judges on LTD that were not historically backfilled. This will fund court clerks, registry clerks, and sheriffs to support the judges in the court room.
 - Supreme Court Justice support (\$0.297 million/4.8 FTEs) to implement new standards to check 197,000 documents for completeness. The registry is now checking documents for completeness to prevent incomplete documents from taking additional judicial time.
 - Negotiated wage lifts and benefits including the Sheriff's Temporary Market Adjustments (\$1.320 million/0.0 FTEs).

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- Intersection Road Safety Camera (\$0.906 million/10.8 FTEs). Previously in contingencies to address the increased tickets from Intersection Safety Cameras and historical volumes. Should allow for 16,500 tickets to be processed.
- Court Fees & Fines (\$0.128 million)
- Sheriff overtime (\$0.018 million)
- Prior Year decisions (\$1.971million)
 - Facilities Expansion (Abbotsford) (\$2.405 million/23 FTEs) – final tranche of funding for the Abbotsford Law Courts Expansion.
 - CSB Videoconferencing user fees (-\$0.159 million)
 - Courts Modernization (-\$0.285 million)
 - Benefits Adjustment (\$0.010 million)
- This funding will be used to support approved service delivery growth, negotiated labour agreements, modernization efforts to support virtual hearings and online filing as well as support increased complements of Provincial and Support Court justices.
- Budget 2022 also included ministry funding for Northern Virtual Bail which will be allocated to branches.

Contact: Chris Steinbach, Director, Finance and Administration, CSB

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Ministry of Attorney General and Minister Responsible for Housing

2022/23 Estimates Debates Note

Last updated Date: May 5, 2022

COURT TECHNOLOGY INNOVATION

KEY MESSAGES:

- The Ministry is committed to fair, equitable and timely access to justice through technology innovation.
- The work to date has put the Court Services Branch (CSB) in a position during the pandemic and associated recovery period, to respond to the pressures it is putting on the justice system.
- The initiatives have supported the judiciary, court services staff, court participants, media, and others.

FINANCES:

- Court Services Branch IM/IT budgets and FTEs (Allocations focus on access to justice by delivering on citizen centred services in the areas of modern electronic filing services, on-demand access to court materials, scheduling, virtual proceeding enablement, delivery, and training):
 - FY 19/20 CSB capital budget \$728,000
 - FY 20/21 CSB capital budget \$3,646,000
 - FY 20/21 CSB Justice Modernization operating budget \$725,000
 - FY 21/22 CSB capital budget \$2,090,000
 - FY 21/22 CSB Court Modernization operating budget \$2,214,000
 - FY 22/23 CSB Court Modernization operating budget \$1,929,000
 - 20+ Court Services Branch FTEs

BACKGROUND:

Some of the initiatives that are underway include:

- Expansion of eFiling Services – Enablement of processes to support electronic submission of family forms, probate, chamber binders, divorce forms, and Court of Appeal forms.
- Supporting all levels of Court – Procurement and development of virtual technology in the courtroom, including hardware and application enablement and expansion.
- Videoconferencing and MS Teams / Virtual Appearances – The Ministry has an established Videoconferencing (VC) Strategy, endorsed by the judiciary, and is currently moving forward with enabling more remote appearance capacity and supporting judicial officers to hear matters, where appropriate, from Chambers.
 - Over 350 devices and endpoints located in courthouses, correctional centres, police detachments and boardrooms around the province.
- Court Digital Transformation Strategy – Provides a clear roadmap of the shared government and judicial priorities to improve services and accessibility for citizens.
 - Builds on technology investments already made, expertise of justice partners, and the support of the judiciary to deliver user-centred services.
- Artificial Intelligence (AI) Reviewer – Utilization of machine learning technology to assist in form completion, validation, and submission, eliminating manual data entry and providing enhanced services to the public. Starting with Supreme Court Civil forms the first form now in Production (live) March 2022.
- Digital Self-Service Access to court files, documents, and records – Access to court audio and documents enabled for counsel using verifiable credentials as well as enabling judicial viewing of electronic documents and records to support virtual proceedings.

- Court Services Scheduling – Development of Sheriff Scheduling (successful pilot at two locations with five additional courthouses now being implemented) and Interpreter Scheduling systems are underway. Expansion of Supreme Court Online Booking now available for Trial Management conferences, Judicial Case conferences and Case Planning conferences.
- Modernization of Legacy Systems – The Court Fees and Fines modernisation project is to replace the 40-year-old legacy Accounts Receivable and Collections system.

Contact: Kevin Conn, Executive Director, Policy & Service Reform	Mobile: Government Financial Information
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Ministry of Attorney General and Minister Responsible for Housing

2022/23 Estimates Debates Note

Last updated Date: May 6, 2022

COURT AND JUSTICE MODERNIZATION ACCOMPLISHMENTS

KEY MESSAGES:

- Through collaborative efforts across the justice sector, courts and justice modernization efforts to date have resulted in significant accomplishments in many areas across the justice sector.
- Some of these accomplishments include:
 - Improved access to justice and timely resolution of matters.
 - Enhanced online, integrated, and efficient citizen experiences.
 - Reliable proceedings, including secure access to court materials, modernized court infrastructure/connectivity.
 - Less costly and adversarial resolution to citizen issues (family justice, housing, small claims, etc.).
 - Modernized justice processes and tools that meet sector needs and reduce the risks created by interruptions to service delivery.
- Individual initiatives include:
 - **Application Modernization** – automating form submission and eliminating manual data entry, improved infrastructure to enable digital services.
 - **Digital Identity Strategy** – enhancing digital identity and secure access tools. Family Duty Counsel has secure access to Provincial Family Court documents, verification of Law Society members in good standing.

- **Infrastructure Remediation & Enhancements** – WiFi in over 55 courthouses, virtual recorders, cabling, switches, videoconference expansion, etc.
- **Virtual Hearings** – MS Teams and Zoom for virtual civil, family, and criminal proceedings across courts and Boards/Tribunals province wide.
- **Enhanced e-filing** – for joint divorce and enabled certain online forms for Courts.
- **Traffic Court Online** – created web landing page (tickets.gov.bc.ca) and a self-resolution information tool, with plans to create end-to-end digitized virtual processes to resolve Violation Ticket cases and enable options for Early Resolution.
- **Virtual Indigenous Justice Centre** – provides a range of assistance and supports to Indigenous Peoples who are ineligible or cannot access BC Legal Aid.
- **Virtual Bail** – established centralized virtual bail process in the North.
- **Family Justice enhancements** – virtual support for clients seeking help with separation and divorce (FJSD), advanced Early Resolution Model to Surrey, piloted Qase Technology for Virtual Family Mediation in partnership with Access Pro Bono and Family Law / Mediator Bar.
- **Digital Evidence and Disclosure Management System (DEMS) Project** – allows for end-to-end collection, processing of evidence information; includes disclosure and exhibit management.

FINANCES:

- *Budget 2021* provided \$5.496 million in 2021/22, \$5.271 million in 2022/23, and \$4.910 million in 2023/24 for the ministry's courts modernization strategy.
- *Budget 2022* provides \$3.909 million in 2022/23, and \$4.072 million in 2023/24 and 2024/25.

BACKGROUND:

- Courts and justice modernization efforts began early in the pandemic and, to date, represent partnership and collaborative efforts across the sector including the Court Services Branch, Justice Services Branch, and BC Prosecution Services for the Ministry of Attorney General, Policing and Security Branch within the Ministry of Public Safety and Solicitor General, the Information Services Branch and Corporate Management Services Branch within central sector support, as well as all three levels of court within the Judiciary.
- The Ministry of Attorney General has been reporting out on justice modernization efforts to all three levels of the Courts on a regular basis (monthly).
- Since the pandemic began, the justice modernization approach across the sector has focused on the following:
 - Immediate responses to the pandemic focused on foundational technology elements that are now the building blocks for current and future transformation.
 - Investments in new systems and capabilities will be leveraged to improve functionality and access to justice over the long term.
 - Unprecedented level of collaboration and co-creation across the entire justice sector to plan, implement, and monitor these initiatives.
 - Technology has evolved from simply supporting the system to being a key player in the system and resulting service improvements.
- Digital transformation in the justice sector, focused primarily on enabling virtual attendance for matters, has had the benefit increasing access to justice by reducing travel, expense, time, and inconvenience for users.

CROSS REFERENCE:

- **Note 18** – Court Technology Innovation

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Government Financial
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**Ministry of Attorney General
and Minister Responsible for Housing**

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Last updated: May 6, 2022

BRITISH COLUMBIA FAMILY MAINTENANCE AGENCY

KEY MESSAGES:

- Under the authority of the *Family Maintenance Enforcement Act*, the BC Family Maintenance Agency (BCFMA) is the delegated authority responsible for the monitoring, facilitation and enforcement of court-ordered maintenance orders and agreements, and for ensuring families receive the court-ordered payments they are entitled to.
- In line with the August 2017 report by the Auditor General of the Contract for the Family Maintenance Enforcement Program (FMEP), the recently created BCFMA Crown Agency is modernizing and improving accessibility and connectivity with clients through improved service delivery efficiency and effectiveness, and through tactical improvements to information technology infrastructure systems.
- As a Crown Agency, BCFMA has increased its focus on client and public outreach activities to provide Indigenous and under-served communities with improved access and supports. Integrated service delivery and value-added connections with external service providers are expected to result in improved outcomes for individuals and families.
- BCFMA efforts ensure families receive the financial support they are entitled to under provincial and federal law. For most of the families receiving support payments, the monthly amounts received provide an important contribution to their disposable income, often accounting for one-quarter of their monthly income. For those single parent families who typically live on annual incomes of \$40,000 or less, the contribution resulting from BCFMA's role is significant.

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- Enrolment in BCFMA programs is voluntary. BCFMA facilitation of support payments produces better economic circumstances for B.C.'s children and families.
- BCFMA is one of B.C.'s most effective supports to combat child poverty, with BCFMA services helping the province to meet the TogetherBC/British Columbia's Poverty Reduction Strategy target of a 50 per cent reduction in the child poverty rate by 2024.
- BCFMA has successfully delivered on its mandate to address the needs of support payment recipients and payors despite the challenges created by the COVID-19 pandemic.

FINANCES:

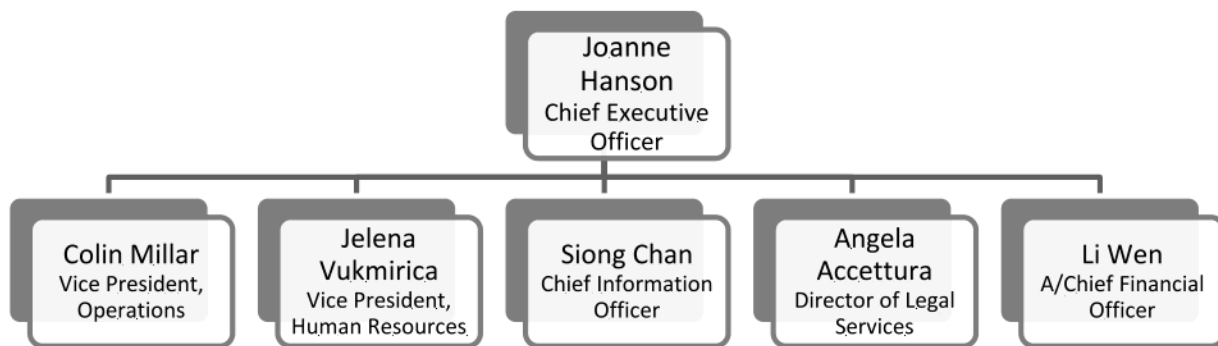
- The BCFMA base budget for 2022/23 is \$19.140 million of which \$0.400 million resides in Vote 47 Commissions on Collection of Public Funds.
- BCFMA has 197.4 FTEs, 75 per cent of which are either BC General Employees' Union or Professional Employees Association members.

STATISTICS:

- BCFMA disburses approximately \$215 million in child support payments to approximately 35,000 B.C. families each year.
- BCFMA processes more than 37,500 payments a month (450,000 payments a year) to B.C. families.
- The BCFMA Interjurisdictional Support Order Team has worked with partner agencies to collect more than \$92.2 million in the past five years in support of B.C. families.
- More than 50,000 children are enrolled in BCFMA. Approximately 30 per cent of those are young adults (19+) who are completing postsecondary education or vocational training. BCFMA ensures that these young adults receive the support they need to complete their studies successfully.

BACKGROUND:

- The transition of the B.C. FMEP from a contracted service to the BCFMA Crown Agency was successfully executed, and service levels through the transition period were maintained, in accordance with August 2017 report by the Auditor General and direction from government.
- Through case management and enforcement efforts, 92 per cent of support payments that are due to families are received/disbursed annually, ranking BCFMA amongst Canada's highest programs in rate of return.
- Formalized funding provided to BCFMA in 2021 ensures that BCFMA has the financial stability and organizational capacity to effectively deliver its services, including the ability to provide support services to families/vulnerable populations.
- By facilitating approximately \$215 million in support payments annually, BCFMA produces better economic circumstances for children and families throughout the province.



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Ministry of Attorney General and Minister Responsible for Housing

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BRITISH COLUMBIA HUMAN RIGHTS TRIBUNAL

KEY MESSAGES:

- Government's ongoing public commitment to protecting human rights has established priorities on important issues such as accessibility, reconciliation, anti-racism, and the establishment of the Office of the Human Rights Commissioner.
- These priorities have raised awareness of human rights in B.C. and have contributed to an incremental increase in human rights complaints, between 2017 to 2020, resulting in a backlog of cases.
- The recent demand for Human Rights Tribunal services has spiked 130 per cent over the past two years, while the HRT resources have remained relatively static.
- The 2020 release of Justice Ardith Walpetko We'dalx Walkem's *Expanding Our Vision: Cultural Equality & Indigenous Peoples' Human Right* Report and the recent release of the *Declaration Act* Action Plan have also put additional focus on the need for new services to meet the needs of Indigenous peoples.
- Since initial appointment in August 2021, the Chair of the BC Human Rights Tribunal (BCHRT) has established a pandemic-specific case program; completed preliminary rounds of stakeholder consultations; and developed and launched three pilot projects to reform complaint processes, increase accessibility and re-allocate resources to cases to improve efficiencies.

- Ministry staff are working collaboratively with the BCHRT to attempt to address the challenges through managing human resources, process improvements, securing financial resources, and technological advancements.¹

FINANCES:

- The Attorney General tribunal sector operating budget for fiscal 2022/23 is \$32.990 million.
- The BCHRT's operating budget for fiscal 2022/23 is \$3.856 million.
- The tribunal received a budget lift of \$0.708 million in fiscal 2021/22 which has helped address the tribunal's historical and steadily growing operational deficit.
- The BCHRT is supported by 26 approved FTEs (includes 8.2 OICs, 17.5 staff in both full and part-time positions)².

STATISTICS:

- Case volumes since fiscal year 2017/18 are shown in the following table:

Fiscal Year	New Cases	Active Cases
2017/18	1,340	1,188
2018/19	1,445	1,409
2019/20	1,460	1,529
2020/21	2,656	2,966
2021/22	3,026	3,928

BACKGROUND:

- The BCHRT is an independent, quasi-judicial body created under the *BC Human Rights Code* that is responsible for accepting, screening, mediating, and adjudicating human rights complaints.

¹ Capital funding is not currently available for technological solutions. Future capital funding will be requested based on identified requirements.

² BCHRT is completing a review of their current staffing model.

- Ministry staff are supporting the BCHRT to effectively manage its growing caseload which is the result of systemic and unprecedented challenges within the past five years.
 - These matters include the additions of Indigenous identity and gender identity and expression to the *BC Human Rights Code*, passing the *Accessibility Act*, passing the *Declaration on the Rights of Indigenous Peoples Act*, establishment of the Office of the Human Rights Commissioner which reinvigorated a focus on human rights issues, and many pandemic-related complaints.
- The Ombudsperson and Minister met in October 2021 to discuss complaint volumes and backlogged files.
- It was agreed that a formal investigation into BCHRT would not be advisable at this time as the ministry has been actively working with BCHRT on several efforts aimed at addressing its caseload which consist of:
 - relieving current resource and budgetary pressures in addition to forecasting future budget needs as related to case volumes;
 - developing and implementing a new case management system to process complaints efficiently;
 - updating BCHRT's website to allow for a streamlined online public portal for submitting complaints; and
 - identifying opportunities for improving business and operational processes along with providing an implementation plan.
- The Ministry continues ongoing dialogue with the HRT and is confident the measures outlined above will, in time, address the complaint volumes and backlogged files.

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Ministry of Attorney General and Minister Responsible for Housing

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JUDICIAL COMPENSATION COMMISSION

KEY MESSAGES:

- The Judicial Compensation Commission (JCC) is a five-person independent body comprised of
 - two individuals appointed by the Attorney General;
 - two individuals appointed by the Chief Judge of the Provincial Court, after consultation with the Provincial Court Judges' Association (PCJA) and the Judicial Justices Association of BC (JJABC); and
 - a fifth individual appointed as Chair by the other four appointees.
- The Commission is established every four years and delivers a report to the Legislative Assembly providing recommendations on all matters respecting remuneration, allowances, and benefits for Provincial Court judges (PCJs) and judicial justices (JJs) for the following four years.
- The next JCC must be appointed by September 1, 2022.
- Operational costs of the JCC are covered by government. Costs incurred by the PCJA and JJABC to participate in the process are reimbursed by government under a statutory formula.
- We will not know what the next JCC's recommendations and their fiscal impacts will be until the Commission delivers its report.

FINANCES:

- Commissioners are reimbursed for reasonable travel and living expenses necessarily incurred in the discharge of their duties; Commissioners may also be paid remuneration specified by the Lieutenant Governor in Council.
- The Commission may, on approval of the Minister, retain consultants it considers necessary. A legal counsel determined by the ministry will provide support to the Commission. Ministry of Attorney General staff will provide administrative support to the Commission on behalf of government.
- The costs incurred by the PCJA and the JJABC to participate in the JCC process are covered by government under a formula set out in section 7.1 of the *Judicial Compensation Act* (JCA): the first \$30,000 in costs and 2/3 of the costs over \$30,000 up to \$150,000.
- Equivalent to about 2 FTEs supporting the work of the Commission on behalf of government.

STATISTICS:

- The following outlines the approximate total operational costs of the JCC (detailed above and covered by government) in recent years and projected costs for the next commission:
 - Fiscal year 2017 (2016 JCC): \$380,000
 - Fiscal year 2020 (2019 JCC): \$424,000
 - Fiscal year 2023 (2022 JCC): \$500,000 (projected)

BACKGROUND:

- As a constitutional requirement, judicial salaries and benefits must not be negotiated between the judiciary and government.
- The *Judicial Compensation Act* (JCA) sets out the appointment, functions, and reporting requirements of the JCC, an independent body responsible for making recommendations about the remuneration, allowances and benefits of Provincial Court judges and judicial justices.

- Under the JCA, the JCC must be guided by the need to provide reasonable compensation to PCJs and JJs taking into consideration the six statutory factors set out in Section 5 of the JCA. The Commission has discretion to consider factors additional to those in the JCA but, if it elects to consider other factors, it must explain their relevance.
- Functions of the Commission include writing and receiving submissions; travel to and visit court sites; hold hearings for presenters making submissions; and developing recommendations for a report submitted to the minister and tabled in the Legislative Assembly.
- The JCC has seven months from the time it is established to complete its work – preliminary report due seven months after appointment and final report due 30 days after the preliminary report to the Legislative Assembly.

Litigation:

- Respecting government's response to the 2016 JCC, the PCJA requested a judicial review. The BC Court of Appeal allowed government's appeal in July 2021, upholding government's response. The PCJA then filed an application seeking leave to appeal to the Supreme Court of Canada (SCC).
- In early March 2022, the SCC dismissed the judges' application for leave to appeal.
- Respecting government's response to the 2019 JCC, the PCJA has recently provided notification it is proceeding with judicial review of the response.
- The Legislature in response to the 2019 JCC set the following salaries for PCJs and JJs:

Current Provincial Court Judges' Salary		
	JCC Recommended	Set by Legislative Assembly
April 1, 2020	\$287,000	\$276,000
April 1, 2021	\$297,000	\$282,250
April 1, 2022	\$307,000	\$288,500

Current Judicial Justices' Salary		
	JCC Recommended	Set by Legislative Assembly
April 1, 2020	\$138,000	\$125,750
April 1, 2021	\$142,000	\$129,500
April 1, 2022	\$146,000	\$133,500

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FAMILY – EARLY RESOLUTION MODEL EXPANSION

KEY MESSAGES:

- As a key part of reforms to the Provincial Court Family Rules (the Rules), the Ministry and Provincial Court introduced the early resolution model (the Model) in Victoria as a prototype in 2019, expanding to Surrey in December 2020.
- The Model builds on existing family justice services to provide individuals with family law matters early access to information and referrals, assistance resolving disputes out-of-court, and help preparing for court.
- The Victoria evaluation results are very positive, indicating this model benefits families, resolving family law matters in less adversarial ways and resulting in earlier outcomes, fewer court appearances, and reduced court time.
- Expansion of the model to other registries requires investment in front-end family justice services.

FINANCES:

- Budget 2021 provided \$2.016 million in 2021/21, \$1.886 million in 2022/23, and \$1.876 million in 2023/24 to fund ongoing costs for the family law early resolution model at the Surrey Courthouse. This includes support for Justice Services Branch, Legal Aid BC, and Court Services Branch.
- 14.5 FTEs were funded: 13.5 for Justice Services Branch (JSB) and 1.0 for Court Services Branch.

STATISTICS:

- The final evaluation of the Victoria Early Resolution and Case Management Model was completed in November 2021. The evaluation found that the model was implemented as intended and met its objectives.

BACKGROUND:

- The early resolution requirements of the Model apply where a party is seeking to resolve a family law matter as defined by the Provincial Court Family Rules (the Rules): parenting arrangements, including parental responsibilities and parenting time; child support; contact with a child; guardianship of a child; or spousal support.
- Parties seeking other orders such as those related to protection, enforcement, case management or priority parenting matters proceed directly to the court. The early resolution requirements do not apply to these applications.
- The model requires parties with a family law matter to complete the following services before filing an application in Provincial Court:
 - a needs assessment which includes early screening for family violence, identification of legal and non-legal needs, access to legal information, referrals to community organizations and legal advice; and support preparing for the appropriate next step;
 - a parenting education course; and
 - one Consensual Dispute Resolution (CDR) session, if appropriate.
- CDR under the Model is not mandatory, the requirement applies only if, following the needs assessment, a determination has been made that CDR is appropriate.
- For many families, CDR will be a productive process. Parties who do reach agreement on some or all issues are referred for legal advice prior to signing any agreement. Where CDR does not result in full agreement on the issues, it often increases parties understanding of their respective issues and helps to prepare them for court.

- After having met the early resolution requirements, either party can make an application to the court about any outstanding family law matters.
- The Model is designed to reduce conflict and build skills to prevent future conflict through earlier and more durable resolutions. It also helps families, many of whom are without legal representation, prepare for the next steps in resolving their family law matters.
- The Model is designed to provide early awareness and intervention through screening for family violence, referrals to community organizations and legal advice, and support preparing for the appropriate next step. Families are provided with information on both the court process and CDR as options to resolve their family law matter. The Ministry puts great emphasis on ensuring staff providing services within the Model have specialized knowledge about the dynamics of family violence (including coercive control) and its effect on families and children.
- CDR may not be appropriate due to issues such as family violence, power imbalances, or capacity to participate, or may need to be adapted, for example, discussing safety planning leading up to the session (e.g. what are the risks that may need attention), plans for staggering arrivals-departure if session is in-person, including advocates/support people, use of a carefully designed shuttle process rather than a joint session, connections to anti-violence sector organizations for ongoing safety planning and support.
- If a party disagrees with a determination that CDR is appropriate, they can apply to the court for an exemption.

CROSS REFERENCE:

- **Note 26** – Family Violence

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Ministry of Attorney General and Minister Responsible for Housing

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Last updated Date: May 6, 2022

FAMILY VIOLENCE

KEY MESSAGES:

- People who have experienced family violence – including coercive control – have a diverse set of complex needs. A host of supports is required to meet these needs.
- The Early Resolution Model (the Model) under the Provincial Court Family Rules is operating in Victoria and Surrey. The Model builds on existing family justice services to provide individuals with family law matters early access to information and referrals, assistance resolving disputes out-of-court and support to increase preparedness for those proceeding to court.
- The ministry received temporary funding from the federal Justice Partnership and Innovation Program to explore supports for those experiencing violence against women in families as they navigate the family justice system.
- Family Justices Services Division (FJSD) has staff across the province at Justice Access Centres and Family Justice Centres providing a variety of supports for families including those experiencing violence.
- FJSD puts great emphasis on ensuring staff have specialized knowledge about the dynamics of family violence (including coercive control) and its effect on families and children. Staff are specially trained and skilled at identifying and responding to these issues in practice, including determinations related to the appropriateness of mediation.

- FJSD is committed to ensuring dispute resolution tools and staff training opportunities reflect new information and best practices in the anti-violence sector. The division is reviewing its standardized assessment tool to ensure it adequately reflects current best practices in the field, including coercive control.
- Ministry staff are participating in the Gender-Based Violence Action Plan work being led by the Gender Equity Office and the Ministry of Public Safety and Solicitor General.
- Ministry staff are active on a number of cross-sector coordinating committees including Violence Against Women in Relationships (VAWIR) groups, Community Coordination on Women's Safety (CCWS) working group, as well as presentations to and operational and ongoing dialogues with service providers.
- As part of the *Family Law Act* Modernization project, the ministry is looking at ways to improve the Protection Order regime and how family violence is considered in decisions about guardianship, parenting arrangements and contact with a child. This will include reviewing the risk factors that the court must consider when assessing family violence in the context of the best interests of the child and whether to make a protection order.

FINANCES:

- The temporary federal Justice Partnership and Innovation Program funding is \$1million unmatched for each of fiscal 2022/23, 2023/24, 2024/25, and 2025/26.

BACKGROUND:

Family Justice Services Division – Training:

- FJSD Family Justice Counsellors are required to take the following training:
 - National certification program (Family Mediation Canada) which includes 80 hours of mediation training (aligned with Law Society requirements for family law mediators and private family mediators) AND at least 100 additional hours of further related education and training including topics of

family violence / power imbalances. Certification is granted following successful completion of an adjudicated video recorded role play and a four-hour written exam.

- A six-month supervised practicum.
- 21 hours on protocols and methods of screening for: violence, indicators of abuse, types of abuse, multicultural impacts, indicators of danger, safety plans, screening tools, referral resources, caucusing in mediation for further screening, civil and criminal proceedings, power imbalances, impact of children witnessing abuse. This exceeds the requirements set by the Law Society for private lawyer mediators, which is 14 hours of training on family violence.
- 21 hours (annually) of professional development.
- The 2022 annual FSJD staff conference will focus on identifying and responding to family violence (including coercive control) in the family law context.

Justice Partnership and Innovation Program Prototypes:

- The federal funding is being used to design, implement and evaluate prototypes including: a family court support worker program; limited legal representation for cross-examination in family matters; and improved coordination for families navigating the criminal, family, and child protection justice systems.

Gender-Based Violence Action Plan:

- The Gender-Based Violence Action Plan team is working on a cross-sector Gender-Based Violence Action Plan that serves as a roadmap to guide cross-government actions and resourcing to address gender-based violence.

CROSS REFERENCE:

- **Note 25** – Family – Early Resolution Model Expansion

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GLADUE SERVICES

KEY MESSAGES:

- Indigenous peoples 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 peoples, 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 were transferred from Legal Aid BC (LABC) to the Gladue Services Department (GSD) of the BC First Nations Justice Council (BCFNJC) on April 1, 2021, pursuant to Strategy six of the BC First Nations Justice Strategy.
- 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 is primarily 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.

FINANCES:

- Budget 2022/23 provides \$1.246 million to support Gladue services. \$0.700 million was provided in Budget 2018/19 and a further \$0.546 million was reprofiled from funding previously provided to LABC.
- The federal government has provided \$0.430 million for fiscal year 2022/23 to support Gladue Services and Reports, and \$0.300 million for Gladue Principles in British Columbia.

STATISTICS:

- BC First Nations Justice Council (FNJC) is facilitating training for new Gladue report writers and currently has 70 writers on their contract roster and has employed three full-time report writers.
- As of mid-April 2022, the GSD has received 409 requests for Gladue reports, and since April 1, 2021, 242 reports have been completed. 167 are in progress, pending assignment to a Gladue Writer, or on hold/cancelled, the reasons of which can vary.
- Despite making up only approximately five per cent of the population of B.C., 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 B.C. continues to increase in all categories: male, female, adult, and youth. There has been a 64 per cent increase in Indigenous adults in custody over the past 10 years.

BACKGROUND:

- In February 2021, the BCFNJC released the *Gladue Services Department Proposed Operating Framework* ("the GSD Framework").

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- In August 2021, the BCFNJC released *The Gladue Principles: A Guide to the Jurisprudence* book with accompanying user guides to assist those working in the criminal justice system. These resources are available through the BCFNJC website at no cost.
- The GSD operates as a branch of the BCFNJC. The annual budget for the GSD is delegated by BCFNJC as consistent with any agreements reached between BCFNJC and the province and/or other external funders.

CROSS REFERENCE:

- **Note 31** – BC First Nations Justice Strategy

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Last updated Date: May 6, 2022

DECLARATION ACT ACTION PLAN

KEY MESSAGES:

- On March 30, 2022, the *Declaration Act* Action Plan (Action Plan) was launched during a special event and tabled in the Legislature.
- The Action Plan outlines significant actions the Province will undertake in consultation and cooperation with Indigenous peoples over the next five years to advance reconciliation.
- The Ministry is leading six actions within the Action Plan:
 - Action 2.3: Issue guidelines from the Attorney General of B.C. to the Ministry legal counsel regarding the conduct of civil litigation involving the rights of Indigenous peoples.
 - Action 3.6: Introduce anti-racism legislation that addresses Indigenous-specific racism.
 - Action 3.10: Implement improvements to public safety oversight bodies and complaints processes, such as enhanced investments in the B.C. Human Rights Tribunal and new models for including Indigenous laws in complaints resolution (with the Ministry of Public Safety and Solicitor General).
 - Action 3.12: Prioritize implementation of the First Nations Justice Strategy to reduce the substantial overrepresentation of Indigenous peoples involved in, and impacted by, the justice system. This includes affirming First Nations self-determination and enabling the restoration of traditional justice systems and culturally relevant institutions (with PSSG).

- Action 3.13: Prioritize endorsement and implementation of the Métis Justice Strategy to reduce the substantial overrepresentation of Métis Peoples in and impacted by the justice system. This includes affirming Métis self-determination and enabling the restoration of traditional justice systems and culturally relevant institutions (with PSSG).
- Action 4.25: Work with Indigenous peoples to build more on- and off-reserve housing and pursue new federal contributions (with Ministry of Indigenous Relations and Reconciliation).
- The Ministry is also participating in three actions within the Action Plan: ending violence against Indigenous women, girls and 2SLGBTQQIA+ people; police reform; and addressing the disproportionate impacts of the overdose public health emergency on Indigenous peoples.
- Two items were listed in the draft Action Plan and assigned to the Ministry that were completed prior to the finalization of the Action Plan, and therefore removed. They included the addition of a non-derogation clause in the *Interpretation Act* and adding Indigenous identity as an enumerated ground in the B.C. Human Rights Code.
- The Ministry is continuing to prioritize reconciliation by working closely with Indigenous partners, including regular meetings with the First Nations Leadership Council (FNLC), implementing the First Nations Justice Strategy, engaging with Indigenous partners on new legislation and legislative amendments.

FINANCES:

- Cabinet Confidences; Intergovernmental Communications

- Budget 2022/23 provides a total of \$4.996 million towards items in the BC First Nations Justice Strategy. This includes \$0.775 million of new funding for a total of \$2.300 million towards the operation of existing, and creation of new, Indigenous Justice Centres; \$1.246 million for Gladue services and reports; \$0.650 million towards the operation of the Virtual Indigenous Justice Centre; and \$0.800 million capacity funding for staffing the Indigenous Justice Policy and Legislation Division.
- Cabinet Confidences; Intergovernmental Communications

STATISTICS:

- The Action Plan was co-developed with Indigenous peoples, including approximately 150 meetings with Indigenous leadership, over 100 written submissions, contributions to an online engagement website, and direct input on the consultation draft.

BACKGROUND:

- The *Declaration on the Rights of Indigenous Peoples Act (Declaration Act)* passed into law on November 26, 2019, and brought the articles of the United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP) into B.C. law.
- Section 4 of the Declaration Act requires the government to prepare and implement an action plan to achieve the objectives of UNDRIP.
- MIRR has led the development of the Action Plan on behalf of the government.
- Significant engagement with Indigenous partners to identify focus areas of the Action Plan occurred through July 2020 to April 2021.
- A draft Action Plan was released in June 2021 and community engagement on the draft Action Plan occurred until October 2021.

- Section 5 of the *Declaration Act* requires the Minister of Indigenous Relations and Reconciliation to prepare a report each year for the 12-month period ending on March 31 that summarizes the government's efforts to implement the articles of UNDRIP. Reporting on the progress of the Action Plan will form part of this report moving forward.

CROSS REFERENCE:

- **Note 31** – BC First Nations Justice Strategy
- **Note 32** – Métis Justice Strategy

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INDIGENOUS COURTS

KEY MESSAGES:

- The Provincial Courts of BC now include eight Indigenous Courts (ICs). These courts 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, Crown Counsel, defence lawyers, Community Corrections, police, and Indigenous service providers such as the Native Court worker and Counselling Association of BC.
- As part of the BC First Nations Justice Strategy (Line of Action 12A) the BC First Nations Justice Council is working with the Ministry, and the Judiciary to develop a joint policy for Indigenous Courts in the province.

Intergovernmental Communications

FINANCES:

- There is no Estimates budget allocated to this item.

BACKGROUND:

- The Provincial Courts of BC now include eight ICs:
 - New Westminster First Nations Court (opened November 2006)
 - North Vancouver (Chet wa nexwníw ta S7ekw'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)
 - Hazelton Indigenous Court (opened August 2021)
- 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 holistic, 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.

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- 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.

Contact: Colleen Spier, Executive Director, Indigenous Justice Strategy	Mobile: Government
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Ministry of Attorney General and Minister Responsible for Housing

2022/23 Estimates Debates Note

Last updated Date: May 6, 2022

INDIGENOUS JUSTICE CENTRES

KEY MESSAGES:

- The first three Indigenous Justice Centres (IJC) were opened in Prince George, Prince Rupert, and Merritt in March 2020.
- Also, in response to the COVID-19 pandemic, the BC First Nations Justice Council has opened a Virtual Indigenous Justice Centre to provide no-cost legal services to Indigenous clients living in under-served areas of the province where access to legal advice or representation is difficult to access or non-existent.
- The IJCs play an integral role in developing Indigenous justice services capacity, as well as in the direct delivery of Gladue services for Indigenous peoples.
- IJCs provide wraparound service capacity, primarily focusing on criminal law and child protection issues. They take a holistic approach by facilitating client connections to support systems such as mental health and addictions treatment, employment, and housing services.

FINANCES:

- Budget 2022/23 provides a total of \$4.996 million towards items in the Strategy. This includes \$0.775 million of new funding for a total of \$2.300 million towards the operation of existing, and creation of new, IJC; \$1.246 million for Gladue services and reports (\$0.700 million was provided in Budget 2018/19 and a further \$0.546 million was reprofiled from funding previously provided to Legal Aid BC); \$0.650M towards the operation of the VIJC; and \$0.800 million capacity funding for staffing the Indigenous Justice Policy and Legislation Division (IJPLD).

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- The Federal Government recently announced providing \$8.910 million in funding over the next five years (2021/22 to 2025/26) through the federal Justice Partnership and Innovation Program (JPIP) to support the operation, and development and implementation of IJCs and the VIJC.
- Intergovernmental Communications; Government Financial Information
centres. The First Nations Justice Strategy calls for up to 12 additional centres.

STATISTICS:

Intergovernmental Communications

BACKGROUND:

- The Indigenous Justice Centres have been identified by the BC First Nations Justice Council (BCFNJC) as a high priority action area within, and cornerstone of, the First Nations Justice Strategy. The IJCs provide the necessary infrastructure and community capacity 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 holistically and begin the process of tackling the factors that brought them into the justice system.

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- 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.
- Locations of the first three IJCs were determined by the BC First Nations Justice Council based on Expressions of Interest from communities.
- The BCFNJC is developing a plan for the site selection of future IJCs in collaboration with the Ministry.

Contact: Colleen Spier, Executive Director, Indigenous Justice Strategy	Mobile: Government
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Ministry of Attorney General and Minister Responsible for Housing

2022/23 Estimates Debates Note

Last updated Date: May 6, 2022

BC FIRST NATIONS JUSTICE STRATEGY

KEY MESSAGES:

- The Ministry is working with the BC First Nations Justice Council (BCFNJC) on the implementation of the Strategy. A Strategy Implementation Workplan was jointly developed by the BCFNJC and the Province and endorsed by Cabinet July 13, 2021.
- Three physical Indigenous Justice Centres (IJC) operate in Merritt, Prince George, and Prince Rupert, as well as a Virtual Indigenous Justice Centre (VIJC) that opened in October 2021, which provides services for people who are not able to access an in-person centre.
- Budget 2022/23 includes an increase to the base funding that is targeted to IJCs to add up to two additional in-person centres.
- On April 1, 2021, the Province transitioned Gladue Services from Legal Aid BC to the BCFNJC, ensuring that Gladue reports are delivered by an Indigenous-led organization through the Gladue Services Department as per Strategy 6 of the BC First Nations Justice Strategy (the Strategy).
- On January 20, 2022, the BCFNJC, Canada, and the Province signed a tripartite Memorandum of Understanding (MOU), committed to advancing the work under the Strategy and collaboration on the National Indigenous Justice Strategy.
- The Government of Canada has committed to \$8.9 million over five years to the BCFNJC as it continues to support and expand the number of IJCs and the VIJC in BC.

FINANCES:

- Budget 2022/23 provides a total of \$4.996 million towards items in the Strategy. This includes \$0.775 million of new funding for a total of \$2.300 million towards the operation of existing, and creation of new, IJCs; \$1.246 million for Gladue services and reports; \$0.650 million towards the operation of the VIJCs; and \$0.800M capacity funding for staffing the IJPLD.
- Federal Funding:
 - \$8.910 million – Five years of Operations and Expansion of IJCs and VIJC (2021/22 to 2025/26) directly to the First Nations Justice Council
 - \$0.500 thousand – Annually for three years of BCFNJC Capacity (2021/22 to 2022/23) directly to the First Nations Justice Council
 - \$0.430 thousand – Gladue Reports
 - \$0.100 thousand – Gladue Principles annually for three years directly to the First Nations Justice Council
 - \$0.400 thousand – National Indigenous Strategy (2021/22 – 2023/24) directly to the First Nations Justice Council

STATISTICS:

- As of mid-April 2022, the BCFNJC has received 409 requests for Gladue reports, and since April 1, 2021, 242 reports have been completed. 167 are in progress, pending assignment to a Gladue Writer, or on hold/cancelled (various reasons).
- In fiscal 2019/2020, LABC completed 289 reports for Indigenous clients.

BACKGROUND:

- The Strategy was endorsed on February 26, 2020, following a provincial forum held on April 24, 2019, for Chiefs and delegates from the 204 nations across B.C. and four regional engagement sessions with the Indigenous community members and service providers, to ensure all voices informed the development of the Strategy.

Contact: Colleen Spier, Executive Director, Indigenous Justice Strategy	Mobile: Government Financial Information
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Ministry of Attorney General and Minister Responsible for Housing

2022/23 Estimates Debates Note

Last updated Date: May 6, 2022

MÉTIS JUSTICE STRATEGY

KEY MESSAGES:

- The Province received the Métis Nation of BC (MNBC) Board approved final draft embargoed Métis Justice Strategy (MJS) on December 22, 2021.
- The Province is currently working with MNBC to develop an Implementation Workplan to guide the implementation of the MJS. Provincial consultation on the workplan and final MJS is anticipated to commence in May 2022.
- Currently the MNBC and BC First Nations Justice Council (BCFNJC) have collaborative monthly meetings to discuss aligned strategies to ensure Métis inclusion as the Province advances implementation of the First Nation Justice Strategy (FNJS), which also creates efficiencies for the Province.
- This includes collaboration on initiatives currently underway, such as the Indigenous Justice Centres (IJC) and Gladue. Conversations are ongoing to include Métis specific Gladue training and inclusion of Métis staff and/or services in IJC.

FINANCES:

- Intergovernmental Communications

BACKGROUND:

- In April 2019, in response to the BCFNJC's change in mandate, the MNBC formed its own justice council, Métis Nation British Columbia Justice Council (MNBCJC), to address the ways the justice system interacts with Métis people within B.C. and to inform a Métis Justice Strategy (Strategy) developed in partnership with the MAG and the PSSG.
- The development of the draft Métis Justice Report, which provided the foundation for the Strategy, occurred after seven regional consultation sessions were held to ensure participation of community members from the 38 Métis Chartered communities. The draft Strategy was delayed longer than expected; having been impacted by the COVID-19 pandemic, the MNBC election, and other related emerging issues.
- In January 2021, the MNBCJC provided an embargoed draft of the Strategy to the Indigenous Justice, Policy, and Legislation Division (IJPLD). IJPLD consulted with 11 ministries on the draft MJS and received oral and written feedback. The draft MJS received a positive response from partner ministries and only minor suggested changes were delivered to the MNBCJC on July 30, 2021. All but one of the suggested changes were incorporated into the final embargoed Strategy.

Contact: Colleen Spier, Executive Director, Indigenous Justice Strategy	Mobile: Government
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Ministry of Attorney General and Minister Responsible for Housing

2022/23 Estimates Debates Note

Last updated Date: May 6, 2022

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

KEY MESSAGES:

- The B.C. 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 (Agreement) between the Ministry of Attorney General (Ministry), Association of Legal Aid Lawyers (ALL) and Legal Aid BC (LABC) has provided stability in the delivery of legal aid services.
- Under the terms of the Agreement, the Province also engaged in two years of policy consultations with ALL. The consultations sought ALL’s input on legal aid policy matters, including issues related to coverage, eligibility, scope, quality of legal aid services, and access to justice initiatives that relate to the delivery of legal aid services. These consultations resulted in an increase of \$3.551 million in ongoing annual funding for legal aid services announced in Budget 2022.
- The tariff agreement and policy consultation portions of the Agreement expired on March 31, 2022, and the Ministry, ALL and LABC are currently engaged in negotiations for a new agreement.
- The negotiation framework portion of the Agreement does not expire and includes an agreement on the minimum level of essential services that will apply in this current round of negotiations to ensure the most vulnerable clients are protected in the event of a work stoppage.

FINANCES:

- A new agreement is still being negotiated so the financial impact is not yet known.
- FTEs supporting this issue – 1.75 FTE's

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.
- ALL submitted a proposal to government in spring 2019 that identified 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 ALL and LABC which increased historically neglected legal aid rates and averted job action by legal aid lawyers.
- The Agreement expired on March 31, 2022, and provided for:
 - phased increases to tariff rates,
 - agreement on the minimum level of essential services,
 - the establishment of a permanent negotiating relationship between the Province and ALL, and
 - a policy consultation process during the term of the agreement.
- Negotiation of a new tariff agreement began in January 2022 and is ongoing.

CROSS REFERENCE:

- **Note 34** – Legal Aid BC Funding

Contact: Wendy Jackson, Executive Director, Justice Services Branch

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Government Financial
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Ministry of Attorney General and Minister Responsible for Housing

2022/23 Estimates Debates Note

Last updated Date: May 6, 2022

LEGAL AID BRITISH COLUMBIA FUNDING

KEY MESSAGES:

- The B.C. 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”.
- Budget 2022 provides \$114.972 million to Legal Aid BC (LABC). This is an increase of \$7.469 million over their 2021/22 budget and a total increase of \$40.297 million over their 2016/17 budget.
- The Budget 2022 funding increase includes:
 - \$2.821 million that will be used to address specific service gaps identified through the Ministry’s consultation with the Association of Legal Aid Lawyers (ALL) and LABC between December 2019 and June 2021.
 - \$4.648 million to increase legal aid support for criminal, family, and child protection matters and to provide support for the ongoing maintenance of other tariff services.

FINANCES:

- LABC’s service plan budget for 2022/23 is \$118.937 million; with \$114.972 million of that provided by the Province. The remainder of the funding comes primarily from the Law Foundation and the Notary Foundation.

- As of March 14, 2022, LABC had a total of 202.8 FTEs including intake and administrative staff as well as lawyers and managers. The Parent Legal Centres alone have 42.5 budgeted FTEs. Most of LABC's legal services are provided by approximately 1000 tariff lawyers (members of the private bar).

BACKGROUND:

- LABC is the key provider of legal aid services on behalf of the BC government, which provides 97 per cent 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 how the \$7.469 million in new funding will be used to expand legal aid services:

- \$2.821 million will be used to address specific service gaps identified through the Ministry's consultation with ALL and LABC between December 2019 and June 2021. This includes the following service enhancements:
 - \$0.610M will be used to assign junior counsel in all murder and manslaughter cases and in other identified cases to ensure that the next generation of criminal defence lawyers are properly trained;
 - \$0.134M will be used to pre-authorize a certain number of hours for expert witnesses in criminal cases;
 - \$0.180M will be used to enhance the Criminal Early Resolution Contract to provide legal representation to more clients whose matter was not able to be resolved out of court; and

- \$1.897M will be used to provide stable, ongoing funding for the Family Limited Representation Contract and expand the financial eligibility for this service to help families in distress navigate the court system.
- The remaining \$4.648 million in new funding is being provided to LABC to increase legal aid support for criminal, family, and child protection matters and to provide support for the ongoing maintenance of other tariff services.

If asked about new funding for the Society for Children and Youth:

- The B.C. Government has committed a total of \$8.199 million in new, ongoing annual funding for legal aid services in the province; this includes \$7.469 million for LABC and \$0.730 million for the Society for Children and Youth (SCY).
- SCY will use this funding to expand their child and youth legal centre to meet the growing demand for legal services for children and youth across the province.

If asked about service delivery overlaps with legal clinics and indigenous justice centres:

- The eight legal clinics (poverty law, housing law, child and youth law, disability law and immigration and refugee law), administered by the Law Foundation, deliver services that are not provided by LABC. 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.
- Indigenous Justice Centres are part of the BC First Nations Justice Strategy to meet the myriad needs of B.C.'s Indigenous populations.
- Gladue report writing services were transitioning to the BC First Nations Justice Council's (BCFNJC) Gladue Services Department on April 1, 2021, and are no longer being provided by LABC.

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- While it is still too early to specify impacts for the broader transition of legal aid services for indigenous people to an indigenous-led organization, the Ministry is working with the BCFNJC and LABC to develop a transition strategy and plan. LABC will continue to deliver Indigenous Justice services until this transition is complete.

CROSS REFERENCE:

- **Note 37** – Law Foundation Legal Clinics
- **Note 31** – BC First Nations Justice Strategy

Contact: Wendy Jackson, Executive Director, Justice Services Branch	Government Financial Mobile: Information
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Ministry of Attorney General and Minister Responsible for Housing

2022/23 Estimates Debates Note

Last updated Date: May 9, 2022

MODERNIZATION OF LEGAL PROFESSIONS REGULATION

KEY MESSAGES:

- The Ministry is developing a legislative proposal regarding the regulation of lawyers, notaries and other legal service providers.
- The ministry is collaborating with representatives of the Law Society of British Columbia, the Society of Notaries Public of British Columbia and representatives of the paralegal profession.
- Subject to further refinement as work progresses, it is anticipated that the proposal will involve proposed legislative amendments that see:
 - All regulated legal professionals in B.C. governed under a single statute, and by a single regulator.
 - A mandate for the regulator that clarifies its duty to protect the public.
 - A modernized regulatory framework for the regulator that is consistent with best practices in governance.
 - Clearly defined scopes of practice for each regulated profession, with procedures to allow for expanded scopes as needed.

FINANCES:

- This project relates to independent regulators; it is not anticipated that there will be associated financial implications for government.

BACKGROUND:

- The Ministry believes that the establishment of a single regulator will create an opportunity for a centralized and efficient approach to improving access to legal services, particularly if the regulator can identify, establish and regulate potential new classes of legal professionals to work in areas that are currently underserved.
- The ministry has strong relationships with the Law Society and Notaries Society and acknowledges that both work hard to ensure that the public interest is at the forefront.
- The Ministry also acknowledges the work being undertaken by the Law Society to increase access to legal services via its Innovation Sandbox initiative.
- However, the ministry sees several opportunities for reform:
 - Notaries have been operating under an outdated statute for many years.
 - The Law Society recently commissioned a governance expert, Harry Cayton, to undertake an independent governance review of the Law Society. This project provides an opportunity to implement the recommendations out of that review.
 - The professional regulation landscape in B.C. is evolving, for example, the amalgamation of some health colleges, and within the financial services sector, and the creation of the *Professional Governance Act*. It is important to ensure that the regulation of legal professionals also continues to evolve in accordance with modern expectations and best practices.
- The Ministry anticipates that a bill could be introduced in the Legislature as early as 2023. However, even if a bill is passed, it is likely that statutory provisions would come into force in a phased or staggered way to allow the current regulators sufficient time for transition.

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Government Financial
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Ministry of Attorney General and Minister Responsible for Housing

2022/23 Estimates Debates Note

Last updated Date: May 9, 2022

FAMILY COMPENSATION ACT

KEY MESSAGES:

- Our government has received a great deal of feedback on the existing *Family Compensation Act* (FCA).
- We have heard that the current legislation should be reformed to expand access to justice and benefits for families who grieve the loss of a loved one due to the wrongful act of another.
- As the government and private insurers are usually the defendants in wrongful death cases, we must also ensure any increase in compensation available for families is fair to rate payers and taxpayers.
- Government is committed to reviewing the FCA and the wrongful death compensation framework in British Columbia during this term of government.

FINANCES:

- No specific budget has been allocated to the review of the FCA at this time.

BACKGROUND:

- *In Their Name*, an advocacy group of families who have lost loved ones due to wrongful death have petitioned government to address FCA's lack of non-pecuniary damages which they find discriminatory and denies them the ability to "right the wrong and ensure that the same preventable actions which resulted in the wrongful death would not happen to another."

- The FCA permits spouses (including people in a marriage-like relationship for at least two years), parents (including grandparents and stepparents) and children (including stepchildren and persons to whom the deceased stood in the role of a parent) to bring an action for damages against the party who caused the death.
- The FCA allows for pecuniary damages to be awarded to address financial loss suffered as a result of the death of a family member, including lost financial support, funeral expenses, and medical and hospital expenses incurred on behalf of the victim.
- A key criticism of the FCA is that because it only provides eligible claimants with pecuniary damages to compensate them for the loss of financial support (that they would have received from the deceased, had they survived), for many families who do not experience a loss of financial support (for example if a minor child or elderly parent dies) it is not financially worthwhile to pursue a claim under the existing legislation.
- While the FCA does not explicitly allow for bereavement damages, in cases involving minor children with a deceased parent, a small amount of pecuniary damages are awarded to each child to address the loss of guidance, care and companionship of the parent.
 - The conventional amount is \$35,000, which is the “rough upper limit” awarded to minor children for the loss of a parent. The amount is adjusted based on factors of age and other considerations such as the involvement of the parent in the child’s life.

ICBC’s Enhanced Care:

- If a fatality occurs due to a motor vehicle accident in B.C., eligible family members work with an ICBC claims adjuster who is legally obligated to assist claimants. Eligible family members receive the following entitlements:
 - \$66,987 minimum to Spouse (up to \$500,000 based on the decedent’s income and age)
 - \$31,187 to \$60,000 – Lump Sum Payment to dependents

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- Additional \$29,306 if dependents have a disability
- \$14,918 to each non-dependent child or parent (if there is no spouse or dependents)

Other Canadian Jurisdictions:

- Most Canadian provinces have amended their wrongful death legislation to also include bereavement damages. There are a variety of models used across Canada.
 - Legislation in Alberta, Saskatchewan, Manitoba and the Yukon use statutory caps for bereavement damages, with a range of amounts awarded and a range of family members who qualify as eligible claimants.

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Ministry of Attorney General and Minister Responsible for Housing

2022/23 Estimates Debates Note

Last updated Date: May 9, 2022

LAW FOUNDATION LEGAL CLINICS

KEY MESSAGES:

- The Province funds eight legal clinics, which are administered by the Law Foundation. The legal clinic model is achieved by adding a lawyer and support staff to existing advocacy programs, and each clinic costs \$250 000 annually to operate.
- This includes four community law clinics in Kamloops, Kelowna, Prince George, and Surrey, as well as four specialty clinics focusing on housing law, disability law, immigration and refugee law, and child and youth clinic.
- The specialty clinics are located in Vancouver but can assist people throughout the province.
- The legal 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 newest clinic, the Child and Youth Clinic, hosted by the Society for Children and Youth BC, provides legal services for children and youth throughout the province.

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.
- 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 child and youth clinic delivers free legal information, advice and representation for children and youth. The Society for Children and Youth is the only program in B.C. that delivers the full range of legal services to children and youth.
- The legal clinics' focus on poverty law, as well as disability, housing, child and youth, 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.

FINANCES:

- The Province has committed \$0.250 million per year of operation for each legal clinic.

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.

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- 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.
- On August 2019, the Board of Governors approved grants of \$250,000 to seven existing advocacy centres to create the legal clinics.
- The Board of Governors approved the eighth grant, to the Society for Children and Youth, in August 2021.
- The first seven legal clinics were operational between November 2019 and April 2020. The Child and Youth clinic became operational in early 2022.

Law Foundations Clinics Locations 2022/2023:

Location	Type	Host Organization
1. Vancouver	Housing Law Clinic	Tenant Resource and Advisory Centre Society
2. Kamloops	Community Law Clinic	Kamloops and District Elizabeth Fry Society
3. Surrey	Community Law Clinic	SOURCES Community Resources Society
4. Prince George	Community Law Clinic	BC First Nations Justice Council
5. Vancouver	Disability Law Clinic	Disability Alliance BC
6. Kelowna	Community Law Clinic	Kamloops and District Elizabeth Fry Society
7. Vancouver	Immigration and Refugee Legal Clinic	Immigrant Services Society of BC
8. Vancouver	Child and Youth Legal Clinic	Society for Children and Youth BC

Contact: Wendy Jackson, Executive Director, Justice Services Branch	Mobile: Government Financial Information
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Ministry of Attorney General and Minister Responsible for Housing

2022/23 Estimates Debates Note

Last updated Date: May 9, 2022

MENTAL HEALTH ACT RIGHTS ADVICE SERVICE

KEY MESSAGES:

- The Ministry of Attorney General, in partnership with the Ministry of Health, the Ministry of Mental Health and Addictions, and the Ministry of Children and Family Development, is working to establish a rights advice service for patients who are involuntarily admitted to designated facilities under the *Mental Health Act*.
- The role of the rights advice service will be to explain rights and options available under the *Mental Health Act*, assist patients to exercise these rights, and refer patients to a lawyer or advocate if a court hearing or Mental Health Review Board hearing is requested.
- Proposed amendments to the *Mental Health Act* have been introduced to grant the Attorney General the authority to designate a rights advice service provider; to set out the patient's right to speak with a rights advisor; and mandate the responsibilities of rights advisors and designated facilities for the provision of rights advice.
- The rights advice service will help to ensure that the government is meeting its constitutional obligations to protect the Charter rights of individuals who are involuntarily detained under the *Mental Health Act*.
- The service is expected to be available starting in early 2023.

FINANCES:

- Ongoing funding will be required to operate the rights advice service. However, the actual budget required to operate the service is under development and will depend on caseload.

STATISTICS:

- In 2020/21, acute care designated facilities in B.C. discharged over 28,000 patients who had been involuntarily admitted, involving almost 20,000 unique patients.
- The number of individuals with involuntary status in acute care facilities has been increasing steadily over the past 15 years, while those with voluntary status has stayed relatively stable over the same period. Between 2005/06 and 2017/18, the number of involuntarily admitted patients increased by approximately 79 per cent, whereas voluntarily admitted patients increased by only 12 per cent.

BACKGROUND:

- People experiencing social and economic marginalization are more likely to experience disproportionate levels of interaction with the mental health system, such as involuntary admission and treatment. This includes racialized and Indigenous populations, women, people identifying as LGBTQ2S+ and/or gender diverse, people with physical disabilities, and people with substances abuse issues.
- 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 a 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 more than half of 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 B.C. in its March 2019 report *Committed to Change: Protecting the Rights of Involuntary Patients under the Mental Health Act*.
- 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.
- Several 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.
- Alberta, Saskatchewan, Ontario, New Brunswick, Nova Scotia, and Newfoundland all have rights advice services for individuals involuntarily detained under mental health legislation, highlighting the absence of comparable services in B.C.
- In 2021, a series of broad engagements were conducted with health authorities, facility operators, mental health and legal advocacy organizations, professional associations, Indigenous organizations, and individuals and families with lived experience. Nearly all participants viewed the rights advice service positively and as a much-needed service.

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Government Financial
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Ministry of Attorney General and Minister Responsible for Housing

2022/23 Estimates Debates Note

Last updated Date: May 9, 2022

CULLEN COMMISSION – PUBLIC INQUIRY INTO MONEY LAUNDERING

KEY MESSAGES:

- We have been very clear that dirty money has no place in B.C. Our government has taken quick action to protect the safety and security of British Columbians by doing everything possible to identify, prevent and disrupt this illicit activity.
- Our government is closing real estate loopholes, strengthening policies and procedures in gambling facilities and improving laws to deter money laundering.
- We launched a public inquiry to better understand the extent of illicit finances and organized crime. The Cullen Commission is looking at the full scope of money laundering in B.C., including real estate, gambling, luxury goods, financial institutions, and the corporate and professional sectors.
- Government participated fully in the Cullen Commission hearings, and I look forward to reviewing the findings and recommendations of the Commission when we receive the final report in June 2022.
- Within the Ministry of Attorney General, Justice Services Branch was responsible for supporting the set-up and operations of the Cullen Commission and will provide operational support until the Commission's work is fully completed. Responsibility for the review and implementation of recommendations from the Cullen Commission, including resulting policy and legislation, will be the responsibility of the Anti-Money Laundering Secretariat, within the Gaming Policy and Enforcement Branch.

FINANCES:

- The budget for the Cullen Commission for 2022/23 is approximately \$850,000.
- This amount is for the completion of the final report and recommendations to government and for the Commission to wind down its office, appropriately manage its records and conclude final business.

BACKGROUND:

- Based upon a recent request for an extension, the Cullen Commission final report is due to the Province on June 3, 2022.
- Commissioner Cullen requested an extension, as result of the need for additional hearings, which extended the inquiry's timeline by several months.
- 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.

Real Estate:

- To address money laundering in the real estate and financial sectors, the B.C. Government has introduced measures, such as:
 - Establishing the Land Owner Transparency Registry to help end hidden ownership of land in B.C.
 - Introducing legislation in March 2021 to establish B.C. Financial Services Authority as the single regulator for financial services, including real estate, to help streamline and unify regulation of the sector.

Gambling Industry:

- Government has addressed 38 of Dr. German's 48 recommendations for the gambling sector. The remaining ten recommendations will be addressed through amendments to the *Gaming Control Act* (GCA), which are anticipated in fall 2022. The amendments will strengthen the regulator's role in setting requirements for the gambling industry and establish a statutory requirement for source of funds declarations.

CONFIDENTIAL

- To reduce the risk of illicit financial activities in B.C. gambling facilities, government has introduced key measures such as the establishment of the Joint Illegal Gaming Investigation Team, enhanced presence of government regulators at Lower Mainland casinos, and a requirement of funds declaration for casino customers who try to buy in with \$10,000 or more in a 24-hour period.
- The budget for the Cullen Commission for 2021/22 was \$5,111,000.

CROSS REFERENCE

- **Note 2** – Mandate Letter Status Update

Government Financial Information	
Contact: Michele Jaggi-Smith, AML Secretariat	Mobile:
Zac Kremler, Justice Services Branch	Mobile:

Ministry of Attorney General and Minister Responsible for Housing

2022/23 Estimates Debates Note

Last updated Date: April 5, 2022

INDEPENDENT INVESTIGATIONS OFFICE OF B.C.

KEY MESSAGES:

- The Independent Investigations Office of BC (IIO) is a civilian-led body established under the *Police Act* to investigate incidents of death or serious harm involving police officers and special constables in B.C. It has been operational since September 2012.
- The IIO strives to bring transparency and accountability to policing in the province and has established goals to conduct fair, unbiased and thorough investigations of police-involved critical incidents.
- Over the past two years, IIO staff continued to work virtually where possible. Where circumstances warrant, investigators are deployed to scenes and conduct face to face interviews under strict safety protocols, while continuing to use various technology where appropriate.
- The IIO has been able to achieve high investigation standards to ensure civilian oversight, accountability, and transparency in policing in B.C.
- The IIO has established the first Indigenous Civilian Monitor on a specific investigation, to build greater trust, communication, and collaboration.

FINANCES:

\$ in Millions	2021/22 Estimates Restated	Anticipated Trends 2022/23	Anticipated Trends 2023/24	Anticipated Trends 2024/25
Budget	\$9.093	\$9.093	\$9.093	\$9.093
FTEs*	65	65	65	65

*FTEs are not budgeted

STATISTICS:

- The IIO has not yet met its full complement of investigators (three teams of ten investigators) despite the two-year temporary amendment to the *Police Act* which ended on June 1, 2021. The IIO is currently managing an increasing caseload which is challenging given the staffing levels and the added challenge of the pandemic.

Investigations:

- Since fiscal 2017/18, the number of notifications received, and investigations carried out has consistently increased. This year, the number of notifications and investigations undertaken have plateaued and are aligned with 2020/21, although the number of IIO investigators has not increased since fiscal year 2017/18. Currently, the IIO is operating with the fewest investigators since 2017, as only 24 of 30 positions are filled.
- In 2021/22, the IIO received 323 notifications of incidents that could potentially involve serious harm or death which is similar to the number of notifications received last fiscal year (339 in FY 2020/21).
- Of the 323 notifications, the IIO commenced 193 investigations (a decrease of 39).
- Ninety-four investigations were concluded with some form of public information being provided during the fiscal year. This is similar to the level of public reporting in 2020/21.

Average Length of Investigations:

- The average length of time to conclude an investigation in fiscal 2021/22 was 68 days from the date of notification. This number will increase as the 50 open files from the 2021/22 fiscal year conclude within the coming months.
- In fiscal 2019/20, the average time to conclude an investigation was 70 days, and in fiscal 2020/21, the average was 94 days.

BACKGROUND:

- The IIO is established within the Ministry of Attorney General as a separate voted appropriation to support the independence of the office from the police.
- Some aspects of the IIO operations fall under the superintendence of the Ministry of Public Safety and Solicitor General. These matters include standards related to training, use of force, cooperation between law enforcement agencies, and investigative standards.
- The IIO is under the leadership of a Chief Civilian Director (CCD), who is, by statute, not permitted to have ever served as a police officer.
- Mr. Ronald J. MacDonald, QC was appointed as the CCD of the IIO on October 24, 2017.
- Upon the completion of an IIO investigation, the CCD of the IIO considers whether or not there are reasonable grounds to believe that an officer may have committed an offence. If the CCD concludes those grounds exist, he may refer the matter to Crown counsel for consideration of charges. If the CCD does not find that reasonable grounds exist, a public report that includes the reasons for the decision, a summary of the circumstances leading to the involvement of the IIO and a summary of the results of the investigation is publicly released if it is in the public interest to do so.

Contact: Sherri Lee, Director, Criminal Justice Policy

Mobile:

Government Financial Information

Ministry of Attorney General and Minister Responsible for Housing

2022/23 Estimates Debates Note

Last updated Date: May 6, 2022

ANTI-RACISM LEGISLATION

KEY MESSAGES:

- The persistent challenges of racism and inequity in B.C. have been highlighted throughout the COVID-19 pandemic. Indigenous Peoples and other racialized communities have experienced disproportionate impacts in job loss and access to programs and services, while hate crime against Asian-Canadians has increased sharply.
- To identify and address racism at a systemic level, government has publicly committed to introducing two pieces of anti-racism legislation:
 - 1) Anti-racism data legislation aimed to identify and dismantle systemic racism and advance racial equity was introduced in Spring 2022.
 - 2) Separate anti-racism legislation that will address broader challenges of racism and inequity in B.C. (to be introduced in Fall 2023)
- As Ministry staff have been primarily focused on developing the anti-racism data legislation, policy research on the broader anti-racism legislation is still in the early stages. The intent is to continue learning from the extensive engagements that took place to develop the anti-racism data act and apply – and build upon – what we heard from Indigenous Peoples and other racialized communities to the broader legislation.
- The B.C. Human Rights Commissioner’s inquiry on incidents of hate during the pandemic, and consultations for Canada’s first ever National Action Plan on Combatting Hate are currently underway. Findings from these reports will help inform B.C.’s approach to systemic racism.

- It is important for the Province to move forward on the anti-racism legislation with Indigenous Peoples and racialized communities, and to hear from British Columbians about what is impacting them. The Ministry expects to begin public consultations and engagements on the broader anti-racism legislation in Fall 2022.

FINANCES:

- No additional funding has been allocated to the broader anti-racism legislation project. The Ministry hopes to be invited to request support from Treasury Board to fund this legislative project this Spring

Cabinet Confidences; Advice/Recommendations
Cabinet Confidences;
Advice/Recommendation
s

STATISTICS:

- Thirty-six per cent of British Columbians and 51 per cent of Metro Vancouver residents self-identified as a visible minority or Indigenous in 2016 (Census 2016).
- The COVID-19 pandemic has had disproportionate socio-economic impacts on Indigenous Peoples and people of colour. Statistics Canada 2020 Labour Market Data shows that Indigenous Peoples 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 per cent in 2020 compared to 2019 in Vancouver.
- The number of police-reported hate crimes in Canada increased 37 per cent in 2020, rising from 1,951 incidents to 2,669 – this marks the largest number of police-reported hate crimes recorded since comparable data became available in 2009.
- Overall, in Canada, hate crimes motivated by hatred of a race or ethnicity represented 62 per cent of all hate crimes, followed by those targeting religion (20 per cent). The highest increases were in Ontario (+316 incidents), British Columbia (+198 incidents), and Alberta (+105 incidents).

- Rates of hate crime in British Columbia (+60 per cent) increased at a rate higher than the national average (+35 per cent). Saskatchewan (+60 per cent), Alberta (+39 per cent) and Ontario (+35 per cent) saw similar or lesser rates of increase.

BACKGROUND:

- Ontario's *Anti-Racism Act* primarily focuses on data collection for anti-racism purposes and establishes an Anti-Racism Directorate and Anti-Racism strategy.
- On March 24, 2022, Nova Scotia introduced the *Dismantling Racism and Hate Act*, which moves beyond anti-racism to focus on systemic hate, equity, and racism. This statute may influence the scope of B.C.'s anti-racism legislation.
- The Province recently completed a review on the *Police Act*, which may influence what is included in the anti-racism legislation.
- In August 2021, British Columbia's Human Rights Commissioner launched a public inquiry into hate incidents during the COVID-19 pandemic. The intention is to have the findings of this inquiry inform the anti-racism legislation. The inquiry is expected to be complete in Fall 2022.
- On March 29, 2022, the Federal government launched national consultations for Canada's first ever National Action Plan on Combatting Hate. Findings from the national consultations may influence the Province's anti-racism legislation.
- Priorities for the legislation will be set in consultation and collaboration with Indigenous Peoples and racialized communities, and in alignment with the Declaration Act and the United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP) in relation to Indigenous involvement and governance. Subject to these conversations, possible priorities for the legislation may include establishing the following in the act:
 - An Anti-Racism Secretariat or Directorate;
 - An anti-racism strategy designed to tackle systemic racism and advance racial equity in the public sector;
 - Action plans or reporting mechanisms to address systemic racism;
 - and,

- Evaluation and assessment tools to determine progress on advancing racial equity.
- In addition, the anti-racism legislation may address racist hate incidents with supports and non-criminal sanctions, as well as anti-racism training or education in the public sector. The anti-racism data legislation focuses on identifying the problem of systemic racism, while the anti-racism legislation will focus on action and progress.

Contact: Angela Cooke, Associate Deputy Minister of Housing and Multiculturalism	Mobile: <small>Government Financial Information</small>
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Ministry of Attorney General and Minister Responsible for Housing

2022/23 Estimates Debates Note

Last updated Date: May 6, 2022

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 greater 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.
- 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.
- In May, 2021, the Province announced a one-time grant of \$2 million 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.
- 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.

CONFIDENTIAL

- We are committed to working with the National Association of Japanese Canadians to ensure that our work is informed by their recommendations.

FINANCES:

- Ministry staff are currently assessing funding options for consideration.

BACKGROUND:

- One of Parliamentary Secretary Rachna 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 B.C. Legislature in honour of the Japanese-Canadian community."
- NAJC submitted several proposals to the Province in 2019, 2020, 2021 and 2022 outlining the level of recognition they are seeking. In the most recent submission, they are asking for funding and support of the following initiatives:
 - **Monument** – to commemorate and remember
 - **Education** – develop teaching materials for Japanese Canadian history in BC Schools
 - **Anti-Racism and Acknowledgement** – comprehensive and meaningful acknowledgment of the BC Government role in uprooting, internment, and dispossession of Japanese Canadians from 1942 – 1949.
 - **Health, Wellness, and Housing** – supports and social housing for survivors and intergenerational trauma counseling.
 - **Heritage** – preservation and access to Japanese Canadian history and heritage.
 - **Community and Culture** – community space and programming.

Contact: Angela Cooke, Associate Deputy Minister of Housing and Multiculturalism	Mobile: <small>Government Financial Information</small>
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Ministry of Attorney General and Minister Responsible for Housing

2022/23 Estimates Debates Note

Last updated Date: May 6, 2022

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.
- In addition to working to dismantle systemic racism through new legislation, B.C. is committed to supporting communities to address racism and hate by providing them with direct funding support.
- The Resilience BC Anti-Racism Network offers a more strategic and coordinated approach for responding to racism and hate in B.C. communities by leading anti-racism and anti-hate work at local and regional levels.
- The network has a centralized "Hub" that anchors the program and provides support to "Spokes" in 40 communities..
- 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 (\$240 thousand for the Hub and \$300 thousand for community spokes) and is supported by two FTEs.

STATISTICS:

- 164 hate crimes were reported across the province in 2015, compared to 502 in 2020 (Statistics Canada), followed by
- Police-reported hate crimes in B.C. have been trending upwards since 2017, with a rate of 5.2 to 10.1 per 100,000 population in 2020, the highest increase across Canada, according to Statistics Canada.
- Statistics Canada's recent report shows that the number of police-reported hate crimes targeting race or ethnicity almost doubled (+80 per cent) in 2020.
- The Vancouver Police Department also reported a significant spike in hate-related incidents against Asian Canadians during the COVID-19 pandemic in 2020, increasing more than 700 per cent (rising from 12 in 2019 to 98 in 2020).
- The sharp increase led to international news reports declaring Vancouver the “Anti-Asian Hate Crime Capital of North America” in the spring of 2021, based on evidence that reported hate crime in Vancouver was significantly higher than in other major cities like New York, Los Angeles, Toronto, and Montreal.

BACKGROUND:

- Resilience BC was announced on November 20, 2019, during Multiculturalism Week.
- The Victoria Immigrant and Refugee Centre Society (VIRCS) was renewed to continued delivering services for the third year as the Hub for the Resilience BC Anti-Racism Network.
- Thirty-four organizations deliver Spoke services in 40 communities in all regions of the province since August 2020.
- In May 2021, the Resilience BC Anti-Racism Network launched a new website with resources, multilingual information for victims and bystanders of hate incidents and videos available in 13 languages including Chinese, Japanese, Vietnamese, Korean, Tagalog, Punjabi, and Hindi. The videos were made in partnership with the Vancouver Asian Film Festival (VAFF).

- In 2020/21, the Ministry invested an additional \$972.5 thousand in Resilience BC in one-time initiatives as part of the Anti-Racism Restart and Recovery Initiatives under Stronger BC:
 - Resilience BC Community Convenors – Grants of \$50,000 or \$100,000 were awarded to four organizations to develop initiatives to address anti-Asian racism, anti-Black racism, anti-Indigenous racism, and faith-based hate.
 - Front-line training project with EVA BC (\$300,000) – The Ending Violence Association of BC is developing and implementing an on-line training module for first responders and frontline workers to improve their capacity to support victims of hate crimes. This project is due to be completed in 2023.
 - The program is back to its base budget in 2021/22 and 2022/23.
- Resilience BC was identified under Schedule 5 of the Partnership Agreement for the Conservation of Southern Mountain Caribou (2020) to support the Cariboo Recovery Anti-Racism Project (\$100,000 via Ministry of Forests, Lands, Natural Resource Operations and Rural Development (FLNR)).
 - Under the agreement, the Province committed to reviewing and reporting on any hate speech or other forms of racism that arose during or around the public engagement process related to the Partnership Agreement.
 - With funding from FLNR, Ministry of Attorney General is contracting SFU's Morris J. Wosk Centre for Dialogue to work with ministry staff and the Sauteau and West Moberly First Nations to conduct the review and develop the report.

Contact: Angela Cooke, Associate Deputy Minister of Housing and Multiculturalism	Government Financial Mobile: Information
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Ministry of Attorney General and Minister Responsible for Housing

2022/23 Estimates Debates Note

Last updated Date: May 5, 2022

CHINESE CANADIAN MUSEUM

KEY MESSAGES:

- The contributions of British Columbians of Chinese descent are an essential part of our province's success and cultural richness.
- That is why our government has invested more than \$27 Million to support establishing the Chinese Canadian Museum.
- This is Canada's first museum honouring the Chinese Canadian community.
- The permanent site in the historic Wing Sang building in Vancouver Chinatown is an impressive monument, 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.
- Although this project was not completed, 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.

BACKGROUND:

- In 2015, 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 Province announced its commitment to establish a Chinese Canadian Museum in the 2019 throne speech and provided the City of Vancouver a \$1-million grant to support museum planning and programming.
- The City of Vancouver has since experienced multiple delays with its community planning processes. In December 2020, the City advised the province that it will be ready to install the monument in 2023.
- In 2020, the Province provided an \$8 million endowment to establish the Chinese Canadian Museum Society, and \$2 million in funding to complete the planning and initial development, including identifying potential sites, for the Museum's home.
- In 2021, the ministry consulted with the Chinese Canadian Museum Advisory Committee and the Premier's Chinese Canadian Community Advisory Committee and confirmed that it should continue to work with the City of Vancouver to build a Chinese Canadian monument according to its long-range timelines.
- 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.

CONFIDENTIAL

- On February 11, 2022, the B.C. Government provided \$27.5 million to the Chinese Canadian Museum Society of British Columbia to support continued planning and operations of the society, as well as the purchase of the historic Wing Sang Building.
- Minister Mark is now leading the Chinese Canadian Museum project.

Contact: Angela Cooke, Associate Deputy Minister of Housing and Multiculturalism	Government Financial Mobile: Information
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Ministry of Attorney General and Minister Responsible for Housing

2022/23 Estimates Debates Note

Last updated Date: May 6, 2022

ANTI-ASIAN RACISM

KEY MESSAGES:

- We have seen a rise in anti-Asian racism during COVID-19, with a dramatic increase in violent attacks and harassment toward Asian communities and those who appear to be Asian in B.C.
- Hate has a long history in British Columbia and still exists today. Everyone has the right to live without the fear of violence and any form of discrimination.
- We are proud of all the positive contributions Asian Canadians have made to our province, and we commit to stand with them against racism.
- B.C. is committed to supporting communities to address racism and hate by providing them with direct funding support.
- Programs and initiatives such as the Resilience BC Anti-Racism Network, our Multiculturalism and Anti-Racism Grants Program, our Proclamations Program, and our annual awards ceremony support communities in their critical work to address racism and champion their success.
- The Ministry is also addressing systemic racism by introducing the anti-racism data act and working towards an anti-racism act.
- Other anti-racism initiatives include a province-wide anti-racism awareness campaign; proclaiming Anti-Racism Awareness Week in May; developing an anti-racism action plan for kindergarten to Grade 12.

FINANCES:

- The Ministry has an annual budget of \$540,000 to support Resilience BC programming and \$300,000 for the Multiculturalism and Anti-Racism Grants program in FY2022/23.
- 4.5 FTEs support this through Resilience BC, Multiculturalism Grants program, and historical initiatives (National Association of Japanese Canadians).

STATISTICS:

- Police-reported hate crimes in B.C. have been trending upwards since 2017, with a rate of 5.2 to 10.1 per 100,000 population in 2020, the highest increase across Canada, according to Statistics Canada.
- Statistics Canada further reports that the number of police-reported hate crimes targeting race or ethnicity almost doubled across the country, from 2019 to 2020 (+80 per cent), with crimes targeting the East or Southeast Asian population (+202 incidents) posting the highest increase (+301 per cent) compared with any other group; 57 per cent of these crimes were violent.
- There was also a significant spike during the COVID-19 pandemic in 2020 in which the Vancouver Police Department reported that police-reported anti-Asian hate crimes climbed by more than 700 per cent compared to the same period in 2019 (rising from 12 to 98).
- On September 9, 2020, Project 1907 , a community-based organization, recorded over 600 incidents of anti-Asian racism across Canada. Women in B.C. accounted for nearly 70 per cent of all reported incidents.
- According to a report published in 2022 by the Chinese Canadian National Council Toronto Chapter and Project 1907, there is a continued and concerning rise in anti-Asian racism and xenophobia across Canada, with reports by South Asian and Southeast Asian people increasing dramatically from 2020 to 2021, by 318 per cent and 121 per cent, respectively.

- Vancouver was identified as the “Anti-Asian Hate Crime Capital of North America” in the spring of 2021, based on the number of reported hate incidents in Vancouver that was significantly higher than in other major cities like New York, Los Angeles, Toronto, and Montreal.
- Prior to COVID-19, Statistics Canada estimated that two-thirds of all hate crimes and racist incidents go unreported to police, partly due to mistrust of the police by some Indigenous, racialized and faith communities, and a lack of public awareness about rights and protective laws related to racism and hate.

BACKGROUND:

- There was a significant spike of anti-Asian racism during the COVID-19 pandemic.
- The Resilience BC Anti Racism Network has a centralized "Hub" that anchors the program and provides support to "Spokes" in 40 communities, which lead anti-racism and anti-hate work at local and regional levels.
 - At least seven spokes are currently working to directly address the rise in anti-Asian racism in both urban and rural communities.
 - In 2021, The Hua Foundation received \$50,000 as the Resilience BC Community Convener addressing anti-Asian racism. They acted as a convener to synthesize information to advance anti-racism work being done by Asian community organizations towards long term systemic change.
 - The Resilience BC Anti-Racism Network website was also launched in May 2021 with resources, multilingual information for victims and bystanders of hate incidents, and videos available in 13 languages including Chinese, Japanese, Vietnamese, Korean, Tagalog, Punjabi, and Hindi. The videos for the website were made in partnership with the Vancouver Asian Film Festival (VAFF).
- In 2022, sixty organizations received Multiculturalism and Anti-Racism Grants of up to \$5,000 to support community-based projects annually that promote

multiculturalism and address racism. At least five of these organizations are addressing anti-Asian racism through their projects.

- The Province committed to introduce a racist incident hotline as soon as possible to respond to the significant rise in hate crimes and incidents during the pandemic.
 - The hotline will be a multilingual, non-police reporting service that will provide support and referrals to people who have experienced or witnessed racist or hate incidents, including referral to counselling services.
 - The Ministry is currently in the process of securing funding to implement this initiative.

Contact: Angela Cooke, Associate Deputy Minister of Housing and Multiculturalism	Government Financial Mobile: Information
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Ministry of Attorney General and Minister Responsible for Housing

2022/23 Estimates Debates Note

Last updated Date: May 5, 2022

ANTI-BLACK RACISM

KEY MESSAGES:

- The Province greatly values the history, contributions, and accomplishments of Black communities in B.C.
- We recognize that Black British Columbians continue to face disproportionate barriers as a result of systemic racism and discrimination.
- For the first time in its history, B.C. proclaimed August 1, 2021 as Emancipation Day to mark the date on which slavery was abolished across Canada in 1834.
- The COVID-19 pandemic and more recent global activism has shed light on systemic racism experienced by Black communities in B.C. and worldwide.
- Our government has taken steps to better understand experiences of Black British Columbians as we move towards meaningfully recognizing the International Decade for People of African Descent (IDPAD).
- Programs and initiatives such as the Resilience BC Anti-Racism Network, our Multiculturalism and Anti-Racism Grants Program, our Proclamations Program, and our annual awards ceremony support communities in their critical work to address racism and champion their success.
- B.C. is also committed to supporting communities to address racism and hate by providing them with direct funding support.
- Under the Resilience BC Framework, we funded the Black in British Columbia (BC) Convener pilot project. As part of the Convener role, The African Arts and Cultural Community Contributor Society (AACCCS) led a community assessment

process of the performance of our government, and provided their findings and recommendations through their report called Black In B.C.

- The Ministry is also addressing systemic racism and recently introduced the anti-racism data act.
- We continue to work towards an anti-racism act.
- Other anti-racism initiatives include a province-wide anti-racism awareness campaign; proclaiming Anti-Racism Awareness Week in May; developing an anti-racism action plan for kindergarten to Grade 12.

FINANCES:

- The Ministry has \$0.540 million to support Resilience BC programming and \$0.300 million for the Multiculturalism and Anti-Racism Grants program in FY2022/23.
- 4.5 FTEs support this through Resilience BC, Multiculturalism Grants program, historical wrongs initiatives (International Decade for People of African Descent).

STATISTICS:

- Statistics Canada's recent report shows that the number of police-reported hate crimes targeting race or ethnicity almost doubled (+80 per cent) in 2020 – the result of more crimes targeting the Black population at +318 incidents – making the Black population the most commonly targeted group overall for 2020.
- The 2016 population census recorded 43,500 Black people in B.C., representing one per cent of the provincial population in 2016 and almost four per cent of the Black population in Canada. The Black population continues to grow in BC. Between 1996 and 2016, the population almost doubled in size. (Statistics Canada, 2019)
- The number of people of African ancestry in the province is likely higher when considering those of mixed heritage or those who identify differently within the 40,465 individuals identifying as visible minorities.

BACKGROUND:

- In 2021, Parliamentary Secretary Rachna Singh hosted a series of 10 community meetings with community members and Ministers on themes ranging from education, justice and community safety, health, arts and culture, employment, migration, and housing.
 - Members of Black communities in B.C. provided recommendations to address long-standing and emerging issues of systemic racism.
 - Advice/Recommendations
- The Resilience BC Anti Racism Network has a centralized "Hub" that anchors the program and provides support to "Spokes" in 40 communities which lead anti-racism and anti-hate work at local and regional levels.
 - There are at least 4 spokes who are working to directly address anti-Black racism in both urban and rural communities.
 - In 2021, the African Art and Cultural Community Contributor Society (AACCCS) received a \$0.100 million grant from the Province as the Resilience BC Community Convener on anti-Black racism.
 - In February 2022, AACCCS released its *Black in BC Report* that identifies the needs of Black British Columbians. The Province is reviewing the findings and recommendations from this report to inform further action.
- The Ministry has taken steps to recognize and celebrate Black histories and excellence in B.C. by proclaiming August 1, 2021, as Emancipation Day for the first time in B.C.'s history, proclaiming Black Excellence Day on January 14, 2022, and has been celebrating Black History Month for multiple years.
- Sixty organizations received Multiculturalism and Anti-Racism Grants of up to \$5,000 to support community-based projects annually that promote multiculturalism and address racism. At least eight of these organizations are addressing anti-Black racism through their projects.

Contact: Angela Cooke, Associate Deputy Minister of Housing and Multiculturalism	Government Financial Mobile: Information
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Ministry of Attorney General and Minister Responsible for Housing

2022/23 Estimates Debates Note

Last updated Date: May 6, 2022

ANTI-RACISM DATA LEGISLATION

KEY MESSAGES:

- The Anti-Racism Data Act was introduced into the Legislature on Monday, May 2, 2022. The purpose of the Act is to identify and dismantle systemic racism and advance racial equity
- The Ministry of Attorney General and the Minister of Citizens' Services are working collaboratively to develop the legislation.
- Following pre-consultations in Spring 2021, a comprehensive public engagement process on the legislation and related policy and program pieces began in Fall 2021 until Spring 2022. There were distinct and unique engagement streams for Indigenous Peoples, as well as grants given to 70 organizations to support direct engagement with racialized communities.
- More than 13,000 people provided input online and through community-led engagements and Indigenous-led engagements, including grants to support almost 70 community organizations in leading more than 450 engagement sessions with nearly 10,000 people to inform implementation.
- Grants were also provided to Métis Nation BC and the BC Association of Aboriginal Friendship Centres to engage their citizens and membership, and hired and Quintessential Research Group to engage all First Nations
- The legislation itself was co-developed with First Nations Leadership Council and Métis Nation BC. All First Nations leaders were invited to participate in the development of the policy and to information sessions on the legislation.
- The anti-racism data legislation focuses on alignment with the United Nations Declaration on the Rights of Indigenous Peoples by establishing a process for consultation and cooperation with Indigenous Peoples; it centres on building

trust with Indigenous peoples and other racialized communities by establishing requirements for cultural safety and the protection against community harms; and considers community involvement in the establishment of data standards and directives. The legislation aims to establish trusted approaches to collection, use and disclosure of personal information for anti-racism purposes.

- The legislation has been largely co-developed with Indigenous partners, including consultations with the Multicultural Advisory Council, the Human Rights Commissioner, and the Information and Privacy Commissioner.
- Similar to Ontario's *Anti-Racism Act*, the legislation will enable rather than require ministries or other public bodies to collect, use, and disclose this personal information, but will authorize the Director of Statistics (with approval of Cabinet) to require the collection of specific data for anti-racism purposes if necessary.
- After the legislation is introduced in Spring 2022, implementation of instruments such as data standards and data directives will begin.

FINANCES:

- Treasury Board approved funding of \$2.350 million in July 2021 to support the engagement process.

BACKGROUND:

Calls for Legislation:

- In June 2020, Premier Horgan requested that the Office of the Human Rights Commissioner (OHRC) provide guidance, advice and recommendations for action on intersectional disaggregated data. The Minister of Health also appointed Dr. Mary Ellen Turpel-Lafond to conduct a review of Indigenous-specific racism in the provincial health care system.
- In the Fall of 2020, the OHRC released a report titled, "Disaggregated demographic data collection in British Columbia: The grandmother perspective," and Dr. Turpel-Lafond released a report entitled, "In plain sight: Addressing Indigenous-specific racism and discrimination in B.C. health care."

- Both reports call for the Province to collect demographic data to identify systemic racism, deliver more equitable services, and uphold people's rights.
- The OHRC report cautions that this collection should be done with meaningful community involvement to address the risk of "community harm," which may include government use of data to stereotype and stigmatize communities and as a tool of oppression and surveillance. They also caution about a growing risk of re-identification of data at the community level.

External Engagement:

- The engagement process is ongoing and includes:
 - Co-developed and co-led consultation and cooperation on the legislation with Indigenous partners. Ministry staff have met with First Nations Leadership Council, Métis Nation BC, and the BC Association of Aboriginal Friendship Centres and are planning to share a draft legislation with all interested First Nations in BC.
 - Grants to 70 organizations representing diverse racialized communities to lead their own engagements to an estimated 10,000 people.
 - Parliamentary Secretary Singh has met with Indigenous, Black, and people of colour (IBPOC) community groups for more targeted feedback.
 - An online anonymous survey tool, SenseMaker, to collect perspectives from the public at <https://engage.gov.bc.ca/antiracism> with over 2,800 responses.
 - Consultations with the OHRC.

Key findings from the engagements include:

- The importance of Indigenous peoples and other racialized communities being involved every step of the way
- The importance of a distinctions-based approach
- The need to look at systemic racism from an intersectional lens
- The importance of preventing community harm
- The importance of collecting, using and disclosing data in a culturally safe way.

Indigenous Data Governance:

- The Province already holds a considerable amount of data about Indigenous Peoples (unlike other racialized individuals) as this data has been collected for decades. Indigenous Peoples have experienced trauma and other harms from historic and ongoing misuse of this data.
- Ongoing consultations and cooperation with Indigenous partners, leadership and organizations have emphasized the need for the Province to adopt a distinctions-based approach to data management and projects concerning Indigenous Peoples, including the need to respect Indigenous self-determination and data sovereignty.
- The Province is currently working to ensure that existing and new legislation meets obligations set out in *the Declaration on the Rights of Indigenous Peoples Act* and that the legislation includes opportunities for Indigenous Peoples to develop and manage the way their personal information is collected, used and disclosed. The goal for the anti-racism data act is to build upon existing data practices, consultations, and Indigenous data-governance models already underway.

CROSS REFERENCE:

- **Note 45** – Anti-Racism Legislation

Contact: Angela Cooke, Associate Deputy Minister of Housing and Multiculturalism	Government Financial Mobile: Information
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Ministry of Attorney General and Minister Responsible for Housing

2022/23 Estimates Debates Note

Last updated Date: May 25, 2022

PLAN TO MEET 114,000 UNIT TARGET

KEY MESSAGES:

- In Budget 2018, government committed to deliver 114,000 units of affordable housing through partnerships 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 considerable progress on investments in our target of 39,110 new units of housing funded by BC Housing and the post-secondary sector over a ten-year period.
 - Budget 2022 provided accelerated access to \$100 million in funding for the Community Housing Fund to enable community housing providers to move ahead with development-ready affordable housing projects that will be affordable for households with low to moderate incomes.
- **Financing:** through HousingHub at BC Housing we are working with partners in the community housing and private development sectors to create affordable units through lower-cost financing and innovative capital structures. In 2021, we announced a new borrowing limit of \$2 billion for these partnerships through the HousingHub.
 - Projects like “Haven” in Victoria are using HousingHub financing to make home ownership attainable for first-time buyers with moderate incomes.

- **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 developments along major transit lines and will contribute to the 114,000 affordable homes delivered by this government.
- **Policy Changes:** Government continues to work on initiatives to enable more housing to be created and reduce the cost of housing. For example:
 - Bill 26, 2021: *Municipal Affairs Statutes Amendment Act* streamlined local government development approvals by allowing some development variance permits to be delegated to staff, modernized public notice requirements, and made it easier for local governments to bypass public hearings on zoning changes that are consistent with their Official Community Plans. These changes will help some housing developments move more quickly through development approvals, which reduces the cost to developers.
 - Bill 16, April 2022: Amendment to the *Transportation Act* that will allow the Province, through the BC Transportation Financing Authority, to acquire land for the purpose of building housing and community amenities to serve people near transit stations and bus exchanges.

FINANCES:

- Budget 2018 provided approximately \$7 billion of funding over 10 years
- Budget 2021 provided up to \$2 billion borrowing capacity through HousingHub
- To respond to the heightened interest, Budget 2022 provides \$800 million in funding to support HousingHub project development capacity

STATISTICS:

- Towards the ten-year target of 39,110 new units of housing funded by BC Housing and the post-secondary sector, as of March 31, 2022, we can report that 20,138 directly funded units are under way, with 13,627 already completed. These include the Building BC programs, student housing, and the Regional Housing First Fund (CRD only).
- Another 9,000 units are targeted through the HousingHub, 5,488 of which are complete or underway.

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.
 - The Ministry is exploring the impacts of short-term rentals on the long-term rental market; at this time, it is unclear how many units may be yielded from potential policy reforms.

CROSS REFERENCE:

- **Note 58** – Housing Supply Progress

Contact: Doug Page, A/Executive Director, Housing Policy Branch	Government Financial Mobile: Information
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Ministry of Attorney General and Minister Responsible for Housing

2022/23 Estimates Debates Note

Last updated Date: April 4, 2022

HOUSINGHUB

KEY MESSAGES:

- 2018's *Homes for BC: A 30-Point Plan for Housing Affordability in British Columbia* represented the single largest housing investment in B.C.'s history.
- As a key initiative in the 30-Point Plan, the HousingHub works with community, government, non-profit, and Indigenous partners to facilitate the creation of new affordable rental housing and homeownership options for middle-income British Columbians.
- Partners bring low-cost financing, project coordination, expertise, and access to predevelopment funding to the table.

FINANCES:

- Budget 2022 provided \$8.0 million to support HousingHub's project development capacity.
- Approximately \$2.7 million in funding will be provided in 2022/23 to increase HousingHub staffing.
- Budget 2021 provided \$2 billion to increase HousingHub's debt limit.

STATISTICS:

- As of March 31, 2022, there are 5,488 units* in various stages of development under HousingHub programs.

- 4,934, of those units are under the Provincial Rental Supply Program and 554 are under the Affordable Home Ownership Program.
- HousingHub's bolstered resources are anticipated to facilitate the creation of approximately 9,000 new homes.

Note: Total includes projects in initiation phase which are public knowledge through announcements or municipal processes but have not yet received final BC Housing approval.

BACKGROUND:

- HousingHub provides low-interest rate financing to encourage developers and community groups to build new affordable units.
- In return, developers commit to pass these construction-cost savings onto the tenants and prospective homeowners. Loans are repaid upon completion of construction.
- Two programs are delivered through HousingHub:
 - Provincial Rental Supply Program, which aims to increase the supply and range of affordable rental housing
 - Affordable Home Ownership Program (AHOP), which offers qualified purchasers second participating mortgages that are interest- and payment-free for up to 25 years.
- Haven by Chard Development Ltd. is one recent AHOP project currently under construction in Victoria, anticipated to be completed in 2024. The 6-storey building is a mixture of unit sizes and is 90 per cent sold.

CROSS REFERENCE:

Note 54 – Plan to Meet 114,000 Unit Target

Note 58 – Housing Supply Progress

Contact: Doug Page, A/Executive Director, Housing Policy Branch	Mobile: ^{Government Financial} Information
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Ministry of Attorney General and Minister Responsible for Housing

2022/23 Estimates Debates Note

Last updated Date: March 29, 2022

ACCESSIBILITY AND THE BC BUILDING CODE

KEY MESSAGES:

- The Province is committed to supporting people with disabilities to meaningfully participate in their communities.
- The ministry is leading work on the next BC Building Code, in collaboration with the Parliamentary Secretary for Accessibility and the Accessibility Directorate, to include changes that will make new buildings more accessible for all people.
- The Province continues to gather public feedback on how to make new buildings more accessible. An online public engagement survey, translated in Simple and Traditional Chinese, French, Punjabi, as well as English, was held from October 28, 2021, to January 13, 2022, and received 1,562 responses. Focus groups are planned for Spring 2022 to further advance the Ministry's understanding of survey findings and accessibility needs in new buildings.
- The Building and Safety Standards Branch is engaged with federal, provincial and territorial counterparts and organizations, including the National Research Council, Accessibility Standards Canada, and the Canadian Standards Association to inform the development of new requirements to support a harmonized approach to accessibility in future national and BC Building Codes.
- Public feedback along with approximately 40 accessibility changes to the National Building Code 2020, published March 2022, will help inform proposed changes to the BC Building Code.

FINANCES:

- Estimated budget to deliver the public engagement and arrange virtual focus groups:
 - Fiscal year 2021/22 = \$13,400
(survey \$9,400, and focus group planning and organization \$4,000)
 - Proposed estimate fiscal year 2022/23 = \$55,000
(focus group planning and facilitation \$45,000, and public review of proposed code changes \$10,000)
- This work will be handled within existing ministry resources.

STATISTICS:

- In 2017, Statistics Canada data shows that one-quarter of British Columbians, over the age of 15, reported living with a disability.¹
 - 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 peoples: 36 per cent of Indigenous women and 26 per cent of Indigenous men report having a disability (excludes persons on reserves).²

BACKGROUND:

- The BC Building Code regulates the design, construction, alteration, repair, and demolition of buildings. It sets minimum requirements for accessibility, but is not retroactive, and therefore only impacts existing buildings when undergoing alterations.
- B.C. has authority under the *Building Act* to adopt a provincial building code, which is substantively based on the federal National Building Code. Historically, B.C. has demonstrated leadership in accessibility by establishing requirements

¹ 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](#)

² Statistics Canada, 2017 Aboriginal Peoples Survey

for new construction and renovations that exceed the National Building Code, including establishing design requirements for adaptable dwelling units which contain features that can be modified at a minimal cost to meet the changing accessibility needs of residents.

- In December 2018, the Province adopted the current edition of the BC Building Code, based on the model National Building Code 2015, which included significant updates to increase building accessibility requirements.
- Although provinces and territories have the flexibility to vary codes, in November 2020, B.C. committed, through the Canadian Free Trade Agreement's Construction Codes Reconciliation Agreement, to reduce building code variations to achieve consistent codes and standards throughout Canada.
- The Construction Codes Reconciliation Agreement supports the timely adoption of provincial building codes, requiring the BC Building Code to be updated within 24 months following the release of the 2020 National Building Code, and within 18 months for subsequent iterations of the National Building Code, which is revised approximately every five years.
- The BC Building Code does not apply within the City of Vancouver, which creates its own Building Bylaw in lieu of the provincial BC Building Code. Local governments have the authority to create permit and inspection regimes to enforce the provincial BC Building Code.
- Updates to the BC Building Code are dependent upon publication of the National Building Code 2020, the development of new national accessibility standards, and consideration for adoption by B.C.
- 1.25 FTEs are currently allocated to support this project.
- 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.

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Contact: Jun'ichi Jensen, A/Executive Director, Building and Safety Standards Branch	Government Financial Mobile Information
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Ministry of Attorney General and Minister Responsible for Housing

2022/23 Estimates Debates Note

Last updated Date: March 23, 2022

HOUSING AFFORDABILITY

KEY MESSAGES:

- Pent-up demand and an increasingly limited supply have created a generation defining challenge for all levels of government. It is important for all levels of government and the private sector to work together to address housing affordability.
- Our government is making the largest investment in housing in B.C.'s history – \$7 billion dollars – working with partners to deliver 114,000 affordable homes over 10 years.
- 33,765 new affordable homes are completed or underway in over 100 communities throughout B.C.
- As part of Budget 2021, the Province made \$2 billion in additional low-cost financing available through BC Housing's HousingHub to encourage non-profit and private developers to deliver new affordable rental housing and homeownership opportunities for middle-income British Columbians.
- The Province introduced demand-side measures such as the Speculation and Vacancy Tax and the Land Owner Transparency Registry, which helped moderate real estate price escalation beginning Fall 2018.
- Our government introduced the requirement for local governments to develop regular housing needs reports and provided \$15 million to streamline and approve development processes through the Local Government Development Approvals Program.

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- By helping municipalities streamline rezoning processes, our government is helping to ensure new housing is built more quickly, keeping construction costs down, resulting in greater affordability.
- At the beginning of the COVID-19 pandemic, our government enacted a rent freeze, which extended to December 31, 2021, to make life more affordable for renters in BC.
- By limiting rent increases to inflation, our government has saved families hundreds of dollars in annual shelter costs. Prior to the change, maximum rent increases could include an additional 2 per cent on top of inflation.

FINANCES:

- \$7 billion to deliver 114,000 affordable homes over 10 years.
- \$2 billion in additional low-cost financing available through BC Housing's HousingHub.

STATISTICS:

- Canada Mortgage and Housing Corporation's (CMHC) 2021 Rental Market report showed that vacancy rates in the primary rental market in B.C. were 1.4 per cent, while rents across the province had risen approximately 2.8 per cent in the past year.
- CMHC's Rental Market Survey data show that the average rental rate for a 2-bedroom apartment in B.C. stood at \$1,558 per month, requiring a gross income of at least \$62,000 per year for this rental rate to be less than 30 per cent of income.
- Resale home price data from the Canadian Real Estate Association (CREA) show that many regions of B.C. experienced home price growth in excess of 15 per cent last year, with some regions seeing increases upwards of 40 per cent.
- CREA data also show the average price of a single-detached home across many regions in B.C. now exceeds \$1-million dollars, requiring that purchasers have a 20 per cent down payment at minimum.

Contact: Doug Page, A/Executive Director, Housing Policy Branch

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Ministry of Attorney General and Minister Responsible for Housing

2022/23 Estimates Debates Note

Last updated Date: April 11, 2022

HOUSING SUPPLY PROGRESS

KEY MESSAGES:

- We are making considerable progress on our Homes for BC 10-year Housing Plan, with 33,765 units of new housing funded through BC Housing or post-secondary institutions completed or underway as of March 31, 2022.
- Thousands more have been completed under other programs, including the HousingHub.
- New and accelerated funding in Budget 2022 brings the annual level of housing investments to over \$1.2 billion by 2024-25.

FINANCES:

- Budget 2022 provided \$166 million with \$100 million towards accelerating building under the Community Housing Fund.
- Budget 2022 provided \$8 million to support project development capacity under HousingHub.
- Budget 2021 raised HousingHub's debt limit to \$2 billion.
- Budget 2018 allocated \$6.6 billion to support our 10-year Housing Plan.

STATISTICS:

- As of March 31, 2022, 33,765 units funded through BC Housing or post-secondary institutions are complete, in progress or underway.

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- This includes 13, 627 units completed, and 20,138 units initiated, in development or under construction.
- Other completions as of March 31, 2022, include:
 - 535 units through the Regional Housing First Program (CRD)
 - 800 units through COVID-19 Hotel Purchases
 - 2,341 units through HousingHub financing (Provincial Rental Supply and Affordable Home Ownership Programs)
- Budget 2017 Update:
 - Rapid Response to Homelessness: 1,894 of 2,000 targeted new units of modular housing in over 20 communities.
 - Affordable Rental Housing: 1,247 of 1700 targeted units.
- Budget 2018 Update:
 - Deepening Affordability: 2, 194 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: 3,786 of 2,500 targeted units of supported housing for the homeless or those at risk. (See Background below for more information.)
 - Community Housing Fund: 8,829 of 14,350 targeted rental units for the missing middle at or just below market rates.
 - Women's Transition Housing Fund: 794 of 1,500 targeted units of transitional housing for women and children fleeing abuse.
 - Indigenous Housing Fund: 1,331 of 1,750 targeted homes.
 - Student Housing: 6,077 of 8,000 targeted units of student housing, included those self-funded by Post-Secondary Institutions (PSIs) through partnerships.
 - Homelessness Action Plan: 469 of the 400 additional supportive housing units funded in Budgets 2019 and 2020.

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- Regional Housing First Program: 856 of 2010 targeted units of affordable housing.*
- HousingHub: As of March 31, 2022, 2021, 5, 488 units are completed or in process.
- Additional hotel purchases in response to COVID also contributed 800 units.

**Note that Regional Housing First is not wholly provincially funded, representing a partnership between the Capital Regional District, BC Government and the Government of Canada.*

BACKGROUND:

- The Supportive Housing Fund has over-delivered by approximately 900 units (approximately 37 per cent) due to BC Housing response to increased homelessness during the pandemic, increased demand for supportive housing, hotel acquisitions and wind down of leased spaces.
- Over-delivery of units did not come with additional capital costs. BC Housing acquired units at a reduced cost compared to building new units.
- Funding for the Community Housing Fund was accelerated in Budget 2022 to mitigate risks surrounding increased construction costs and supply chain disruptions.
 - \$100 million will be provided to non-profit housing providers to accelerate construction of mixed-income housing.

CROSS REFERENCE:

Note 54 – Plan to Meet 114,000 Unit Target

Note 55 – HousingHub

Contact: Doug Page, A/Executive Director, Housing Policy Branch	Mobile: Government Financial Information
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Ministry of Attorney General and Minister Responsible for Housing

2022/23 Estimates Debates Note

Last updated Date: April 4, 2022

PROTECTIONS FOR RENTERS – OVERVIEW

KEY MESSAGES:

- We recognize the need for safe, secure, and affordable housing.
- Our government has taken significant steps to improve rental housing policies in B.C. that have saved renters money, provided increased protections, and improved the services that renters and landlords rely on to resolve disputes.
- Steps the Province has taken to protect renters include:
 - Extending the rent increase freeze to December 31, 2021, and voiding any notices issued with an effective date before January 1, 2022
 - Capping rent increases at inflation
 - Introducing stricter criteria for landlords to end a tenancy for renovations to prevent tenants from facing unnecessary renovictions
 - Shifting the onus to the landlord to prove they have used the property for the stated purpose of ending the tenancy if a renter believes they were evicted in bad faith
 - Implementing an expedited process for renters to receive their security and pet deposits back in a fair and timely manner
 - Giving the Compliance and Enforcement Unit (CEU) the ability to compel records in an investigation, making it easier for the CEU to investigate non-compliance with the RTA and MHPTA

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- Many of these initiatives were the result of recommendations made by the Rental Housing Task Force. Government has delivered on most of the Task Force's recommendations.

CROSS REFERENCE:

- **Note 60** – Rental Housing Task Force Progress
- **Note 61** – Compliance and Enforcement Overview

Contact: Kathy Elder, Executive Director, Residential Tenancy Branch	Mobile: Government Financial Information
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Ministry of Attorney General and Minister Responsible for Housing

2022/23 Estimates Debates Note

Last updated Date: April 4, 2022

RENTAL HOUSING TASK FORCE PROGRESS

KEY MESSAGES:

- In 2018, the Rental Housing Task Force (RHTF) provided 25 recommendations (23 main recommendations and two early recommendations) to improve the laws and processes for tenancies in British Columbia.
- Key changes include capping rent increases at inflation, addressing the issue of renovictions, strengthening penalties for landlords and tenants who break the law, expediting the return of security deposits, and allowing email as a way of serving documents.
- Recommendations that are in progress include improving procedural fairness by expanding grounds for appeal and addressing the needs of non-profit and supportive housing providers.
- In response to RHTF Recommendation 13, the Residential Tenancy Branch (RTB) will begin recording all dispute resolution hearings in April 2022 to improve the fairness and consistency of the RTB dispute resolution process.
- The RTB has collaborated with government ministries and agencies, local governments, and tenant and landlord organizations when implementing these recommendations.

FINANCES:

- All changes have been implemented with existing resources

BACKGROUND:

- Sixteen recommendations are completed, seven are in progress, and two are not proceeding at this time.
- The most recent recommendation is recording of hearings which launches April 25, 2022.
- Other recent changes include the additional rent increase process and the new process for ending tenancies for renovations, which came into effect on July 1, 2021.
- Many of the outstanding recommendations involve collaboration with other divisions and ministries, such as the Housing Policy Branch and Justice Services Branch. Several of these recommendations involve legislative amendments, which will be introduced in the coming sessions.

CROSS REFERENCE:

- **Note 59** – Protections for Renters – Overview
- **Note 61** – Compliance and Enforcement – Overview

Contact: Kathy Elder, Executive Director, Residential Tenancy Branch

Mobile:

Government Financial
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Ministry of Attorney General and Minister Responsible for Housing

2022/23 Estimates Debates Note

Last updated Date: April 4, 2022

COMPLIANCE AND ENFORCEMENT OVERVIEW

KEY MESSAGES:

- The Province has taken steps to strengthen the Residential Tenancy Branch's (RTB) ability to enforce B.C.'s tenancy laws and impose administrative penalties by establishing the Compliance and Enforcement Unit (CEU) in 2019.
- The RTB began publishing administrative penalty decisions in 2020 as a further deterrent for landlords and tenants who are not in compliance with the *Residential Tenancy Act* (Act).
- The CEU has been effective in ensuring compliance with B.C.'s tenancy laws by providing education, issuing warnings, and conducting enforcement when required.
- The Province recognizes the importance of ensuring landlords and tenants are protected from those who choose not to follow B.C.'s tenancy laws.

FINANCES:

- Budget 2017 provided funds to establish the unit with a Director, two Compliance Officers, and two Investigators.

STATISTICS:

- Since its creation, the CEU has assessed over 469 complaints, resulting in over 180 investigations. The CEU has also conducted 65 early interventions in serious and urgent situations.

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- Compliance has been achieved in the majority (60 per cent) of cases as a result of written and verbal warnings and investigations. In addition, there has been a 99 per cent compliance rate in all early interventions conducted by the CEU.
- Penalties have been issued in 14 cases – ten against landlords and four against tenants.
- There has been a 59 per cent increase in complaints over the past three years. Given current staffing levels and increased demand for services, the threshold for CEU investigations has risen dramatically.

BACKGROUND:

- The Act allows the Director to order a person to pay an administrative penalty for serious, repeat, 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.
- Recent legislative changes provide greater tools for the CEU, including allowing the CEU to compel records and issuing penalties for fraud. These changes also include expanding the grounds on which a party can seek a review of an administrative penalty decision.
- The CEU is regularly called upon to consult with BC Housing and other housing providers for vulnerable populations to ensure that the rights of both landlords and tenants are being protected.

CROSS REFERENCE:

- **Note 60** – Rental Housing Task Force Update
- **Note 59** – Protections for Renters – Overview

Contact: Kathy Elder, Executive Director, Residential Tenancy Branch	Government Financial Mobile: Information
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Ministry of Attorney General and Minister Responsible for Housing

2022/23 Estimates Debates Note

Last updated Date: May 10, 2022

HOMELESSNESS STRATEGY

KEY MESSAGES:

- The Homelessness Strategy is an overarching “umbrella” strategy for B.C. that encapsulates initiatives led by several ministries.
- The 2022 Budget announced \$633 million over three years to support Individuals Experiencing or At Risk of Homelessness. This includes \$16.48 million for the Ministry of the Attorney General in Year 1, \$17.09 million in Year 2, and \$18.81 million in Year 3.
- Budget 2022 included funding for: Homelessness Supports, Complex Care Housing, Permanent Housing Plan, and Youth Transitions Program. The expansion of Community Integration Specialists is part of these supports.

● Cabinet Confidences; Advice/Recommendations

- The Ministry of Attorney General has ultimate accountability for the Homelessness Strategy.

● Cabinet Confidences; Advice/Recommendations

•

FINANCES:

- Budget 2022 announced funding for the Homelessness Strategy and initiatives under the strategy. Funding for wrap-around supports and health supports are also available in 2022/23, 2023/24 and 2024/25.
- Funding will flow to MAG, HLTH and CITZ. Programs and services not provided by the ministries will be contracted or granted to service delivery partners, including Health Authorities, BC Housing, Indigenous-led organizations, and community partners.
 - \$4 million to BC Housing for encampment supports, including site management, engagement, and for food, sanitation, storage, and transportation.
 - A new program offering \$600-a-month rent supplements with integrated wraparound supports to help people access market housing. This program aims to support 500 people in the first year and 3,000 people by 2024/25.
 - Funding to support the 2023 provincial homeless count.
 - Funding for research to identify the unique needs of women experiencing homelessness.
 - \$264 (includes \$154.4 million FIN Pandemic and Recovery Contingencies and \$110 million MAG) over three years to invest in a permanent housing plan for the 3,000 people who were temporarily housed in leased or purchased hotels and other spaces during the COVID-19 pandemic.
 - Cabinet Confidences; Government Financial Information

- SDPR: Funding to double the current number of Community Integration Specialists, who help people experiencing homelessness navigate government programs and available supports.
- MMHA/HLTH: \$164 million over three years to expand the Complex Care housing model to at least 20 more projects, with plans to support up to 500 people.

STATISTICS:

- It is estimated that 23,000 people in B.C. experienced homelessness at some point in 2019, with nearly half experiencing chronic homelessness. Around 9,300 individuals experienced homelessness each month in B.C. (*Preventing and Reducing Homelessness Integrated Data Project*, Province of British Columbia, 2021).
- Data for 2020 is in pre-publication but indicates very similar trends in the number of people who experienced homelessness in 2019.

BACKGROUND:

- The Homelessness Strategy is a mandate commitment for the Attorney General and Minister Responsible for Housing and is supported through the mandate letters of other Ministers.
- The Province's Homelessness Strategy (the strategy) focuses on root causes of homelessness, systems change and actions to help people become stably housed through a collaboration across government.
- The strategy outlines four sets of priority actions:
 - Transform systems –Build integrated, culturally safe, inclusive, just, and welcoming systems.
 - Enhance partnerships and strengthen collaboration – Between other levels of government, community service providers, Indigenous peoples and people with lived/living experience.

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- Promote equitable service design and delivery – Address unique and intersecting needs of priority populations.
- Strengthen data-driven, evidence-informed policy and programs – Enhance the available data on homelessness, use data and evidence to implement wise and innovative practices.
- Cross-ministry governance structures are in place for the Homelessness Strategy, and components such as Complex Care Housing and MCFD Youth Transitions to ensure coordination and collaboration – and avoid duplication.
- Work is underway on further development, implementation planning and evaluation of the Homelessness Strategy, including on the Integrated Support Framework and Rent Supplement Program, and Engagement.
- Communities are being selected for Year 1 implementation, with a focus on supporting communities with ongoing challenges with encampments, as per Treasury Board direction.
- Planning is in progress for regional and community level tables to support implementation, including a proposal process for delivering the rent supplements and ISF in communities across the province.

CROSS REFERENCE:

- **Note 64** – Complex Care

Contact: Raymond Fieltsch, Executive Director, Homelessness Policy, and Partnerships Branch	Mobile: Government Financial Information
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Ministry of Attorney General and Minister Responsible for Housing

2022/23 Estimates Debates Note

Last updated Date: May 10, 2022

ENCAMPMENTS

KEY MESSAGES:

- The COVID-19 pandemic, toxic drug crisis and housing affordability issues continue to impact homelessness across the Province.
- People are living in tents, vehicles, and structures in many regions in urban and rural areas.
- Encampments are not a solution for homelessness – for people without a home, or for communities.
- We are working across ministries, with all levels of government and partnering with communities so that people sheltering in encampments stay safe, healthy, and connected to supports so they can move to suitable housing.
- Budget 2022 invests \$633 million on top of previous investments providing services and supports for people experiencing or at risk of homelessness.
- Budget 2022 includes \$4 million for BC Housing to assist people in encampments to be safe and healthy, and to transition to suitable shelter and housing with wraparound supports.
- Providing immediate supports to people in encampments helps them move to indoor spaces and housing sooner, and prevents large, unsafe encampments from growing.
- A new rent supplement program with wraparound health and social supports will help free space in supportive housing for people in encampments and provide options for people to independently in the private market – including with family and pets.

FINANCES:

- \$4 million to BC Housing for encampment supports, including site management, engagement, and for food, sanitation, storage, and transition to shelter and housing.
- A new program offering \$600-a-month rent supplements with integrated wraparound supports to help people access market housing. This program aims to support 500 people in the first year and 3,000 people by 2024/25.
- Funding to support the 2023 provincial homeless count.
- Funding for research to identify the unique needs of women experiencing homelessness.
- \$264 (includes \$154.4 million (FIN) Pandemic and Recovery Contingencies and \$110 million (MAG) over three years to invest in a permanent housing plan for the 3,000 people who were temporarily housed in leased or purchased hotels and other spaces during the COVID-19 pandemic.
- \$170 million, including \$52.4 from Attorney General to increase health supports, housing access, social inclusion and system navigation in the Homelessness Strategy that build and expand over time and funding to support Non-Profit Staffing levels.
- SDPR: Funding to double the current number of Community Integration Specialists, who help people experiencing homelessness navigate government programs and available supports.
- MMHA/HLTH: \$164 million over three years to expand the Complex Care housing model to at least 20 more projects, with plans to support up to 500 people.

STATISTICS:

- So far in 2022, the Ministry has been alerted to more than 1,000 people sheltering in 30 encampment areas across the Province.
- In 2021, the Ministry tracked 1,759 people in 52 encampment locations.

- The 2020/21 Point-in-Time Homeless Count showed 8,655 people experienced homelessness on a given night – of which 65 per cent were unsheltered.

BACKGROUND:

- Homeless encampments have increased in number and complexity across the Province due to lack of housing, the impacts of COVID-19, the toxic drug crisis and lack of support services.
- 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.
 - *Local Government Encampment Best Practices Resource*: An information document in development with participation from communities.
- Significant active encampment areas at this time include:
 - Victoria: More than 100 people sheltering at night across various spaces.
 - Vancouver: 50 to 60 people at CRAB Park, in addition to other overnight sheltering across city parks.
 - Abbotsford: The Lonzo Road encampment has 30 to 45 people but grew to more than 120 in Spring 2021.
 - Nanaimo: Ongoing issues with people sheltering in parks and city spaces.
 - Cowichan: Estimated more than 100 people in small encampments.

CONFIDENTIAL

- Fraser Valley: Numerous reports of encampments on municipal and crown land.
- Kelowna: Multiple encampments across city parks and spaces.
- Prince George: Ongoing issues with downtown encampments.
- Recent court decisions on encampments:
 - Beacon Hill Park: BC Supreme Court ruled sheltering in Beacon Hill Park is not consistent with the terms of the park's Trust. This decision did not consider Charter issues. The Province is appealing this decision.
 - Moccasin Flats: The City of Prince George's injunction for an enforcement order to clear the encampment was denied as they were unable to demonstrate that there was appropriate shelter or daytime facilities for the camp occupants. Charter issues were raised in recent court action, without due notice to the city or Province – which could be subject to appeal.

CROSS REFERENCE:

- **Note 65** – CRAB Park Encampment
- **Note 66** – Extreme Weather Supports

Contact: Raymond Fieltsch, Executive Director, Homelessness Policy, and Partnerships Branch	Mobile: ^{Government Financial Information}
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Ministry of Attorney General and Minister Responsible for Housing

2022/23 Estimates Debates Note

Last updated Date: April 1, 2022

COMPLEX CARE

KEY MESSAGES:

- Complex care housing is a ground-breaking approach that addresses the needs of our communities' most vulnerable people by providing an enhanced level of voluntary supports and services that go beyond what the current model of supportive housing can provide.
- Complex Care Housing is led by the Ministry of Mental Health and Addictions (MMHA). The Ministry of Attorney General and Minister Responsible for Housing (MAG) is supporting MMHA to provide an increased level of support and intensive care for B.C.'s most vulnerable people.
- Complex care housing is one part of the provincial homelessness strategy which is being led by the MAG.
- Budget 2022 investments of \$164 million over the next three years will support 20 new complex care housing projects and services – including those announced in the Lower Mainland and Vancouver Island.

FINANCES:

- The total approved Budget 2022 investment in complex care housing is \$163.62 million.

Ministry	2022/23	2023/24	2024/25	Total
HLTH	53.96	53.46	53.46	160.87
MMHA	0.90	0.91	0.93	2.74
Totals	54.86	54.37	54.39	163.62

STATISTICS:

- It is estimated that at least 2,200 people in B.C. require this level of complex care service.

BACKGROUND:

- In November 2020, MMHA was mandated to lead the development of complex care housing to provide an increased level of support for B.C.'s most vulnerable people who need more intensive care than supportive housing currently provides. MAG was mandated to support MMHA.
- Complex care housing is intended to support adults who are 19 and older who have complex mental health and substance use challenges and who are unstably housed or homeless.
- This new model of housing services will be led by health authorities in collaboration with housing providers and will provide a cohesive system of wrap-around supports at an intensity that matches their need.
- MAG participated in the Core Planning Table that informed the development of the Complex Care Housing Framework. The Homelessness Strategy, and specially the Integrated Support Framework are referenced in the public framework.
- Complex Care housing aims to improve housing stability, health outcomes, and community inclusion; reduce use of acute care and emergency services, and criminal justice system involvement.

CONFIDENTIAL

- In January 2022, the MMHA announced the first four projects which will support approximately 100 individuals:
 - Foxglove – Surrey, 39 spaces.
 - Red Lion (temporary location) - Abbotsford, 8 spaces.
 - Jim Green – Vancouver, 44 spaces.
 - Naomi Place – Vancouver, 12 spaces.
 - Budget 2022 commits \$164 million over three years to implement complex care housing across B.C., with plans for additional funding for projects that are in the final stages of planning.
- The \$164 million in funding to the Ministry of Health will fund 20 projects. This includes:
 - 100 spaces in Greater Victoria.
 - Ongoing funding for the approximately 100 spaces in Vancouver, Surrey and Abbotsford announced in January 2022.
 - 50 spaces announced in the Fraser Valley region.
- Plans are underway to support additional projects, including those in Kelowna and Kamloops and will support a total of approximately 500 individuals across B.C. in this first phase.

CROSS REFERENCE:

- **Note 62** – Homelessness Strategy

Contact: Raymond Fieltsch, Executive Director, Homelessness Policy, and Partnerships Branch	Mobile: Government Financial Information
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Ministry of Attorney General and Minister Responsible for Housing

2022/23 Estimates Debates Note

Last updated Date: May 10, 2022

CRAB PARK ENCAMPMENT

(ACTIVE ENCAMPMENT)

KEY MESSAGES:

- There are about 50 to 60 people who continue to shelter in Vancouver's CRAB Park.
- Outreach to the encampment is provided by BC Housing, Community Integration Specialists, Vancouver Coastal Health, Carnegie Outreach, and others.
- There are indoor spaces available for people sheltering in the park, should they want to move into housing.
- In January 2022, the BC Supreme Court set aside two previous orders enabling the Vancouver Park Board to compel people from sheltering in the park in certain areas and throughout the day.
- BC Housing, the Vancouver Parks Board and the City of Vancouver continue to work on housing options for people sheltering at CRAB Park.
- The City of Vancouver has not informed the Ministry of any future plans to seek an injunction to enforce the orders or its overnight sheltering-only bylaw.

FINANCES:

- \$4 million to BC Housing for encampment supports, including site management, engagement, and for food, sanitation, storage, and to help transition people to housing.

CONFIDENTIAL

- A new program offering \$600-a-month rent supplements with integrated wraparound supports to help people access market housing. This program aims to support 500 people in the first year and 3,000 people by 2024/25.
- Funding for research to identify the unique needs of women experiencing homelessness.
- Funding to double the current number of Community Integration Specialists, who help people experiencing homelessness navigate government programs and available supports.

STATISTICS:

- Since July 2021, more than 44 people have moved from CRAB Park to indoor spaces with assistance from BC Housing. These spaces include shelters, single room occupancy, and supportive housing.

BACKGROUND:

- There have been encampments in CRAB park since May 2020, and in years prior.
- On January 13, 2022, the Supreme Court remitted the Parks Board's two previous orders preventing sheltering and closing parts of CRAB park, agreeing with the petitioners they were unfair because they relied on the assumption there were suitable indoor spaces available without due diligence to see if the spaces being offered were actually suitable or available.
- Since the original orders are waiting reconsideration from the Parks Board, the Judge also adjourned the order for an injunction (to enforce the orders) pending the Parks Boards next steps or if something dramatically changes at the park.
- The Parks Board is now transitioning to enforcing its overnight only sheltering bylaw in CRAB Park and has delegated a space for people to be in the day.

CONFIDENTIAL

- The Union of BC Indian Chiefs, Pivot Legal Society, the BC Civil Liberties Association, and others signed an open letter in support of the people staying in the park.
- Outreach workers from the City of Vancouver, Carnegie Outreach and BC Housing have canvassed those sheltering in the park daily to assist with relocation to indoor shelter. Those sheltering in the park have been offered temporary storage for their belongings and transportation to indoor spaces.
- Residents are permitted to shelter in other city parks, provided they comply with relevant bylaws

CROSS REFERENCE:

Note 63 – Encampments

Contact: Raymond Fieltsch, Executive Director, Homelessness, Policy, and Partnerships Branch	Mobile: Government Financial Information
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Ministry of Attorney General and Minister Responsible for Housing

2022/23 Estimates Debates Note

Last updated Date: April 1, 2022

EXTREME WEATHER SUPPORTS

KEY MESSAGES:

- The Province's Extreme Weather Response (EWR) program is enabled through the *Assistance to Shelter Act* and administered by BC Housing in partnership with participant communities each year.
- The program is funded for winter, from November 1 to March 31.
- This past winter, the Province provided nearly 360 extreme weather response shelter spaces to ensure people experiencing homelessness had a warm place to sleep and can get out of the cold and rain.
- The Province also provided non-profit groups access to funding as early as October 1, to allow shelters to open in communities already experiencing extreme weather.
- There are also temporary shelters that operate seasonally, or longer, and are open on a nightly basis, or 24/7, and provide meals and health services.
- British Columbia has experienced extreme weather events in the summer months as well, including heat, wildfire dangers, and flooding, which can be dangerous for people at-risk of or experiencing homelessness.
- Government is working across ministries to address the impacts of climate change and extreme weather events. This includes working together to support the development of a heat response framework for B.C., including protocols to protect vulnerable people.

CONFIDENTIAL

- Communities across B.C. have also started planning for year-round extreme weather responses through federal-provincial Safe Restart funding opportunities such as the \$100 million Strengthening Community Services Fund, which provides for temporary expanded shelters and supports for vulnerable populations impacted by the COVID-19 pandemic.

FINANCES:

- No specific Budget 2022 new funding

STATISTICS:

- The EWR shelters supplement 1,925 year-round shelter spaces in B.C.

BACKGROUND:

- EWR shelters are not open every night. Communities coordinate plans to open and operate emergency shelter beds activated during extreme weather conditions.
- Communities decide what weather conditions warrant an alert and how many spaces to activate on a given night, depending on the capacity of existing shelters and the estimated need. Shelters are activated when local communities issue an extreme weather alert or, in regions without a plan, by issuance of the Minister.
- Additionally, there are capacity Expansion shelters which are temporary shelters that have been extended or opened in order to provide shelter during the COVID-19 pandemic. Currently, there are 1,832 temporary or expansion capacity shelter spaces in 38 communities across B.C., with half located in the Lower Mainland.

Contact: Raymond Fieltsch, Executive Director, Homelessness, Policy, and Partnerships Branch	Government Financial Mobile: Information
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Ministry of Attorney General and Minister Responsible for Housing

2022/23 Estimates Debates Note

Last updated Date: March 29, 2022

STRATA INSURANCE

KEY MESSAGES:

- Government has taken three key steps to address the increase in strata insurance costs in recent years:
 - First, the Ministry of Finance directed the B.C. Financial Services Authority to conduct a review of strata insurance in British Columbia. The final report, released in December 2020, informs the policy measures we have taken.
 - Second, the Legislature amended the *Strata Property Act* and *Financial Institutions Act* in Bill 14 (2020) to mitigate the rising costs of insurance. Some of the changes to the *Strata Property Act* required further consultation, and regulation changes are forthcoming.
 - Third, government put an end to the practice of best-terms pricing in strata insurance, which was responsible for some of the worst premium increases.
- The Ministry mandate letter directs us to: “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...final report of the BC Financial Services Authority. If rates have not corrected by the end of 2021, explore a public strata insurance option.”
 - Questions related to the exploration of a public insurance option and regulation of the insurance industry should be directed to the Minister of Finance.

FINANCES:

- There is no budget vote associated with this work.
- There are two FTEs supporting this issue.

STATISTICS:

- Since early 2021, the Housing Policy Branch has heard feedback from stakeholders indicating that insurance rates are stabilizing or decreasing. The BC Financial Services Authority are conducting another round of data collection from insurance brokers to quantify changes in premiums and deductibles since 2020.

BACKGROUND:

Bill 14 — Municipal Affairs and Housing Statutes Amendment Act (No. 2), 2020:

- Strata insurance is fundamentally a private market issue, which means that legislation cannot address the complex root causes of the market imbalance.
- In August 2020, the Legislature amended the *Strata Property Act* and *Financial Institutions Act*. These amendments, along with associated regulation changes, have helped mitigate the rising cost of strata insurance in British Columbia.
 - Some of the changes to the *Strata Property Act* required further policy review and consultation with stakeholders. Several Strata Property Regulation changes are forthcoming to implement Bill 14.
 - Further consultation on depreciation reports, which support long-term preventative building repair and maintenance, is ongoing.

Private Members' Bill:

- In February 2020, the member for Kamloops-South Thompson introduced a Private Members' Bill 2020 to amend the *Strata Property Act* and called on Government to implement a water damage prevention program.
 - Work has been completed or is underway to implement evidence-based legislative changes related to strata insurance.

CONFIDENTIAL

- The Ministry directed BC Housing to publish two guides on how to prevent water damage in multi-unit residences.

Contact: Doug Page, A/Executive Director, Housing Policy Branch	Government Financial Mobile: Information
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Ministry of Attorney General and Minister Responsible for Housing

2022/23 Estimates Debates Note

Last updated Date: March 28, 2022

ELECTRIC VEHICLE CHARGING

KEY MESSAGES:

- My mandate as the Minister Responsible for Housing includes direction to: “bring in ‘right-to-charge’ legislation that will enable installation of electric vehicle charging infrastructure in more strata and apartment buildings.”
- Although B.C. residents can take advantage of the largest public charging network for electric vehicles in Canada, some people in existing strata buildings are frustrated because they cannot get the approval of the strata council to install electric vehicle charging at home.
- Ministry staff have been researching other jurisdictions and consulting with the strata community, experts and interested parties about implementing right-to-charge in strata housing.
- Future-proofing is also an important consideration so that strata corporations can plan ahead to maximize effective use of electrical capacity.
- 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.
- The new Provincial budget has generous grants to support electric vehicle charging, and both strata corporations and landlords are eligible to apply. Information can be found at electricvehicles.bchydro.com/incentives/charger-rebates.

FINANCES:

- This work will be handled within existing ministry resources.

STATISTICS:

- B.C.'s Roadmap 2030 has a target of 90 per cent of new vehicle sales to be zero-emission by 2030.
- In Canada, Ontario enabled user-pay right-to-charge legislation in May 2018.
- In addition to Ontario, the following U.S. jurisdictions have introduced or enacted user-pay 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).
- 1.5 million strata owners and renters live in residential strata corporations. Strata housing includes condo buildings, townhouse complexes, duplexes and bare land strata subdivisions.
- There are 34,000 strata corporations in B.C. In addition to residential strata corporations, there are also commercial, industrial and mixed-use strata properties.

BACKGROUND:

- The initial focus is on strata buildings as strata corporations have a more complex governance structure, and landlords of apartment buildings don't face the same legislative and approval constraints to installing charging stations.

Contact: Doug Page, A/Executive Director, Housing Policy Branch	Mobile: Government Financial Information
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Ministry of Attorney General and Minister Responsible for Housing

2022/23 Estimates Debates Note

Last updated Date: April 6, 2022

CLEANBC AND CLIMATE CHANGE ACCOUNTABILITY ACT – NEW AND EXISTING BUILDINGS

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 per cent.
- Government is also creating carbon pollution standards so local governments can start requiring reduced operational carbon emissions from new buildings with a tiered standard similar to the BC Energy Step Code.
- CleanBC also commits government to developing practical, cost-effective energy efficiency standards for building retrofits 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 wildfires, heat waves, drought, and floods.
- The Province is working with federal government partners to inform the development of new requirements to support a harmonized approach to energy efficiency and carbon emissions in future national and BC Building Codes.

CONFIDENTIAL

- Through these actions, our Government is on track to achieve our CleanBC commitments related to building codes and standards.

FINANCES:

- This work will be handled within existing ministry resources.

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.
- Seventy-five per cent of the buildings that will exist in 2030 already exist today.
- Existing buildings account for 11 per cent of B.C.'s total greenhouse gas (GHG) emissions and as much as 50 per cent in urban areas.

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, over 60 communities now require or incentivize the BC Energy Step Code, while an additional 25 have started consultation on adopting it.
- In partnership with the Energy Step Code Council and other stakeholders, Government is developing 20 per cent energy-efficiency improvements for the next edition of the BC Building Code, with affordability a key part of the analysis.

Carbon pollution standards

- In partnership with the Energy Step Code Council and other partners, Government is developing standards for operational carbon emissions of new construction. This development also considers affordability and these standards are expected to be phased in over 2024, 2027, and 2030.

Existing Buildings Renewal Strategy

- Phase 1 of a targeted provincial engagement was completed in Fall 2019 with 27 cross-sectoral organizations.
- Phase 2 of targeted engagement was completed in Fall/Winter 2021/2022; the *What We Heard* reports are being developed. The strategy, which will be developed through Summer/Fall 2022, will focus on an approach that is affordable, equitable, practical, and flexible.
- Four full-time equivalent staff are resourced to CleanBC commitments related to codes and standards for new and existing buildings.

Contact: Jun'ichi Jensen, A/Executive Director, Building and Safety Standards Branch	Government Financial MobileInformation
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Ministry of Attorney General and Minister Responsible for Housing

2022/23 Estimates Debates Note

Last updated Date: March 30, 2022

BC HOUSING BUDGET 2022 – HOUSING INITIATIVES

KEY MESSAGES:

- As of Budget 2022, BC Housing will receive more than \$4.9 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 2022/23, over \$2.2 billion in funding will directly benefit approximately 125,400 households.
- Budget 2022 also continues to provide funding for the 10-year housing plan started in 2018, *Homes for B.C.: A 30-Point Plan for Housing Affordability in British Columbia*. This includes:
 - The acceleration of \$100 million to speed up the construction of mixed-income housing through BC Housing's Community Housing Fund; and
 - Funding for additional staff to accelerate HousingHub projects.
- Budget 2022 also announced the expansion of services and supports for people who are homeless and unstably housed, including continued housing supports for the up to 3,000 people who were temporarily housed in leased or purchased hotels or other spaces during the COVID-19 pandemic. The Permanent Housing Plan is an investment of \$114 million over three years to support:
 - The development of new permanent homes with supports for a portion of those now temporarily housed; and
 - Pandemic and recovery contingencies to extend some temporary spaces where needed, while permanent housing options become available.

- Budget 2022 also announced an additional investment of \$12.9 million over three years under the Homelessness Strategy to increase staffing, provide supports and services to scattered small homeless camps, and conduct point-in-time Provincial Homeless Counts.

FINANCES:

- Summary of Budget 2022 Provincial Contributions:

(in \$ Billions)	2022/23 Estimates	2023/24 Plan	2024/25 Plan	Total
Provincial Contributions	2.026	1.477	1.447	4.950

- A financial summary of the new Budget 2022 initiatives is provided below:

(in \$ Millions)	2022/23 Estimates	2023/24 Plan	2024/25 Plan	Total
Permanent Housing Plan	80.067	16.980	16.980	114.027
Homelessness Strategy	4.577	3.749	4.577	12.903
Total	84.644	20.729	21.557	126.930

Contact: Shayne Ramsay, CEO BC Housing	Mobile: <small>Government Financial Information</small>
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Ministry of Attorney General and Minister Responsible for Housing

2021/22 Estimates Debates Note

Last updated Date: May 10, 2022

PROGRESS ON BUDGET 2017 UPDATE, BUDGET 2018, 2019, 2020, AND 2021

KEY MESSAGES:

- Significant progress has been achieved on commitments made through Budget 2017 Update, Budget 2018, Budget 2019, Budget 2020 and Budget 2021.
- This includes:
 - Creating supportive housing under the Homelessness Action Plan (Budget 2019 and Budget 2020);
 - Creating housing under 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);
 - Maintaining and rehabilitating projects through the Capital Renewal Fund (Budget 2018);
 - Extending shelter spaces and providing support services to respond to the COVID-19 pandemic (Budget 2021); and
 - Moving individuals previously living in encampments in Vancouver and Victoria into indoor homes (Budget 2021).

CONFIDENTIAL

- As of March 31, 2022, there were 26,832 units in progress under Building BC (20,544 units), HousingHub (5,488 units) and COVID-19 Action Plan (800 units) in various stages of development across the province.
- Building BC includes the following 7 programs:
 - Affordable Rental Housing;
 - Rapid Response to Homelessness;
 - Deepening Affordability of Existing Projects;
 - Community Housing Fund;
 - Indigenous Housing Fund;
 - Supportive Housing Fund;
 - Women's Transition Housing Fund;
 - Homelessness Action Plan.
- See Appendix 1 for a summary of units in progress.

FINANCES:

Budget 2021

- Budget 2021 provided \$171.7 million to expand the number of temporary homes for homeless individuals, extend outreach support services and cover COVID-19 related costs to safely maintain existing services.
- Budget 2021 provided \$198.9 million over three years to increase temporary housing options and the Province's response to encampments in Victoria and Vancouver.

Budget 2020

- Budget 2020 provided \$55.6 million in funding for 100 modular supportive housing units. In addition, Budget 2020 provided \$9 million over three years to create two new 60-bed navigation centres. These centres are shelters with enhanced services for people with complex challenges.

CONFIDENTIAL

- Budget 2020 also provided \$12.2 million over three years for non-profit housing providers to cover increased insurance costs, and \$10.8 million over three years for shelters and supportive housing to enhance their meal programs.

Budget 2019

Homelessness Action Plan

- Budget 2019 provided \$53.5 million in capital funding to build 100 temporary and 100 permanent modular housing units, and to purchase land for one alternative shelter structure.
- Additionally, \$7.3 million in capital funding was provided in 2021/22 for relocation of the temporary units to a permanent site.
- As of March 31, 2022 there are 469 units in progress, and of these 286 units are completed, and 183 units are under construction.

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 March 31, 2022, 8,829 units are in progress. Of these, 711 units are completed, 3,374 units are under construction, 363 units are in development and 4,381 units have been initiated.

2. Women's Transition Housing Fund (WTHF)

- This program will provide \$734 million over 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 March 31, 2022, 794 units are in progress. Of these, 155 units are completed, 309 units are under construction, 148 units are in development and 182 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 March 31, 2022, 3,786 units are in progress. Of these, 1,584 units are completed, 1,275 units are under construction, 89 units are in development and 838 units have been initiated.

4. Indigenous Housing Fund (IHF)

- This program will provide \$550 million over 10 years to build and operate 1750 units of social housing for projects, both on- and off-Nation.
- As of March 31, 2022, 1,331 units are in progress. Of these, 388 units are completed, 373 units are under construction, 189 units are in development and 381 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 March 31, 2022, there are 5,488 homes in various stages of development, including 4,934 homes through the Provincial Rental Supply program, and 554 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.

CONFIDENTIAL

- 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. As of March 31, 2022, there were 6,110 households receiving RAP with an average monthly subsidy of \$323.
- The Shelter Aid for Elderly Renters (SAFER) program provides direct cash assistance to low-income seniors (aged 60 or over) in the private market. As of March 31, 2022, there were more than 23,700 households receiving SAFER with an average monthly subsidy of \$195.

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 March 31, 2022, 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 March 31, 2022, there are 1,247 units in progress. Of these, 465 units are completed, 396 units are under construction, 38 units are in development, and 348 units have been initiated.

ATTACHMENT:

Appendix 1 – Homes in Progress as of March 31, 2022

Contact: Shayne Ramsay, Chief Executive Officer	TelGovernment Financial Information
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CONFIDENTIAL

Appendix 1 – Homes in Progress as of March 31, 2022

	Completed	Under Construction	In Development	Initiated	Total
<i>Affordable Rental Housing</i>	465	396	38	348	1,247
<i>Rapid Response to Homelessness</i>	1,894	-	-	-	1,894
<i>Deepening Affordability of Existing Projects</i>	1,736	398	60	-	2,194
<i>Community Housing Fund</i>	711	3,374	363	4,381	8,829
<i>Indigenous Housing Fund</i>	388	373	189	381	1,331
<i>Supportive Housing Fund</i>	1,584	1,275	89	838	3,786
<i>Women's Transition Housing Fund</i>	155	309	148	182	794
<i>Homelessness Action Plan</i>	286	183	-	-	469
<i>Building BC Sub-total</i>	7,219	6,308	887	6,130	20,544
<i>COVID 19 Action Plan</i>	800	-	-	-	800
<i>Housing Hub – Provincial Rental Supply</i>	2,341	985	627	981	4,934
<i>Housing Hub – Affordable Home Ownership</i>	-	11	133	410	554
<i>Housing Hub Sub-total</i>	2,341	996	760	1,391	5,488

CORE BUSINESS / PROGRAM AREAS / BUSINESS PROCESSES
BC PROSECUTION SERVICE

ADM and Assistant Deputy Attorney General Responsible: Peter Juk QC

Core Program Area Description

The BC Prosecution Service (which is the Criminal Justice Branch of the Ministry of Attorney General) has a statutory mandate defined by 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 B.C.;
- 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 Province of B.C. This includes all homicide, gang-related, and organized crime, and most criminal cases other than drug charges, which are prosecuted by federal prosecutors. As a matter of constitutional law, the functions of the Service must be carried out independently of partisan political considerations. The Service does not generally prosecute violation tickets, which (with some exceptions) are prosecuted by the issuing enforcement officers. The Service receives approximately 60,000 proposed charges annually from police and investigative agencies across the province for assessment, approval, and prosecution. At any given time, the Service will typically have conduct of 20,000 to 30,000 prosecution files active before the three levels of court in B.C. Another 10,000 to 15,000 prosecutions may be in abeyance because of an outstanding bench warrant and may be subject to re-enter the system at any time. Conducting a prosecution involves conducting charge assessment then managing the file to conclusion of the prosecution, including sentencing and any ensuing appeals. This includes bail; disclosure to the defense; victim notification; preparation for preliminary inquiries and trials; legal research; marshalling evidence (including witnesses); all pre-trial motions; crafting submissions; and presenting the case in court. The Branch has 40 staffed offices serving over 80 court locations across B.C. Headquarters is in Victoria.

The BC Prosecution Service Plan is currently focused on building and maintaining system improvements in case management practices, specifically management of electronic disclosure; advancement of an Indigenous Justice Framework; the implementation of after-hours Crown-led bail; and the promotion and support for mental health and wellness of our employees.

Program Summary:

\$ Millions	2021/22 Restated	2022/23 Estimates	Anticipated Trends 2023/24	Anticipated Trends 2024/25
Budget	159.555	167.852	168.570	168.838
FTEs	934	983	983	983
Key performance Measures	<ul style="list-style-type: none">• Judicial Stay of Proceedings (for delay only)• Charge Assessment Duration• Prosecution File Duration• Percent of all files and percent of intimate partner violence-related files that resolve at or before arraignment• Workforce Engagement Score			

Related Legislation

- *Crown Counsel Act*
- *Criminal Code*
- *Youth Criminal Justice Act*
- *Provincial Offence Act*
- Provincial regulatory statutes, such as the *Motor Vehicle Act* and the *Wildlife Act*.

Organizational Chart

Assistant Deputy Attorney General
Executive Director Business Operations
Executive Director Criminal Appeals and Special Prosecutions (Major Cases)
Director Criminal Appeals and Special Prosecutions
Regional Crown Counsel, Region 1 – Vancouver Island & Powell River
Regional Crown Counsel, Region 2 - Vancouver
Regional Crown Counsel, Region 3 – Fraser
Regional Crown Counsel, Region 4 - Interior
Regional Crown Counsel, Region 5 - North

CORE BUSINESS / PROGRAM AREAS / BUSINESS PROCESSES

CORPORATE MANAGEMENT SERVICES BRANCH

ADM and Executive Financial Officer Responsible: Tracy Campbell

Core Program Area Description

Corporate Management Services Branch's (CMSB) vision is to be empowered partners and leaders providing outstanding service. Our mission is to provide leadership and expertise in the delivery of corporate services, matched to the needs of the sector through the dedication and professionalism of an empowered and innovative workforce. CMSB serves as the justice and public safety sector's consolidated corporate services resource. Our 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. In addition, 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 provides oversight and expert advice while performing day to day corporate functions for the sector.

While 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. Across the range of corporate services, CMSB delivers services and provides leadership, advocacy and governance to all stakeholders in the justice and public safety sector, matched to meet their needs.

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. The Division also provides strategic, ministry-wide direction and consultation to help branches achieve business priorities and to support employee engagement.
- **Finance** provides strategic, ministry-wide direction, consultation and training support regarding Budgets, Forecasting, Accounts Payable, Financial Reporting, Compliance and Procurement. Finance is also responsible for improving the governance and guidelines relating to financial standards, policy and procedures. Finance advocate for sustainable branch fiscal management across the sector including funding, budgeting, contingencies, and treasury board submissions.
- **Business Planning and Priorities** works collaboratively in the sector to lead, manage and support a diverse group of essential services in, corporate communications, risk and security management, business continuity planning, Justice Summit planning and development, strategic planning and corporate reporting, and identifying, monitoring, and tracking key priorities to ensure the sector achieves its goals, objectives, and vision.

- **Facilities Services** manages and maintains government operated buildings for the sector, supporting each individual client program, tailored to their specific requirements ensuring client satisfaction. The Division ensures that each client's facilities are maintained and serviced to the highest government facilities standards, while expenditures remain within approved budgets.

Budget (Millions)

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 of \$19.22; Capital Budget of \$11.262.

Full Time Equivalents (FTEs)¹

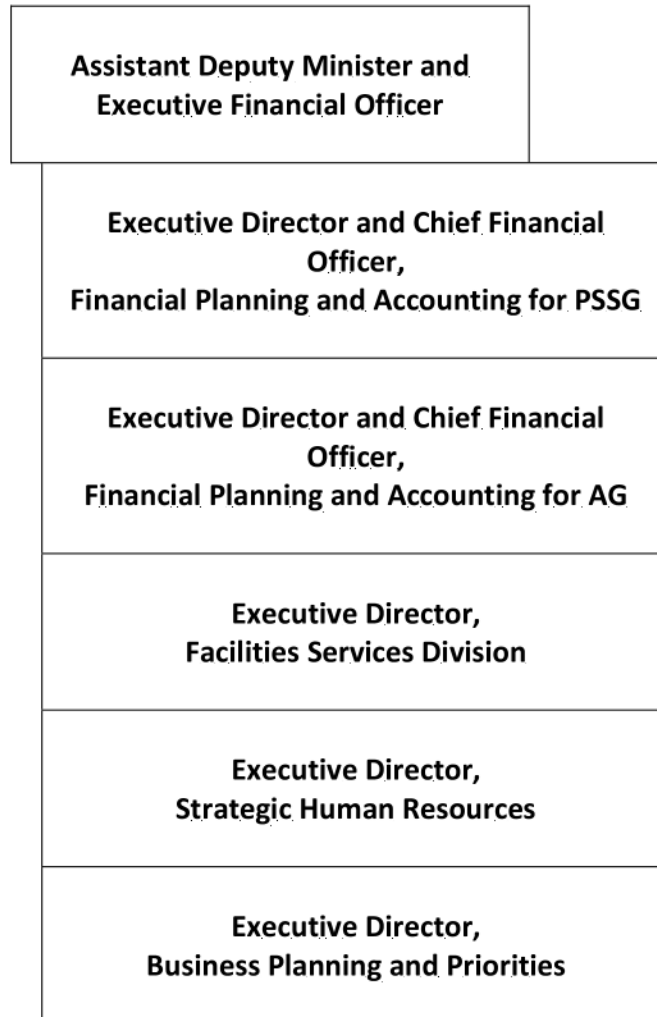
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Related Legislation

None.

¹ Actual FTEs from September PSA Analytics CHIPS reporting. FTEs are not budgeted and may not represent funding.

Organizational Chart



CORE BUSINESS / PROGRAM AREAS / BUSINESS PROCESSES COURT SERVICES BRANCH

Assistant Deputy Minister Responsible: Jenny Manton

Core Program Area Description

The Court Services Branch is responsible for the delivery of all court administration services in BC. The ultimate authority for provision of the courts is provided in the *Constitution Act* (1867), which sets out the jurisdictional powers for provinces and the federal government. Section 92.14 of the Act outlines provincial powers, granting sole authority to the provinces in several areas: “property and civil rights in the province, the administration of justice in the province, including the constitution, maintenance, and organization of provincial courts, both of civil and of criminal jurisdiction, and including procedure in civil matters in those courts.”

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 two divisions with Headquarters providing 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.

Program Summary:

\$ Millions	2021/22 Restated	2022/23 Estimates	Anticipated Trends 2023/24	Anticipated Trends 2024/25
Budget	129.131	135.111	135.421	135.424
FTEs	1,464	1,514	1,514	1,514

Related Legislation

The British Columbia authorities for these functions are found in several pieces of legislation:

- *Constitution Act*
- *Provincial Court Act*
- *Supreme Court Act*
- *Court of Appeal Act*
- *Small Claims Act*
- *Sheriff Act*
- *Jury Act*

The Sheriffs' status as peace officers and their use of firearms are governed by Federal Legislation:

- *Firearms Act*
- *Criminal Code of Canada.*

Organizational Chart

Assistant Deputy Minister
Executive Director, Vancouver Island Region
Executive Director, Vancouver-Coastal Region
Executive Director, Fraser Region
Executive Director, Interior Region
Executive Director, North Region
Executive Director and Chief Sheriff, Sheriff Service
Executive Director, Corporate Support
Executive Director, Policy and Service Reform
Senior Inspector, Office of Professional Standards

CORE BUSINESS / PROGRAM AREAS / BUSINESS PROCESSES
INFORMATION SYSTEMS BRANCH

Acting Assistant Deputy Minister and Chief Information Officer: Chris Mah

Core Program Area Description

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
- 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:

\$ Millions	2021/22 Restated	2022/23 Estimates	Anticipated Trends 2023/24	Anticipated Trends 2024/25
Budget	14,289	16,732	16,141	16,143
FTEs		87.50 ¹		

Related Legislation

None.

Organizational Chart



¹ Actual FTEs from September PSA Analytics CHIPS reporting. FTEs are not budgeted and may not represent funding.

CORE BUSINESS / PROGRAM AREAS / BUSINESS PROCESSES
JUSTICE SERVICES BRANCH

Assistant Deputy Minister Responsible: Paul Craven

Core Program Area Description

- The purpose of Justice Services Branch is to improve users' access to justice and experience with the administration of justice in British Columbia by transforming elements of the justice system.

To do this, Justice Service Branch will:

- Lead high priority strategic projects to create meaningful change with a systemic impact on the justice sector
- Develop policy, regulatory, and legislative solutions in the areas of civil, family, human rights, administrative, professional regulatory, commercial, and quasi-criminal law or within the Attorney General's legislative responsibilities
- Support tribunals, agencies and independent offices within the ministry's mandate and deliver programs and services relating to family justice and access to justice

Program Summary:

\$ Millions	2021/22 Restated	2022/23 Estimates	Anticipated Trends 2023/24	Anticipated Trends 2024/25
Budget	159.237	170.576	172.566	175.566
FTEs	320.7	320.7	320.7	320.7

Operating Budget and Full Time Equivalents (FTEs)

The 2022/23 Estimates budget of \$170.576M and 320.7 FTEs is divided amongst the following divisions and program areas:

- \$1.415M (19 FTEs) – Assistant Deputy Minister Office (including Business Solutions Office and Priorities Initiatives and Corporate Support)
- \$3.557M (26 FTEs) – Policy and Legislation Division
- \$1.423M (10 FTEs) – Family Policy, Legislation and Transformation Division
- \$4.450M (7 FTEs) – Indigenous Justice Policy and Legislation Division¹
- \$118.116M (7 FTEs) – Legal Access Policy Division
- \$26.045M (60 FTEs) – Tribunals, Transformation, and Independent Offices Division
 - \$3.621M (17 FTEs) – Tribunals, Transformation, and Independent Offices Division
 - \$1.508M (13 FTEs) – Investigation and Standards Office
 - \$20.916M (30 FTEs) – Maintenance Enforcement and Locate Services Division
- \$14.998M (187.2 FTEs) – Family Justice Services Division
- \$0.572M (4.5 FTEs) – Office of the Superintendent of Professional Governance²

Justice Services Branch also has oversight of the following two Crown Corporations:

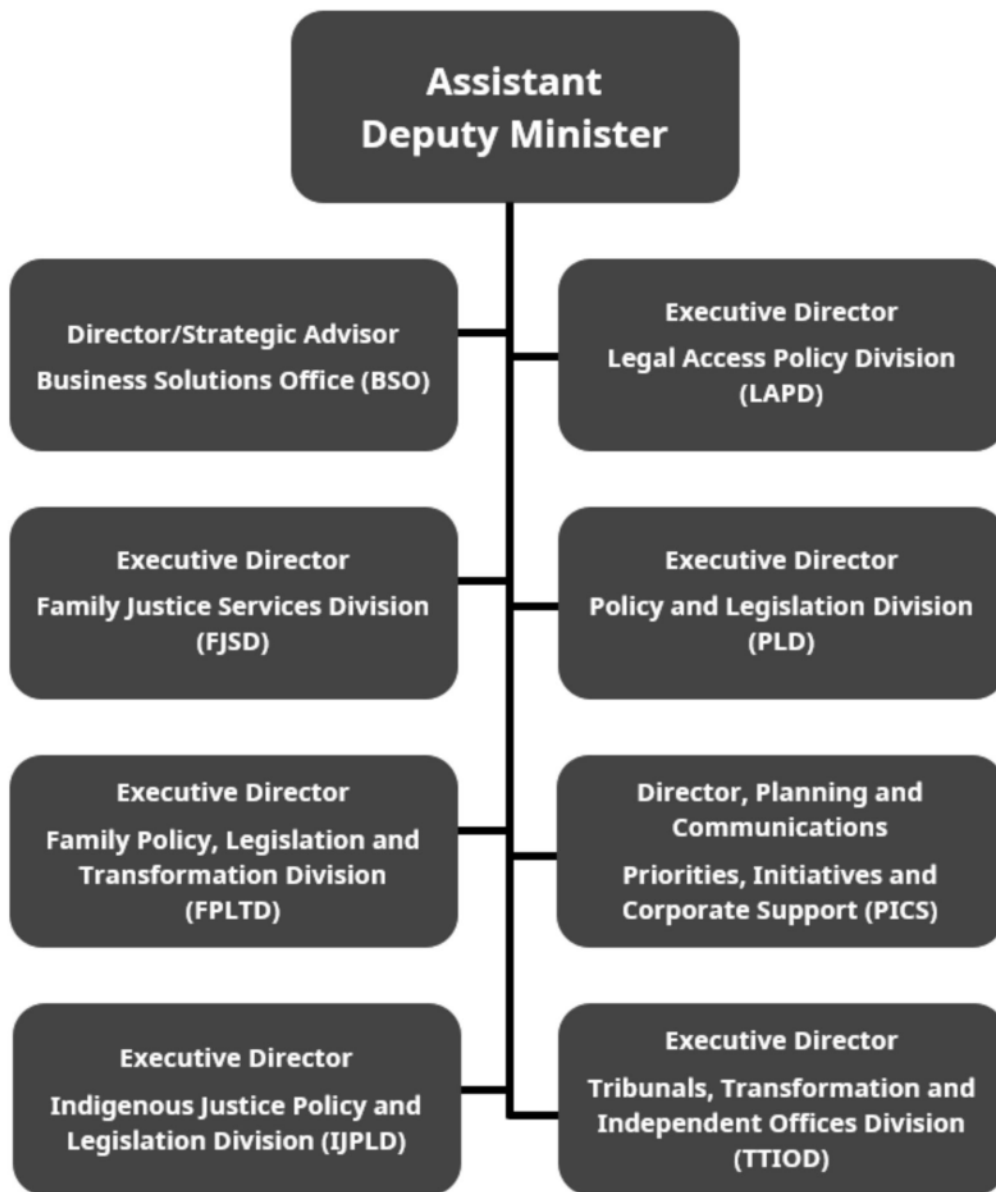
- Legal Aid BC (2022/23 Service Plan of \$118.937M) – managed from within LAPD
 - \$114.972M – provincial revenue
 - \$3.965M – non-provincial revenue
- BC Family Maintenance Agency (2022/23 Service Plan of \$19.140M) – managed from within TTIOD

Justice Services Branch is also delegated a Tribunal Sector 2022/23 Estimates budget of \$32.990M to administer to 19 tribunals.

Related Legislation

Justice Services Branch has sole or part responsibility for over 150 statutes, the largest legislation program in government, in areas including administrative, civil, criminal, family, human rights, Indigenous, democratic reform, governance, and independent offices.

Organizational Chart³



³ Currently under review

CORE BUSINESS / PROGRAM AREAS / BUSINESS PROCESSES
LEGAL SERVICES BRANCH

Assistant Deputy Attorney General Responsible: Barbara Carmichael, QC

Core Program Area Description:

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 all ministries and some agencies of the Government of British Columbia, including legal advice; acting for government in civil suits and tribunal proceedings; alternate dispute resolution services; 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.

Program Summary:

\$ Millions	2021/22 Restated	2022/23 Estimates	Anticipated Trends 2023/24	Anticipated Trends 2024/25
Budget	32.084	28.399	28.399	28.399
FTEs	592	600	600	600

Related Legislation:

- *Attorney General Act*
- *Crown Proceeding Act*

CORE BUSINESS / PROGRAM AREAS / BUSINESS PROCESSES
MULTICULTURALISM AND ANTI-RACISM BRANCH

Associate Deputy Minister Responsible: Angela Cooke

Assistant Deputy Minister Responsible: None

Executive Director Responsible: Roland Best

The Multiculturalism and Anti-Racism Branch is responsible for championing anti-racism across government, addressing systemic discrimination, and supporting communities to respond to public incidents of racism and hate. The Branch joined the Ministry of Attorney General in January 2021 to support B.C.'s first Parliamentary Secretary for Anti-Racism Initiatives, Rachna Singh.

The Branch oversees contracts with more than 40 organizations involved in the Resilience BC Anti-Racism Network, distributes grants to more than 100 additional community organizations annually, and is partnering with Indigenous organizations and racialized communities to implement two new pieces of legislation to address systemic racism in 2022 and 2023.

The Branch is also working with key cultural and racialized communities, including the Japanese Canadian, Black Canadian and Doukhobor communities, to recognize historical wrongs and address persistent areas of inequity. The Branch also responds to requests from an additional 30-40 cultural, racialized and faith communities annually for provincial proclamations that publicly acknowledge significant days, weeks and months in an effort to promote inclusion and intercultural understanding among all British Columbians.

The Multiculturalism and Anti-Racism Branch has 3 work units under the Executive Director and Program Assistant:

- Anti-Racism Policy – Director Milan Singh plus 2 FTEs
 - Leading development of new Anti-Racism Data legislation in collaboration with the Ministry of Citizens' Services which will be tabled in May 2022.
 - Responsible for developing and implementing a broader Anti-Racism Act which will be tabled in Fall 2023.
- Communications and Strategic Engagement – Director Christel Ilunga plus 2 FTEs
 - Leading public engagement on 2 new pieces of legislation.
 - Leading stakeholder engagement on historical wrongs initiatives.
 - Leading proclamations program.
 - Leading production of Annual Report on Multiculturalism
 - Leading Cross-Ministry Working Group on Anti-Racism and Anti-Hate
 - Leading Institutional Change Training Initiative on Systemic Racism

- Anti-Racism Programs – Manager, Chitha Manoranjan plus 2 FTEs
 - Leading Resilience BC Anti-Racism Network
 - Leading Multiculturalism Grants Program
 - Leading implementation of Racist Incident Hotline (funding permitting)
 - Leading investigation into increase in anti-Indigenous racism during Caribou Partnership Agreement signing (2020) in collaboration with Ministry of Forests, Lands and Natural Resources and SFU.
 - Leading Branch response for materials for BC Human Rights Commissioner's 2022 Inquiry on Hate

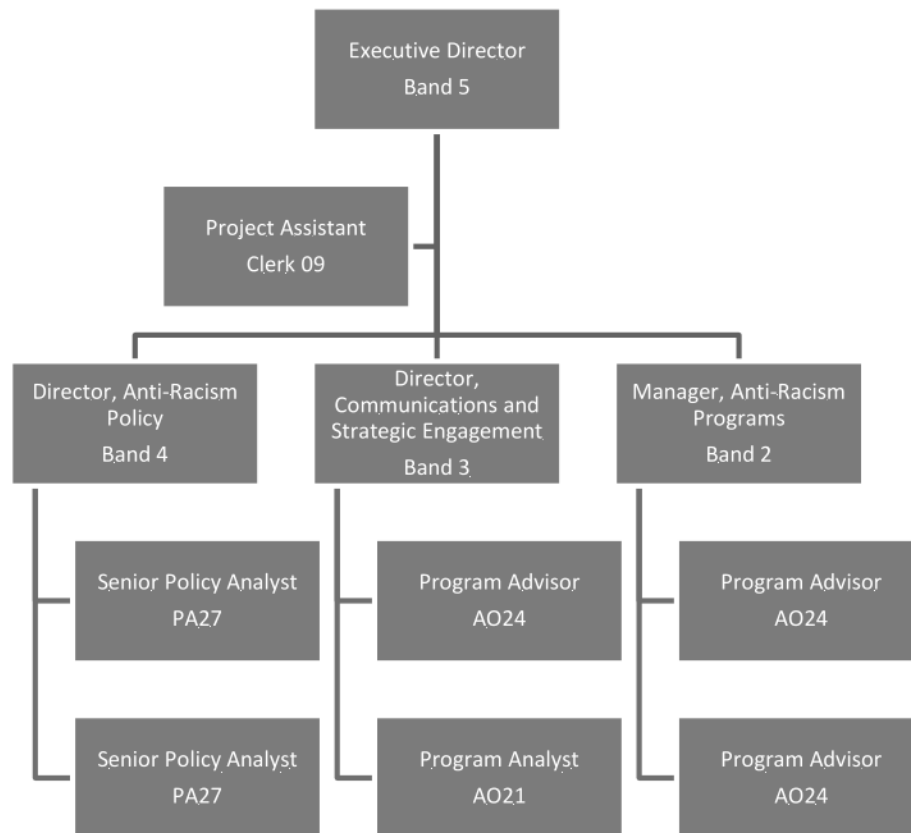
Program Summary:

\$ Millions	2021/22 Restated	2022/23 Estimates	Anticipated Trends 2023/24	Anticipated Trends 2024/25
Budget	1.916M (+\$2.9M contingencies)	1.916M	1.916M	1.916M
FTEs	11	11	11	11
Key performance Measures	50 (Number of B.C. communities engaged in projects that build intercultural trust and understandin g and reduce racism and systemic barriers)	50	50	50

Related Legislation:

- Multiculturalism Act (1996)
- Anti-Racism Data Legislation (pending – May 2022 implementation)
- Broader Anti-Racism Act (pending Fall 2023 implementation)

Organizational Chart:



CORE BUSINESS / PROGRAM AREAS / BUSINESS PROCESSES
OFFICE OF HOUSING AND CONSTRUCTION STANDARDS

Assistant Deputy Minister Responsible: Teri Collins

Core Program Area Description

The Office of Housing and Construction Standards (OHCS) delivers key mandate commitments to address affordability of BC's housing supply, promote innovative partnerships to prevent/reduce homelessness, ensuring appropriate integrated supports are available; ensures the sustainability, safety and sound structure of new developments, and fosters positive interactions between landlords and tenants through the Residential Tenancy Branch.

OHCS touches all British Columbians through the universal need for shelter and safety, and a dedicated focus on developing strategies to ensure that British Columbians have access to safe, affordable, and functional housing. We do this through market and non-market housing policy and programs, building and safety policy, development of technical codes and standards, and services for landlords and tenants. Our work affects a large segment of our economy, including construction of all types of buildings, mortgages, real estate, strata corporations, renovations, rental housing, subsidized housing and safety of buildings and technical systems.

We work with the citizens of British Columbia, the federal government, local governments, First Nations, Metis, and Inuit Peoples, community groups, non-profit societies, service organizations, businesses, building owners and managers, industry and professional associations. Key to our success is the ability to maintain strong, collaborative relationships with interested parties, partner agencies and other levels of government.

OHCS has four work units:

- **Housing Policy (HPB)** – oversight for the province's 30-Point Housing Plan, subsidized and supportive housing, Indigenous housing and affordability for renters and owners; demographic and real estate research and analytics; legislative framework for strata properties; intergovernmental relations; program oversight of BC Housing and its approximate \$2.026B/yr. annual budget.
- **Homelessness Policy and Partnerships (HPPB)** – works across government and with community partners, coordinating responses to prevent and reduce homelessness in British Columbia through evidence-based policy, integrated data and inclusive partnerships. Leading Ministry's mandate to implement a Provincial Homelessness Strategy and leads cross-ministry coordinated responses to homeless encampments and vulnerable populations.

- **Building and Safety Standards (BSSB)** – collaborates with partners to establish and support effective governance frameworks for buildings and technical systems. BSSB enables innovation while maintaining a commitment to balanced, socially responsible solutions in which the public can have confidence.
- **Residential Tenancy (RTB)** – policy development, legislation, compliance and 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.

Program Summary:

\$ Millions	2021/22 Restated	2022/23 Estimates	Anticipated Trends 2023/24	Anticipated Trends 2024/25
Budget	576.465	652.791	678.574	704.681
FTEs	163	163	163	163
Number of affordable and supportive housing units completed, including rental and social housing (including HousingHub)	3,500	4,500	3,000	
CleanBC: Number of local governments referencing the Energy Step Code in bylaws and policies	59	To be revisited following implementation of regulatory amendments	To be revisited following implementation of regulatory amendments	To be revisited following implementation of regulatory amendments

Related Legislation:

- *Assistance to Shelter Act; Building Act; Building Officials Association Act; Commercial Tenancy Act; Community Charter (Section 9 in relation to buildings and structures); Fire Services Act (Section 47 (2) g and (h)); Homeowner Protection Act (except Part 9); Manufactured Home Park Tenancy Act; Ministry of Lands, Parks and Housing Act (Sections 5(c), 8.1 and 10); Rent Distress Act; Residential Tenancy Act; Safety Authority Act; Safety Standards Act; Strata Property Act; Special Accounts Appropriation and Control Act (Sections 9.3[Housing Fund]).*

Organizational Chart:

