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**From:** [Forrest, Cris J AG:EX](#)  
**To:** [Fyfe, Richard J AG:EX](#); [Scott, Douglas S AG:EX](#); [Azam, Salman AG:EX](#); [Bailey, Ian D AG:EX](#); [Carr, Michelle LCLB:EX](#); [Cavanaugh, Lynda A AG:EX](#); [Harvey, James AG:EX](#); [Juk, Peter A AG:EX](#); [Lawson, R. Blain LDB:EX](#); [Mazure, John C GPEB:EX](#); [Sandstrom, Kurt AG:EX](#); [Bragg, Leslie AG:EX](#); [Harder, Derrick AG:EX](#); [Smith, George AG:EX](#)  
**Cc:** [Richter, Connie AG:EX](#); [Pearson, Barbera AG:EX](#); [Blakesley, Nicki AG:EX](#); [Baker, Chelsea AG:EX](#); [Morton, Amanda LCLB:EX](#); [Shepherd, Lisa AG:EX](#); [Hammond, Monica M AG:EX](#); [Earl, Jennifer AG:EX](#); [Dahlke, Cindy LDB:EX](#); [Vear, Maureen GPEB:EX](#); [Salkus, Beverley AG:EX](#); [Valentinuzzi, Emma AG:EX](#)  
**Subject:** FOLLOW UP: ESTIMATES  
**Date:** Monday, June 4, 2018 3:29:50 PM  
**Attachments:** AG ESTIMATES 2018 - QUESTION ORDER - MAY 28-30.docx  
AG Estimates 2018 - AG Commitments and Follow Up.docx

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Colleagues,

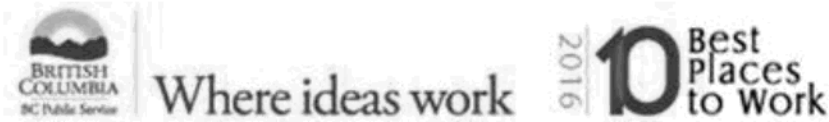
Attached are two documents. One is a summary of all the questions directed at the Attorney General during our recent Estimates debates; the other is the excerpted list of commitments the Attorney General made for follow up. Huge thanks to Leslie for deciphering my scrawl, reviewing and validating with Hansard, analyzing and capturing themes, and pulling this all together for your reading pleasure! Please review and, where there are follow up items required of your area, send your response/materials to me and [Leslie](#) by **June 22<sup>nd</sup>**. We will compile and work with the MO to ensure the loop is closed with the opposition critics. Many thanks.

Cris

**Cris Forrest** | Managing Director | Justice Services Branch | BC Ministry of Attorney General

8<sup>th</sup> Floor, 1001 Douglas Street, Victoria BC V8W 9J7 | Telephone: 778 974-3683 (\*\*New Number)

Website: [Attorney General - Province of British Columbia](#)



## AG ESTIMATES 2018

### **ORDER OF QUESTIONS:**

*May 28, 2018 – Afternoon Session*

JSB

- Electoral reform

*May 29, 2018 – Morning Session*

GPEB

- Money laundering; German Report

*May 29, 2018 – Afternoon Session*

GPEB

- Money laundering; German Report

ICBC

- Policy/program changes; industry impact
- BCUC; reporting; ICBC Executive and Board
- Projections; media comments; reviews/audits
- ICBC chair/no fault insurance
- Accountability
- Claims; accident rate
- Constituent questions (x2)

Liquor

- Liquor Policy Review; Rural Agency Stores

*May 30, 2018 – Afternoon Session*

LSB/JSB

- UNDRIP; Draft Principles; Aboriginal Rights and Title
- Parents Legal Centres; digital access; Legal Services Society

### **MAY 28 AFTERNOON SESSION – QUESTIONS**

**JSB**

1. [AG MANDATE re ELECTORAL REFORM] Could the Attorney General confirm what his mandate is in respect of that referendum?
2. [AG MANDATE re ELECTORAL REFORM] Would it be fair to say that the AG's mandate has been substantially complete in respect of this task?
3. [REFERENDUM] Could the Attorney General confirm that those items in respect to voting in a referendum, the counting, the advertising, the availability of the information and all of the other rules relating to financing as well.... All of those subsections that are dealt with in section 12 — are those items going to be dealt with in his report to cabinet on Wednesday?
4. [CASA] In respect of the CASA agreement, there is reference to agreement between the NDP and the Green caucus on the form of proportional representation that will be proposed in the referendum. How will that come about in accordance with the time frame that he just laid out?

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5. [CASA] In that [NDP-Green] joint submission, there is actually a form of PR that is agreed upon between the NDP and the Green Party?
6. [CASA] It sounds like there isn't an agreement between the Green Party and the NDP in respect to the form of PR that's being proposed in this referendum. Is that correct?
7. [SURVEY/PUBLIC ENGAGEMENT] In the view of the government, there has been a high level of participation by British Columbians, but the analysis has taken three months. What was the thought process to utilize the ten months that the government has had to get to this point in time?
8. [BUDGET] How much money was budgeted for his ministry's activities relating to electoral reform?
9. [BUDGET] How much was the budget for the actual survey itself?
10. [SURVEY/PUBLIC ENGAGEMENT] What is the purpose of the survey in terms of the public engagement aspect of this referendum process? Were there other opportunities or alternatives that were considered by the ministry in terms of how to engage with the public in respect to this referendum, whether it's cost-effective or otherwise?
11. [SURVEY/PUBLIC ENGAGEMENT] In terms of the survey timing and the public education campaign, was there consideration that there should be more of a public education campaign before the survey was circulated and asked to be filled out by British Columbians?
12. [SURVEY/VALIDITY] On-line surveys can be co-opted or taken over by certain special interest groups. For example, Fair Vote Canada sent out what they call a survey guide to give guidance to how individuals might consider filling out the survey. Is the Attorney General aware of this specific example, which could be seen as an attempt to circumvent the survey from its intended purpose?
13. [SURVEY/VALIDITY] Fair Vote asked its supporters to skew the results for the following questions in the survey: questions 5, 7(c), 8, 9, 18(b), 18(c), 19, 20, 21 and 24, which were regarded as key questions to shaping the referendum to their specific point of view. Will the AG consider or reconsider the validity of the responses to these questions?
14. [SURVEY/VALIDITY] Presumably the ministry has already identified if there's any skewing of results that would suggest that there is a pattern of voting behaviour that would suggest that the validity of the responses to that particular question would not be fair or appropriate. Is that correct?
15. [SURVEY/TIME FRAME] Why has it taken this long — three months since the end-of-February deadline — to analyze the results?
16. [SURVEY/PARTICIPATION] In terms of the regions, where was the participation was very low and where was it very high?
17. [SURVEY/PARTICIPATION] In terms of the level of response for a particular region versus the percentage of voters in that particular region, was there any rebalancing of the survey results to ensure that there was an equal voice across the province, based on the population base of a particular region or riding?
18. [SURVEY/PARTICIPATION] The initial response rate was low and elevated closer into the month of November. It sounds like the government put out the mailer, but there was digital advertising as well, which increased participation rates. Can the Attorney General confirm this and where those advertising campaigns were targeted?

**AG RESPONSE/COMMITMENT:** *Yes, there was digital advertising as well as the household mailer. I will get the information for the member about whether there were any sort of demographic search terms or targeting or anything like that in terms of how that advertising was distributed. Certainly, it was all*



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*within British Columbia. I'll find out if there's any additional information that I can get the member on that. I don't know the answer to that question.*

19. [ELECTORAL REFORM REFERENDUM ACT] In terms of the way this was structured with the Electoral Reform Referendum Act, there were certain critical questions and thresholds already determined before the survey was launched through public engagement. Did the AG receive any advice and input as to excluding these particular fundamental elements from the consultation process?
20. [ELECTORAL REFORM REFERENDUM ACT] What advice was given to the Attorney General to come forward with a new act that settled the fundamental points, including voting thresholds, for this referendum before going out to British Columbians and consulting with them about this referendum? What level of public engagement was the government thinking they were doing, when they had already settled it in the act?
21. [SURVEY/ACADEMICS] There were four academic advisers brought on to work on the survey. What was the purpose to hire them? What role did they play in respect to the survey?
22. [SURVEY/ACADEMICS] How were these four academic advisers selected?
23. [SURVEY/ACADEMICS] How did the selection process work in terms of ensuring balance of perspectives?
24. [SURVEY/ACADEMICS] How many hours did they work, and how were they compensated?
25. [SURVEY/ACADEMICS] What was their scope of work? Are they on any current retainer?
26. [SURVEY/ACADEMICS] Do they have a further role in respect of this electoral reform process?
27. [SURVEY/ACADEMICS] They were instructed to abstain from public comment or academic research related to the B.C. government survey methodology, survey results or consultation process. Why was that instruction provided to these four individuals?
28. [SURVEY/VALIDITY] Does the Attorney General agree that the electoral reform survey should be dismissed because it was a self-selection?
29. [SURVEY/ACADEMICS] One academic adviser claimed his role was only to provide "feedback on the survey you've constructed." Is this an accurate summary of their role in the process?
30. [SURVEY/ACADEMICS] On what basis were AG staff advised to reject academic advice?
31. [SURVEY/ACADEMICS] Was this survey drafted by the academics or did the minister's office have final say over the editing and the final copy?
32. [SURVEY/ACADEMICS] Were the academics fully informed of any political nature of this exercise?
33. [SURVEY/ACADEMICS] Has the Attorney General or anyone on his staff received any further communications from the academics expressing some frustration or concern over the controversy that has surrounded the survey — or any further follow-up communications at all that would be worth noting?
34. [SURVEY/TIME FRAME] An email sent by the director of strategic initiatives on November 3 states that "at present, we are scrambling to complete the basic web content, have it reviewed by external experts, then refined." Can the Attorney General confirm that the survey was a rush job composed in under a month?
35. [SURVEY/TIME FRAME] Can the Attorney confirm that this survey was pushed through by political staff and not by the academics themselves?

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36. [SURVEY/TIME FRAME] An email from one of the academics says that "this can't be rushed." The minister's director of strategic initiatives responded that staff "have been given fairly tight timelines." So who makes the decision to override these concerns from the academics about the survey being rushed through?
37. [SURVEY/TIME FRAME] How long did it take to construct the survey?
38. [SURVEY/TIME FRAME] Academics were only given from 5:45 p.m. on Wednesday the 15th to Friday noon that same week to give feedback on the second copy of the survey. Isn't this pushing us where there may be some compromising the integrity of the survey with such a tight timeline for the second version?
39. [SURVEY/TIME FRAME] Does the minister's tight timeline cause staff to ignore serious concerns [from academics] about the survey, raised by the very people that were brought on board to construct that survey?
40. [BCGEU] We have another email showing the Premier's office coordinating with the BCGEU's PR campaign team and attempting to set up a meeting with the minister. Even though this meeting was appropriately declined, if the Premier's office is coordinating with the pro-PR coalition, could information have been shared by political staff?
41. [SURVEY/QUESTIONS] Many survey questions have a "prefer not to answer" option. But question 3, "Which, if any, of the following have been barriers that have kept you from voting?" does not have that option. Why was "prefer not to answer" excluded from this question?
42. [SURVEY/QUESTIONS] Question 16 asks individuals to choose between MLAs "who do what their party promised" and MLAs "who do what their constituents want." One could argue that MLAs can do both. This appears to be another example of a skewed question. One answer is an example of the current electoral system. The other is an example of the government's preference for a new electoral system. Why was this type of question allowed? Why is a choice being forced to be made in this area?
43. [SURVEY/SAMPLE BALLOT] We have 27 registered political parties in BC. Theoretically, all of these could show up on a PR-styled ballot. Why did the approved sample ballots for PR and MMP fail to reflect the total number of political parties in B.C. and foreshadow just how unwieldy and complicated life could become in the election booth?
44. [BALLOT] Has the ministry examined the impact on ballot length and ballot complexity — what this might mean for costs of management at Elections B.C.?
45. [BALLOT] Has the Attorney considered the potential for a significant heightening of spoiled ballots on election day if we were indeed to move to a lengthier, more complex, convoluted ballot?
46. [ELECTORAL BOUNDARIES] What about rewriting the electoral boundaries? I would like to get some clarity from the Attorney on how specifically and how soon we'll know what the proposed riding boundary changes would be.
47. [CANDIDATES LISTS] Can the Attorney tell us what rules, stipulations and guidelines may come into effect with proportional representation candidate lists?
48. [PROCESS INTEGRITY] How much detail will parties have with advance notice of the timeline for the terms and the specifics of the referendum? If there's any compromising of the process, what measures are going to be taken in place to protect the integrity of the procedure?

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49. [PROCESS INTEGRITY] What are we going to learn about fraud prevention and protecting the integrity of the process on Wednesday?
50. [PROCESS INTEGRITY] We raised the issue of an email sent by the B.C. NDP party executive containing a call to action on the PR referendums to the rank and file. One could read into this that the NDP party executive may have advanced notice of its details. What steps can the minister take to assure this House of the integrity of the referendum process and to ensure that one side doesn't have a leg up on the other?
51. [PUBIC ENGAGEMENT/IPSOS PANEL] The Attorney General was referencing the consultation process with the panel. If I could ask the Attorney General to outline in more detail what that panel looked like and whether that is the same term as what.... We've also understood that there was some sort of citizen engagement team as well.
52. [PUBIC ENGAGEMENT/IPSOS PANEL] How was the Ipsos panel selected or compiled?
53. [PUBIC ENGAGEMENT/IPSOS PANEL] There will be a full report included in the material that will be released to public in respect of that panel-- Is that correct?
54. [PUBIC ENGAGEMENT/IPSOS PANEL] When did the panel work? When was it in the field surveying other British Columbians?
55. [PUBIC ENGAGEMENT/IPSOS PANEL] When was it decided to do that panel?
56. [PUBIC ENGAGEMENT/IPSOS PANEL] Was it effective in terms of the input it provided to the ministry to balance off the survey results versus what was seen by the panel result? Was there a re-rating of responses that way?
57. [AG MANDATE re ELECTORAL REFORM] After Wednesday, does the Attorney General have any ongoing role in respect to this referendum?
58. [ELECTORAL REFORM REFERENDUM 2018 ACT] Would it be fair to say that the design of the Electoral Reform Referendum 2018 Act was formulated by the Attorney General and tabled in this House for approval?
59. [AG/ELECTORAL REFORM REFERENDUM 2018 ACT] Because of the fundamental provisions that are under that act — including the voting threshold and the regulation-making power, for example — the overall framework of this referendum was set by the Attorney General. In terms of the nature of being someone who is suggesting that British Columbians recognize as someone who is neutral in this, is there a concern that the Attorney General would share that British Columbians do not perceive that to be the case?
60. [AG MANDATE re ELECTORAL REFORM] Does the Attorney General have any concern regarding any perception of bias in his role in the context of this referendum process?
61. [PROCESS INTEGRITY/BEST PRACTICE] There have been a number of developments regarding referenda in which we've developed an international best practice. Some of the most advanced democracies in the world have created clear rules and processes that must be adhered to in order to have a referendum (UK, EU, Canada's Clarity Act). The process being used by government for this important referendum would contravene the law in many other jurisdictions. Why has the government not accepted this body of practice that has been developed to ensure that this referendum is legitimate?
62. [PROCESS INTEGRITY/BEST PRACTICE] Has the minister considered asking Elections B.C. to recommend a legitimate process based on international best practices?

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63. [PROCESS INTEGRITY/BEST PRACTICE] Has the minister received any advice from Elections B.C. on best practices, the process and the rules of the referendum?
64. [PROCESS INTEGRITY/BEST PRACTICE] Why has the government not sought advice on international best practices from Elections B.C. to ensure good process, to ensure the question is clear?
65. [PROCESS INTEGRITY] Does the Attorney General believe that his declared bias and the declared bias of his cabinet colleagues to what outcome he wants from this process — does that not disqualify him from making key decisions on this referendum?
66. [PROCESS INTEGRITY] Given that the minister's colleagues will be campaigning in favour of proportional representation, why not have Elections B.C. recommend a good process, a fair process, and draft a question to avoid perceived conflict of interest?
67. [PROCESS INTEGRITY] [Clarification] What I meant is that the Elections B.C. would recommend the process by which the question would be drafted.
68. [PROCESS INTEGRITY/BEST PRACTICE] Will the minister consider asking Elections B.C. to recommend a fair referendum based on international best practices?
69. [PROCESS INTEGRITY/BEST PRACTICE/CASA] Delaying the implementation of a successful proportional representation vote until 2021 strongly coincides with the confidence and supply agreement with the Green Party. How can the Attorney General proclaim to be immune from the political requirements of having the Green Party onside while it appears that their need for rushing the PR referendum through is resulting in a flawed process? Has the minister considered asking the Green Party if they would agree to a delay so that we could have a proper process using international best practices?
70. [PR] Will there be a specific form of PR that will be included in that release?
71. [REFERENDUM/QUESTION] In terms of the process in which the question is being developed, the Attorney General and the ministry are drafting that question. Is that correct?
72. [REFERENDUM/QUESTION] Is it the case that cabinet will decide on whether there will be one question or two questions or more than two questions for this referendum?
73. [REFERENDUM/RECOMMENDATIONS/PROCESS INTEGRITY] I suppose the cabinet and the Premier will be given the opportunity to go through the series of recommendations that the Attorney General is bringing forward and determine how to proceed with the referendum. If that's the case, I fail to understand how that is a neutral arbiter situation. Am I hearing this correct?
74. [REFEREDUM/FOREIGN FUNDING] Is the Attorney General aware of any direct or indirect foreign source of funding which is influencing any pro-PR campaign activity in British Columbia?
75. [CHARTER- s. 3] The court concluded that relative equality of voting power is fundamental to the right to vote enshrined in section 3 of the Charter. The court also supported a list of core values or rights that form part of section 3 of the guarantee of the right to vote. One of those core values is the right to sufficient information about public policies to permit an informed decision. Why hasn't a new Electoral Boundaries Commission been assigned by government to the task of preparing electoral boundaries for the proposed proportional representation systems the government outlined in its public engagement process — specifically, mixed-member proportional, single transferable vote, list proportional representation and mixed-member majority?
76. [CHARTER- s. 3] How is the AG going to adhere to one of the core values of that constitutional right — that citizens need sufficient information about public policies to permit an informed decision?

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What kind of system is the minister proposing right now to ensure that this core value — the right of every citizen to vote — is satisfied?

77. [PUBLIC ENGAGEMENT] Will the government commit to getting the independent Electoral Boundaries Commission organized right after the question is presented this week in order to provide the citizens with the information they need for the referendum vote?
  78. [PUBLIC ENGAGEMENT] I find it striking to hear that the view of the Attorney General will be that a safeguard for this referendum process is that if British Columbians don't fully appreciate what they're voting on, then they'll just either not vote or they'll vote no. So what was the reason for us to go forward with this referendum in the first place? Can I ask the Attorney General to clarify his statement, please?
  79. [SURVEY/PARTICIPATION] The Attorney General stated there was a record level of participation in respect of this survey on PR. In what other circumstances did we have a similar level of participation and survey using an on-line mechanism? What is the comparison?
  80. [SURVEY/PARTICIPATION] As a point of reference, can I ask how many respondents there were to the cannabis on-line survey?
  81. [PUBLIC ENGAGEMENT] When a survey was done of this nature and complexity, did the Attorney General receive advice and input on public engagement? My sense of this is that the government is relying on the quantity over the quality of the engagement. Is there a concern about relying on something where the details of what is being considered haven't been fully laid out for the public? Is there a concern about the quality of this public engagement that the Attorney General might see?
  82. [CHARTER – s. 3] Can the minister outline exactly what steps he's taking to ensure that that core value of section 3 of the Charter is satisfied?
  83. [PUBLIC ENGAGEMENT] Does the minister disagree with the fact that if citizens are going to be voting in favour of going to a PR system, they fully understand how that decision is going to affect their representation, how that decision is going to affect electoral boundaries, where their representatives are going to come from, how that's going to change the fundamental requirement under the Charter that they be represented in the Legislature or the House of Commons?
  84. [CHARTER – s. 3] You made a comment that.... We were talking about voting in a referendum, in a plebiscite, and that section 3 of the Charter is designed for voting in a general election — a provincial election or a federal election. Could the minister explain that?
  85. [REFERENDUM] Does the minister believe that voting in a referendum requires the same principles as voting in a general election?
- MLA Morris raises *Libman v. Quebec, 1997*; Minister agrees to review.
86. [REFERENDUM] Does the minister know if there will be a campaign period for the proponents and opponents to campaign for their cause prior to the referendum being held?
  87. [REFERENDUM] The referendum act 2018 references holding the referendum by the end of November of this year. How was that date determined, particularly when we're looking at holding municipal or local elections just a month earlier than that?
  88. [REFERENDUM] Is the minister concerned that the campaign period for the referendum will overlap with the campaign period for the local government elections?
  89. [REFERENDUM] The 2009 referendum was initially proposed to run with the 2009 municipal elections. Advice from the Chief Electoral Officer said that the criteria to vote in a municipal election

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is different than the criteria for a provincial election and recommended that that not take place at that time. Has the minister received any advice from the Chief Electoral Officer with respect to that?

90. [REFERENDUM] Section 23(3) of the Constitution Act instructs the LG to change the date of a provincial general election if the campaign period overlaps with a local government election or a federal election. We've just confirmed with Libman and Haig that these same principles that apply to a general election also need to be applicable to a referendum. Is the minister concerned at all that there's going to be an overlap in this? Is he going to ensure that that changes?
91. [REFERENDUM] Is the minister prepared to change the date of the referendum so that it doesn't conflict with the campaign period for local elections in B.C.?
92. [REFERENDUM] The Constitution of Canada, for electoral reform, basically says that we need regional buy-in as well as the 50 percent of the population voting in favour of that. Is the minister satisfied that the referendum act, 2018, doesn't violate the Charter and the fundamental values that the Charter holds in guiding legislation in all provinces?
93. [REFERENDUM] Is there minister saying he disagrees with the application of the federal Charter on British Columbia laws with respect to the regional representation?
94. [REFERENDUM] The majority of our population lives in less than 0.5 percent of the land mass of the province, so regional representation is important. How is the minister going to ensure that all the votes in this referendum are going to be equal?
95. [REFERENDUM] Recognizing that definition that the Supreme Court of Canada has reinforced several times — that it's based on population but geographical and regional differences as well — the referendum act of 2018 does not reflect that. How does the minister plan on reconciling that constitutional value that we need to adhere to in B.C.?
96. [REFERENDUM] Our federal constitution says that to change electoral reform in Canada, you need to have 60 or 70 percent of the provinces on board as well as 50 percent of the population. Where does the minister sit with this from a constitutional perspective?
97. [REFERENDUM] If the minister becomes aware that this might be a constitutional issue, would he be willing to pull that bill and cancel the referendum?
98. [REFERENDUM] How does the minister plan on holding the referendum now that he agrees that it requires that the same general principles that apply to a general election need to be applied to a referendum? Is he still intent on proceeding with the referendum, based on the discussions that we've had to this point?
99. [REFERENDUM] The minister agrees that the general principles that apply to a general election also apply to a referendum. Is he going to ask that the date for the referendum change so the campaign periods don't overlap with the municipal or the local elections that take place just shortly before that?
100. [REFERENDUM] If we're going to be using the same principles that apply to a provincial general election, then section 23(3) of the Constitution Act also applies. Is the minister in agreement with that?
101. [REFERENDUM] (SECTION 12(2) of the Election Act) Can the minister tell us if he has received any recommendations from the Chief Electoral Officer with respect to holding this referendum?
102. [REFERENDUM/BALLOT] Could the minister explain to me what this mail-in ballot system looks like?

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103. [REFERENDUM/BALLOT] Is the minister concerned that mail-in ballots would be used outside of the requirements of the Election Act for a general election and that he's forging new grounds here?
104. [REFERENDUM/BALLOT] Who made the recommendation to follow the mail-in ballot regime?
105. [REFERENDUM/DATE] Did the minister, when he was determining how he was going to hold a referendum and when he was going to hold a referendum, give any significance to the advice that the Chief Electoral Officer had given to the previous government in 2009 — to not to hold it in conjunction with the municipal election because the voting criteria was different?
106. [REFERENDUM/REPRESENTATION] Considering that over 60 percent of B.C.'s population is concentrated in the CRD and GVRD — 0.53 percent of B.C.'s land base — is the minister concerned about the equality of voting power by not taking into consideration the geographic and regional differences?
107. [REFERENDUM] How does the minister reconcile the differences with what the Premier has said, where he recognizes that we need 70 percent of the province's voting in favour of it as well? How does the minister rationalize not using that in British Columbia for the referendum?
108. [REFERENDUM] [Clarification] Rationalize regional representation — so, rationalize the fact that to change electoral systems in Canada requires a majority of the province to be on board, in addition to the 50 percent of the province. That also requires that the majority of regions — electoral districts in British Columbia — also need to vote in favour of it, in addition to the 50 percent of the population. Does the minister disagree with that statement?
109. [REFERENDUM/TURNOUT] How low does the voter turnout have to be for government to reject the results here in British Columbia?
110. [PR] There were multiple forms of proportional representation presented to British Columbians. Three of those potential PR electoral systems proposed on the government consultation website included provisions for list candidates: mixed-member proportional, list proportional representation and mixed-member majoritarian. Has the AG ruled out consideration of closed lists?
111. [PR] Does the Attorney General believe that a closed list PR system is constitutional under section 3 of the Charter?
112. [PR] In a PR electoral system with a candidates list.... Typically between 35 percent and 100 percent of the candidates are chosen by political parties. Would the Attorney General please explain how any kind of local representation for communities across British Columbia could possibly be guaranteed or ensured when political parties choose the candidates on the PR list?
113. [PR] In respect of regional representation on party candidate lists, is any ongoing consideration of introducing legislation before the referendum that would enforce or require local representation on party candidate lists in any form of proposed PR system?
114. [PR] In addition to the form of PR electoral system, will government require parties to create candidate lists that would require mandatory gender, sexual orientation, ethnic heritage or any other qualifications?
115. [PR] Just in respect of the PR system itself, can there be a situation where political parties would expel PR list MLAs from the Legislature if they quit their party to join another party or to sit as independents?

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116. [PR/RECALL] Can the Attorney General advise whether any of British Columbia's recall initiative legislation will be impacted by this referendum?
117. [PR/RECALL] The minister is responding to a question regarding closed lists and party lists, where representatives in this House will be chosen from those lists by party members. Does the minister feel that that's in compliance with section 3 of the Charter, where every citizen in Canada has the right to vote in an election for members of the House of Commons or a legislative assembly, or is he suggesting that we need to change our federal constitution in order to accommodate PR?

### **MAY 29 MORNING SESSION – QUESTIONS**

#### **GPEB**

1. [MONEY LAUNDERING] If money laundering has been such a large problem, why have casino revenues not correspondingly gone down with the proposed crackdown on money laundering?
2. [MONEY LAUNDERING/FINTRAC] FINTRAC, the federal agency responsible for the reporting, tracking and investigation of suspicious financial transactions, provides statistics on such reporting by sector. Is the minister aware of the relative FINTRAC statistics reporting by sector?
3. [MONEY LAUNDERING/FINTRAC] As a percentage of suspicious cash transactions reported, casinos account for less than 10 percent of the total report; the majority happen outside of casinos, in entities such as banks, trust companies, security firms, credit unions, money service businesses, precious-metal dealers, life insurance, etc. Is the minister aware of that, in the relative terms of a sector?
4. [GERMAN/INTERIM RECOMMENDATIONS] One interim recommendation from Dr. German that the government has accepted is that cash buy-ins of \$10,000 or more would require a source-of-funds receipt. How is this policy going?
5. [GERMAN/INTERIM RECOMMENDATIONS] [Clarification] Why is this threshold set at \$10,000?
6. [GERMAN/INTERIM RECOMMENDATIONS] The other recommendation which government accepted is the presence of regulators at every casino — or at least high-volume casinos. How is that program is going, the recommendation to have regulators on site in casinos on a 24-hour, seven-days-a-week basis?
7. [GERMAN/INTERIM RECOMMENDATIONS] [Clarification] How many casinos have these regulators on a 24-7 basis?

### **MAY 29 AFTERNOON SESSION – QUESTIONS**

#### **GPEB**

1. [GERMAN/INTERIM RECOMMENDATIONS] Why has the 24-7 regulator from GPEB at every casino, or at least the high-volume casinos has not happened?
2. [GERMAN/INTERIM RECOMMENDATIONS] How many regulators will be needed with this program to ensure that, on a 24-7 basis, there will be a regulator on site at the casinos?
3. [GERMAN/INTERIM RECOMMENDATIONS] The minister said that the recommendation from Dr. German has not been implemented and, it sounds like, that it's being changed somewhat to a risk-based basis. Can the minister confirm that's what's happened?



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4. [GERMAN/INTERIM RECOMMENDATIONS] Which five high-volume casinos will have 24-7 risk-based coverage of regulators?
5. [GERMAN/INTERIM RECOMMENDATIONS] Has the suggestion to ban \$10,000 cash buy-ins at casinos been implemented?
6. [MONEY LAUNDERING] The minister visited the Finance Committee in Ottawa at the House of Commons, and said this on the record: "Large, suspicious cash transactions continued unabated from 2009 until late 2017, when our new government instructed casinos that they...no longer accept large cash transactions when they didn't know where the cash was coming from." However, suspicious transactions have dropped, from 2015 to 2017, by about 60 percent. Will the minister correct this comment that he made on the record in Ottawa?
7. [MONEY LAUNDERING] The minister has often referred to hundreds of millions of dollars laundered through B.C. casinos. What evidence the minister is referring to?
8. [MONEY LAUNDERING] I heard the minister say that suspicious transactions do not necessarily mean money laundering. Is that correct?
9. [MONEY LAUNDERING] Would the minister agree that the vast majority of money laundering likely happens somewhere else than in casinos?
10. [MONEY LAUNDERING] At the Standing Committee on Finance in Ottawa, March 27, the minister stated that: "Gamblers could walk into a casino with illicit cash, fill out a form, buy chips, gamble, and then cash out and get a cheque or walk out with chips." Based on our research, a gambler would not be able to get a cheque that would have cleaned the money, which is what I assume the minister was alleging or suggesting. Can the minister clarify his statement?
11. [MONEY LAUNDERING/VANCOUVER MODEL] We have done an FOI to the minister's ministry requesting information on what the Vancouver model is, but we haven't received anything yet.
12. [MONEY LAUNDERING/VANCOUVER MODEL] The minister referred to an Australian professor who did a presentation and referred to a scheme with the title of Vancouver model. Other than this Australian professor, has any other agency or organization or any other academic referred to this scheme as the Vancouver model?

**AG RESPONSE/COMMITMENT:** *What I can tell the member is that I recall filling an FOI request for this — the full slide presentation that Professor Langdale uses that was identified by Dr. German and brought to my attention. Obviously, it caused me a great deal of concern. I believe that I should be able to provide the member with that presentation.*

13. [GERMAN REPORT/RELEASE] When will the German report be released?
14. [GERMAN REPORT/BCLC FISCAL PLAN] Will the recommendations in the report affect the Lottery Corporation's three-year fiscal plan?
15. [GERMAN REPORT/COST] How much has been spent providing resources to Dr. German to get his review done? How much more remains to be spent?

### ICBC

16. [PROGRAM CHANGES/INDUSTRY IMPACT] ICBC sent a letter at the beginning of May announcing several changes, including the moulding allowance program, NAGS part discount and best-price policy. Concern has been raised about the lack of consultation with the auto glass businesses. Can the minister speak to the lack of consultation and explain these changes?

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17. [PROGRAM CHANGES/INDUSTRY IMPACT] In the discussions with ARA, is it possible to look at other ways to mitigate these costs and to address these problems that the minister has identified? Also, is there some consideration for the impacts of these changes and how they'll affect smaller businesses quite a bit more than they might affect the larger businesses? Can there be any plan to mitigate those impacts to the small businesses, such as the ones that we've been hearing from?
18. [BCUC] How long DOES it typically take for the BCUC to conduct its process review?
19. [BCUC] What obligation does ICBC have to report to the BCUC any changes to its financial position that might come to its attention during the rate review process?
20. [BCUC] Specifically in the context of September 15 to January 12, 2018, which reports were filed by ICBC with BCUC, and when?
21. [BCUC] Was that quarterly report provided before the January 12 decision?
22. [PERFORMANCE MEASURES] What was the purpose of ICBC proposing to discontinue certain performance measures, like the average cost of bodily injury claims, litigation costs, BI claims, paid loss amounts and the costs of litigation in future applications?
23. [POLICY DIRECTION] ICBC chair stated that the insurance company carries out the policy directions or decisions of the government of B.C. ICBC is the vehicle that delivers government policy so that it would be government that would make the changes, and then ICBC would implement them. Does the Attorney agree with that statement?
24. [POLICY DIRECTION] [Clarification] Does the Attorney believe that ICBC should be politically directed or that it is an instrument of government policy?
25. [REPORTING] What is the reporting structure on finances between the ICBC executive team, the board and the minister?
26. [REPORTING] Between July and January 2018, were there any additional points in time where that typical review and reporting structure was not followed, meaning there was some special reporting made available to the Attorney General in his capacity as minister responsible for ICBC?
27. [REPORTING] During this period of time in question, when there was something that came to the attention of the executive and the board — meaning a reclassification of types of claims and losses — was that not reported to the Attorney General?
28. [REPORTING] At these particular junctures [July, September, November, January], when the Attorney General received this reporting, what process did the Attorney General follow, in terms of whether it's review or dealing with this loss discovery as it has been portrayed? What actions did the Attorney General take in terms of ensuring that those losses would not further progress from the period in time where it was being commented on in July, again, to September, to November and then January?
29. [ICBC EXECUTIVE TEAM] What changes have been made to the executive team since the minister took over? Has the team largely remained on board?
30. [ICBC EXECUTIVE TEAM] Can the minister confirm for us the following: Nicolas Jimenez, the interim CEO, was previously VP of insurance and joined ICBC in 2003; Bill Carpenter has served as chief actuary since February 2015 and has added the title CFO in June 2016?
31. [ICBC EXECUTIVE TEAM] Can the minister confirm that the executive team has largely stayed the same?

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32. [ICBC EXECUTIVE TEAM] Is the minister willing to tell us what actions he took with the executive team with regards to accountability, turnover or anything if he did not have faith in them?
33. [ICBC BOARD] Does the minister have any faith in the board as well, given that they signed off on numbers that simply did not hold weight at the end of the day?
34. [PROJECTIONS] On July 24, 2017, the minister stated: "ICBC, as described to me by senior bureaucrats, is on the path to insolvency." What indicated to him this was the case? What did he do to correct this? And why did he only project a \$225 million loss in September, which was a marked improvement over March 2017 and would suggest a reverse trend?
35. [PROJECTIONS] Who got the numbers wrong? Was it government or ICBC that did not see that the losses would grow?
36. [PROJECTIONS] What was the projected loss at ICBC was on the date of September 5, 2017? And when did the minister first become aware of this loss?
37. [PROJECTIONS/MEDIA COMMENTS] At any point during his media availability that day, September 5, did the minister use any different numbers when speaking about the projected losses at ICBC?
38. [PROJECTIONS /MEDIA COMMENTS] Can the minister confirm that on CKNW that same day, September 5, he stated: "Next year's loss at ICBC was projected to be just \$25 million. The actual loss is projected to be 14 times that"?
39. [PROJECTIONS/MEDIA COMMENTS] Can the minister confirm that on CBC's *On The Coast* on that same day, he stated: "The projection that was in the Budget 2017 documents was a loss of \$25 million. The actual projected loss for ICBC, even with today's rate increase, is \$360 million for next year"?
40. [PROJECTIONS/MEDIA COMMENTS] Can the minister confirm that on CHNL, on September 5, he stated: "The revised projection for next year's losses in the base case with existing rates is almost \$500 million — a \$450 million loss. That's a loss that is 18 times higher than projected"?
41. [PROJECTIONS/MEDIA COMMENTS] These are all media availabilities on the same day, September 5. The minister said over \$300 million on one outlet, 14 times higher than originally projected, then stated \$360 million on another, then switched the number to \$454 million on three other outlets on the 5th and 6th. I have the transcripts, Minister. What were the real numbers, and why did you use, on the same day, so many different numbers?
42. [PROJECTIONS/MEDIA COMMENTS] Our intent is to find exactly what the motivation was during this time when the minister made these public comments about ICBC and the numbers kept changing. What was the final global number that the minister signed off for the quarterly report?
43. [PROJECTIONS] Did the minister do anything to ensure proper oversight to stop further losses after that date [Sept 5]?
44. [PROJECTIONS/MEDIA COMMENTS] On November 7, the minister told the House: "ICBC is projected to lose \$364 million this fiscal year, '17-18." Can the minister confirm that?
45. [PROJECTIONSLOSS] When was the minister made aware of the revision to the loss?
46. [PROJECTIONS/MEDIA COMMENTS] Can the minister confirm for us that on November 7, he did an interview with CHNL where he stated, in reference to ICBC, the following: "They're on track to lose another half a billion dollars this year."
47. [PROJECTIONS] Was the loss \$364 million or was it half a billion? Which was it?

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48. [PROJECTIONS/MEDIA COMMENTS] We have five numbers here that describe the projected losses at ICBC. First it was over \$300 million in September, followed by \$360 million, followed by \$454 million — all on the same day. Then in November, in estimates, it was \$364 million. But in the media on the same day, it was half a billion dollars. Five different numbers, and no clarity on what the actual numbers were. Which of the five numbers are accurate?
49. [PROJECTIONS] What oversight functions were put in place to stop any further losses at that time? We're talking the November time frame, when we had a situation where in the House, the minister said the loss was \$364 million and then in a media interview said it's half a billion.
50. [PROJECTIONS] In January of 2018, what files did the minister and the board and the executive team look back on that led to an additional \$1 billion in liabilities?
51. [PROJECTIONS/ACTUARIAL REVIEW] As we continue into January and what was reported...The \$225 million forecast loss and the \$364 million forecast loss — those two periods. Is there an actuarial review at that juncture before those numbers were released?
52. [ICBC EXECUTIVE TEAM] The Attorney General mentioned that his confidence was shaken in terms of the financial reporting he was receiving from the team at ICBC. What changed?
53. [PROJECTIONS/ACTUARIAL REVIEW] Has it been determined at this juncture that there is an issue in respect of how the internal actuarial process has been conducted in the past, over some years, the buildup — that we've gotten to this stage?
54. [PROJECTIONS/ACTUARIAL REVIEW] Presumably, on that annual basis, the internal actuarial report provided to the audit committee and the board of ICBC was reviewed internally and externally. When was that last done and what the figure of loss was at that point?
55. [PROJECTIONS/AUDIT] When was the last annual audit conducted, and what was the figure at that time?
56. [PROJECTIONS/AUDIT] There's a quarterly external independent audit report, and that would have confirmed the \$225 million and the \$364 million. So when the Attorney General continues to talk about a greater loss forecast number, what was missed in these two quarterly audit periods — either by the internal actuary process or the external?
57. [REVIEW] If it was a continuum from successive quarters, what triggered the initial review, then, and concern regarding loss characterization or determination going from minor to larger, complex loss claims?
58. [REVIEW] When did that detailed review of files start?
59. [PROJECTIONS] The loss went from \$300 million to \$1.3 billion between November and January. Can the minister give us his rationale for how we went from \$300 million to \$1.3 billion?
60. [ICBC CHAIR/NO FAULT INSURANCE] The chair of ICBC is Ms. MacPhail, who was previously the minister responsible for ICBC in the 1990s. During that time, she tried to bring in no-fault insurance. Can the minister confirm that he knows what happened when that attempt to bring in no-fault insurance was tried by the minister of the day?
61. [ICBC CHAIR/NO FAULT INSURANCE] What would the current minister believe would be the reason that Ms. MacPhail would have wanted to bring in no-fault insurance?
62. [ICBC CHAIR/NO FAULT INSURANCE] What is the minister's current perspective on no-fault insurance?

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63. [PROJECTIONS/CLAIMS CAP] Would it be safe to say that a projected loss of \$1.3 billion would enable government and ICBC to implement at least a cap on minor injury claims?
64. [PROJECTIONS/CLAIMS CAP] If the loss had been \$300 million, as ICBC originally projected, would it have been harder to put caps on minor injuries in place, given that there was upward improvement, year over year, and also with respect to the concerns of the legal community?
65. [PROJECTIONS] Would it not be beneficial to your party to demonstrate in some way that the B.C. Liberals were not as good at managing the economy or fiscal matters as everyone thought?
66. [PROJECTIONS] If ICBC were shown to have massive losses in the year that the NDP were returned to power they could blame it on the B.C. Liberals. Is that not correct?
67. [PROJECTIONS] If the prior year estimates suddenly swing from a loss of around \$1 billion by a positive swing of, say, \$600 million the year after, the NDP and ICBC, under Chair Joy MacPhail's leadership, would look like heroes, wouldn't they?
68. [PROJECTIONS] Did you or Chairperson Joy MacPhail instruct the ICBC executive to expedite the resolution of losses on files as much as possible before the end of fiscal year 2017-18 so you could show a remarkable improvement in fiscal 2018-19 and fiscal 2019-20?
69. [ACCOUNTABILITY] Does this speak to management incompetence as to why this massive loss on the outstanding claims wasn't found or acted on sooner? The minister is on record as saying that he had no faith in management, and that the sudden increase in the outstanding claim values is management "screwed up." Why has no one been disciplined or let go for this financial debacle?
70. [ACCOUNTABILITY] When asked on January 30 if he had confidence in ICBC management, after the \$1.3 billion projected loss was announced, the reply was: "In short, no. I was completely blown away by the fact that things got so much worse so quickly. I want somebody to explain to me how that happened. That's why I brought in a third party to do this review." Why has the minister not acted upon his statement? If he has no faith in ICBC management, why has he not taken action in this regard?
71. [ACCOUNTABILITY] The vice-president of claims, under whose watch this outstanding claims fiasco transpired, is now the acting CEO of ICBC. Is that correct?
72. [ACCOUNTABILITY] How is the public to be reassured that the same mistakes won't happen again?
73. [CLAIMS] The Attorney and the board chair of ICBC ordered a review of outstanding claims after they received the projections of \$300 million of loss. When was that review ordered?
74. [CLAIMS] Has management at ICBC previously proposed any review of these claims?
75. [PROJECTIONS/MEDIA COMMENTS] On February 1, the Attorney General is quoted on CFX Radio as saying: "The projections that I initially got from ICBC were in the neighbourhood of \$300 million for loss for this year. The board and I sent them back and said: 'Tell us exactly what the financial position is on open files that you have.' They came back and said: 'We screwed up. There's an extra \$1 billion here of liability that we had not accounted for.'" We're now at \$1.3 billion... I ask again to the Attorney General, what triggered this change in approach?
76. [CLAIMS] How do older, smaller claims evolve into larger and more complex claims as described in the news release?
77. [CLAIMS] In the category of minor claims shifting to more complex major losses, is it suggested that there are approximately 800 claims in this category that have shifted in this manner in the same four-month period of time? These are claims that are dating back to 2010. How does this all occur in

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such a short period of time when we have the same management team that has been advising and running ICBC under the previous government — same management team, same approach. What has changed here?

78. [CLAIMS] In the last 18 years, what has been the average amount of prior years' claims adjustments at ICBC?

**AG RESPONSE/COMMITMENT:** *I'm going to have to undertake to get back to the member on that.*

79. [CLAIMS] In terms of the criteria that are being utilized to transition from a minor claim to a more complex claim, what criteria of analysis are being utilized by PwC and the second actuary firm?
80. [PROJECTIONS] Why do ICBC's projected premium taxes and commissions drop so dramatically in this fiscal year?
81. [PROJECTIONS] For premium deficiency adjustments to be negative, as shown on page 19 of the service plan, would indicate that ICBC believes that it's collecting more in premiums than it needs to cover costs. How is this possible when the corporation expects expenses to outpace revenue in every year in its current fiscal plan?
82. [PROJECTIONS] What accounts for the sudden and dramatic drop in premium deficiency adjustments, which have changed by \$350 million, between ICBC's September and February updates?
83. [PROJECTIONS] Where did the \$400 million in ICBC commissions and premium taxes go? What confidence can we have that ICBC's numbers won't be revised in this area with considerable negative impact, as has been seen in recent trends?

**AG RESPONSE/COMMITMENT:** *I am sensing from the staff here a bit of frustration about the way in which our Legislature handles estimates, which is that they attempt to explain a highly technical accounting treatment to me, and then I attempt to relate that to the member in a way that satisfies his queries. What I'd like is to offer the member a briefing on this line item from ICBC, where they can provide this information to the member directly and, hopefully, address any questions he may have about it. It is an accounting treatment, and it's a complex accounting issue. They're doing their best to pass it through me, but I'm afraid I'm not doing it justice, clearly, in terms of what the member's level of detail is that he's interested in here.*

84. [ACCIDENT RATE] In the *Affordable and Effective Auto Insurance* independent report from last year, table 13 gives B.C. accident rates. From 2005 to 2011, B.C.'s accident rate decreased 37 percent decrease. What would the minister attribute this decrease to?
85. [ACCIDENT RATE/FRAUD] The report says: "Approximately 20,000 additional crashes per year have been taking place in B.C. since 2013." That's a 23 percent increase. It says: "The recent accident rate increase in B.C. is unique compared with most other Canadian provinces or territories, which continue to show a downward trend to 2014." Is it possible that there has been some kind of organized and systematic fraud perpetrated against ICBC? Has the minister ruled this out, and what kinds of investigative resources has he applied to this question?
86. [INDUSTRY/IMPACT] Is the Attorney aware of the changes that ICBC has implemented regarding the auto glass industry?
87. [INDUSTRY IMPACT] Why would the Attorney not have ICBC consult with the industry where these jobs exist in local communities?

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88. [INDUSTRY IMPACT] Was there no way to have a discussion with small businesses on whom he has now downloaded significant costs that will result in job loss?

89. [CONSTITUENT QUESTION] Why does ICBC require an individual's home address to be on the certificate of insurance, which is typically kept in the vehicle glove compartment?

- **NOTE: Answer also provided following briefing with the opposition MLAs in advance of Estimates.**

**AG RESPONSE/COMMITMENT:** *The Motor Vehicle Act requires the address of the insured to be on the certificate and for that to be provided to law enforcement on demand. What it doesn't require is that somebody keep the certificate in the glove compartment. They could keep it in a locked compartment elsewhere in their vehicle. I take the member's point about why it is the Motor Vehicle Act requires that. At first blush, I'm advised that law enforcement and the insurance company require that information, but I appreciate the member raising the issue with me. We'll have a look at that and see — because I do understand that that is an issue — if there might be some other way to address it. But, in any event, I appreciate him raising it.*

90. [CONSTITUENT QUESTION] ICBC has a new form for service providers who help those who need to recover their identification requires the last name and birthdate of the staff. This service provider has a policy of not giving out that kind of information. Can the minister advise if that form can be revised so that legitimate charities and not-for-profits that help people recover their identification do not have to give that kind of personal information?

**AG RESPONSE/COMMITMENT:** *That is one that I'm going to have to get back to the member on. We'll have to identify the specific form that he's referring to. It would assist greatly if he has a copy or a specific reference in relation to the form. We'll try to identify it on our own, but it might expedite things if he could provide a copy, and we'll provide a response to him about that.*

- **NOTE: MLA YAP to send form to MO for follow up.**

### Liquor

91. [LIQUOR POLICY REVIEW] What is the status is of the Hicken review of liquor policy?

92. [LIQUOR POLICY REVIEW] [CLARIFICATION] I understand that work has been done and a report has been submitted. What is the status of that work and the recommendations from Mr. Hicken?

93. [LIQUOR POLICY REVIEW] When will that technical report and the recommendations public?

94. [LIQUOR POLICY REVIEW] Will all of Mr. Hicken's recommendations in his technical report be accepted?

95. [LIQUOR POLICY REVIEW] What has been the financial cost of Mr. Hicken's review, both the earlier review and then the technical review work that he did?

96. [LIQUOR POLICY REVIEW] Is Mr. Hicken's contract complete?

97. [RURAL AGENCY STORES] Questions have come from rural agency stores who sell to restaurants and bars and have been told that the program is cancelled and there will be no grandfathering. Can the Attorney General confirm if that is the case or if they will be allowed to continue selling?

98. [RURAL AGENCY STORES] Will these businesses be able to maintain their current customer base as they were approved by the government in the first place?

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### MAY 30 AFTERNOON SESSION – QUESTIONS

#### LSB/JSB

1. [UNDRIP] What is the status of the Attorney General's review of policy, programs and legislation to determine how to bring the principles of UNDRIP into action in British Columbia— how many policies, programs and items of legislation have been reviewed currently?
2. [UNDRIP] Will the Attorney play a role across ministries in terms of reviewing policies, programs and legislation to bring into place the principles of UNDRIP?
3. [DRAFT PRINCIPLES] Could the Attorney expand on what the draft principles are and the nature of the consultation process around those principles?
4. [DRAFT PRINCIPLES] What is the status of the engagement process to consult on these principles, and how will that unfold?
5. [DRAFT PRINCIPLES] Principle 7 acknowledges the body of casework decisions that have been put in place in terms of the case law dealing with First Nations rights and title in Canada and in this province. In the Attorney General's opinion, is that a settled area of the law currently in this province?
6. [INDIGENOUS RIGHTS AND TITLE/UNDRIP] Is the Ministry of Attorney General, on behalf of the government, developing a new approach to Aboriginal rights and title litigation in view of UNDRIP?
7. [UNDRIP] In looking at UNDRIP and the government's commitment to adhere to the principles under UNDRIP, has the government previously received any external legal advice in terms of whether its own approach to UNDRIP needs to be limited or constrained in any way based on the body of case law work under section 35?
8. [UNDRIP] Has there been a change in approach to informed consent by the province in the various situations that might present themselves for government decision-making — like Site C, LNG projects or other projects that face decision-making in this province? Has there been a change in approach by this government, in view of UNDRIP, to ensuring that there has been free, prior and informed consent?
9. [DRAFT PRINCIPLES] The tenth principle spoke to some elements of differences, recognizing there might be distinctions in the approach that might occur. How will that principle operate in terms of distinctions in this area?
10. [UNDRIP] I suspect that First Nations believe that if they can't get the answer they need under existing case law, then they'll turn to UNDRIP, and they'll use the idea of consent under UNDRIP versus existing case law. Is that the Attorney General's opinion? Or is there a different opinion from the Attorney General and the office?
11. [UNDRIP] ...Based on other estimates sessions answers is the idea of UNDRIP being a human rights document in the context of government decision-making. I'm trying to understand that in the context of consent. I've been trying to understand whether or not when it comes to a human rights document, when you're talking about infringement of rights and title, this means that the Crown will be seeking the consent of 220,000 individual Aboriginal people and not really looking at the principle of case law where Aboriginal rights and title is actually held on behalf of a community, not on behalf of individuals.



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12. [PARENTS LEGAL CENTRE] Which communities will the Parents Legal Centre be expanded to, how are these communities selected as areas of need, and how much of the \$11 million in funding will be provided to the different centres?
13. [DIGITAL ACCESS] How much of the \$10 million delegated for initiatives that include digital access will go towards the actual digital access? And what initiatives to improving digital access will be accompanied with educational initiatives so that remote and rural citizens are able to use the digital resources in an accessible and helpful way?

**AG RESPONSE/COMMITMENT:** *The on-line spending by the ministry is actually contained in three different line items that we've got. We're just trying to find the breakout of the on-line from the bricks and mortar, essentially. What would be easiest, if the member is agreeable, is if we could provide her with that answer in the days ahead, when we break out those numbers for her with descriptions of the various projects.*

14. [INDIGENOUS JUSTICE] In the ministry service plan, addressing the overrepresentation of Indigenous people in the justice system is identified as a priority area. What portion of the ministry's budget is dedicated to addressing this? What concrete steps has this funding already been used for? How will the overrepresentation be addressed as an ongoing process? And what is the ideal result?
15. [LEGAL SERVICES SOCIETY] The Legal Services Society has indicated they are underfunded and were only able to produce less than 20 percent of the 600 who required them by law. Explain the shortfall of Gladue reports and how these numbers will be increased?

## AG Commitments/Follow Up:

1. Provide (MLA Lee) information regarding demographic search terms/targeting in terms of how advertising was distributed for the electoral reform survey. (MAY 28 AFTERNOON SESSION)
2. Minister agrees to review *Libman v. Quebec*, 1997, as raised by MLA Morris. (MAY 28 AFTERNOON SESSION)
3. Provide (MLA Yap) full slide presentation from Professor Langdale on the money laundering Vancouver Model. (MAY 29 AFTERNOON SESSION)
4. Provide (MLA Lee) information on the average amount of prior years' claims adjustments at ICBC. (MAY 29 AFTERNOON SESSION)
5. Provide (MLA Yap) briefing on ICBC commissions and premium taxes. (MAY 29 AFTERNOON SESSION)
6. Investigate (MLA Yap) constituent question on why the *Motor Vehicle Act* requires the home address of the insured to be on the certificate. (MAY 29 AFTERNOON SESSION)

NB: This question was raised during the Estimates pre-brief on April 26<sup>th</sup>. The following response was provided to MLA Yap after that briefing:

*According to legislation, the original Owner's Certificate of Insurance and Vehicle Licence must be carried in the vehicle at all times while on a public roadway. This is because it must be produced on demand to law enforcement to prove that the vehicle is licensed and insured. This is covered under Section 11 of the Motor Vehicle Act.*

*Section 74 of the Motor Vehicle Act outlines the insurance and registration document requirements, which does not permit altering the document.*

*ICBC and other agencies depend on the residential address for mail and personal service. Police may be unable to contact a vehicle owner or registered driver in emergencies or in the course of investigations. Other items such as violation tickets, insurance reminders, service of legal documents, MSP billing information, Elections BC voter registration card, etc., also rely on ICBC having the address.*

*Taking the original insurance and registration document with you when you exit the vehicle is an option. Alternatively, an altered photocopy of the document (blacking out the address, for example) may be stored in an accessible place in the vehicle, while storing the original document in a more secure area of the vehicle as long as it could be produced for law enforcement if required.*

7. Investigate (MLA Yap) constituent question on service providers being required to provide last names and birth dates on forms to assist those who are trying to recover identification. (MAY 29 AFTERNOON SESSION)
  - NOTE: MLA Yap to send relevant form to MO
8. Provide (MLA Furstenau) information on how much of the \$10 million delegated for initiatives that include digital access will go towards the actual digital access, and what initiatives to improving digital access will be accompanied with educational initiatives. (MAY 30 AFTERNOON SESSION)

**From:** Mazure, John C GPEB:EX  
**To:** [Harder, Derrick AG:EX](#)  
**Subject:** ESTIMATES FOLLOW UP: Vancouver Model presentation  
**Date:** Tuesday, June 5, 2018 12:18:17 PM  
**Attachments:** AG ESTIMATES 2018 - QUESTION ORDER - MAY 28-30.docx  
AG Estimates 2018 - AG Commitments and Follow Up.docx

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Hi Derrick, one of the follow-up items for GPEB coming out of the Estimates debate was to provide MLA Yap with a slide presentation from Professor Langdale from Macquarie University on the money laundering Vancouver Model. I haven't been able to find this presentation online – was hoping that the Minister (through you) could provide me with a copy of the presentation? Let me know if you are able to do so. Thx

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**From:** Forrest, Cris J AG:EX  
**Sent:** Monday, June 4, 2018 3:30 PM  
**To:** Fyfe, Richard J AG:EX; Scott, Douglas S AG:EX; Azam, Salman AG:EX; Bailey, Ian D AG:EX; Carr, Michelle LCLB:EX; Cavanaugh, Lynda A AG:EX; Harvey, James AG:EX; Juk, Peter A AG:EX; Lawson, R. Blain LDB:EX; Mazure, John C GPEB:EX; Sandstrom, Kurt AG:EX; Bragg, Leslie AG:EX; Harder, Derrick AG:EX; Smith, George AG:EX  
**Cc:** Richter, Connie AG:EX; Pearson, Barbera AG:EX; Blakesley, Nicki AG:EX; Baker, Chelsea AG:EX; Morton, Amanda LCLB:EX; Shepherd, Lisa AG:EX; Hammond, Monica M AG:EX; Earl, Jennifer AG:EX; Dahlke, Cindy LDB:EX; Vear, Maureen GPEB:EX; Salkus, Beverley AG:EX; Valentinuzzi, Emma AG:EX  
**Subject:** FOLLOW UP: ESTIMATES

Colleagues,

Attached are two documents. One is a summary of all the questions directed at the Attorney General during our recent Estimates debates; the other is the excerpted list of commitments the Attorney General made for follow up. Huge thanks to Leslie for deciphering my scrawl, reviewing and validating with Hansard, analyzing and capturing themes, and pulling this all together for your reading pleasure! Please review and, where there are follow up items required of your area, send your response/materials to me and [Leslie](#) by **June 22<sup>nd</sup>**. We will compile and work with the MO to ensure the loop is closed with the opposition critics. Many thanks.

Cris

**Cris Forrest** | Managing Director | Justice Services Branch | BC Ministry of Attorney General

8<sup>th</sup> Floor, 1001 Douglas Street, Victoria BC V8W 9J7 | Telephone: 778 974-3683 (\*\*New Number)

Website: [Attorney General - Province of British Columbia](#)



**From:** [Forrest, Cris J AG:EX](#)  
**To:** [Smith, George AG:EX](#); [Harder, Derrick AG:EX](#); [Milne, Gala AG:EX](#)  
**Cc:** [Bragg, Leslie AG:EX](#)  
**Subject:** FOLLOW UP: MAG Estimates  
**Date:** Monday, July 9, 2018 2:44:06 PM  
**Attachments:** ESTIMATES 2018\_AG Commitments Status.docx  
ESTIMATES 2018\_AG Commitments\_1.docx  
ESTIMATES 2018\_AG Commitments\_8.docx  
ESTIMATES 2018\_AG Commitments\_3.pdf  
ESTIMATES 2018\_AG Commitments\_4.pdf  
ESTIMATES 2018\_AG Commitments\_2-WordVersion.docx  
**Importance:** High

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Attached are the follow-up items committed to during the ministry's Estimates debates. Also attached is the complete list of commitments for follow-up and the relevant excerpted transcript from Hansard. Both the DAG and Doug Scott have reviewed and approved. For your action. Many thanks.

1. Provide (MLA Lee) information regarding demographic search terms/targeting in terms of how advertising was distributed for the electoral reform survey. (MAY 28 AFTERNOON SESSION)  
Attachment: ESTIMATES 2018\_AG Commitments\_1  
***(Targeting and Distribution of Advertising for the Electoral Reform Survey)***
2. Attorney General agrees to review *Libman v. Quebec*, 1997, as raised by MLA Morris. (MAY 28 AFTERNOON SESSION)  
Attachment: ESTIMATES 2018\_AG Commitments\_2  
***(Libman v. Quebec (Attorney General), [1997] 3 S.C.R. 569)***
3. Provide (MLA Yap) full slide presentation from Professor Langdale on the money laundering Vancouver Model. (MAY 29 AFTERNOON SESSION)  
Attachment: ESTIMATES 2018\_AG Commitments\_3  
***(Impact of Chinese Transnational Crime on Australia: Intelligence Perspectives; Paper delivered at the New South Wales Police Force iFocus Conference, November 2017, by John Langdale, Department of Security Studies and Criminology, Macquarie University)***
4. Provide (MLA Lee) information on the average amount of prior years' claims adjustments at ICBC. (MAY 29 AFTERNOON SESSION)  
Attachment: ESTIMATES 2018\_AG Commitments\_4  
***(Net Claims Incurred – 18 Years)***
5. Provide (MLA Yap) briefing on ICBC commissions and premium taxes. (MAY 29 AFTERNOON SESSION)  
Action Required: ***Briefing date/time to be confirmed by Associate DM Scott and AG's office.***
6. Investigate (MLA Yap) constituent question on why the *Motor Vehicle Act* requires the home address of the insured to be on the certificate. (MAY 29 AFTERNOON SESSION)

**NB: This question was raised during the Estimates pre-brief on April 26<sup>th</sup>. The following response was provided to MLA Yap after that briefing:**

*According to legislation, the original Owner's Certificate of Insurance and Vehicle Licence must be carried in the vehicle at all times while on a public roadway. This is because it must be produced on demand to law enforcement to prove that the vehicle is licensed and insured. This is covered under Section 11 of the Motor Vehicle Act.*

*Section 74 of the Motor Vehicle Act outlines the insurance and registration document*

requirements, which does not permit altering the document.

ICBC and other agencies depend on the residential address for mail and personal service. Police may be unable to contact a vehicle owner or registered driver in emergencies or in the course of investigations. Other items such as violation tickets, insurance reminders, service of legal documents, MSP billing information, Elections BC voter registration card, etc., also rely on ICBC having the address.

Taking the original insurance and registration document with you when you exit the vehicle is an option. Alternatively, an altered photocopy of the document (blacking out the address, for example) may be stored in an accessible place in the vehicle, while storing the original document in a more secure area of the vehicle as long as it could be produced for law enforcement if required.

7. Investigate (MLA Yap) constituent question on service providers being required to provide last names and birth dates on forms to assist those who are trying to recover identification. (MAY 29 AFTERNOON SESSION)

**NB: MLA Yap agreed to send relevant form(s) or link to MO.**

8. Provide (MLA Furstenau) information on how much of the \$10 million delegated for initiatives that include digital access will go towards the actual digital access, and what initiatives to improving digital access will be accompanied with educational initiatives. (MAY 30 AFTERNOON SESSION)

Attachment: ESTIMATES 2018\_AG Commitments\_8

**(Funding for Digital Access to Justice Services)**

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8<sup>th</sup> Floor, 1001 Douglas Street, Victoria BC V8W 9J7 | Telephone: 778 974-3683 (\*\*New Number)

Website: [Attorney General - Province of British Columbia](http://AttorneyGeneral-ProvinceofBritishColumbia)



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Estimates Debates  
May 28—30, 2018

AG Commitments and Follow-Up

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**(Funding for Digital Access to Justice Services)**

Ministry of Attorney General  
Estimates Debates (May 28–30, 2018)  
AG Commitments and Follow-Up – Hansard Transcripts

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COMMITMENT 1:

**M. Lee:** *Initially, we understood that when the survey was first put out there in the province, the response rate was quite low. As we got closer into the month of November, the response rates elevated. It sounds like the government put out, as we talked about, the mailer. But there was digital advertising as well, which increased participation rates. Can the Attorney General confirm that that was the case and where those particular advertising campaigns were targeted?*

**Hon. D. Eby:** *Yes, there was digital advertising as well as the household mailer. I will get the information for the member about whether there were any sort of demographic search terms or targeting or anything like that in terms of how that advertising was distributed. Certainly, it was all within British Columbia. I'll find out if there's any additional information that I can get the member on that. I don't know the answer to that question.*

COMMITMENT 2:

**M. Morris:** *I'm aware of that case that you quoted. I'm also aware of another case, Libman v. Quebec, 1997. I'll quote from paragraph 46 of that decision: "Although the referendum system is different from the electoral system...the people vote to elect their political representatives for a specific mandate. The same principles underlying election legislation should in general be applicable to the referendum legislation.... In both elections and referendums, voters can freely express their choice after being informed of the issues during the election or referendum campaign, as the case may be." This is a binding referendum, so I'm curious as to.... The minister has talked about the question that's coming out on Wednesday. But I'm referencing this as: the same importance as any general election needs to be applied to a referendum as well.*

**Hon. D. Eby:** *I'm glad to have a look, and I thank the member for bringing that case to my attention. But it doesn't address the issue. The member says that people need enough information to vote. I agree with him. People need enough information to vote, whether it's a referendum or otherwise. I'll have a look at the case that the member recommends to me. I appreciate him bringing that to my attention, but it doesn't change a single thing about the recommendations that I'll be putting forward, because the recommendations are designed keeping in mind that British Columbians have been very clear — in the written submissions, certainly — that in an engagement process, they need the information necessary to make a decision. And I would not recommend otherwise.*

COMMITMENT 3:

**J. Yap:** *We will be getting to ICBC momentarily, but I do just have a couple more questions. We'll go straight to this. The minister has, in his media work, referred to: "Our province's reputation is in tatters." I think that was an exact quote. He referred again today to the*



so-called Vancouver model. We have done an FOI to the minister's ministry requesting information on what the Vancouver model is, but we haven't received anything yet. I did hear the minister refer to, I believe, an Australian professor who did a presentation and referred to a scheme with the title of Vancouver model. The minister today has referred a couple of times, maybe three times, to it. Other than this Australian professor, has any other agency or organization or any other academic referred to this scheme as the Vancouver model?

**Hon. D. Eby:** *There is a full presentation of this individual, who has done training. This person's job, in addition to being a university professor, is to train anti-money-laundering officials in Australia. I don't know how many courses, training sessions, Professor Langdale has done, teaching people about the Vancouver model. I don't know the extent of his work on international presentations at conferences and so on. I don't know how many people have cited his work that describes this. He would be a good person to ask about that.*

*What I can tell the member is that I recall filling an FOI request for this — the full slide presentation that Professor Langdale uses that was identified by Dr. German and brought to my attention. Obviously, it caused me a great deal of concern. **I believe that I should be able to provide the member with that presentation.** I know for a fact that I am mispronouncing the name of the university. It's Macquarie University in Australia.*

*I would encourage the member to check in with Professor Langdale — at times, those are a little challenging — in terms of the extent to which he has educated people about what he calls the Vancouver model. I think that the issue, though, about whether it's called the Vancouver model or anything else.... The fact that somebody on the other side of the globe knew about it, is teaching people about it, raised concerns for me that he was not the only person, although others might call it that, and it may have been a topic of conversation at a number of international venues.*

[snip]

**J. Yap:** *I actually should have mentioned earlier that **I appreciate the minister offering to supply me with a copy of that PowerPoint presentation or study by the doctor in Australia,** and I look forward to receiving it.*

COMMITMENT 4:

**M. Lee:** *Well, as the Attorney mentioned as well, what changed was the government, of course. That's the challenge, I'd say, when the Attorney introduces topics in the media around pointing fingers at who's responsible. We have an Auditor General who's on the audit committee, PwC as external auditors. We have professionals, of course, running ICBC as a corporation. Many of those executive members have not changed. There have been some changes. In response to a question from the member for Richmond-Steveston, that was responded to. Let me say this. **In the last 18 years, what has been the average amount of prior years' claims adjustments at ICBC?***

**Hon. D. Eby:** *I'm going to have to undertake to get back to the member on that.*

COMMITMENT 5:

**J. Yap:** *It's quite a sizeable amount, \$400 million. Can the minister explain: **where did the \$400 million in ICBC commissions and premium taxes go?** And with regard to what we've*

heard today with the changing numbers, what confidence can we have that ICBC's numbers won't be revised in this area with considerable negative impact, as has been seen in recent trends?

**Hon. D. Eby:** *I am sensing from the staff here a bit of frustration about the way in which our Legislature handles estimates, which is that they attempt to explain a highly technical accounting treatment to me, and then I attempt to relate that to the member in a way that satisfies his queries.*

**What I'd like is to offer the member a briefing on this line item from ICBC, where they can provide this information to the member directly and, hopefully, address any questions he may have about it. It is an accounting treatment, and it's a complex accounting issue. They're doing their best to pass it through me, but I'm afraid I'm not doing it justice, clearly, in terms of what the member's level of detail is that he's interested in here.**

**J. Yap:** *I appreciate the offer of a briefing, and I will take the minister up on his offer.*

COMMITMENT 6:

**NB:** **This question was also raised during the Estimates pre-brief on April 26<sup>th</sup>. A written response was provided by the MO to MLA Yap after that briefing.**

**J. Yap:** *I do have a couple of questions which the minister may or may not be able to answer right away — if not, of course, he can follow up in writing to us — and that will complete our discussion with ICBC. The first one is from a constituent of mine, who asked a very good question. That is this: **why does ICBC require an individual's home address to be on the certificate of insurance, which is kept, typically, in the vehicle in the glove compartment?***

*There've been recent reports in the media of car thieves who've been able to break into the car, get hold of the address and break into the house. I couldn't explain to my constituent why this is a requirement and why ICBC customers are not given the option of opting out of having their address on the certificate.*

**Hon. D. Eby:** *The Motor Vehicle Act requires the address of the insured to be on the certificate and for that to be provided to law enforcement on demand. What it doesn't require is that somebody keep the certificate in the glove compartment. They could keep it in a locked compartment elsewhere in their vehicle.*

*I take the member's point about why it is the Motor Vehicle Act requires that. At first blush, I'm advised that law enforcement and the insurance company require that information, but I appreciate the member raising the issue with me. **We'll have a look at that and see — because I do understand that that is an issue — if there might be some other way to address it.** But, in any event, I appreciate him raising it.*

COMMITMENT 7:

**J. Yap:** *I appreciate the minister's response. This is a question that's arisen, actually, from my colleague from Prince George—Mackenzie. It's with regard to a new form that ICBC is now requiring of service providers who help those who need to recover their ID, their identification. For example, the homeless, who go into a service provider, a not-for-profit, and the form requires.... I'm told it's a great form, a great system, but here's the*

catch. The form requires the last name and birthdate of the staff at that service provider to be in the form. This service provider, perhaps many, has an understandable policy of not giving out that kind of information. **Can the minister advise if that form can be revised so that legitimate charities and not-for-profits who help people recover their identification do not have to give that kind of personal information?**

**Hon. D. Eby:** *That is one that I'm going to have to get back to the member on. We'll have to identify the specific form that he's referring to. It would assist greatly if he has a copy or a specific reference in relation to the form. We'll try to identify it on our own, but it might expedite things if he could provide a copy, and we'll provide a response to him about that.*

COMMITMENT 8:

**S. Furstenau:** *There's also a commitment in the budget to expand on-line legal services for remote and rural communities. My questions are: **how much of the \$10 million delegated for initiatives that include digital access will go towards the actual digital access? And what initiatives to improving digital access will be accompanied with educational initiatives so that remote and rural citizens are able to use the digital resources in an accessible and helpful way?***

**Hon. D. Eby:** *I thank the member for the question. The on-line spending by the ministry is actually contained in three different line items that we've got. We're just trying to find the breakout of the on-line from the bricks and mortar, essentially. **What would be easiest, if the member is agreeable, is if we could provide her with that answer in the days ahead, when we break out those numbers for her with descriptions of the various projects.***

## Targeting and Distribution of Advertising for the Electoral Reform Survey

**COMMITMENT:** Hon. D. Eby: *I will get the information for the member about whether there were any sort of demographic search terms or targeting or anything like that in terms of how that advertising was distributed.*  
Hansard — Monday, May 28, 2018 p.m.

### RESPONSE:

- \$100,000 was spent on digital advertising between February 13 and February 28, 2018.
- Approximately half of the digital media budget was spent targeting ads on Facebook in regions with lower engagement. This included:
  - Squamish, Whistler, Pemberton, Lillooet
  - Penticton, Summerland, Osoyoos, Oliver, Princeton
  - Prince Rupert, Terrace, Queen Charlotte, Masset
  - Fort Nelson, Fort St John, Dawson Creek, Chetwynd, Tumbler Ridge, Taylor
  - Kelowna
  - Vernon
  - Port Alberni
- The other half of the digital media budget was spent more generally on British Columbians over the age of 18 with static ads on Facebook, Instagram and pre-roll on CBC.
- Search engine marketing was not part of the digital advertising budget and, therefore, there are no search terms associated with this campaign.
- \$25,000 was spent on ethnic print media between February 17 and 24, 2018. (1/2 page ad in various multicultural newspapers reaching Chinese and South Asian audiences)
- \$365,000 was spent on a household mailer that was distributed at the end of January 2018 to homes across the province.

## Funding for Digital Access to Justice Services

The Ministry of Attorney General will invest \$1.15M/year in each of the next three years (18/19, 19/20, 20/21) to implement justice digital services focused on addressing Indigenous and family justice needs.

### **Native Courtworkers Solutions Explorer (\$150K)**

- The Native Courtworkers Solution Explorer will use simple, user-friendly technologies and guided pathways to link people to information, early resolution tools, and counselling and legal services that are provided online, by telephone, and in person. It will be designed around user needs, in close collaboration with front line Indigenous service providers who work daily in community.
- The Native Courtworkers Solution Explorer will:
  - (1) integrate justice services for Indigenous persons; and
  - (2) identify the service gaps that prevent Indigenous persons living in remote or marginalized communities from overcoming the cost, complexity, delay, travel and other barriers to equal access to justice.

### **Human Rights Commission Solutions Explorer (\$100K)**

- The Human Rights Solution Explorer technology will be built by April 1 2019 to address the needs of individuals with human rights complaints. User testing will occur between then and when the HRC opens its doors in July 2019.
- The Human Rights Solution Explorer will use simple, user-friendly technologies and guided pathways to link users to information, early resolution tools, and counselling and legal services that are provided online, by telephone, and in person. It will be designed around user needs, in close collaboration with front line service providers who work daily in the community.
- A particular focus of this initiative is digital services to persons living in rural and remote parts of BC that are under-served by human services.

### **Family Justice Guided Pathways (\$400K)**

- This funding will go towards investments to help families get the information and support they need to navigate the family justice system more smoothly and includes the development of a family justice digital strategy for the ministry and exploring strategic investments in technology to provide early knowledge, tools and access to family justice information and services.

### **Legal Services Society (approx. \$500K)**

- Government has provided an additional \$26M to Legal Services Society (LSS) over the next three years for expansion of legal aid service delivery supports, including Indigenous, family law and duty counsel services that help more people navigate the system, freeing up court time and resources.
- Approximately \$11M of the additional LSS funding, or \$3.8M annually, will support the expansion of the Parents Legal Centre to additional communities, consistent with the recommendations from Grand Chief Ed John's report on Indigenous child welfare.
- Legal Services Society will use approximately \$500K to update its family law website, which will include an increase in scope, a reimagining of self-help, and mobile-friendly design elements to better meet users' needs. The use of emergent technologies to make resources more accessible and actionable will be explored, including potential applications of conversational interfaces and artificial intelligence. LSS will also explore means of integrating services online, such as videoconferencing and the addition of family online dispute resolution via MyLawBC (NB: MyLawBC was originally created and funded with non-government money).

**Impact of Chinese Transnational Crime on Australia: Intelligence Perspectives**

Paper delivered at the New South Wales Police Force Ifocus Conference, November 2017

John Langdale  
Department of Security Studies and Criminology  
Macquarie University  
john.langdale@mq.edu.au

**Outline of presentation**

- I focus on three issues in transnational crime from southern China which affect Australia
  - **Supply side:** southern China (Guangdong province)
  - **Facilitators:** Hong Kong and Macau
  - **Alliances** between Chinese and global criminal gangs

**Focus of presentation**

- **Supply side: Southern Chinese transnational crime (focus on Guangdong province)**
  - Trafficking of illegal drugs (methamphetamines, precursor chemicals) to Australia
  - Counterfeit goods trafficking
  - Associated money laundering flows back to China and Hong Kong
- Future changes in Guangdong: What are the implications for transnational crime?

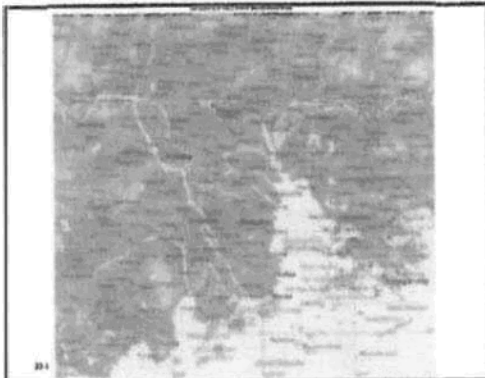
**Focus of presentation**

- Transnational crime **needs facilitators** (bankers, accountants, lawyers) to arrange deals
  - Hong Kong is a key hub for these facilitators
  - Macau is a secondary hub
  - Implications for Australian money laundering?

**Focus of presentation**

- **Alliances between Chinese and global criminal gangs: impact on transnational criminal activity in Australia?**
  - Latin American criminal gangs
  - European criminal gangs
  - North Korea
  - Vancouver (Canada)





**Supply perspectives:  
Transnational crime and money  
laundering in southern China**

**Transnational crime in southern China**

- Guangdong is a significant source of Australia's transnational crime
  - Illegal drugs (particularly precursor chemicals and methamphetamines)
  - Counterfeit goods
  - Wide range of transnational crime in Guangdong (illegal betting syndicates, illegal timber, ivory, wildlife, "boiler room" and fake CEO scams, etc)

**Transnational crime in southern China**

- Guangdong is a good location for production and trafficking of illegal goods and services
  - World-class global logistics networks underpinning trafficking of illegal drugs, counterfeit goods and other illegal activities
  - Presence of a skilled workforce and equipment (printers, packaging) as well as unskilled people wanting employment
  - Close proximity to business and financial services in Hong Kong
  - Strong linkages with the global Chinese diaspora

**Transnational crime in southern China**

- Complexity of criminal activity in Guangdong
  - Enormous difficulties in unraveling the criminal participants and money laundering intermediaries within the province and in Hong Kong
  - Flexible networks in the legal and illegal economies (complex and fluid sub-contracting networks)
  - Guangdong has changed significantly in the past ten years and will continue to change in the future
    - The province grew rapidly using low-wage migrant labour, but these workers are needed less now

**Transnational crime in southern China**

- Complexity of criminal activity in Guangdong
  - Shift into high technology products and services industries
  - Impacts on crime?
    - Fewer male migrant workers who were prone to join criminal gangs
    - Fewer low-end counterfeit factories (likely to have spread to other regions in China); more technology intensive fakes
    - More cyber crime given the higher technology skills of the workforce

### Facilitators of Asian financial crime: Hong Kong and Macau

27 Nov 17

#### Hong Kong and Macau: Facilitators of Asian financial crime

- Hong Kong and Macau play a significant role in facilitating transnational financial crime affecting Australia
- Hong Kong is a major centre for global and Asian banking and business services
- Macau has the world's largest casino turnover and a history of facilitating crime, money laundering and capital flight
- Both cities have well-established networks of facilitators skilled at shifting money overseas via offshore banking and finance

#### Hong Kong and Macau: Facilitators of Asian financial crime

- "Mainland-based criminal groups typically engage in large-scale ATS production and export, while Hong Kong- and Taiwan-based groups finance large drug shipments in the role of lender and insurer. These latter criminal syndicates are involved in illicit market activities, protection services, loan sharking, 'money trail' avoidance services, and stock market manipulation, and use the financing of drug shipments as an investment." (Broadhurst, Roderic 2017 Asia's law enforcers face synthetic drug proliferation, *Jane's Intelligence Review*, 30 Je.)

27 Nov 17

#### Hong Kong: Facilitator of Asian financial crime

- Secrecy in Hong Kong's financial and business services
  - Hong Kong is ranked the second most secret offshore financial centre on the Tax Justice Network's global ranking
  - Hong Kong is a major global location for shell companies which are heavily used by Chinese, North Korean and global criminals
  - They provide anonymity for criminals

28 Nov 17

#### Hong Kong: Facilitator of Asian financial crime

- Hong Kong plays a key role in offshore finance for China
  - The Panama Papers leak found that many wealthy and politically connected Chinese used Mossack Fonseca's services to access offshore markets
  - Mossack Fonseca is one of the many Hong Kong based financial intermediaries facilitating such transactions
  - Unfortunately, this type of information is rarely obtained

27 Nov 17

#### Hong Kong and Macau facilitate capital flight from China

- A complex topic that is beyond the scope of this presentation
- Most of the flows are not of concern to Australian law enforcement agencies (e.g., currency speculation and capital diversification)
- However, capital flight from corrupt Chinese officials and/or Chinese criminals is a concern
- Australia must rely on cooperation with the Chinese government

28 Nov 17



**Hong Kong: Facilitator of Asian financial crime**

- Hong Kong provides *global criminals* with access to global financial markets
- Case study: The "Russian Laundromat"
  - Around US\$20 billion were laundered out of Russia by Russian criminals in the period 2010-14 (possibly up to US\$80 billion)
  - Hong Kong banks (HSBC, \$545 million) and Chinese banks (Bank of China, \$715 million) played a significant role in the laundering of Russian money
  - Unfortunately, this information is a one-off and it is difficult to follow it up given the hazards of investigating organised crime in Russia

27-Nov-17

**Hong Kong: Facilitator of Asian financial crime**

- Australian Implications
  - "Russian Laundromat": No information on whether any money from the money laundered by Hong Kong based (or London) banks ended up in Australia
  - Hong Kong plays a key destination role in money laundering of Australian illegal drug sales
  - Panama Papers: The ATO has revealed that about 80 of the 800 Australians being investigated following the Panama Papers leak match the Australian Criminal Intelligence Commission's serious and organised crime intelligence database (including bike gangs involved in various criminal activities)

27-Nov-17

**Alliances between Chinese and global criminal gangs**

23-Nov-17

**Global and local criminal gangs**

- Europol has identified the growing problems faced by law enforcement agencies from global and European criminal gangs
  - Many Organised Crime Groups are highly flexible and display great adaptability in the speed with which they adjust their business models to changes in the environment. Many criminal groups are increasingly complex and require a variety of skills as well as technical expertise to carry out activities. (Europol 2017 European Union. Serious and Organised Crime Assessment. Brussels, p.11)
  - Europol has also identified that ethnic-based criminal gangs are forming alliances with other criminal groups

23-Nov-17

**Chinese global criminal gangs**

- Mehlmann, Ning-Ning 2005 *Chinese Criminal Enterprises*, Washington, D.C., FBI
- Key characteristics are:
  - Global linkages via the Chinese diaspora
  - Fluid nature of operations (form new ventures and dissolve them)
  - Sophisticated operations (High degree of coordination, planning and good technical and business knowledge)
  - Global mobility of members
  - Financial strength (Operate in legal and illegal businesses
    - profits from illegal activities are placed in legal firms and reinforce the group's financial strength)

27-Nov-17

**Alliances between Chinese and global criminal gangs**

- Australian law enforcement agencies face new challenges from alliances between Chinese, global and local criminal gangs
- Advantages of such alliances include:
  - Pool their respective strengths (Chinese criminal gangs have excellent global distribution networks)
  - Rapidly move into new markets and
  - Take advantage of weak links in the global economy
- The following four case studies illustrate these points

**Case study 1: Alliances between Latin American and Chinese criminal gangs**

- Traffic cocaine to Hong Kong for China and Asia-Pacific markets
- Money laundered from Colombia to Hong Kong as well as through Macau casinos
- Traffic precursor chemicals and counterfeit goods produced in Guangdong to Latin America and globally
- Parallels with the Black Market Peso Exchange used by Colombian criminal gangs for cocaine trafficking to the U.S.
- These gangs have also diversified into people smuggling from China to Latin America and then to the U.S.

27-Nov-17

**Case study 1: Alliances between Latin American and Chinese criminal gangs**

- These global criminal gangs are like multinational corporations which operate global networks and use the transport and business services infrastructure of southern China
- They trade opportunistically in what each region has specialised in (Southern China has methamphetamines, precursor chemicals, counterfeit goods and a supply of illegal migrants, while Latin America has cocaine)

28-Nov-17

**Case study 2: Alliances between Chinese and European criminals**

- The European alliance model is quite different from the first case study
- Spain: ICBC and European criminal gangs
- Italy: Bank of China and Italian criminal gangs
- While the case study does not involve Australia, it does provide a possible model for the Asia-Pacific region

31-Nov-17

**Case study 2: Alliances between Chinese and European criminals**

- Global Implications?
  - Chinese criminal gangs operated a regional hub-and-spoke operation with Tuscany in Italy and Madrid in Spain being the hubs; collected financial transfers within Europe, before sending them onto China
  - Imports of counterfeit goods, illegal drugs; local extortion, prostitution and sweat shops with illegal migrants; profits laundered out of Italy and Spain to China
  - Alliances with local criminal gangs (Camorra in Naples)
  - Key role of Chinese banks and money transfer services in money laundering

29-Nov-17

**Global implications of European case studies**

- Do Chinese criminal gangs operate regional hub-and-spoke operations in (the Asia-Pacific)
  - Have Chinese criminal gangs formed alliances with local criminal gangs? (e.g., bike gangs in Australia?)
  - If so, what are the money laundering implications?
  - Are Chinese banks and money transfer firms operating in Australia engaged in money laundering activities similar to those in Europe?

27-Nov-17

**Case study 3: History of alliances between North Korea and Chinese criminal gangs**

- Illegal drug production (North Korea) and global distribution (Chinese criminal gangs) (1990s and early-2000s)
  - Australian case study: Pong Su case in 2003 (Up to 125kg of heroin was imported)
- Counterfeit cigarettes: North Korea (production) and Taiwanese and Chinese criminal gangs (global distribution)
- Banco Delta Asia case in 2005 - (counterfeit US\$100 notes) produced by North Korea and distributed by Chinese banks

29-Nov-17

**Case study 3: Possible alliance between North Korea and Chinese criminal gangs**

- Bangladesh Bank cyber heist of 2016 (approx. US\$66 million stolen, but the criminals attempted to steal just under \$1 billion)
- North Korea provided the technical capability for the computer hacking
- Hong Kong provides the shell companies for North Korean firms to evade UN sanctions and probably in the Bangladesh Bank heist (*facilitator role*)

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**Case study 3: Possible alliance between North Korea and Chinese criminal gangs: Bangladesh Bank cyber heist**

- Chinese criminals provided the links into the Philippines (Rizal Commercial Banking Corp.) as well as with the high roller gamblers and junket operators in China, Macau and Hong Kong
- They have an extensive presence in the Philippines illegal drug industry
- Detailed knowledge of the corruption in the Philippines banking industry (RCBC and PhilRem)
- Brought in high rollers and junket operators from China

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**Case study 4: The Vancouver (Canada) model**

- Complex networks of criminal alliances
  - Chinese underground banks are at the heart of Chinese criminal activity
    - Money laundered from Vancouver into/out of China and to other locations (Mexico, Colombia)
  - North American illegal drug networks
    - Supplied by Chinese (methamphetamines, precursor chemicals) and Latin American (cocaine) gangs
  - Facilitate capital flight from China
    - High rollers use Canadian casinos, role of junket operators, investment in Canadian real estate

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**CONCLUSIONS**

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**Conclusions**

- Need to monitor trends in ~~transnational~~ criminal activity in China and Guangdong in particular
  - Major difficulties involved in such an approach
  - Expand existing joint work with Chinese law enforcement authorities
    - Encourage China to more strictly regulate the Chinese chemical industry limiting the production of precursor chemicals
    - Recognise that the Chinese themselves have a limited understanding of criminal activity in Guangdong (population of over 100 million) and very rapid economic growth and internal migration

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**Conclusions**

- Intelligence gathering: Anticipating threats
  - Need for ongoing intelligence gathering to monitor new developments in money laundering
  - Chinese criminal gangs are innovative in developing new methods of smuggling money through financial markets
  - What are the “weak links” in the global and Australian financial system that are likely to be targeted by cybercriminals?
    - Other “weak links” amongst SWIFT’s members?

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**Conclusions**

- **China's future role in Australia's transnational crime**
  - China's economy is changing away from a low wage and unskilled one towards service and high-tech industries (e.g., Guangdong in particular)
  - China's transnational criminal economy will also change
  - Implications?
    - Smaller role for low-end counterfeit goods in Guangdong and greater role of technology-intensive fakes
    - Likely impacts on money laundering?

27 Nov 17

**Conclusions**

- **Possible scenario: Sydney as regional hub for Chinese transnational crime (the Vancouver model?)**
  - Launder money into high-end real estate (capital flight)
  - Launder money through the high-roller tables in Sydney's casinos
  - Use Chinese and Australian banks, money transfer companies to shift money to/from China and other countries
  - Traffic illegal drugs from Guangdong and Latin America

27 Nov 17



**Net Claims Incurred - 18 Years**

(\$ thousands)

	1999	2000	2001	2002	2003	2004	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014	2015	2016/17	2016/17
	Actual	Actual	Actual	Actual	Actual	Actual <sup>1</sup> (restated)	Actual	Actual	Actual	Actual	Actual	Actual	Actual	Actual	Actual	Actual	Actual	Actual <sup>2</sup> (15 months)	Actual <sup>3</sup> (12 months) (Unaudited)
Current year claims	2,080,270	2,006,151	2,126,250	2,193,492	2,208,140	2,242,334	2,444,515	2,544,396	2,646,360	2,646,191	2,648,193	2,754,077	2,880,130	3,022,699	3,167,560	3,378,576	3,798,193	5,659,692	4,611,582
Prior years' claims adjustments <sup>4</sup>	(238,200)	(266,336)	2,230	(24,791)	10,392	(4,740)	80,662	99,043	(33,779)	(136,447)	2,355	(2,039)	(14,392)	(69,234)	(54,390)	181,426	244,054	306,665	202,623
<b>Net claims incurred</b>	<b>1,842,070</b>	<b>1,739,815</b>	<b>2,128,480</b>	<b>2,168,701</b>	<b>2,218,532</b>	<b>2,237,594</b>	<b>2,525,177</b>	<b>2,643,439</b>	<b>2,612,581</b>	<b>2,509,744</b>	<b>2,650,548</b>	<b>2,752,038</b>	<b>2,865,738</b>	<b>2,953,465</b>	<b>3,113,170</b>	<b>3,560,002</b>	<b>4,042,247</b>	<b>5,966,357</b>	<b>4,814,205</b>
<b>Provision for unpaid claims</b>	<b>3,970,298</b>	<b>3,889,839</b>	<b>4,044,312</b>	<b>4,243,570</b>	<b>4,527,441</b>	<b>4,671,540</b>	<b>5,053,108</b>	<b>5,419,733</b>	<b>5,602,048</b>	<b>5,729,555</b>	<b>5,964,342</b>	<b>6,183,007</b>	<b>6,492,719</b>	<b>7,001,939</b>	<b>7,512,732</b>	<b>8,205,432</b>	<b>9,093,140</b>	<b>10,517,971</b>	<b>10,517,971</b>
Prior years' claims adjustment as a % of opening balance of provision for unpaid claims		-6.71%	0.06%	-0.61%	0.24%	-0.10%	1.73%	1.96%	-0.62%	-2.44%	0.04%	-0.03%	-0.23%	-1.07%	-0.78%	2.41%	2.97%	n/a	2.23%

<sup>1</sup> 2004 net claims incurred were restated in 2005 to reflect a new accounting policy.

<sup>2</sup> Fiscal period 2016/17 is a 15-month transitional fiscal period from January 1, 2016 to March 31, 2017. Previously, ICBC had a calendar year end of December 31.

<sup>3</sup> Unaudited claims numbers are for the 12-month period from April 1, 2016 to March 31, 2017.

<sup>4</sup> ( ) denotes a favourable adjustment, i.e., a reduction in expense. Prior years' claims adjustment represents an adjustment to claims occurred in prior years, due to change in estimates.

Page 085 to/à Page 121

Withheld pursuant to/removed as

s.3

**From:** [Smith, George AG:EX](#)  
**To:** [Reimer, Neil AG:EX](#)  
**Subject:** Referendum details  
**Date:** Friday, July 13, 2018 11:34:17 AM

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Hey Neil,  
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[B. D'Eith in the chair.]

B. D'Eith (Chair): First up, we have Elections B.C. supplementary funding request. I'd like to say hello to Anton Boegman, the new Chief Electoral Officer.

Thank you so much. If you want to just introduce your staff, and then we have a presentation.

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Our approach to budgeting for the 2018 referendum on electoral reform is consistent with the approach used to plan and budget for past events and, indeed, for all of our ongoing activities. We describe our approach as one of responsible use of the public funds entrusted to us to administer accessible and inclusive events in which all eligible voters have the necessary information about how to participate. Wherever possible, we look to improve the efficiency of our processes while maintaining integrity and accuracy. We also continue to adapt our processes so that they continue to meet changing voter expectations where permitted under legislation. Voting is, after all, the provision of a service with the voter at the centre.

[1010]

The total event budget for the vote-by-mail referendum is \$14.561 million. This includes \$14.511 million for fiscal year 2018-19 and \$50,000 for fiscal year '19-20. We have already received \$770,000 this year for the purchase of paper products related to the event. So this event funding request is for \$13.741 million. The \$50,000 for '19-20 will be requested at our fall 2018 meeting. The specific details of this budget request are shown on page 2 and in column 6 of the spreadsheet on page 3 of your document.

FGS - 20180713 AM 003/EBP/1010

So this event funding request is for \$13.741 million. The \$50,000 for '19-20 will be requested at our fall 2018 meeting. The specific details of this budget request are shown on page 2 and in column 6 of the spreadsheet on page 3 of your document.

This funding will provide for the full administration of the referendum, including educating the public on the voting systems that are the subject of the referendum, creating over 3.35 million multi-part voting packages, preparing the mailing list and mailing voting packages to registered voters throughout the province, providing 12 weeks of information and services to voters through a 1-800 contact centre, on line and in person at 62 Service B.C. offices and nine referendum service offices, overseeing referendum campaign finance, including official opponent and proponent participation, and finally, preparing the ballots for counting, tabulating votes and reporting referendum results to the Legislature and to the public.

So how will the referendum work? The document entitled 2018 Referendum Electoral Reform Process Overview, included as an appendix to your package, provides an overall description of the event. I will not repeat that information word for word but will, rather, provide a high-level summary of the key processes and their associated funding requirements.

I'll start with the proponent-opponent selection, public funding and campaign finance. The referendum regulation has established that this event will have proponent and opponent groups, each with \$500,000 in public funding. I've been given the responsibility to select these groups, based on the set eligibility and assessment criteria in the regulation. The deadline to submit applications was on July 6, 2018, and two applications were received by that date.

The designated proponent and opponent groups are eligible to receive the public funding through their appointed



financial agent. This money must only be used to promote or to oppose proportional representation through referendum advertising or through free public events. There are serious consequences, including monetary penalties, if these groups misuse the public funds. Opponent and proponent groups can also fundraise and spend up to an additional \$200,000 on referendum expenses.

During the campaign period from July 1 until November 30, 2018, Elections B.C. will oversee the event's campaign financing provisions. This includes participation registration, facilitating compliance with the rules, enforcement as necessary and post-event financial reporting. The specifics of these activities are detailed on page 5 of the appendix that is part of your information package. The budgeted costs associated with the opponent-proponent selection, public funding and campaign finance in this fiscal year total approximately \$1.135 million, with \$1 million of that for public funding.

Next, public education and the voter information program. Elections B.C. has a new mandate for this referendum: to deliver neutral and factual information to the public about the voting systems on the ballot. This is in addition to our usual voter communications program designed to tell voters how and when to vote. This new mandate is significant and will require considerable effort to design content and identify effective communication channels and processes.

Public education material is currently being developed and will be rolled out over the summer, on line and via social media. The full integrated communications program will be launched in September with the mailing of an information card to all provincial households, with newspaper, on-line and radio advertising, and with continued social media. Advertising messaging will focus on registering to vote, requesting a voting package, returning ballots and key dates. The integrated communications program will continue through the close of voting on November 30.

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[1015]

As part of our public education and voter information programs, Elections B.C. will also conduct outreach with post-secondary institutions, First Nations communities, snowbirds and local community groups.

**From:** [Reimer, Neil AG:EX](#)  
**To:** [Smith, George AG:EX](#)  
**Subject:** Re: Referendum details  
**Date:** Friday, July 13, 2018 11:40:06 AM

---

Okay I'll have a read through. Would 3:00 work for a call?

---

From: Smith, George AG:EX  
Sent: July-13-18 11:34 AM  
To: Reimer, Neil AG:EX  
Subject: Referendum details

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**From:** [Smith, George AG:EX](#)  
**To:** [Reimer, Neil AG:EX](#)  
**Subject:** RE: Referendum details  
**Date:** Friday, July 13, 2018 11:47:27 AM

---

Yes. That's great. Thanks

-----Original Message-----

**From:** Reimer, Neil AG:EX  
**Sent:** Friday, July 13, 2018 11:40 AM  
**To:** Smith, George AG:EX  
**Subject:** Re: Referendum details

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Our approach to budgeting for the 2018 referendum on electoral reform is consistent with the approach used to plan and budget for past events and, indeed, for all of our ongoing activities. We describe our approach as one of responsible use of the public funds entrusted to us to administer accessible and inclusive events in which all eligible voters have the necessary information about how to participate. Wherever possible, we look to improve the efficiency of our processes while maintaining integrity and accuracy. We also continue to adapt our processes so that they continue to meet changing voter expectations where permitted under legislation. Voting is, after all, the provision of a service with the voter at the centre.

[1010]

The total event budget for the vote-by-mail referendum is \$14.561 million. This includes \$14.511 million for fiscal year 2018-19 and \$50,000 for fiscal year '19-20. We have already received \$770,000 this year for the purchase of paper products related to the event. So this event funding request is for \$13.741 million. The \$50,000 for '19-20 will be requested at our fall 2018 meeting. The specific details of this budget request are shown on page 2 and in column 6 of the spreadsheet on page 3 of your document.

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So this event funding request is for \$13.741 million. The \$50,000 for '19-20 will be requested at our fall 2018 meeting. The specific details of this budget request are shown on page 2 and in column 6 of the spreadsheet on page 3 of your document.

This funding will provide for the full administration of the referendum, including educating the public on the voting systems that are the subject of the referendum, creating over 3.35 million multi-part voting packages, preparing the mailing list and mailing voting packages to registered voters throughout the province, providing 12 weeks of information and services to voters through a 1-800 contact centre, on line and in person at 62 Service B.C. offices and nine referendum service offices, overseeing referendum campaign finance, including official opponent and

proponent participation, and finally, preparing the ballots for counting, tabulating votes and reporting referendum results to the Legislature and to the public.

So how will the referendum work? The document entitled 2018 Referendum Electoral Reform Process Overview, included as an appendix to your package, provides an overall description of the event. I will not repeat that information word for word but will, rather, provide a high-level summary of the key processes and their associated funding requirements.

I'll start with the proponent-opponent selection, public funding and campaign finance. The referendum regulation has established that this event will have proponent and opponent groups, each with \$500,000 in public funding. I've been given the responsibility to select these groups, based on the set eligibility and assessment criteria in the regulation. The deadline to submit applications was on July 6, 2018, and two applications were received by that date.

The designated proponent and opponent groups are eligible to receive the public funding through their appointed financial agent. This money must only be used to promote or to oppose proportional representation through referendum advertising or through free public events. There are serious consequences, including monetary penalties, if these groups misuse the public funds. Opponent and proponent groups can also fundraise and spend up to an additional \$200,000 on referendum expenses.

During the campaign period from July 1 until November 30, 2018, Elections B.C. will oversee the event's campaign financing provisions. This includes participation registration, facilitating compliance with the rules, enforcement as necessary and post-event financial reporting. The specifics of these activities are detailed on page 5 of the appendix that is part of your information package. The budgeted costs associated with the opponent-proponent selection, public funding and campaign finance in this fiscal year total approximately \$1.135 million, with \$1 million of that for public funding.

Next, public education and the voter information program. Elections B.C. has a new mandate for this referendum: to deliver neutral and factual information to the public about the voting systems on the ballot. This is in addition to our usual voter communications program designed to tell voters how and when to vote. This new mandate is significant and will require considerable effort to design content and identify effective communication channels and processes.

Public education material is currently being developed and will be rolled out over the summer, on line and via social media. The full integrated communications program will be launched in September with the mailing of an information card to all provincial households, with newspaper, on-line and radio advertising, and with continued social media. Advertising messaging will focus on registering to vote, requesting a voting package, returning ballots and key dates. The integrated communications program will continue through the close of voting on November 30.

In mid-October, approximately two weeks before the voting packages are distributed, a comprehensive voters guide will be mailed to all provincial households. This second mailing will provide neutral information on the referendum, the four voting systems that are on the ballot, as well as general information on eligibility to participate, how to register and vote, and key event dates.

This information will have previously been made available on Elections B.C.'s referendum webpages, along with a number of additional useful tools for voters, including short videos on each voting system and explanations of all steps in the vote-by-mail process.

To support accessibility in our culturally diverse province, the instructions contained in the householders and the voting package will be translated into 14 languages and made available on line for reference. Ballot templates will be available for visually impaired voters to help them mark their ballot independently, along with Braille ballot translations.

[1015]

As part of our public education and voter information programs, Elections B.C. will also conduct outreach with post-secondary institutions, First Nations communities, snowbirds and local community groups.

**From:** [Harder, Derrick AG:EX](#)  
**To:** [Smith, George AG:EX](#)  
**Subject:** FW: FOLLOW UP: MAG Estimates  
**Date:** Friday, August 3, 2018 6:09:52 PM  
**Attachments:** ESTIMATES 2018\_AG Commitments Status.docx  
ESTIMATES 2018\_AG Commitments\_1.docx  
ESTIMATES 2018\_AG Commitments\_8.docx  
ESTIMATES 2018\_AG Commitments\_3.pdf  
ESTIMATES 2018\_AG Commitments\_4.pdf  
ESTIMATES 2018\_AG Commitments\_2-WordVersion.docx  
**Importance:** High

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Any chance you actioned this at the time?

s.13

The LA for Michael Lee and John Yap is Marissa Olson - [Marissa.Olson@leg.bc.ca](mailto:Marissa.Olson@leg.bc.ca)  
thanks

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**From:** Forrest, Cris J AG:EX  
**Sent:** Monday, July 9, 2018 2:44 PM  
**To:** Smith, George AG:EX; Harder, Derrick AG:EX; Milne, Gala AG:EX  
**Cc:** Bragg, Leslie AG:EX  
**Subject:** FOLLOW UP: MAG Estimates  
**Importance:** High

Attached are the follow-up items committed to during the ministry's Estimates debates. Also attached is the complete list of commitments for follow-up and the relevant excerpted transcript from Hansard. Both the DAG and Doug Scott have reviewed and approved. For your action. Many thanks.

1. Provide (MLA Lee) information regarding demographic search terms/targeting in terms of how advertising was distributed for the electoral reform survey. (MAY 28 AFTERNOON SESSION)  
Attachment: ESTIMATES 2018\_AG Commitments\_1  
**(Targeting and Distribution of Advertising for the Electoral Reform Survey)**
2. Attorney General agrees to review *Libman v. Quebec*, 1997, as raised by MLA Morris. (MAY 28 AFTERNOON SESSION)  
Attachment: ESTIMATES 2018\_AG Commitments\_2  
**(Libman v. Quebec (Attorney General), [1997] 3 S.C.R. 569)**
3. Provide (MLA Yap) full slide presentation from Professor Langdale on the money laundering Vancouver Model. (MAY 29 AFTERNOON SESSION)  
Attachment: ESTIMATES 2018\_AG Commitments\_3  
**(Impact of Chinese Transnational Crime on Australia: Intelligence Perspectives; Paper delivered at the New South Wales Police Force iFocus Conference, November 2017, by John Langdale, Department of Security Studies and Criminology, Macquarie University)**
4. Provide (MLA Lee) information on the average amount of prior years' claims adjustments at ICBC. (MAY 29 AFTERNOON SESSION)  
Attachment: ESTIMATES 2018\_AG Commitments\_4  
**(Net Claims Incurred – 18 Years)**
5. Provide (MLA Yap) briefing on ICBC commissions and premium taxes. (MAY 29 AFTERNOON SESSION)  
Action Required: **Briefing date/time to be confirmed by Associate DM Scott and AG's office.**



6. Investigate (MLA Yap) constituent question on why the *Motor Vehicle Act* requires the home address of the insured to be on the certificate. (MAY 29 AFTERNOON SESSION)

**NB: This question was raised during the Estimates pre-brief on April 26<sup>th</sup>. The following response was provided to MLA Yap after that briefing:**

*According to legislation, the original Owner's Certificate of Insurance and Vehicle Licence must be carried in the vehicle at all times while on a public roadway. This is because it must be produced on demand to law enforcement to prove that the vehicle is licensed and insured. This is covered under Section 11 of the Motor Vehicle Act.*

*Section 74 of the Motor Vehicle Act outlines the insurance and registration document requirements, which does not permit altering the document.*

*ICBC and other agencies depend on the residential address for mail and personal service. Police may be unable to contact a vehicle owner or registered driver in emergencies or in the course of investigations. Other items such as violation tickets, insurance reminders, service of legal documents, MSP billing information, Elections BC voter registration card, etc., also rely on ICBC having the address.*

*Taking the original insurance and registration document with you when you exit the vehicle is an option. Alternatively, an altered photocopy of the document (blacking out the address, for example) may be stored in an accessible place in the vehicle, while storing the original document in a more secure area of the vehicle as long as it could be produced for law enforcement if required.*

7. Investigate (MLA Yap) constituent question on service providers being required to provide last names and birth dates on forms to assist those who are trying to recover identification. (MAY 29 AFTERNOON SESSION)

**NB: MLA Yap agreed to send relevant form(s) or link to MO.**

8. Provide (MLA Furstenau) information on how much of the \$10 million delegated for initiatives that include digital access will go towards the actual digital access, and what initiatives to improving digital access will be accompanied with educational initiatives. (MAY 30 AFTERNOON SESSION)

Attachment: ESTIMATES 2018\_AG Commitments\_8

**(Funding for Digital Access to Justice Services)**

Cris

**Cris Forrest** | Managing Director | Justice Services Branch | BC Ministry of Attorney General

8<sup>th</sup> Floor, 1001 Douglas Street, Victoria BC V8W 9J7 | Telephone: 778 974-3683 (\*\*New Number)

Website: [Attorney General - Province of British Columbia](http://AttorneyGeneral-ProvinceofBritishColumbia)

