

AG PSSG FOI AG:EX

Subject: FW: Face Scanning on BC DL - AG Draft 546521

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

From: Minister, AG AG:EX
Sent: Tuesday, February 20, 2018 11:02 AM
To: King, Kim J M JAG:EX
Subject: RE: New Email logged for Information under Cliff 546643 - previous under AG Draft Email 546521 - FW: Face Scanning on BC DL-what's your record like?

Hi Kim,

The AG would like to review and sign a response to this writer please.

Many thanks,

Candice

From: Minister, AG AG:EX
Sent: Thursday, February 15, 2018 1:53 PM
To: King, Kim J M JAG:EX
Subject: RE: Face Scanning on BC DL - AG Draft 546521

Hi Kim,

Let me check with the AG and I will get back to you.

Many thanks,

Candice

From: King, Kim J M JAG:EX
Sent: Thursday, February 15, 2018 11:55 AM
To: Minister, AG AG:EX
Cc: Thompson, Angella N PSSG:EX
Subject: FW: Face Scanning on BC DL - AG Draft 546521

Hi Candice,

Please see the following update from ICBC. Is an AG response still required?

Thanks for advising.

Kim

From: Cubbon, Shannon PSSG:EX
Sent: Thursday, February 15, 2018 8:48 AM
To: King, Kim J M JAG:EX
Cc: Thompson, Angella N PSSG:EX
Subject: RE: Face Scanning on BC DL

Good morning Kim,

It turns out this writer also sent the same thing in a 'letter to the editor' on the same day. ICBC responded to the letter to the editor and it was printed yesterday. Here is the response:

Nothing to fear from facial recognition, says ICBC
Chilliwack Progress
Wednesday, February 14, 2018

By Chris Fairbridge 1

RE: Facial recognition a 'violation', Chilliwack Progress, February 8, 2018

We wanted to respond to Gary Raddysh's concerns regarding ICBC's use of facial recognition technology and reassure him the technology is there to protect his identity.

ICBC widely communicated its introduction of this technology when we launched the new B.C. driver's licence back in early 2009. Our provincial driver's licence is widely used as the primary form of identification in our province so is, unfortunately, often a target for criminal activity. Falsified licences help enable fraud and other criminal activities that cost people, businesses and financial institutions millions of dollars each year.

Facial recognition technology is widely seen today as the security benchmark for government-issued documents because of its proven success of detecting fraud. The technology has been implemented in other provinces in Canada and in more than 30 jurisdictions across the U.S. Facial recognition technology does not involve collecting any new information about customers – it's a matter of using technology to better secure people's identities. The technology works by analysing facial characteristics that do not change, such as the size and location of cheekbones and the distance between the eyes, allowing us to better verify a person's identity prior to issuance or renewal of a licence. This ensures licences are only issued to individuals using their own identities.

Today, this technology is allowing us to protect our customers' identities in ways which were not previously possible and we are discovering instances of fraud that would not have come to light without it, as your own newspaper has reported on:

<https://www.theprogress.com/news/facial-analysis-unveiling-drivers-licence-fraudsters/>

The protection of our customers' privacy is of paramount importance to us, as is protecting them from identity theft and fraud. ICBC's use of this technology has been reviewed for privacy implications and meets the requirements of B.C. Freedom of Information and Protection of Privacy Act.

We do also include a good explanation of what facial recognition technology is and how it protects our customers on both our driver licence renewal notices (see the reverse side) and on our website: <http://www.icbc.com/driver-licensing/getting-licensed/Pages/Card-security-and-your-privacy.aspx>

Chris Fairbridge

Manager,
Special Investigations Unit
ICBC
Copyright 2018 chilliwack

Thanks,

Shannon Cubbon
Correspondence Coordinator
RoadSafetyBC
Ministry of Public Safety & Public Safety
Tel. 778-698-5199



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

From: Cubbon, Shannon PSSG:EX
Sent: Wednesday, February 14, 2018 11:23 AM
To: King, Kim J M JAG:EX
Subject: RE: Face Scanning on BC DL

Good morning Kim - yes this is something that ICBC can respond to.

Shannon

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

From: King, Kim J M JAG:EX
Sent: Tuesday, February 13, 2018 8:13 AM
To: Cubbon, Shannon PSSG:EX
Subject: FW: Face Scanning on BC DL
Importance: High

Good morning Shannon,

Is this ICBC's issue?

Thanks for advising,
Kim

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

From: Minister, AG AG:EX
Sent: Monday, February 12, 2018 3:42 PM
To: King, Kim J M JAG:EX
Subject: FW: Face Scanning on BC DL

Hi Kim,

Before we get an action on this, just want to determine if AG is appropriate Minister to respond?

Many thanks,

Candice

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

From: graddysh s.22
Sent: Thursday, February 8, 2018 1:12 PM
To: Minister, AG AG:EX
Subject: Face Scanning on BC DL

Hey David

I had to renew my driver's licence and during the process I found that I was added to a facial recognition data base.

I believe this to be a major violation of my privacy and other personal rights. That being said, I also believe in the process of discussion and the power of consultation. The woman at the BC Services branch said this process has been in effect for many years already. The lady at ICBC could not give me the starting date, but she too assured me that ICBC has had a facial recognition data base for the BC DL for many years.

This seems quite unusual since I pay attention to these things and 5 years ago I did not receive the ICBC pamphlet on this topic, nor did my renewal notification describe some of the terms of the face scanning procedure. I don't remember any media discussion on this topic. From looking at my MLA's websites and following up with emails they don't seem to know much about it either. Again, this is quite unusual since this is such a personal and private kind of data gathering. In fact, as the brochure states "Like fingerprints.." this process seems to be the kind of identification that the Criminal Justice System uses to identify and track criminals. I am not a criminal.

Everyone I ask has no knowledge of the use of facial recognition in the BC DL system. No one has heard any discussion on why or when it was brought into use. I am contacting any and all elected public servants who have any connection to this process. I request that the collection of this data be stopped until adequate information is provided to the public. And that serious time has been dedicated to public discussion on why we should allow this data to be collected and stored.

Could we at least have a public statement on this topic from you, the top law enforcement person in BC.

Gary Raddysh

AG PSSG FOI AG:EX

From: Minister, AG AG:EX
Subject: FW: Face Scanning on BC DL-what's your record like?

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

From: OfficeofthePremier, Office PREM:EX
Sent: Monday, February 19, 2018 9:46 AM
To: Minister, AG AG:EX
Subject: FW: Face Scanning on BC DL-what's your record like?

Hey Candice!

This is a "further to." You said you logged for a draft reply on the original so I'm sending this along as an FYI. We won't be responding.

Thanks!

Kayla

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

From: graddysh [s.22]
Sent: Friday, February 16, 2018 2:28 PM
To: OfficeofthePremier, Office PREM:EX
Subject: Re: Face Scanning on BC DL-what's your record like?

Hey John

Thanks for writing back. And thanks for passing my letter to David. I sent one to him also and I have yet to hear back.

I am wondering how this program could grow to this point without formal public presentations from some agency, some kind of discussion forum, media coverage and all the coverage that "SOGI" gets? It's as if it were being slipped in under the door.

Since you've been at this BC politics game for a while:

1. how long have you known about the connection between facial recognition and our BCDL photo?
2. what education programs do you have in place to inform your constituents on this matter?
3. what public forums did you provde or will you provide for real people to speak with real words on all sides of this issue?

Gary Raddysh

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

From: "premier" <Premier@gov.bc.ca>
To: "Gary Raddysh's.22"
Cc: "AG Minister" <AG.Minister@gov.bc.ca>
Sent: Wednesday, February 14, 2018 1:58:08 PM

Subject: FW: Face Scanning on BC DL

Dear Gary:

Thank you for writing about the licensing process in British Columbia. We appreciate your taking the time to write.

On your behalf, we have shared a copy of your message with the Honourable David Eby, Attorney General. His staff will ensure that your comments are included in any upcoming, related discussions.

Thank you, again, for writing. It was good to hear from you.

cc: Honourable David Eby

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

From: graddysh s.22
Sent: Thursday, February 8, 2018 1:20 PM
To: OfficeofthePremier, Office PREM:EX
Subject: Face Scanning on BC DL

Hey John

I had to renew my driver's licence and during the process I found that I was added to a facial recognition data base.

I believe this to be a major violation of my privacy and other personal rights. That being said, I also believe in the process of discussion and the power of consultation. The woman at the BC Services branch said this process has been in effect for many years already. The lady at ICBC could not give me the starting date, but she too assured me that ICBC has had a facial recognition data base for the BC DL for many years.

This seems quite unusual since I pay attention to these things and 5 years ago I did not receive the ICBC pamphlet on this topic, nor did my renewal notification describe some of the terms of the face scanning procedure. I don't remember any media discussion on this topic. From looking at my MLA's websites and following up with emails they don't seem to know much about it either. Again, this is quite unusual since this is such a personal and private kind of data gathering. In fact, as the brochure states "Like fingerprints.." this process seems to be the kind of identification that the Criminal Justice System uses to identify and track criminals. I am not a criminal.

Everyone I ask has no knowledge of the use of facial recognition in the BC DL system. No one has heard any discussion on why or when it was brought into use. I am contacting any and all elected public servants who have any connection to this process. I request that the collection of this data be stopped until adequate information is provided to the public. And that serious time has been dedicated to public discussion on why we should allow this data to be collected and stored.

Could we at least have a public statement on this topic from you, the Premier of BC?

Gary Raddysh

From: [Minister, AG AG:EX](#)
To: [Addo, Wolfgang AG:EX](#)
Subject: FW: BCDL Facial Recognition Data Base
Date: Tuesday, March 13, 2018 10:27:52 AM

Please log and print for action

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

From: graddyshs.22
Sent: Monday, March 12, 2018 9:54 AM
To: Minister, AG AG:EX
Subject: Fwd: BCDL Facial Recognition Data Base

Hello

(I apologize if this a repeat. I was directed to you by the Premier's office)

I had to renew my driver's licence and during the process I found that I was added to a facial recognition data base.

I believe this to be a major violation of my privacy and other personal rights. That being said, I also believe in the process of discussion and the power of consultation. The woman at the BC Services branch said this process has been in effect for many years already. The lady at ICBC could not give me the starting date, but she too assured me that ICBC has had a facial recognition data base for the BC DL for many years.

This seems quite unusual since I pay attention to these things and 5 years ago I did not receive the ICBC pamphlet on this topic, nor did my renewal notification describe some of the terms of the face scanning procedure. I don't remember any media discussion on this topic. From looking at my MLA's websites and following up with emails they don't seem to know much about it either. Again, this is quite unusual since this is such a personal and private kind of data gathering. In fact, as the brochure states "Like fingerprints.." this process seems to be the kind of identification that the Criminal Justice System uses to identify and track criminals. I am not a criminal.

Everyone I ask has no knowledge of the use of facial recognition in the BC DL system. No one has heard any discussion on why or when it was brought into use. I am contacting any and all elected public servants who have any connection to this process. I request that the collection of this data be stopped until adequate information is provided to the public. And that serious time has been dedicated to public discussion on why we should allow this data to be collected and stored.

Could we at least have a public statement on this topic from you?

Gary Raddysh

Mr. Gary Raddysh
Email: s.22

Dear Mr. Raddysh:

I write in response to your February 8, 14 and 16, 2018 emails, regarding the use of facial recognition on photographic identification issued by the Insurance Corporation of British Columbia (ICBC). I appreciate you sharing your concerns.

Facial recognition technology is widely seen today as the security benchmark for government-issued documents because of its proven success of detecting fraud. The technology has been implemented in other provinces in Canada and in more than 30 jurisdictions across the United States. ICBC introduced this technology in 2009 when the newly redesigned high-tech British Columbia driver's licence with enhanced security features was introduced. This was broadly communicated to the public through media events and coverage, and news releases.

Facial recognition does not collect information from customers, it just uses technology to secure people's identities. It is a computer application that automatically identifies a person from a digital image. This is done by comparing selected facial features from the image with the person's existing photo in the ICBC database. Facial recognition technology was implemented to protect the identities of all ICBC customers and to maintain the security and integrity of British Columbia driver's licences and identification cards. For example, it helps prevent a person from acquiring a driver's licence in another person's name.

British Columbia's *Freedom of Information and Protection of Privacy Act* (FIPPA) sets out rules around ICBC's ability to collect, use and disclose personal information. ICBC is dedicated to protecting their customers' privacy and keeping their personal information secure. ICBC's use of facial recognition technology has been reviewed for privacy implications and meets the requirements of FIPPA and ICBC may only disclose personal information in accordance with the circumstances outlined in Section 33 of the FIPPA.

Further information about facial recognition technology and how it works is available on ICBC's website, at:

<http://www.icbc.com/driver-licensing/getting-licensed/Pages/Card-security-and-your-privacy.aspx>

Thank you for writing.

Yours truly,

David Eby, QC
Attorney General

pc: The Honourable John Horgan

bc: ICBC Customer Relations

546521

From: [Minister, AG AG:EX](#)
To: [Addo, Wolfgang AG:EX](#)
Subject: Reply Direct please with a referral to CCU - Many thanks Previous was AG File Number 546521
Date: Thursday, June 7, 2018 12:35:13 PM

From: AG WEBFEEDBACK AG:EX
Sent: Thursday, June 7, 2018 10:54 AM
To: Minister, AG AG:EX
Subject: FW: AG File Number 546521

Hi Candice,
Response to the Minister.
Thanks,
Kim

From: graddysh s.22
Sent: Thursday, June 7, 2018 10:42 AM
To: AG WEBFEEDBACK AG:EX
Subject: Re: AG File Number 546521

Dear Mr Eby
Thank you for answering my email.
Your statement, " [The enhanced BCDL] was broadly communicated to the public through media events, media coverage, and news releases." seems unusual since so few adults that I meet know anything about the Facial Recognition Data Base being maintained by ICBC.
Please direct me to some of the videos, posters, ad campaign literature, press releases that were used in 2009 to "roll out" this program.

Here are some examples from Sask in 2016:

Sask Leader Post

<http://leaderpost.com/news/local-news/sgi-introduces-facial-recognition-software-common-among-other-provinces>

CBC

<http://www.cbc.ca/news/canada/saskatchewan/facial-recognition-software-coming-sask-licences-1.3725042>

Gary Raddysh

From: "JAG WEBFEEDBACK JAG:EX"
To: "Gary Raddysh"
Cc: "premier"
Sent: Thursday, May 31, 2018 11:03:54 AM
Subject: AG File Number 546521

Mr. Gary Raddysh

Email:[s.22](#)

Dear Mr. Raddysh:

I write in response to your February 8, 14 and 16, 2018 emails addressed to Premier John Horgan, and me, regarding the use of facial recognition on photographic identification issued by the Insurance Corporation of British Columbia (ICBC). I appreciate you sharing your concerns.

ICBC introduced facial recognition technology in 2009 when the British Columbia driver's licence (BCDL) with enhanced security features was introduced. This was broadly communicated to the public through media events, media coverage, and news releases.

Facial recognition technology has been proven to be successful in detecting fraud and is already used in many other jurisdictions around the world. To be clear, this technology does not collect information from drivers; it works by comparing selected facial features from a digital image with the person's existing photo in the ICBC database, and is used to confirm a person's identity.

The technology gives British Columbians confidence that their identities are kept secure, and maintains the integrity of BCDLs and other government-issued identification cards. For example, facial recognition technology helps prevent a person from acquiring a driver's licence in another person's name.

ICBC is dedicated to protecting customers' privacy and keeping their personal information secure. Rules around ICBC's ability to collect, use and disclose personal information is set out in British Columbia's *Freedom of Information and Protection of Privacy Act* (FIPPA) as well. I can tell you that ICBC's use of facial recognition technology has been reviewed for privacy implications has met these legal requirements set out in FIPPA.

Further information about facial recognition technology and how it works is available on ICBC's website, at:

<http://www.icbc.com/driver-licensing/getting-licensed/Pages/Card-security-and-your-privacy.aspx>

Thank you for writing.

Yours truly,

David Eby, QC

Attorney General

pc: The Honourable John Horgan

AG PSSG FOI AG:EX

Subject: FW: Reply Direct CLIFF ID 550540 - M278796 - Copy of Email

From: Rosenlund, Courtney [mailto:Courtney.Rosenlund@icbc.com]
Sent: Monday, June 11, 2018 11:44 AM

To: McTeer, Catie AG:EX

Subject: Reply Direct CLIFF ID 550540 - M278796 - Copy of Email

Hi Catie,

As per Christine Barrettes request, a copy of the email sent to Mr. Raddysh is below for Mr. Eby's reference.

If you have any questions or concerns, please let us know

Thank you!

Courtney

.....
Courtney Rosenlund

Editing Administrator
Customer Relations

ICBC building trust. driving confidence.

.....
Room 118 - 151 West Esplanade
North Vancouver | British Columbia | V7M 3H9

telephone: 604-981-8129
facsimile: 604-661-2896

From: Customer Relations
Sent: Monday, June 11, 2018 11:42 AM
To:s.22
Subject: Your Recent Inquiry to ICBC

Mr. Gary Raddysh
Email:s.22

Dear Mr. Raddysh:

Thank you for your June 7, 2018 email addressed to the Honourable David Eby, Attorney General regarding how the use of facial recognition was communicated to the public. It has been referred to me in the ICBC Customer Relations department for review and response. Below, I have linked a number of articles regarding the use of facial recognition.

Here are the news releases from February 6, 2009:

archive.news.gov.bc.ca/releases/news_releases_2005-2009/2009pssg0012-000157.htm

This is a story that appeared on CTV:

bc.ctvnews.ca/new-b-c-driver-s-licences-include-facial-recognition-1.367896

Further news about how facial recognition technology is helping reduce fraud at ICBC:
www.saobserver.net/news/facial-analysis-unveiling-drivers-licence-fraudsters.

As Mr. Eby has previously advised, there is information on our website on how facial recognition works.

I found the following article from the Office of the Privacy Commissioner of Canada that I thought you might find interesting:

www.priv.gc.ca/en/opc-actions-and-decisions/research/explore-privacy-research/2013/fr_201303/

I hope this information is helpful. Please feel free to contact me by email at: christine.barrette@icbc.com or by telephone at: 1 800 445-9981.

Sincerely,

Christine Barrette
Customer Relations Advisor

pc: The Honourable David Eby

M278796

ICBC building trust. driving confidence.

.....
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North Vancouver | British Columbia | V7M 3H9
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facsimile: 604-661-2896

www.icbc.com

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Insurance Corporation of British Columbia | 151 W. Esplanade | North Vancouver | V7M 3H9
[Contact Us](#)

From: Fyfe, Richard J JAG:EX
To: allan@castleconsulting.ca
Subject: richard shared a link: Artificial Intelligence in the legal profession
Date: Monday, April 3, 2017 5:04:00 PM

[Artificial Intelligence in the legal profession from Canadian Lawyer mag's Tweet](#)

[Download the Twitter app](#)

Richard J.M. Fyfe QC
Deputy Attorney General
Ministry of Justice and Attorney General
Tel. (250) 356-0149

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From: Allan Castle
To: Fyfe, Richard J JAG:EX
Subject: Re: richard shared a link: Artificial Intelligence in the legal profession
Date: Monday, April 3, 2017 5:39:45 PM

Thanks!

Allan Castle, PhD
1 (778) 679-2916

On Mon, Apr 3, 2017 at 5:04 PM -0700, "Fyfe, Richard J JAG:EX"
<Richard.Fyfe@gov.bc.ca> wrote:

Artificial Intelligence in the legal profession from Canadian Lawyer mag's
Tweet

Download the Twitter app

Richard J.M. Fyfe QC
Deputy Attorney General
Ministry of Justice and Attorney General
Tel. (250) 356-0149

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From: Harvey, James JAG:EX
To: Fyfe, Richard J JAG:EX
Subject: Artificial Intelligence
Date: Tuesday, June 13, 2017 8:06:23 AM
Attachments: image001.png

Hi Richard,

s.13

https://www.lawgazette.co.uk/practice/artificial-intelligence-not-fairy-dust-legal-conference-hears/5061504.article?utm_source=dispatch&utm_medium=email&utm_campaign=%20GAZ141016

I thought that the article above may be of interest.

Thanks,

James.

James N. Harvey
Assistant Deputy Attorney General
Ministry of Justice, Legal Services Branch
Government of British Columbia
6th Floor, 1001 Douglas Street
PO Box 9280, Stn Prov Govt
Victoria, BC V8W 9J7
Phone: (250) 356-8800
Cell: (250) 812 0988
Fax: (250) 356-5111
Email: James.Harvey@gov.bc.ca

For scheduling please contact Maya Engelbrecht 250-356-9260

Vision: "Trusted by government to provide excellent legal and legislative services."



Where ideas work

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**BCLC
BRIEFING NOTE**

PREPARED FOR: Minister David Eby

PURPOSE: For information

ISSUE:

Status Update on Responsible Gambling – 3D Facial Recognition Technology

SUMMARY:

To better meet compliance requirements and detect individuals who have been banned or entered the Voluntary Self Exclusion Program BCLC is planning to test facial recognition technology at one casino to assess camera performance. BCLC will then assess performance and cost of the system. No timeline for this project has been confirmed to date.

BACKGROUND:

The Voluntary Self Exclusion (VSE) program has been offered in B.C. since 1997. VSE is a voluntary program, a personal commitment and one tool that may assist people with getting their gambling under control: family members or friends cannot exclude someone.

Under the VSE program customers who feel they are having difficulty controlling their gambling may elect to voluntarily self-exclude themselves from gambling services in BC for periods of 1, 2 or 3 years.

Once a customer signs up for the VSE program casino staff will actively watch for the customer to assist them in staying away from casinos. Individuals in the program who are intercepted entering a casino will be refused entry. Individuals in the program who evade detection and are found in a casino will be escorted from the premises.

BCLC has the authority to ban individuals to ensure gambling facilities are safe and the integrity of gaming is maintained.s.15

s.15

To date more than 270 such individuals have been banned through these cooperative efforts.

DISCUSSION:

At present, efforts to detect VSE program participants rely on s.15
s.15

s.15 systems in place at
all casinos in the province.
s.15

s.15 In 2016/17, staff refused entry or escorted VSE individuals from casinos 10,375 times. About 80 per cent of all recorded VSE violations are made by 7 per cent of VSE patrons enrolled in the program. In 2016/17, total VSE detected through s.15 scans was 1,147.

Two longitudinal research studies of VSE participants conducted for BCLC by the University of the Fraser Valley, completed in 2010 and 2016, recommend BCLC improve detection capabilities by checking identification at the door and cite the important psychological barrier and deterrent that is created when participants are detected. The rationale for mandatory ID includes:

- By checking all guests for identification, virtually all VSE program participants attempting to violate their exclusion would be caught.
- In order to determine if the benefits of this type of approach outweighs the cost, logistics, and privacy issues, BCLC should consider piloting this strategy in various casinos to see its effect on programs like the VSE and to gauge the public's attitudes towards identification checks

To better support VSE participants and increase detection rates, some jurisdictions use enhanced cameras in their surveillance systems at casino entrances that are capable of identifying VSE participants automatically through facial recognition technology.

BCLC assessed an early version of this technology in 2010-2011 and found that it did not perform to acceptable levels. Advances have been made in the technology since that time. Ontario has implemented facial recognition cameras at its casinos and reports positive results.

Canada Border Services is deploying facial recognition technology at Canadian airports in 2017. One U.S. based airline has indicated it will be implementing facial recognition technology as an option for customers to speed up the flight check-in process.

BC's former Privacy Commissioner raised two primary concerns with BCLC over the use of facial recognition technology: 1) customers may not be aware the technology was in use at BC casinos; and, 2) the technology would allow BCLC to identify a VSE participant at a great distance creating an unnecessary collection of personal information.

In response to the Privacy Commissioner's concerns BCLC will: s.15
s.15

s.15

s.15

BCLC will then assess performance and cost of the system.

Prepared by:

Jim Lightbody
President and CEO
BCLC

s.17



BRIEFING NOTE

CLIFF # 430101

- I. Prepared for:** **Hon. David Eby**, Attorney General and Minister Responsible for the Insurance Corporation of British Columbia, **FOR INFORMATION**
- II. Subject:** Reasonable Accommodation for Religious Head Coverings in British Columbia Driver's Licence Photos

III. Background:

- Sections 25(3)(d) and (e) of the *Motor Vehicle Act* require an applicant for a British Columbia Driver's Licence (BCDL) to submit to having his or her picture taken, and to identify himself or herself to ICBC's satisfaction. Applicants for British Columbia Identification Cards (BCID) and British Columbia Services Cards (BCSC) must also meet these requirements.
- One of the tools that ICBC uses to confirm identity is facial recognition technology (FRT), which uses biometrics to aid in reducing identity fraud and theft, and enhance security for cards issued. FRT is an internationally-recognized best practice for the issuance of driver's licences and identity cards.
- Head coverings or eyewear are generally not permitted in BCDL photos, as they can interfere with FRT, either by directly obscuring the face, or by casting shadows that interfere with FRT.
- ICBC began using FRT in October 2008 and the program is administered by ICBC's Driver Licensing Integrity & Oversight unit (DLIO). See Appendix 1 for DLIO organizational chart.
- DLIO's primary function is to investigate the card issuance process by identifying non-compliance and/or discrepancies in driver licensing transactions (through tools like FRT) and then make recommendations for their resolution. See Appendix 2 for DLIO's areas of governance and oversight responsibilities.

IV. Discussion:

- Consistent with its authority under s.25(3), ICBC has devised policy to deny head coverings and eyewear in BCDL, BCID and BCSC photos. This is for FRT reasons and also to safeguard the reputation and integrity of ICBC and cards issued if customers were photographed with colanders, ball caps, toques, etc.
- In a 2014 survey on religious head covering practices administered by the American Association of Motor Vehicle Administrators (AAMVA) on behalf of ICBC, all six Canadian respondents confirmed that as a rule, they do not allow applicants to wear a head covering for their photo unless it is for religious or medical reasons. See Appendix 3 for a summary of the AAMVA survey results.
- Notwithstanding, ICBC affirms its customers' right to reasonable accommodation regarding their religious expression or if a head covering is needed as a result of medical treatment.
- Human rights precedent has established that customers may wear head coverings that do not interfere with FRT, provided they are worn in conjunction with religious practice.

- In cases of unfamiliar or non-traditional head coverings, ICBC staff are permitted through human rights precedent to confirm religious practice. The process for Driver Licensing Office (DLO) staff is documented in ICBC's Licensing Operations Manual (see Appendix 4).
- The customer's photo is taken and a card production hold is added to their record, stopping the card from being produced and sent to the customer until the hold is removed. The customer is also asked the following questions:
 1. What is your religion or religious belief?
 2. What is the religious significance of your head covering?
 3. What religious obstacle or consequence will flow from a requirement that you be photographed without your religious head covering?
- These questions assist ICBC in understanding the religious significance of the head covering. These responses are forwarded to DLIO, along with the driver's licence application. DLIO staff will review the customer's religious practices, guided by the unit's written investigation procedures (see Appendix 5). If DLIO staff recognize the religious head covering, the hold is removed and the card is sent into production and then to the applicant.
- Nearly all that are referred to DLIO are quickly approved. Typically, those denied are where there is no clear religious association to the head covering. Many of these are sports fans claiming a religious following to their team or similar.
- For religious head coverings that are not recognized, DLIO staff conduct research to determine the validity of the customer's responses. The file is then reviewed at a weekly panel review for discussion to achieve consensus on a resolution and next steps. This panel is composed of all DLIO staff and is co-chaired by the Manager, DLIO and the Manager, Facial Recognition. This validation process is consistent with four other North American driver licensing authorities, as identified in the AAMVA survey.
- Decisions in these cases are jointly rendered by the Manager, Facial Recognition and the Director, Driver Licensing Customer Service.
- The volume of religious head coverings that are sent to DLIO for review is relatively low. Of the 1.6 million cards ICBC issued in 2016, DLIO reviewed 71 customer requests to wear a religious head covering in their photo.

V. Recommendations:

- ICBC recognizes that its approach to assessing the validity of religious headgear may be seen as subjective and may be open to criticism.
- ICBC is currently exploring the development a more robust religious and medical head covering accommodation process that better removes potential subjectivity from the process and balances program effectiveness with customer fairness.

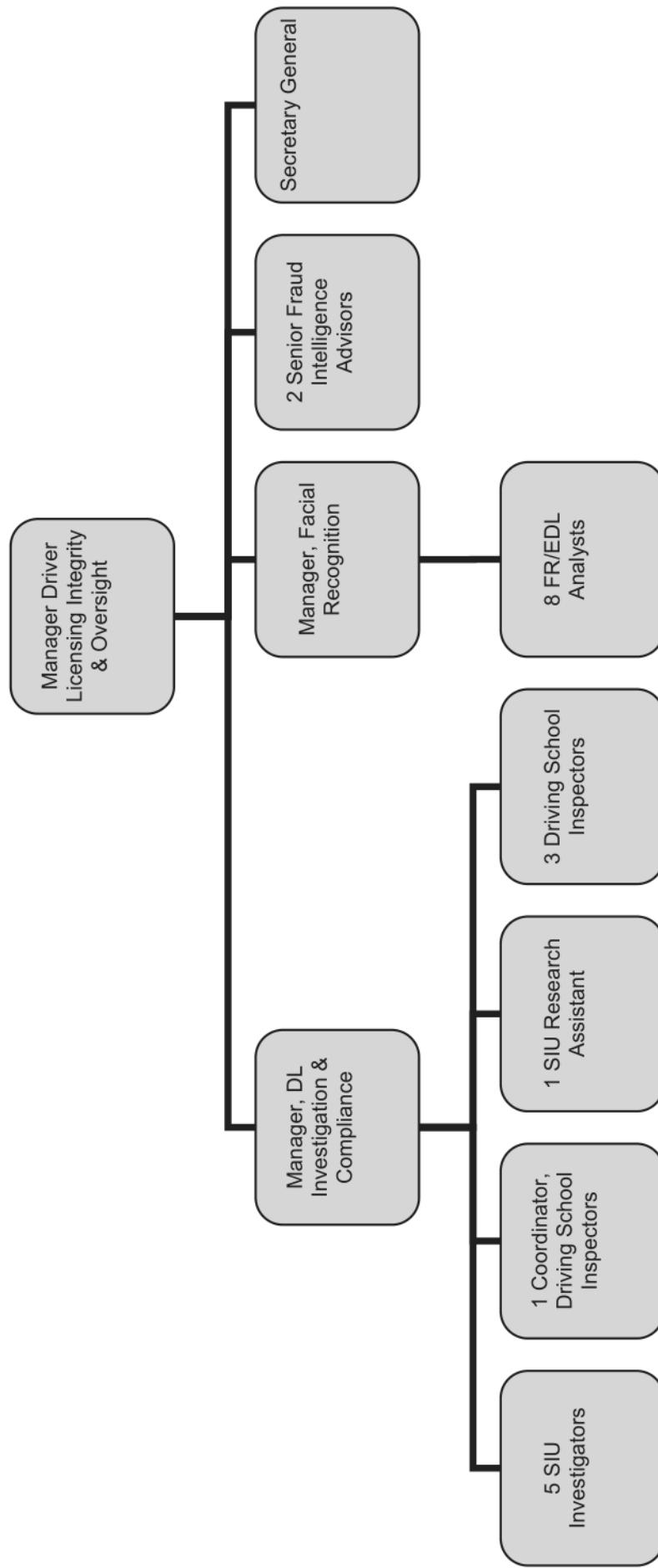
Contact: Vittorio Cheli
 A/Senior Policy Advisor,
 Licensing Policy &
 Standards, ICBC
 (250) 414-7904

Business Area
Contact: Glenn Anness
 Manager, Licensing Policy
 & Standards, ICBC
 (250) 414-7938

Date: November 16, 2017

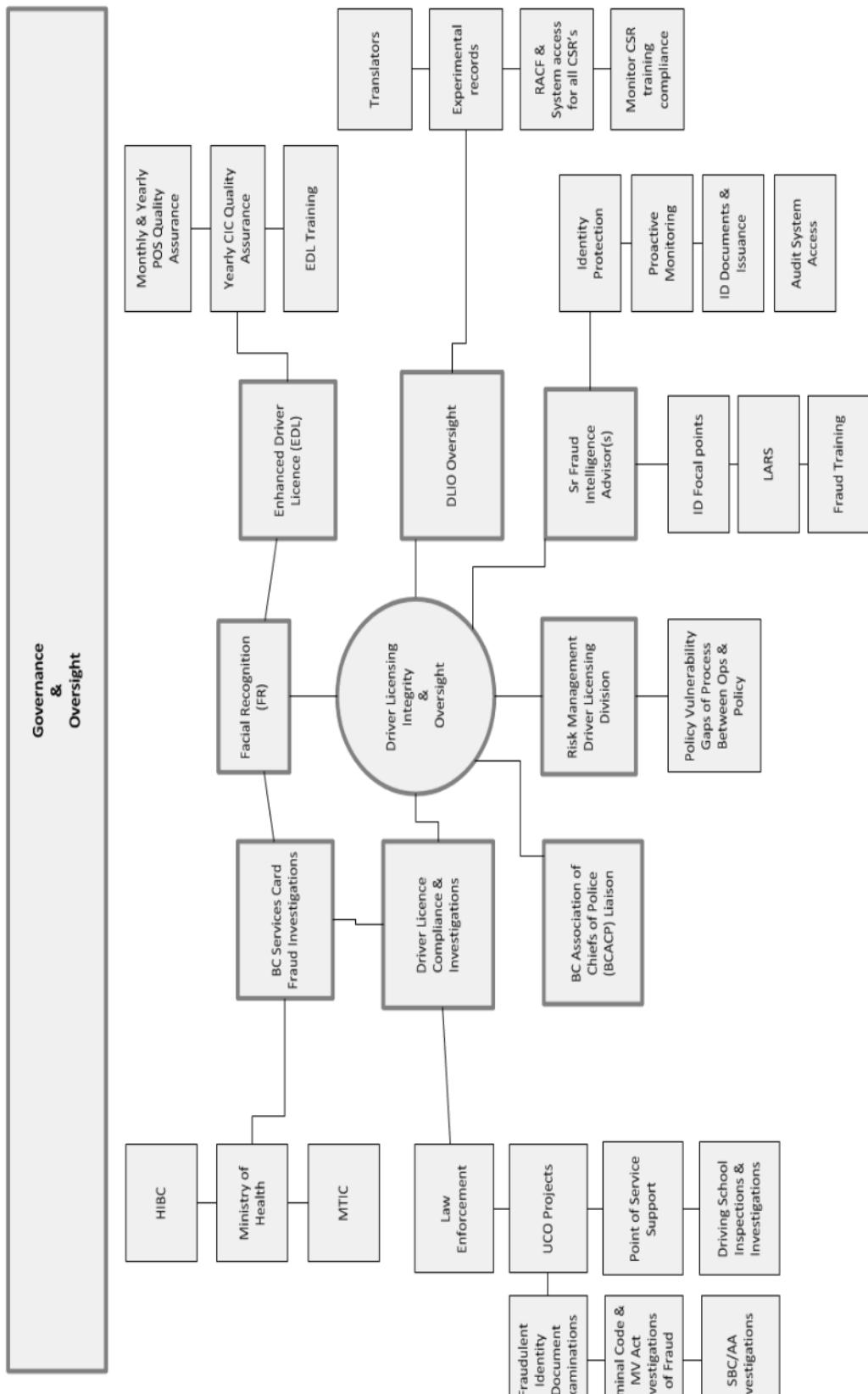
Appendix 1: Driver Licensing Integrity & Oversight Unit (DLIO) Organizational Chart¹

CLIFF # 430101



¹ DLIO staff are jointly funded and carry out functions related to both ICBC and Government programs (e.g., BC Services Card and Enhanced Driver's Licences).

Appendix 2: Driver Licensing Integrity & Oversight Unit Responsibilities





BRIEFING NOTE

CLIFF # 430101

Appendix 3: American Association of Motor Vehicle Administrators (AAMVA) Survey on Pastafarian Religious Head Coverings (2014)

1. When taking a photo for a driver's licence, do you usually allow the applicant to keep a hat or other head covering on?

- 29 responses; 5 from other Canadian jurisdictions
- No Canadian jurisdiction allows applicants to wear a head covering for their photo unless it is for religious reasons or some other very limited circumstances, e.g. a medical condition.

2. When taking a photo for a driver's licence, do you usually allow a person to keep a hat or other head covering on for religious reasons? If no, you have completed the survey and can arrow down to click on the submit button. If yes, please go to question 3.

- Only 14% "usually" allow head coverings to be worn in the applicant's photo
- 93% do allow for religious reasons
- 76% employ Facial recognition technology

3. Have you encountered customers who self-identified as adherents of Pastafarianism?

- No Canadian jurisdictions (6 including BC) have encountered customers who self-identified as adherents of Pastafarianism.

4. When taking a photo for a driver's licence, do you allow customers self-identifying as Pastafarian to be photographed wearing a colander on their head?

- 45% (12) have encountered customers who self-identify as Pastafarians
 - Of the 12, 2 would allow customer to wear a colander in their photo
 - Of the other respondents, another 3 would allow customer to wear a colander
 - Of these 5 jurisdictions, 4 have FR technology

5. How do you verify that the religious beliefs raised are genuine? Any different for Pastafarian or other less commonly recognized religions (e.g., Jediism)?

- 9 took customers word for it; some of these added that the head covering could not cover the face
- 2 required some kind of proof, e.g. letter from religious leader
- 1 stated that the religion MUST require the head covering to be worn at ALL times
- 4 only recognized well documented acknowledged religions
- 5 (including BC) conducted research and/or took it case by case
- 3 relied on an external authority or source
- Most of the respondents have a policy, administrative rule, statute or regulation supporting the verification process/practice.
- Most of the respondents have a policy or some legal authority to allow the applicant to wear a head covering for other reasons, like medical.
 - 7 did not allow head covering for reasons other than religious
 - Some jurisdictions simply require that the face is not covered to allow for identification.

Appendix 4: ICBC Licensing Operations Manual

GL Part H – Capturing customer information

H1 Policy on digital photo images

Digital photo images taken at DLOs are key in helping us establish the identity of our customers. In addition to ICBC, public agencies such as law enforcement and airports, thousands of private businesses rely on the security features and integrity of the information that appears on our photo cards. Our photo cards have become the means by which our customers establish their identity.

ICBC's policy when capturing images is to balance complying with regulatory provisions and respecting individual rights. ICBC remains committed to providing a positive customer experience at all times.

All applicants must submit to having his or her picture taken as indicated under section 25(3) of the *Motor Vehicle Act*.

On October 23, 2008, Facial recognition was introduced that uses biometric technology to aid in reducing identity fraud and theft and enhance security for our photo cards. Before any photo card is issued, it will be compared against a database for any possible duplicates. Further precedent has been established in Canada that applicants may not wear articles of clothing or eye wear that interferes with Facial Recognition Technology (FRT).

Individual rights: ICBC affirms our customer's right to accommodation regarding their religious expression. Regardless of the above authority, Human Rights precedent has defined that applicants may wear head covering that does not interfere with FRT as long as it is worn in conjunction with religious practice, or is needed as a result of medical treatment. This precedent does not extend to protect the right to wear eyeglasses or to sustain facial expressions that might compromise FRT.

H3 Eyeglasses & religious head covering when taking photos

Eyeglasses

It is ICBC'S standard practice to take photographs without eyeglasses. Eyeglasses can interfere with FRT. To stay compliant with standards, ICBC asks every customer with eyeglasses to remove them (including prescription eyeglasses) when their photograph is being taken.

DLO staff may make exceptions to wearing eyeglasses for medical reasons, such as visual impairment or if the customer insists on wearing their eyeglasses for their photo (even if no medical reason). Ensure customers understand that the picture must be acceptable when it runs through our facial recognition process and that taking a photo with eyeglasses has a chance of not being accepted. If the photo is unacceptable they will not receive their card and they will be inconvenienced by a return trip to a DLO. If they acknowledge this risk, proceed and take their photo with eyeglasses. **Be aware that this might cause glare from the glasses. The eyes must be visible and facing forward.**

Submit a DLIO Investigation Referral Form under the ***Image Capture Exception*** selection & choose the option where the ***customer insists on wearing eye glasses for the photo.***

Add an OPEN (hold) SharCC comment to all records to note that they were advised. DLIO will update the SharCC comment and remove holds once the review is completed.

Head covering

A customer may wear religious head coverings for their photo if the head coverings are worn regularly in public as part of their religious beliefs. (**Important:** see *yellow box below*). When taking a photo of someone wearing a head covering, ensure full facial features are visible for our FRT to accept the photo. If a woman is wearing a veil it should be removed to show her full facial features. It is preferable that female staff take the picture in this case.

You may also take a picture of a customer wearing a hat or head cover where they have little hair due to a medical treatment. Submit a DLIO Investigation Referral Form so that DLIO knows that the reason for the head covering was due to medical treatment. If hair loss/medication reason is not obvious, please note the medical reason the customer has given on the webform. (**Oct 2016**)

Unfamiliar or non-traditional religious head covering

You must accept a customer's assertion that their head covering is for religious purposes. If you are unfamiliar with the head covering please proceed with the following process so that we may gather more information that adds to our knowledge of religious practices. You may wish to ask a supervisor or manager first if they are familiar with a customer's religious head covering.

Inform the customer that you are unfamiliar with their head covering and that you need to ask them a few questions. The responses to the questions will be sent to our head office for review in order for the customer to receive their photo card in a timely manner.

Submit a DLIO Investigation Referral Form. When selecting "**Head Covering**" in the Request type you will be prompted to record the customer's answers to the following questions before heading to the image capture workstation to take the photograph. These are mandatory questions that **MUST** be asked and the customer's answers **MUST** be recorded.

1. What is your religion or religious belief?
2. What is the religious significance of your head covering?
3. What religious obstacle or consequence will flow from a requirement that you be photographed without your religious head covering?

Add any further details you think are required.

Obtain the customer's photo and signature. Advise them that since we are unfamiliar with their head covering, our Licensing Integrity department will need to review their photo and answers to the above questions before they will allow the card to be released.

Ensure customers understand that the picture must be acceptable when it runs through our facial recognition process. If the photo is unacceptable they will not receive their card. If they acknowledge this, proceed and take their photo with their head covering.

Add an OPEN (hold) SharCC comment to the record for each applicable card type. DLIO will update the SharCC comment and remove holds once the review is completed.

Appendix 5: Driver Licensing Integrity & Oversight Unit Religious Head Covering Investigation Procedures

Head Covering – Updated Mar 2015

If the analyst comes across an unrecognizable religious or non-religious head covering in FR:

Basic steps:

Check the Fraud Prevention Web Form folder in the Outlook Public Folders to determine if there was a webform sent in from the CSR indicating what the head covering was for.

Likely reasons are:

Medical reasons or religious purposes. If the head covering is unrecognizable as something worn for religious purposes the client must be asked 3 questions to clarify the purpose of the head covering:

1. What is your religion or religious belief?
2. What is the religious significance of your head covering?
3. What religious obstacle or consequence will flow from a requirement that you be photographed without your religious head covering?

If there is a Webform stating medical reasons:

Add 0DLIO to the record in XS and release the photo.

If there is not a Webform:

- **Review the image:**
 - If the head covering is recognizable as a traditional religious head covering and the image history in IRW confirms client usually wears the head covering: Release the photo.
 - If you cannot recognize the head covering as a traditional religious head covering: Place under investigation. Create an ITS file and use the verbiage: Head covering currently under review. Client has been sent letter. Do not release photo.

Send a letter to the client located Driver Services\Prov Driver Licensing\DLIRM\Correspondence\Approved Templates\Head Covering

When client responds and answers the questions: Review the answers provided to determine if the photo can be released.

- Google (or other search engine) the religion stated on the customer's response and check the images to determine if what the person is wearing is considered a part of the religion.
- If the head covering is still questionable, email findings to Krista Davis and Lee Olley who will review the image and information then notify you if the card can be released or not. Follow the steps in the Head Covering Web form section.

If client is reluctant to respond or doesn't answer the questions as asked: Bring to Roundtable to discuss.



Ministry Contract Award Review and Approval Process

Branch: Court Services

CLIFF: 551403

Contractor: Innovate BC (*former BC Innovation Council*)

Total Value: \$38,800.00

STOB: 6001

X New Contract

July 15, 2018 – March 31, 2019

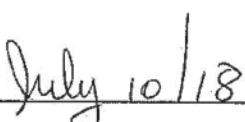
Review Comments:

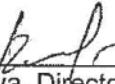
- 200 – Public Sector Organization
- Contract request is to support the Artificial Intelligence (AI) Challenge Initiative,
- Contractor is a crown agency and based on extensive experience executing technology challenges, some of the services they will provide to support the initiative are marketing and communications, procurement/solicitation expertise and concept development and evaluation support.

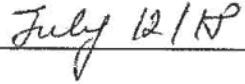
Approval: Yes No

Reviewed By:


Dana Dayard, Contract Officer


Date July 10/18


Tamara Romanova, Director, Accounting,
Procurement & Compliance


Date July 12/18

Attorney General and
Public Safety and
Solicitor General

Finance and Administration Division
Corporate Management Services
Branch

Mailing Address:
PO Box 9256 STN PROV
GOVT
Victoria BC V8W 9J4

Location:
5th Floor – 910 Government St.
Victoria BC

Ministry of Attorney General and Public Safety and Solicitor General
All STOBs (20, 60/61, 63)
Contract Approval Request 2018-2019

AG SG

Branch:	Court Services Branch		Cliff #:	551403		
Contractor Name:	<i>Innovate BC</i>		Contract #:	<i>If Applicable</i>		
Original contract aggregate (A):	\$38,800	IM/IT Contract?	N	Amendment #		
Sum of previous amendments (B):	\$	STOB	6001	RC	15235	SL 10700
Amendment value (C):	\$	Branch budget for this STOB			\$	
Contract Aggregate (A+B+C):	\$38,800	Hourly rate(s):			\$	
FY XX/XX actual spent	\$	PGO Exclusion Code #			200	
FY XX/XX actual spent	\$	PGO PO Class/Description			C	
Original Contract Term	From: July 15, 2018			To: March 31, 2019		
Amendment Term (for the current amendment only)	From:			To:		

Description of services required:

This contract will be to support the Artificial Intelligence (AI) Challenge Initiative. Based on extensive experience executing technology challenges, Innovate BC will provide the following services to support the AI Challenge initiative:

- AI and procurement/solicitation expertise;
- Logistical support for co-leading the organization in executing the AI challenge event and activities;
- Marketing and communications; and
- Proof of concept development and evaluation support.

If required to fulfill legal or formal provincial commitment please indicate:	N/A
Date/type of last competitive process:	N/A
Does this contract meet the SRFP criteria?	N/A
Procurement Code to be used and explanation if not policy compliant:	200

Why could staff resources or other ministries in government not fill this need?

The services to be provided require a unique combination of skills and experience. Government does not provide this service.

Implications if not approved:

If not approved, this will impede access to justice and increased costs.

Approvals:

	Name	Signature	Date
Expense Authority	Bernard Achampong		June 25, 2018
Branch ADM (or equivalent)	Lynda Cavanaugh		July 9, 2018
<i>ADM & CIO (for IM/ISB contracts only; STOB 63 delete if N/A)</i>	Ian Bailey		

Director, Accounting Procurement & Compliance	Tamara Romanova		Jul 12/18
Deputy Attorney General	Richard Fyfe	Peter Juk QC A/DAG	July 12, 2018

DESCRIPTION OF CONTRACT SELECTION PROCESSES (see CPPM 6.3.3)

Confirm services not available through a Corporate Supply Arrangement (CSA)

<input type="checkbox"/> SELECTED FROM PRE-QUALIFICATION LIST – RFQ # _____	RSA # _____
<input type="checkbox"/> REQUEST FOR PROPOSAL - Posting to BC Bid required if contract value is \$75,000 or over	
<input type="checkbox"/> INVITATION TO QUOTE - Posting to BC Bid required if contract value is \$75,000 or over	
<input type="checkbox"/> AT LEAST THREE (3) WRITTEN/VERBAL QUOTES OBTAINED (applies to contracts valued at less than \$75,000)	
<input type="checkbox"/> NOTICE OF INTENT to DIRECT AWARD; advisable under \$50K, mandatory over \$50K	
<input checked="" type="checkbox"/> DIRECT AWARD (Direct Award Justification form also required)	

Frequently Used Procurement Process Code Descriptions (PGO – Procurement Process)

100 – Open Competitive Process	208 – Direct Award – Shared Cost Arrangement (Financial Assistance)
200 – Direct Award – Public sector organization	209 – Direct Award – Shared Cost Arrangement
201 – Direct Award – Sole source	300 – Direct Invitation to selected vendors
202 – Direct Award – Emergency	400 – Selected vendor from pre-qualification list
203 – Direct Award – Security, order etc.	401 – Competition among vendors on a pre-qualification list
204 – Direct Award – Confidentiality	500 – Purchase from a Corporate Supply Arrangement
205 – Direct Award – Notice of Intent (No substantiated objections)	600 – Other purchase process
206 – Direct Award – Permitted under another corporate policy or legislation*	601 – Continuing Agreements
	602 – Other – Grants and Entitlements

*these should only be used when appropriate. i.e. all contracts should be competed to the extent reasonable & cost effective.

Frequently Used PGO CFTA/NWPTA Exclusion List Code Descriptions

100 – Purchase subject to CFTA/NWPTA	500 – Excluded – Security, order, etc.
200 – Purchase below applicable CFTA/NWPTA threshold	600 – Excluded – Product compatibility/exclusive rights
300 – Purchase of an exempted commodity/service	700 – Excluded – Procurement of prototype
400 – Excluded – Emergency	800 – Excluded – Regional/Economic development

In Most instances PGO codes 100, 200 and 300 will be used, as follows:

- If the contract value is \$75,000 or more, purchase is subject to CFTA/NWPTA - use code 100.
- If the contract value is under \$75,000 purchase is below applicable CFTA/NWPTA threshold - use code 200.
- Regardless of the contract value, if the contract provides social services and Third Party Administration to third parties (ministry clients), the services are exempt from CFTA/NWPTA coverage - use code 300.

Frequently Used PGO PO Class/Description

A	Transfers Under Agreement	LPO	Library Purchase Order
BE	Business Expense Approval	O	Other Commitment Document
C	Contracts and Letters of Agreement	PC	Purchase Card
CA	Continuing Agreement	POSO	Purchase Order on a Standing Offer
CSA	Corporate Supply Arrangement	PU	Purchase Order (Purchasing Services Branch)
E	Entitlements	QP	Queen's Printer Requisition
EPO	Emergency Purchase Order	R	Requisition (Purchasing Services Branch)
F	Forecast – Creates a soft commitment	SO	Standing Offer (Ministry)
G	Transfers – Grants		

Use "C" when services are provided directly to government. Use "A" when the services are provided to a third party (Ministry clients) rather than directly to government (Third Party Administration).

DIRECT AWARD JUSTIFICATION

Contracts may be negotiated and directly awarded without a competitive process only where an exceptional condition applies (see CPPM 6.3.3.a).

The contract manager is responsible for documenting, in the contract file, the rationale, or the circumstances, that supports the use of one of the below exceptions.

This document must be included in the contract file and be available when requested.

CONTRACTOR NAME	Innovate BC	ORIGINAL CONTRACT VALUE	\$38,800
AMENDMENT?	NO	TOTAL AMENDED VALUE	\$
		ORIGINAL TERM	Jul 15, 2018 – Mar 31, 2019
SERVICES PROVIDED	Innovate BC will provide Artificial Intelligence (AI) expertise, and logistical, procurement/solicitation support for the AI Challenge initiative.	AMENDED TERM	

<input checked="" type="checkbox"/> CHOOSE ONE PROCUREMENT PROCESS CODE THAT BEST APPLIES TO THIS DIRECT AWARD EXCEPTION	
<input checked="" type="checkbox"/> 200 – PUBLIC SECTOR ORGANIZATION	Contracts for acquisitions (of goods, services, and construction) and disposals may be negotiated and directly awarded without competitive process where the contract is with another government organization – CPPM 6.3.3(a)(1).
<input type="checkbox"/> 201 – SOLE SOURCE	Contracts for acquisitions (of goods, services, and construction) and disposals may be negotiated and directly awarded without competitive process where the ministry can <i>strictly</i> prove that only one contractor is qualified to provide the goods, services or construction or is capable of engaging in a disposal opportunity – CPPM 6.3.3(a)(1).
<input type="checkbox"/> 202 – EMERGENCY	Contracts for acquisitions (of goods, services, and construction) and disposals may be negotiated and directly awarded without competitive process where an unforeseeable emergency exists and the goods, services or construction could not be obtained in time by means of a competitive process – CPPM 6.3.3(a)(1).
<input type="checkbox"/> 203 – SECURITY, ORDER, ETC	Contracts for acquisitions (of goods, services, and construction) and disposals may be negotiated and directly awarded without competitive process where a competitive process would interfere with a ministry's ability to maintain security or order or to protect human, animal or plant life or health – CPPM 6.3.3(a)(1).
<input type="checkbox"/> 204 – CONFIDENTIALITY	Contracts for acquisitions (of goods, services, and construction) and disposals may be negotiated and directly awarded without competitive process where the acquisition is of a confidential or privileged nature and disclosure through an open bidding process could reasonably be expected to compromise government confidentiality, cause economic disruption or be contrary to the public interest – CPPM 6.3.3(a)(1).
<input type="checkbox"/> 205 – NOTICE OF INTENT (No substantiated objections)	When a contract for goods valued at \$10,000 or more, or a contract for services or construction valued at \$50,000 or more, is intended to be directly awarded on the basis that there is only one vendor that can provide the services or goods required, but this cannot be strictly proven, a Notice of Intent must be posted on BC Bid – CPPM 6.3.2(b)(5) (Goods); CPPM 6.3.2(c)(7) (Services).
<input type="checkbox"/> 206 – PERMITTED UNDER ANOTHER CORPORATE POLICY OR LEGISLATION	Use this code where the direct award was permitted under another corporate policy or legislation. Do not use this code if another direct award code applies.

STOB 80 contract or agreement that is directly awarded in accordance with CPPM 4.3.14.9

<input type="checkbox"/> 208 – SHARED COST ARRANGEMENT (FINANCIAL ASSISTANCE)	A Shared Cost Arrangement (STOB 80 agreement) may be directly awarded where financial assistance is provided to a specified target group or population (e.g. First Nation, or a direct beneficiary, individual or family or legal guardian of that individual under a community/social service program) – CPPM 21.3.6 and CPPM 6.3.3(a)(3)
<input type="checkbox"/> 209 – SHARED COST ARRANGEMENT (COMPETITIVE SELECTION PROCESS NOT APPROPRIATE)	A Shared Cost Arrangement (STOB 80 or agreement) may be directly awarded where a competitive selection is not appropriate – CPPM 21.3.6 and CPPM 6.3.3(a)(3).

JUSTIFICATION FOR PROCUREMENT PROCESS CODES 200, 201, 202, 203, 204, 205, 206, 208, 209 – Please provide background, rationale and a detailed description or documentation of how the contract qualifies for the above selected exception. Please explain why this is the case for this contract. PLEASE NOTE: THE EXPLANATION THAT YOU PROVIDE BELOW WILL BE USED FOR FOI RELEASES AND MINISTER'S REQUESTS. (Attach additional page as needed)

This contract will be to support the Artificial Intelligence (AI) Challenge Initiative. Innovate BC is a crown agency and thus results in a direct award to a BC public sector organization. Based on extensive experience executing technology challenges, Innovate BC will provide the following services to support the AI Challenge Initiative:

- AI and procurement/solicitation expertise;
- Logistical support for co-leading the organization in executing AI challenge event and activities;
- Marketing and communications; and
- Proof of concept development and evaluation support.



Contract Manager Signature

Bernard Achampong
Print Name



ADM Approval Signature

Lynda Cavanaugh
Print Name

Daynard, Dana AG:EX

From: Sitar, Natalie AG:EX
Sent: Tuesday, July 10, 2018 9:01 AM
To: AG Procurement Support AG:EX
Cc: Edey, Renee AG:EX; Sitar, Natalie AG:EX
Subject: 551403 - CAR and DA - Innovate BC - Artificial Intelligence Challenge Initiative
Attachments: 551403 - CAR and DA - Innovate BC - AI Challenge Initiative.pdf

Good morning,

Please find attached a Contract Approval Request and Direct Award for Innovate BC from Court Services Branch for processing and approval through CMSB and the DAG. It has been approved by Bernard Achampong and ADM Lynda Cavanaugh.

Contracting with Innovate BC, to support the Artificial Intelligence (AI) Challenge Initiative.

Term: July 15, 2018 – March 31, 2019

Please direct any questions you may have to Renee Edey at 250-356-6839.

Thank you,

Natalie Sitar
HQ Executive Clerk
Ministry of Attorney General - Court Services Branch
850 Burdett Av Victoria BC V8W 9J2
250 356-1524

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From: Cavanaugh, Lynda A AG:EX
Sent: Monday, July 9, 2018 4:59 PM
To: Sitar, Natalie AG:EX
Subject: FW: For Approval: 551403 - CAR and DA - Innovate BC - Artificial Intelligence Challenge Initiative

Approved.

From: Sitar, Natalie AG:EX
Sent: Monday, July 9, 2018 12:35 PM
To: Cavanaugh, Lynda A AG:EX
Subject: For Approval: 551403 - CAR and DA - Innovate BC - Artificial Intelligence Challenge Initiative

Hi Lynda,

Please find attached a CAR and DA for your approval. Approved by Bernard and Jenny.

Contracting with Innovate BC, to support the Artificial Intelligence (AI) Challenge Initiative.

Innovate BC is a crown agency and so direct award to a BC public sector organization. Based on extensive experience executing technology challenges, the services they will provide to support the initiative includes: logistics co-leading the organization and execution of the AI challenge event and activities; marketing and communications, providing AI expertise, procurement/solicitation expertise; and proof of concept development and evaluation support (see AI Challenge – Proposal)

Amount: The budget for this project will be **\$38,800** and will come from the following Corporate account, with a **2018/19 budget of \$120,000:**

Bernard Achampong
RC: 15235 (Special Projects)
SL: 10700 (Court Services-Mgmt Serv)
STOB: 6001
Project Code: 15SY919 (Professional consulting)

Term: July 15, 2018 – March 31, 2019

Natalie Sitar
HQ Executive Clerk
Ministry of Attorney General - Court Services Branch
850 Burdett Av Victoria BC V8W 9J2
250 356-1524

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From: Manton, Jenny D AG:EX
Sent: Monday, July 9, 2018 11:34 AM
To: Sitar, Natalie AG:EX
Subject: FW: RUSH: 551403 - CAR and DA - Innovate BC - Artificial Intelligence Challenge Initiative

Hi Natalie,

You can consider the CAR approved.. thanks

From: Stevens, Ted AG:EX
Sent: Friday, July 6, 2018 3:16 PM
To: Manton, Jenny D AG:EX; Anghel, Cristian AG:EX
Cc: Chiddell, Dan J AG:EX
Subject: RE: RUSH: 551403 - CAR and DA - Innovate BC - Artificial Intelligence Challenge Initiative

Hi Jenny,

This is the budget Bernard is referring to and what was spend last year

Thanks, Ted

Div	Contact	RC	SL	ST1	ST2	Project	Project Description
Service Reform	Bernard Achampong	15235	10710	60	6001	15SY919	Professional consulting

From: Manton, Jenny D AG:EX
Sent: Friday, July 6, 2018 1:35 PM
To: Anghel, Cristian AG:EX; Stevens, Ted AG:EX
Subject: FW: RUSH: 551403 - CAR and DA - Innovate BC - Artificial Intelligence Challenge Initiative
Importance: High

Would like to confirm the budget for this under 6001 and what is forecasted and what was spent against it last year. Thanks, Jenny

From: Sitar, Natalie AG:EX
Sent: Friday, July 6, 2018 9:04 AM
To: Manton, Jenny D AG:EX
Subject: RUSH: 551403 - CAR and DA - Innovate BC - Artificial Intelligence Challenge Initiative
Importance: High

Hi Jenny,

Please find attached a CAR and DA for your approval. Approved by Bernard.

Contracting with Innovate BC, to support the Artificial Intelligence (AI) Challenge Initiative.

Innovate BC is a crown agency and so direct award to a BC public sector organization. Based on extensive experience executing technology challenges, the services they will provide to support the initiative includes: logistics co-leading the organization and execution of the AI challenge event and activities; marketing and communications, providing AI expertise, procurement/solicitation expertise; and proof of concept development and evaluation support (see AI Challenge – Proposal)

Amount: The budget for this project will be **\$38,800** and will come from the following Corporate account, with a **2018/19 budget of \$120,000**:

Bernard Achampong
RC: 15235 (Special Projects)
SL: 10700 (Court Services-Mgmt Serv)
STOB: 6001
Project Code: 15SY919 (Professional consulting)

Term: July 15, 2018 – March 31, 2019

Natalie Sitar
HQ Executive Clerk
Ministry of Attorney General - Court Services Branch
850 Burdett Av Victoria BC V8W 9J2
250 356-1524

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From: Edey, Renee AG:EX
Sent: Thursday, July 5, 2018 5:13 PM

To: Sitar, Natalie AG:EX
Subject: RUSH: CAR Approval DA Justification - Innovate BC (Artificial Intelligence (AI) Challenge Initiative)

Hello Natalie,

Attached for signature and review is the CAR approval/Direct Award Justification for contracting with Innovate BC, to support the Artificial Intelligence (AI) Challenge Initiative.

Innovate BC is a crown agency and so direct award to a BC public sector organization. Based on extensive experience executing technology challenges, the services they will provide to support the initiative includes: logistics co-leading the organization and execution of the AI challenge event and activities; marketing and communications, providing AI expertise, procurement/solicitation expertise; and proof of concept development and evaluation support (see AI Challenge – Proposal)

Amount: The budget for this project will be **\$38,800** and will come from the following Corporate account, with a **2018/19 budget of \$120,000:**

Bernard Achampong
RC: 15235 (Special Projects)
SL: 10700 (Court Services-Mgmt Serv)
STOB: 6001
Project Code: 15SY919 (Professional consulting)

Term: July 15, 2018 – March 31, 2019

Please forward to;

1. Jenny Manton for review then;
2. Lynda Cavanaugh for signature and approval (ADM) on both documents;
3. Once CSB approved, please forward to JAG Procurement (with cc: to me) for further Approvals

Thanks,

Renée Edey
Procurement Coordinator
Supporting Court Service Branch, Finance and Administration Division
Corporate Management Services Branch, Ministry of Justice
6th Floor, 850 Burdett Ave.
PO Box 9249 Stn Prov Gov
Victoria, BC V8W 9J2
250-356-6839 | Fax 250 356-8152

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From: Edey, Renee AG:EX
Sent: Thursday, July 5, 2018 10:57 AM
To: Hunt, Adrienne AG:EX
Cc: Pallan, Vishal AG:EX
Subject: RE: Artificial Intelligence (AI) Challenge - Innovate BC - CAR, Direct Award Justification and Request for Contract Number Forms

I will have Bernards Signature applied to the DA Justification and move forward as he has already approved.

r

From: Hunt, Adrienne AG:EX
Sent: Thursday, July 5, 2018 10:45 AM
To: Edey, Renee AG:EX
Cc: Pallan, Vishal AG:EX
Subject: RE: Artificial Intelligence (AI) Challenge - Innovate BC - CAR, Direct Award Justification and Request for Contract Number Forms

Sorry – thought this came from Vishal ...

Renee – let us know and we can get Bernard to sign. thanks

From: Hunt, Adrienne AG:EX
Sent: Thursday, July 5, 2018 10:44 AM
To: Edey, Renee AG:EX
Cc: Pallan, Vishal AG:EX
Subject: RE: Artificial Intelligence (AI) Challenge - Innovate BC - CAR, Direct Award Justification and Request for Contract Number Forms

Hi Vishal,

I am not the contract or project manager for the AI Challenge. I would suggest that Bernard sign's ... thanks

Adrienne

From: Edey, Renee AG:EX
Sent: Thursday, July 5, 2018 9:12 AM
To: Hunt, Adrienne AG:EX
Cc: Pallan, Vishal AG:EX
Subject: FW: Artificial Intelligence (AI) Challenge - Innovate BC - CAR, Direct Award Justification and Request for Contract Number Forms

Hello Adrienne,

Can you please sign the Direct Award Justification portion of the attached and return to me asap.

Thanks,

Renee

From: Pallan, Vishal AG:EX
Sent: Tuesday, June 26, 2018 12:10 PM
To: Edey, Renee AG:EX
Cc: Achampong, Bernard AG:EX; Hunt, Adrienne AG:EX; Conn, Kevin AG:EX; Munian, Seema AG:EX
Subject: Artificial Intelligence (AI) Challenge - Innovate BC - CAR, Direct Award Justification and Request for Contract Number Forms

Hi Renee,

Attached are the approved CAR, Direct Award Justification and Request for Contract Number forms for Innovate BC re: Artificial Intelligence Challenge. The budget for this project will be **\$38,800** and will come from the following Corporate account, with a **2018/19 budget of \$120,000**:

Bernard Achampong 15235 10710 60 6001 15SY919 (Professional consulting)

Thanks so much,

Vishal Pallan

From: Achampong, Bernard AG:EX

Sent: Monday, June 25, 2018 4:24 PM

To: Pallan, Vishal AG:EX

Cc: Munian, Seema AG:EX; Hunt, Adrienne AG:EX

Subject: RE: UPDATED: AI Challenge - CAR, Direct Award Justification and Request for Contract Number Forms

Andapproved

From: Pallan, Vishal AG:EX

Sent: Monday, June 25, 2018 4:06 PM

To: Achampong, Bernard AG:EX

Cc: Munian, Seema AG:EX

Subject: UPDATED: AI Challenge - CAR, Direct Award Justification and Request for Contract Number Forms

Hi Bernard,

Thank you for your quick review. Attached are the **updated CAR, Direct Award Justification and Request for Contract Number** forms. Please have a final look and let me know of any further changes required.

With kind regards,

Vishal Pallan

Project Management Analyst
Business Transformation and Training
Court Services Branch
Ministry of Attorney General
Desk: (250) 356-9536

Page 041

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s.13;s.17

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Page 056

Withheld pursuant to/removed as

s.13;s.17

From: [Robins, Shawn](#) GCPE:EX
To: [Smith, George](#) AG:EX; [Milne, Gala](#) AG:EX; [Harder, Derrick](#) AG:EX; [Arora, Jasleen](#) MCF:EX
Subject: FW: Information Note: Facial Recognition Testing
Date: Wednesday, April 4, 2018 9:23:22 AM
Attachments: [IN_Facial Recognition Pilot_final_April 3 2018.docx](#)

FYI IN on casinos piloting use of facial recognition technology

From: Mandybura, Cadence GCPE:EX
Sent: Wednesday, April 4, 2018 8:41 AM
To: Robins, Shawn GCPE:EX
Subject: RE: Information Note: Facial Recognition Testing
No concerns from GPEB on this one. Okay to send to MO.

Thanks,

Cadence

From: Robins, Shawn GCPE:EX
Sent: Tuesday, April 3, 2018 1:44 PM
To: Mandybura, Cadence GCPE:EX
Cc: Nelson, Tiffany GCPE:EX
Subject: FW: Information Note: Facial Recognition Testing
For review by GPEB before sending to MO.

From: Lara Gerrits [<mailto:LGerrits@bclc.com>]
Sent: Tuesday, April 3, 2018 1:42 PM
To: Robins, Shawn GCPE:EX; Nelson, Tiffany GCPE:EX; Mandybura, Cadence GCPE:EX
Cc: Jaggi-Smith, Michele GPEB:EX; Pandachuck, Niki GPEB:EX; Hazel, Jillian GPEB:EX; Mazure, John C GPEB:EX; Jim D. Lightbody; XT:Dolinski, Susan GCPE:IN; Sarah Morris; Angela Law; Anjee Gill; XT:Piva-Babcock, Laura FIN:IN
Subject: Information Note: Facial Recognition Testing

Good afternoon,

Please find attached an Information Note re: facial-recognition technology testing at one Lower Mainland casino this spring.

Thanks,

Lara

Lara Gerrits

Manager, Media & Issues Management (Interim)
BCLC, 2940 Virtual Way, Vancouver, B.C., V5M 0A6
T 604 228 3066 C ~~s~~ 17

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Last year, more than \$1 billion generated by BCLC gambling activities went back into health care, education and community groups across B.C.

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Information Note

British Columbia Lottery Corporation

Date: April 3, 2018

Facial Recognition Testing

KEY FACTS:

BCLC is planning to test facial recognition technology at s.15 Casino this spring. The testing will enable BCLC to assess the ability of this technology to assist in detecting individuals enrolled in the Voluntary Self Exclusion (VSE) Program.

BCLC has signed an agreement with Paladin Technologies to initiate the project and test the viability of the system with integration into BCLC's incident-reporting platform. Testing will occur for approximately one year. BCLC will then assess the performance and cost of the system to determine the potential expansion of facial recognition in additional B.C. gambling facilities.

BCLC tested aspects of facial recognition technology at s.15 Casino in early 2017, with favorable results. B.C.'s former Privacy Commissioner had raised two main concerns with BCLC over the use of facial recognition technology: 1) customers may not be aware the technology was in use at B.C. casinos; and, 2) the technology would allow BCLC to identify a VSE participant at a great distance creating an unnecessary collection of personal information. In response to these concerns BCLC will: s.15 and place highly visible signs s.15 at casino entrances making it clear to all customers that facial recognition cameras are in use.

BACKGROUND:

To better support VSE participants and increase detection rates, some jurisdictions use enhanced cameras at casino entrances that are capable of identifying VSE participants automatically, through facial-recognition technology. BCLC assessed an early version of this technology in 2010-2011 and found that it did not perform to acceptable levels. Technology has advanced since that time. Ontario has implemented facial recognition cameras at its casinos and reports positive results.

Presently, BCLC detects VSE participants through s.15
s.15

s.15 systems in place at all casinos in the province. In 2016/17, staff refused entry or escorted VSE individuals from casinos 10,375 times. Currently, about 73 per cent of all recorded VSE violations are from four per cent of VSE patrons.

BCLC RESPONSE POINTS:

- **BCLC is committed to offering gambling in a socially responsible manner.**
- **To further support VSE participants' decision to stop gambling, BCLC is testing facial recognition at one Lower Mainland casino. This testing will allow BCLC to evaluate the technology to determine next steps for potential implementation across other gambling facilities in B.C.**
- **Facial recognition is an additional layer of technology that BCLC is testing to support further its existing security and surveillance measures in place at all B.C. gambling and entertainment facilities.**

Program Area Contact:

Name
Laura Piva-Babcock

Number
T: 250-828-5576

From: Harder, Derrick AG:EX
To: Mandybura, Cadence GCPE:EX
Cc: Scott, Samantha AG:EX; Smith, George AG:EX; Milne, Gala AG:EX; Duffus, Robert GCPE:EX; Fellinger, Nicole GCPE:EX
Subject: Re: Update: customer complaint re: ICBC letter
Date: Wednesday, July 25, 2018 2:29:14 PM

Great news
Thanks for the update Cadence

Sent from my iPhone

On Jul 25, 2018, at 2:21 PM, Mandybura, Cadence GCPE:EX <Cadence.Mandybura@gov.bc.ca> wrote:

Hi Derrick,

This has come to a positive resolution. ICBC's Director of Driver Licensing Customer Service has now talked to the customer and the conversation went very well. She said that she understands that mistakes happen and appreciated that ICBC reached out to her directly and provided an apology and an explanation. ICBC let her know that they will go to express courier her photo cards to her and follow up to ensure they have arrived.

For reference, here is more background info and a summary of the issue from ICBC. They are also preparing an issues note, which we will share once ready.

Background:

- Digital photo images taken at DLOs are key in helping us establish the identity of our customers.
- In addition to ICBC, public agencies such as law enforcement and airports, thousands of private businesses rely on the security features and integrity of the information that appears on our photo cards
- ICBC's policy when capturing images is to balance complying with regulatory provisions and respecting individual rights.
- As one of our security features we use facial recognition technology to aid in reducing identity fraud and theft and enhance security for our photo cards. Headwear in some cases can interfere with the effectiveness of facial recognition technology.
- ICBC affirms our customers' right to accommodation regarding their religious expression.
- Human Rights precedent has defined that applicants may wear head covering that does not interfere with FRT as long as it is worn in conjunction with religious practice, or is needed as a result of medical treatment.

Summary of issue:

- The customer visited the **s.22** to renew her driver's licence and BC Services card.
- She was wearing a hijab. The Customer Service Representative (CRS) asked if it was being worn for religious reason and the customer said yes.

- If the customer is wearing head covering that is unfamiliar the procedure is for the CRS to take the photo and ask additional clarifying questions.
- During this process the CSR started to complete an online form that is used when the headwear is unfamiliar.
- When “Head Covering” is clicked online it prompts the CSR to ask three specific questions:
 - *What is your religion or religious belief?*
 - *What is the religious significance of your head covering?*
 - *What religious obstacle or consequence will flow from a requirement that you be photographed without your religious head covering?*
- In this case, the CSR selected “Other” and therefore did not prompt the 3 questions, however the CRS did ask the customer if the head covering worn was for religious purposes, the customer confirmed this was the case and the CSR noted this in two DL note systems and on the web form.
 - The form triggered a review by ICBC’s Driver Licensing Integrity & Oversight department who then sent the customer a letter asking that she come into a driver licensing office to complete the questions.
 - That was done and is where the customer raised this issue.
 - The use of the DL photo with the headwear was approved.
 - ICBC’s Director of Driver Licensing Customer Service will be contacting and apologizing to the customer today and informing her that her DL photo has been approved.
 - ICBC is reviewing the procedures for clarity for all employees serving customers wearing head covering that may be associated with religious belief.

From: Harder, Derrick AG:EX

Sent: Tuesday, July 24, 2018 2:24 PM

To: Mandybura, Cadence GCPE:EX

Cc: Scott, Samantha AG:EX; Smith, George AG:EX; Milne, Gala AG:EX; Duffus, Robert GCPE:EX; Fellinger, Nicole GCPE:EX

Subject: Re: Heads up: customer complaint re: ICBC letter

Thanks Cadence

I concur that we can leave with ICBC. If they have any context for the encounter, can you pass that on to us as well?

Thank you

Derrick.

Sent from my iPhone

On Jul 24, 2018, at 1:25 PM, Mandybura, Cadence GCPE:EX

<Cadence.Mandybura@gov.bc.ca> wrote:

Hello – heads up on a possible issue that may hit media. An ICBC customer is suggesting that ICBC was harassing Muslims and she may bring this to

the attention of CBC.

I've flagged for ICBC and can share key messages and further background once developed. I suggest that responses on this topic should come from ICBC unless we receive a question specifically directed to the minister.

Here is the summary we received from CITZ (complaint came via Service BC):

<!--[if !supportLists]-->● <!--[endif]-->A customer attended **s.22 s.15,s.22** to renew her driver's licence.

<!--[if !supportLists]-->● <!--[endif]-->Customer had a head covering, which she confirmed was for religious reasons (a standard Hijab). This information was also in her ICBC profile.

<!--[if !supportLists]-->● <!--[endif]-->The Customer Service Rep processed the request for a renewed driver's licence per the normal process.

<!--[if !supportLists]-->● <!--[endif]-->On July 23, customer returned to **s.22** with a letter from ICBC requesting that she go back to Service BC to submit a form (DLIO form) confirming that her head dress was for religious purposes.

<!--[if !supportLists]-->● <!--[endif]-->Customer suggested ICBC was harassing Muslims and that she may bring to the attention of CBC

<!--[if !supportLists]-->● <!--[endif]-->The Government Agent in **s.22** has not had this experience with ICBC previous; especially since the head covering was recognizable and the customer's face was not obscured.

<!--[if !supportLists]-->● <!--[endif]-->Service BC has flagged the situation for the A/ICBC Manager in Abbotsford (Corilee Opdahl) .

Best,

Cadence

From: [Minister, AG AG:EX](#)
To: [Eby, David AG:EX](#); [Smith, George AG:EX](#); [Milne, Gala LASS:EX](#); [Godfrey, Sam AG:EX](#); [Arora, Jasleen AG:EX](#)
Subject: ***note Embargo ***FW: Ninth Justice Summit Report of Proceedings (EMBARGOED COPY)
Date: Friday, February 23, 2018 12:38:09 PM
Attachments: Ninth BC Justice Summit Report of Proceedings Final_Embargoed.pdf
Report transmittal letter Summit 9.pdf

From: JAG Justice Reform JAG:EX
Sent: Friday, February 23, 2018 11:46 AM
To: Minister, AG AG:EX; Farnworth.MLA, Mike LASS:EX; 'robert.bauman@courts.gov.bc.ca'; Hinkson, Christopher; XT:Crabtree, Thomas AG:IN
Cc: Fyfe, Richard J JAG:EX; Sieben, Mark PSSG:EX; XT:Rudolf, Sally JAG:IN; XT:Belak, Brenda AG:IN; XT:Leung, Karen JAG:IN; Wakeman, Michelle PSSG:EX; Joyes, Kieran GCPE:EX
Subject: Ninth Justice Summit Report of Proceedings (EMBARGOED COPY)

The Honourable David Eby, QC
Attorney General
The Honourable Mike Farnworth
Solicitor General and Minister of Public Safety
The Honourable Chief Justice Robert Bauman
Chief Justice of British Columbia
British Columbia Court of Appeal
The Honourable Chief Justice Christopher Hinkson
Chief Justice of the Supreme Court of British Columbia
The Honourable Chief Judge Thomas Crabtree
Chief Judge of the Provincial Court of British Columbia
Dear Minister Eby, Minister Farnworth, Chief Justice Bauman, Chief Justice Hinkson, and Chief Judge Crabtree:
On behalf of the Summit Steering Committee, please find attached an embargoed version of the report of proceedings of the Ninth Justice Summit, together with covering correspondence. The report will be released to all participants, and published on the internet, at 9:00 am on Monday, February 26th.
Should you have any questions, please do not hesitate to get in touch.
Sincerely,
Allan Castle
(Chair, Ninth Summit Steering Committee)

Allan Castle, PhD
*Coordinator, Justice and Public Safety Council
& BC Justice Summit
(778) 679-2916*

British Columbia
JUSTICE SUMMIT

EMBARGOED

NINTH JUSTICE SUMMIT

Justice and Technology II

November 24, 2017

REPORT OF PROCEEDINGS (EMBARGOED)

NINTH JUSTICE SUMMIT REPORT OF PROCEEDINGS

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NINTH BC JUSTICE SUMMIT REPORT OF PROCEEDINGS

Table of Contents

Executive Summary	1
About British Columbia Justice Summits	2
Statutory Basis	2
The Summit Process	2
Who Attends?	3
The 2017 Summit Cycle: "Justice and Technology"	5
Background: The Eighth Summit	5
The Ninth Summit	5
Ninth Summit Agenda and Methodology	5
Organizing team	6
Draft Recommendations Considered	7
Draft Recommendation 1	7
Draft Recommendation 2	8
Draft Recommendation 3	8
Draft Recommendation 4	8
Summit Proceedings	10
Summit Opening	10
Session One – A Multilateral Strategy on Digital Information Management and Transfer	10
Presentations	10
Panel Discussion	11
Plenary Feedback on Draft Recommendations 1 and 2	13
Session Two – Improving Access and Efficiency via Technological Infrastructure	16

NINTH BC JUSTICE SUMMIT REPORT OF PROCEEDINGS

Presentations	16
Plenary Feedback on Draft Recommendations 3 and 4	18
Final Recommendations of the Ninth BC Justice Summit	21
Recommendation 1	21
Recommendation 2	22
Recommendation 3	22
Summit Closing and Appreciation	23
Appreciation	23
The 2018 BC Justice Summit Cycle	24
Preparation of Report of Proceedings	25
Summit Feedback	25
Appendix I: Summit Agenda	26
Appendix II: Summit Participants	29
Appendix III: Summit Organizing Team	40
Steering Committee (and *observers)	40
Working Group	41
Appendix IV: Justice and Public Safety Council	42

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Executive Summary

The 2017 BC Justice Summit cycle focused on the question of how technology may improve the administration of justice and public safety in British Columbia, and concluded on November 24th at the Ninth Summit. The Ninth Summit agenda placed priority on the areas of digital information management and infrastructure improvements, both of which had attracted significant interest at the Eighth Summit in June.

Sixty-five people participated at the Summit, with representation from the leadership of the justice and public safety sector, police agencies, Indigenous organizations, non-governmental organizations and service agencies, professional bodies, and technology subject matter experts. Participants were provided in advance with the text of four Draft Recommendations, developed over the previous six months by the Summit Steering Committee (the Committee). As at previous Summits, the methodology employed involved brief presentations followed by deliberation in small groups in breakout rooms, and then reporting-out in plenary guided by the Summit facilitator. Participants were provided in advance with a workbook of background materials, including summary readings and the discussion questions set by the Committee. The agenda was organized around consideration of the Draft Recommendations in two separate sessions.

Participants at the Ninth Summit recommended creation of a digital information management strategy for the sector, including the establishment of a sector-wide steering committee tasked with overseeing the development and implementation of such a strategy. Participants also recommended the development of a set of minimum provincial baseline technology access standards in courthouses, including a means for updating these standards in step with technological change.

This report has been submitted by the Summit Steering Committee to the Attorney General of British Columbia, the Minister of Public Safety and Solicitor General of British Columbia, the Chief Justice of British Columbia, the Chief Justice of the Supreme Court of British Columbia, and the Chief Judge of the Provincial Court of British Columbia, and made available to the public online.

About British Columbia Justice Summits

Statutory Basis

The *Justice Reform and Transparency Act* of 2013 requires that a British Columbia Justice Summit be convened by Ministerial invitation at least annually. Summits are intended to encourage innovation and facilitate collaboration across the justice and public safety sector, by providing a forum for frank discussion between sector leaders and participants about how the system is performing and how it may be improved. The Act also established a Justice and Public Safety Council, appointed by Ministerial order, to develop a vision and an annual plan for the sector across the province. As set out in Section 9 of the Act, a Summit may:

- a) review and consider initiatives and procedures undertaken in other jurisdictions in relation to the justice system in those jurisdictions;
- b) provide input to assist the Justice and Public Safety Council of British Columbia in creating a strategic vision for the justice and public safety sector;
- c) make recommendations relating to priorities, strategies, performance measures, procedures and new initiatives related to the justice and public safety sector;
- d) assess the progress being made in justice reform in British Columbia; and
- e) engage in any other deliberations that the Justice Summit considers appropriate.

Following each Summit, the *Summit Report of Proceedings* is submitted to the Attorney General of British Columbia and the Minister of Public Safety and Solicitor General of British Columbia, and simultaneously to the Chief Justice of British Columbia, the Chief Justice of the Supreme Court of British Columbia, and the Chief Judge of the Provincial Court of British Columbia.

The Summit Process

At the direction of the Ministers, the Summits are designed to address one broad theme per calendar year. The Spring Summit engages the sector's leadership in an initial discussion of a topic of common concern to sector participants, bringing additional subject-matter expertise and other leaders into the dialogue where required. Following the Spring Summit,

NINTH BC JUSTICE SUMMIT REPORT OF PROCEEDINGS

those ideas which have attracted greatest participant interest and support are developed in more concrete detail by subject-matter experts from relevant fields, taking the form of proposals for collaboration or innovation in the sector. The Fall Summit completes the cycle of discussions, providing an opportunity for participants to review one or more of these proposals; and, as may be appropriate, making recommendations and considering leadership responsibilities associated to implementation.

The Summit process continues to rest on the voluntary participation of those representing various independent roles, positions and responsibilities within the sector, many of whom are sworn to champion and uphold the integrity and fairness of our adversarial system of justice. Participants recognize that the constitutional, statutory or operational obligations of some attendees may require that important caveats or restrictions be attached to any particular recommendation.

Who Attends?

The justice and public safety sector itself is defined in the legislation as “[t]he justice system, including, without limitation, programs or services, funded in whole or in part by public money, that contribute to the administration of justice or public safety in British Columbia.” Invitees, according to statute, may include:

- a) the Chief Justice of British Columbia, the Chief Justice of the Supreme Court and the Chief Judge of the Provincial Court and, through them, any other members or officers of their courts that they consider appropriate,
- b) members of the Council, and
- c) any other individuals, including, without limitation, other participants in the justice and public safety sector, the [Ministers consider] to be qualified to assist in improving the performance of the justice and public safety sector.

The Summits involve participants from across the entire sector as appropriate for each event, including leaders and experts from the criminal, civil, family and administrative justice systems, the public safety arena, and other public and private service providers, non-governmental organizations, and academic experts with whom cooperation is essential for the sector's success. In addition, dependent on theme the Summit process will involve

invited attendees from other sectors with distinct areas of leadership responsibility and competence – for example, the health, education or social development sectors.

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The 2017 Summit Cycle: “Justice and Technology”

Background: The Eighth Summit

The Eighth BC Justice Summit in June 2017 was the first of two Summits to focus on the question of how technology may improve the administration of justice and public safety in British Columbia, including questions of access, security, efficiency and readiness. Seventy-two people participated at the Summit, with representation from the leadership of the justice and public safety sector, police agencies, Indigenous organizations, non-governmental organizations and service agencies, professional bodies, and technology subject matter experts.

Participants at the Eighth Summit identified six areas of work for further attention:

1. An assertive, multilateral strategy on digital information management and transfer between system participants
2. Steps to make common-sense infrastructure improvements in the courts
3. Consider use by the sector of the province’s identity management strategy
4. Expanded use of technology to improve services to citizens engaged in the system
5. Delivery of digital literacy education for people in the sector
6. Public engagement over system access, data gathering, and data retention

The Ninth Summit

Continuing its work from the Spring, the Steering Committee sought to narrow the focus for the Ninth Summit to a limited number of actionable pieces around which recommendations might be formed. Placing priority on the areas of **digital information management** and **infrastructure improvements**, both of which had attracted significant interest at the Eighth Summit, the Ninth Summit agenda divided the discussion between these two areas.

Ninth Summit Agenda and Methodology

As at previous Summits, the methodology employed involved brief presentations followed by deliberation in small groups in breakout rooms, and then reporting-out in plenary guided by the Summit facilitator. Participants were provided in advance with a workbook of

NINTH BC JUSTICE SUMMIT REPORT OF PROCEEDINGS

background materials, including summary readings and the discussion questions set by the Committee. The agenda (see Appendix 1) was organized around consideration of four draft recommendations in two separate sessions, addressing:

(Session One)

- The development of an inclusive, standards-based digital information management strategy for the sector.
- Senior sponsorship (or project governance) arrangements to implement the strategy.

(Session Two)

- A coordinated response on behalf of the sector regarding future network investments at the community level.
- With respect to the courts, the development of technology access standards and the broader exploration and piloting of video technology in (e.g.) court appearances.

Organizing team

On behalf of the Ministers, the Ninth BC Justice Summit agenda and participant invitation list was developed by a cross sectoral Summit Steering Committee (the Committee) with broad representation, including federal, provincial and municipal justice organizations and agencies, police, indigenous justice organizations, independent justice professionals, NGOs, and technology subject matter experts. The Committee included observers from the British Columbia Court of Appeal, the Supreme Court of British Columbia, and the Provincial Court of British Columbia. The Committee, chaired by the Coordinator of the BC Justice Summit process, met between September and November 2017, and was supported by a multidisciplinary expert Working Group. Membership lists of the Committee and Working Group are appended to this Report.

Draft Recommendations Considered

Participants were provided in advance with the text of four Draft Recommendations, developed over the previous six months by the Steering Committee.

The Final Recommendations are detailed beginning on page 19.

Draft Recommendation 1

- 1) The Ninth BC Justice Summit recommends that by March 31, 2019, there be agreed a digital information management strategy for the BC justice and public safety sector, and having the following elements and attributes:
 - a) clearly stated objectives regarding e.g. (a) access to justice, (b) resource efficiency, (c) security, and (d) timeliness as they related to digital information management;
 - b) establishment of provincial standards concerning information management and exchange and digital identity in criminal, civil and family, and administrative process,
 - i) specific to those individual areas, e.g. to disclosure or to civil discovery; but also
 - ii) generally applicable wherever appropriate, to facilitate migration of effective approaches across the sector;
 - c) no established processes regarding specific technologies, provided standards are met;
 - d) timelines and milestones for realization of the strategy; and
 - e) associated empirical baseline and progress indicators; while
 - f) preserving the roles of justice sector actors/participants, judicial independence and privacy.

Draft Recommendation 2

- 2) The Ninth BC Justice Summit recommends that for the purposes of the actions set out in Recommendation 1, via discussions initiated by the Ministry of Attorney General, and involving all significantly implicated sector actors/participants, there be:
- a) agreement on appropriately detailed senior sponsorship and participation in the development of the strategy and in its ongoing application, with any such senior body to be convened no later than March 2018; and
 - b) identification of ongoing, dedicated core support at a more technical level for promotion and application of the strategy; and that
 - c) any such arrangement respect the roles of justice sector actors/participants, judicial independence and privacy.

Draft Recommendation 3

- 3) The Ninth BC Justice Summit recommends the immediate establishment of a multilateral expert group tasked with provision of a coordinated sector response to Network BC regarding forthcoming provincial, federal and private investments in connectivity at the community level, with particular attention to:
- a) Access to justice for Indigenous peoples;
 - b) Access to justice for citizens in rural and remote areas;
 - c) Enhanced timeliness of public safety responses;
 - d) Efficiency of remote communication and information transfer by police.

Draft Recommendation 4

- 4) The Ninth BC Justice Summit recommends, in recognition of the variable technology available to the judiciary, sector professionals, and citizens in courthouses, but also of recent advances in affordable communications technology, the establishment by March 31 2019, via consultation facilitated by the Ministry of Attorney General, of:

- a) a set of sustainable provincial baseline technology access standards in court proceedings, including a means for updating these standards in step with technological change; and
- b) a strategy for the study, and piloting in certain locations and/or specific processes, of the broader use of video and other communications technology in British Columbia courts to enhance access to justice, timeliness, and efficient use of resources.

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Summit Proceedings

Summit Opening

The Summit was brought to order by Caroline Nevin, the Summit Moderator. Participants were welcomed to the University of British Columbia by Associate Professor Cristie Ford of the Faculty of Law, on behalf of Dean Catherine Dauvergne.

Assistant Commissioner Stephen Thatcher of RCMP “E” Division provided a welcome to participants on behalf of the public safety community. Assistant Commissioner Thatcher noted the RCMP’s support for solutions including cloud technology for evidence management and the accompanying need to look beyond single organization solutions, and expressed thanks to participants for supporting a platform to collaborate across the sector.

The Summit was then officially opened by the Honourable David Eby, QC, Attorney General of British Columbia. Minister Eby reminded participants of the significant potential for technology to impact our sector, including its capacity to enable fair and timely access to justice, and reaffirmed that the recommendations of the Summit would be taken very seriously by the government of British Columbia.

David Loukidelis, the Summit Facilitator, then set out the Summit rule of non-attribution, and guided participants through the remainder of the Summit program.

Session One – A Multilateral Strategy on Digital Information Management and Transfer

The purpose of Session One, and the subsequent discussion by participants, was to build on discussions at the Eighth Summit addressing the management of digital information and pathways to resolve identified challenges. The task for participants in the breakout session was to consider their support for Draft Recommendations One and Two, including any suggested changes.

Presentations

The first presentation, by acting BC Government Chief Information Officer Ian Bailey, addressed the integrity and accessibility of digital information in the sector. Mr. Bailey noted

that the silo-ed architecture of information held by government had been built with good intentions, but was frustrating and highly redundant from a user perspective. To resolve some of the associated issues, the justice and public safety sector could make effective use of the BC government identity program: more than simply utilizing the services card, there would be benefit in engaging the whole program and legislation to improve security and assisting with integration challenges. Rather than doing a long-term build of an all-encompassing system, we may take advantage of new, “agile” and incremental approaches, and take advantage of the flexibility afforded by distributed ledger technology to build secure networks.

The second presentation, by Kevin Conn, Andrea Kolot and Blair Neufeld of the Ministry of Attorney General, provided a look at a hypothetical future state of digital information management in criminal justice, in which participants’ timely access to relevant documents might be managed through a system of “Single Source Disclosure.” With the need for fast, secure, reliable disclosure currently unmet, and with those challenges becoming increasingly acute in light of the decision in *R v. Jordan*, the presentation set out a model in which a single repository would enable all users to access the same trusted information. Operationally, mobile device photos, videos, statements and other items could be secured via blockchain and accessed locally by each of the key actors in a criminal case, with each file being reliably considered as an original copy and redundant storage kept to a minimum. Distributed ledger technology means that an incrementally applied, network-based approach can be employed to achieve such an outcome and that local applications can be integrated effectively, rather than targeting a single sector-wide system built over multiple years.

Panel Discussion

Comments on the presentations were offered by Jim Hughes of the BC Prosecution Service, Nathan Buckham of BC Corrections, Kasandra Cronin of LaLiberté Cronin Ltd., and Allan Sucking of RCMP “E” Division IT Core Services. Several themes were drawn out in discussion.

A next generation solution is urgently required with clear governance. There is a significant amount of work happening at the agency or bilateral level in the disclosure space, involving police agencies, the Crown, and Corrections. Disclosure requirements and interoperability

challenges are becoming overwhelming, particularly for police, and standardization is urgently needed. We recognize that there are immediate requirements which must be resolved by agencies now regardless of any prospective sector-wide agreement. But notwithstanding the direct short term rationale for much of the work currently occurring at these levels, it is clear the sector's long term needs require a more systemic, standards-based approach, accompanied by appropriate governance which provides a seat at the table for non-government participants; the technology itself is a secondary consideration. Governance is of added relevance due to the question of the 'ownership' of digital information at particular stages, as well as the fact that any particular collective solution must be agreed amongst actors and agencies and cannot be imposed.

Cloud technology is increasingly viable as a storage and sharing solution. Long-standing, significant, and legitimate concerns exist about the use of cloud services to manage data storage for our sector, relating in particular to the lack of Canada-based providers exclusively subject to Canadian law (*i.e.* access to information and privacy legislation). While BC has the strictest legislation in the world regarding cloud solutions, there are now commercial on-demand cloud computing data centre providers in Canada and government is increasingly close to being able to satisfy legal and security requirements to use those services. There is strong interest from sector participants in using cloud solutions, with the caveat that important foundational pieces such as identity management, access rights, and cloud access via multiple applications must be resolved prior to any adoption. It is likely that utilizing the cloud would result in substantial efficiencies of time and money.

Blockchain (distributed ledger) technology offers promise but is not a cure-all.

Participants, particularly those with greater technical knowledge, saw blockchain technology as offering significant advantages in terms of data integrity, limiting redundancy, and security issues. Another major benefit is the potential to create not a mega-system but an underlying solution which allows diverse agency-level applications to manage and share information quickly, securely and with integrity. At the same time, blockchain does not in itself resolve privacy and access issues, such as who "owns" a document at any particular point, or who is accountable for ensuring security against breaches. The issue of digital rights management, critical to the custody of documents and the sequence of disclosure, is not inherently resolved by blockchain. Blockchain is not immune to issues associated to file

size and storage. As a solution, it will face the same standards applicable to any means of managing information in order to determine the veracity and integrity of the information produced in court. “Hash” fingerprints may guarantee that a particular document is an original/unchanged artifact, but not that the correct/original version was loaded into blockchain. Blockchain relies fundamentally on the number of “eyes” watching the blockchain, and how this might be implemented while maintaining privacy is an open problem, but one that is generally seen as solvable.

Technology needs to have user friendly interfaces and be flexible to meet the varied needs of the participants in the system. Paper files can still be more helpful in small cases, particularly in light of the unchanged legal aid tariff which mitigates against higher-tech applications in defence offices (in contrast, paper files are inappropriate in a corrections setting). We need to remember that our system is comprised of tech-friendly early adopters, and those who assimilate new technologies more gradually. Our work places a premium on issues of continuity, information ownership and responsibility, redaction, and the back-and-forth, fluid nature of disclosure and creation of work product. If the solutions we consider are not sufficiently flexible and respectful of the nature of criminal work, we should not rush to adopt them.

Digital information management is more than a police-Crown disclosure issue. This area of work is of great significance to provincial and federal correctional services, accessing documents as people come into the system, and also sharing documents about those in the system. In these settings paper is a liability for security purposes. Similarly, efficient access, storage, and viewing rights are of importance in the civil and family system, and raise the issue of the role government could or should play where litigants are primarily private actors but the system of adjudication is public.

Plenary Feedback on Draft Recommendations 1 and 2

Following the panel presentations, participants engaged in discussion in small groups convened in breakout rooms, addressing the following questions:

- a) *Are you generally supportive of Draft Recommendations One and Two in principle? Are there any significant additions, edits or caveats you feel it is important to make?*

- b) *What current specific issues or problems do you feel should have highest priority in such a strategy?*
- c) *Who needs to be at the table (e.g. organizations, roles, professions etc.) to ensure that the strategy is effectively overseen, led and implemented?*
- d) *What are the critical factors that will lead to successful implementation, or conversely contribute to a risk of failure?*

Returning to plenary, participants' comments reflected a number of themes:

1. **General support of the spirit and intent of Draft Recommendations 1 and 2.** Participants viewed these Recommendations as a logical development from and response to concerns and opportunities identified at the Eighth Summit, and expressed agreement with the urgency expressed in the text. Discussion of the Recommendations around a digital information management strategy was concerned less with whether or not they should be adopted, and more with questions of the sequencing, scope, resources and structure needed to take effective action.
2. **Effective action requires an effective governance structure.** Participants saw establishment of a governance arrangement by March 2018 as an important first step. The senior governance body should ideally be small, reflective of capacity and exposure to digital information management issues. The governance body should concern itself with a vision, objectives, approval of standards, approval of preferred solutions, timelines, and above all securing investment. The governance body will require input from at least two other larger groups, including (a) users with respect to needs and solution design, and (b) technical/operational expertise to assist with environmental mapping, standards, solutions research, development, implementation, and testing, as well as support the governance group in the process of securing investment. The governance body should report out on a regular basis.
3. **Early focus must be on problem definition, not jumping to solutions.** Following on from the high-level discussion at the Summits, the sector now requires a clear, detailed understanding of the problems faced. We have the opportunity to learn from past major leaps, such as that experienced in the development and roll-out of

PRIME. PRIME was a major accomplishment; were we to do it over again we would look at it differently due to current knowledge, new tools available, and the experience of that complex implementation. An initial environment map and inventory is required, to identify e.g. the issues and needs which have surfaced, how these challenges are currently being met, and which issues of interoperability exist. With these tasks completed, the development of standards will be far better informed. *Ad hoc* solutions are already arising, and so it will be necessary to complete these tasks quickly in order to realize the best economies of scale, and ensure that benefits are realized in an efficient manner.

4. **The initial scope of our work should be restricted to criminal justice.** Participants were generally agreed that the criminal system was the right beginning. There is every reason to believe that innovation in the criminal sphere can be scaled more broadly, but in the interests of simple governance and a limited set of problems to address the criminal system is the current priority. There was agreement that standards are needed, but they should be informed by users via a more agile approach (test then inform; test then inform; etc.).
5. **More realistic timelines are required.** The current sequence as set out in the Draft Recommendations is too fast to be effective. There was general agreement with the idea of having a governance group set up with clear objectives and appropriate support by March 2018. However, the suggested order of Draft Recommendations 1 and 2 should be reversed. Once the leadership group is established, subsequent specific objectives and associated timelines should be the responsibility of that body, rather than being pre-ordained.
6. **Our common needs make standards and interoperability critically important.** Fundamentally, all major parts of the sector have the common challenge of information management, with many overlapping concerns regarding security, access, sharing, data integrity, and ownership. Notwithstanding these common needs we have tended to independent solutions. However, given these common challenges, while avoiding any “mega-system” approach it is clear that standards are important as is interoperability. Those who manage different case management systems can and should come together around naming protocols and other business rules.

7. **A digital information strategy requires dedicated resourcing.** Participants were in general agreement that implementing the revised Recommendations cannot be a side-of-the-desk effort. Dedicated funds will be required, as well as allocation of knowledgeable personnel in the right roles. A governance structure is required and must be appropriately supported and resourced, but not bloated with many layers: real resources must be applied to dedicated project leadership, technical capacity and change management. The importance of this work and its implications for sector resource usage are such that, if new funds cannot be identified, active consideration should be given to transferring funds from elsewhere in the sector.

Session Two – Improving Access and Efficiency via Technological Infrastructure

The purpose of Session Two, and the subsequent discussion by participants, was to build further on discussions at the Eighth Summit which dealt with technological challenges and opportunities (both simple and complex) related to the courts, to court processes, and access to justice. The task for participants in this breakout session was to consider their support for Draft Recommendations Three and Four, including any suggested changes.

Presentations

The first presentation, by Susan Stanford of Network BC, outlined forthcoming provincial connectivity investments and their prospective alignment with justice and public safety priorities, including access to justice. The focus of Network BC is on building connectivity and bandwidth so that residents in more remote/rural communities can participate in electronic interactions, engage in the digital economy, and access services more effectively. There are substantial differences between the coverage and access enjoyed by southwestern urban residents and that enjoyed by many other regions of the province, including many of BC's indigenous communities. From a justice perspective, speed affects ability to offer digital courtrooms just as much as it does medical imagery. Significant investment of up to two billion dollars in regional connectivity improvement is planned over the next four years, and there exists an immediate opportunity to ensure that expenditure is aligned with underserved communities in terms of (for example) available bandwidth for courthouses, or videoconferencing for remote appearances.

NINTH BC JUSTICE SUMMIT REPORT OF PROCEEDINGS

The second presentation, by Lynda Cavanaugh, Assistant Deputy Minister of Court Services Branch, addressed the opportunities, constraints and future direction for courthouse technology and infrastructure. There are currently 89 court locations in BC, with considerable time spent by judges, court personnel and justice participants in transit for circuit courts and other court attendance. The challenges of distance suggest real efficiencies may be achieved by expanding remote access substantially. While we are not there yet, there are a significant number of innovations underway, including remote access devices in courtrooms, online divorce, self-serve scheduling for sheriffs, e-Filing, and online dispute resolution. Innovations such as these proceed within an environment that is necessarily constrained by considerations of public confidence, respect for the independence of the courts, cost-benefit analysis regarding technology, budgetary constraints, and privacy and security issues. The near future will see an accent on improving connectivity in courthouses, provincial network improvements, and strategic planning around teleconferencing.

The third presentation, by the Honourable Thomas Crabtree, Chief Judge of the Provincial Court of British Columbia, considered a principled approach to new technologies in the Courts. The presentation made clear from the outset that the technological divide between urban BC and those who live in rural, northern, remote and/or Indigenous communities is as stark in the justice system as it is elsewhere, contributing to a very real sense of isolation. Digital improvements offer the opportunity to make an impact on this situation. The Provincial Court has already engaged technology in several areas, including interim applications, in-custody video appearances, video bail hearings, and the use of videoconferencing for the “Have a Judge/Need a Judge” program to match available judges with lengthy dockets in other locations. Opportunities in the future may include pre-trial matters and some aspects of trial process, including expert witness testimony. In thinking of these opportunities, we cannot lose sight of fundamental principles of law including the right to a fair trial, the open court principle, and the need to be procedurally fair to all parties. As the EU has recommended, technology should not diminish procedural safeguards of a hearing, hinder the judge’s role in hearing evidence, or interfere with the power to

compel and determine the importance of evidence within a case.¹ In addition, we should not dismiss the symbolic role of judge and court in the community, and consider the cost of diminishing those symbols via the misapplication of technology. With these caveats in mind, justice must be in the community, which leads us to conversations about technology that will enhance the community presence of and access to justice.

Plenary Feedback on Draft Recommendations 3 and 4

Following the panel presentations, participants engaged in discussion in small groups convened in breakout rooms, addressing the following questions:

- a) *Are you generally supportive of Draft Recommendations 3 and 4 in principle? Are there any significant additions, edits or caveats you feel it is important to make?*
- b) *Is the setting of standards for technology in the courts (e.g., expectations re internet access, or capacity to exhibit electronic materials) a realistic goal? If so, what basic expectations might be established? Please give examples.*
- c) *What role can video or virtual technology play in enhancing access to justice and improving sector efficiency? What are the risks it presents? Are there certain categories of case, or kinds of appearances, which are well suited (or poorly suited) to its application?*

Returning to plenary, participants' comments reflected a number of themes:

1. **General support of the spirit and intent of Draft Recommendations 3 and 4**, though not as drafted. In particular, participants felt that Draft Recommendation 3 required less process than had been originally included, or perhaps no formal recommendation at all, and that the piloting approach to video conferencing in Draft Recommendation 4b was unnecessary given the high level of acceptance of these technologies currently.

¹ Consultative Council of European Judges, Opinion No. (2011)14: “Justice and information technologies (IT)”; Strasbourg, November 9, 2011.

2. **Early, simple, and collaborative feedback to Network BC.** Participants were in general agreement that the sector was well placed to make early investment recommendations, and ensure that justice sector needs, in addition to other needs, were accounted-for in Network BC's plan. Underserved locations, including remote, Northern and Indigenous communities, and under-resourced networks and capacity, are well known and overlap extensively within our sector and across other sectors; as such, a simple approach, rather than a comprehensive study, would be most effective and beneficial. Some participants pointed out that this opportunity did not negate the need to engage with rural, remote and/or Indigenous communities on their own terms, not simply equating questions of access with those of technological reach.
3. **We should be bolder in embracing video technology in the courts, questioning our assumptions about the need for “bricks and mortar.”** Many participants were in agreement regarding the important principles of justice which must be respected, but did not feel that these were significantly threatened by video technology. The technology is not new technology and our hurdles may be a question of mindset: in theory, if using video, where that individual is located is an extension of the court. Other Commonwealth locations have employed similar approaches, including the UK, to little ill effect. There is no need to engage in any further piloting, provided the technology implemented proves sufficiently reliable, and provided we recognize that certain circumstances (such as assessing credibility or mental health issues) still warrant in-person attendance. The technology is well established to permit police to attend court via video conference, accused persons to attend bail hearings remotely, parties in Provincial Court to attend pre-trial activities remotely, and duplicate filing to be reduced. There is also the opportunity to consider further manifestations of related technology such as mobile video, or applications such as Skype and FaceTime. There may be situations in which it is appropriate for attendance from locations not controlled by the Court (law offices, homes, remote attendance, etc.).
4. **Blanket standards for courthouse technology may have unintended negative consequences.** Participants distinguished between using standards and assigning priorities. The use of rigid standards may drive allocation of resources and could tend to disassociate resources from where the real needs are. For example, a smaller

community may need physical space so that the victim and accused are not in the same place when waiting; in this circumstance a video set-up or broadband is not the priority. Participants were supportive of certain basic standards (such as Wi-Fi for counsel), however, with such standards being determined by a needs assessment.

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Final Recommendations of the Ninth BC Justice Summit

Based on the feedback from participants in plenary discussion at the Summit, in its preparation of this report the Steering Committee has developed three final Recommendations, which have been reviewed by all participants in the editing stage of this document.

Further to deliberations in 2017 at the Eighth and Ninth BC Justice Summits on the issue of “Justice and Technology,” the Summit makes the following Recommendations:

Recommendation 1

The Ninth BC Justice Summit recommends that, in light of issues identified at the Eighth Summit with respect to digital information, including but not limited to security, storage, timeliness, sharing, fair access, and redundancy, a Digital Information Management Strategy be developed and implemented for the BC justice and public safety sector, having the following elements and attributes:

- a) clearly stated objectives regarding e.g. (a) access to justice, (b) resource efficiency, (c) security, and/or (d) timeliness as they related to digital information management;
- b) delineation of provincial standards concerning information management and exchange and digital identity in criminal justice process;
- c) inclusion of any other elements which the steering committee (see Recommendation 2) may deem appropriate in its deliberations;
- d) expected timelines and identified performance indicators for the strategy; and
- e) regular progress reporting to the Ministers, the Courts, and the Summit; while
- f) preserving the roles of justice sector actors/participants, judicial independence and privacy.

Recommendation 2

The Ninth BC Justice Summit recommends that, in the interest of implementing a Digital Information Management Strategy for BC's justice and public safety sector, there be established via discussions initiated by the Deputy Attorney General and Deputy Solicitor General including all significantly implicated sector actors/participants:

- a) a sector-wide steering committee responsible for the development and implementation of the strategy, to be convened initially by June 30 2018. This committee should be initially concerned with digital information management within the criminal justice system and its members should be identified accordingly. It should:
 - a. be composed of the most senior representatives of participating entities;
 - b. focus initially on the subject matter of Recommendation (1);
 - c. be empowered to set high-level objectives and timelines; and
 - d. be accompanied by recognition that any such arrangements respect the roles of justice sector actors/participants, judicial independence and privacy;
- b) subject-matter support for the steering committee, appropriate to ensure the committee is able to take well-informed decisions; and
- c) resourcing appropriate for the entities in (a) and (b) to manage, communicate and oversee implementation of the strategy.

Recommendation 3

The Ninth BC Justice Summit recommends, in recognition of the variable technology available to the judiciary, sector professionals, and the public in courthouses, but also of recent advances in affordable communications technology, the development of a set of provincial standards for technology access in court proceedings, including a means for updating these standards in step with technological change.

Summit Closing and Appreciation

Participants heard a closing address from the Honourable Robert Bauman, Chief Justice of British Columbia, who underscored the role of technology as being limited to the extent it serves the overriding objective of a fair justice system. The Chief Justice also highlighted the value of independent branches of government, and independent actors within the sector, continuing to come together via the Summit process to consider common challenges and hear others' perspectives on how progress may be made, a process which is proving productive.

Chief Justice Bauman was thanked by the Honourable Mike Farnworth, Minister of Public Safety and Solicitor General of British Columbia, who noted the significance of the discussions held this year and the importance of the enduring support of the Summit process by government and opposition alike. Minister Farnworth stressed the enduring relevance of technology as a potentially positive and negative influence on the health and functioning of the executive branch, the judicial branch, and on an independent media. Minister Farnworth congratulated the facilitator and organizers on a successful cycle of summits in 2017.

The Moderator then declared the Summit adjourned.

Appreciation

The Committee would like to express its thanks to the participants at the Ninth British Columbia Justice Summit, whose continuing commitment and goodwill contributed greatly to the event.

The Committee would like to thank the Honourable David Eby, QC, the Honourable Mike Farnworth, the Honourable Robert Bauman, Professor Cristie Ford, and Assistant Commissioner Stephen Thatcher for their remarks of welcome and closing.

The Committee extends its appreciation to the Honourable Thomas Crabtree, Ian Bailey, Kevin Conn, Blair Neufeld, Andrea Kolot, Allan Suckling, Jim Hughes, Kasandra Cronin,

NINTH BC JUSTICE SUMMIT REPORT OF PROCEEDINGS

Nathan Buckham, Susan Stanford and Lynda Cavanaugh for their time and contribution as panelists.

The Steering Committee would also like to thank Dean Catherine Dauvergne and staff of the University of British Columbia, Faculty of Law, for their generosity and flexibility in once again creating an excellent setting for the Summit.

Finally, the Steering Committee would like to thank the Summit facilitator, David Loukidelis; the Summit moderator, Caroline Nevin; Michelle Burchill of the Allard School of Law; and the many individual employees of public, private and not-for-profit justice and public safety organizations, agencies and firms in British Columbia who made direct personal contributions to the success of the Ninth Justice Summit.

The 2018 BC Justice Summit Cycle

Summit themes for the Spring and Fall will be developed and communicated in due course, further to dialogue with sector participants.

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Preparation of Report of Proceedings

This *Report of Proceedings* was prepared by the Summit Steering Committee for the Honourable David Eby, Attorney General; the Honorable Mike Farnworth, Minister of Public Safety and Solicitor General; the Honourable Chief Justice Robert Bauman, Chief Justice of British Columbia; the Honourable Chief Justice Christopher Hinkson, Supreme Court of British Columbia; and the Honourable Chief Judge Thomas Crabtree, Provincial Court of British Columbia.

The Report was made available in draft to all participants in the editing stages for review and comment, prior to being delivered as a finished product to the Ministers, Chief Justice and Chief Judge, and subsequent release to the public.

Summit Feedback

Comments on this *Report of Proceedings* and the Summit process are encouraged and may be emailed to the Summit Coordinator at justicereform@gov.bc.ca.

Written communication may be sent to:

Allan Castle, PhD
Coordinator, BC Justice Summit & BC Justice and Public Safety Council
c/o Ministry of Justice
Province of British Columbia
1001 Douglas Street
Victoria, BC V8W 3V3
Attention: Justice Summit

Appendix I: Summit Agenda

0800 Registration and coffee

0830 Summit Opening

- *Welcoming remarks:*
 - **Caroline Nevin** (Summit Moderator), Executive Director, Canadian Bar Association
 - Associate Professor **Cristie Ford**, Allard School of Law
 - Assistant Commissioner **Stephen Thatcher**, RCMP “E” Division
- *Summit opening:*
 - The Hon. **David Eby**, QC, Attorney General of British Columbia

0900 Introduction to the Summit’s Objectives

0915 Session 1: A Multilateral Strategy on Digital Information Management and Transfer

- *Remarks*
 - **Ian Bailey**, Acting Chief Information Officer, Government of British Columbia
 - “Securing the Integrity and Improving the Accessibility of Digital Information in the Sector”
 - **Kevin Conn**, Director, Court Innovation, Court Services Branch; **Blair Neufeld**, Director, Digital Services, Information Systems Branch; **Andrea Kolot**, Digital Services Specialist, Information Systems Branch (all Ministry of Attorney General)
 - “Digital Information Management: Future Possibilities”
- *Respondents*
 - **Allan Suckling**, OIC IT Core Services, Information Management & Technology Branch, RCMP E-Division
 - **Jim Hughes**, Chief Legal Technology Counsel, BC Prosecution Service
 - **Kassandra Cronin**, Partner, LaLiberté Cronin & Company (TBC)
 - **Nathan Buckham**, Director, Strategic Technology & Corporate Projects, BC Corrections Branch

NINTH BC JUSTICE SUMMIT REPORT OF PROCEEDINGS

1030 Break

1045 Session 1 continued: Breakouts (see room assignments sheet)

Breakout discussions will be facilitated by members of the Summit steering committee.

1200 Lunch

1300 Session 1 (conclusion): Plenary report and discussion

Breakout groups report in a facilitated plenary session.

1345 Session 2: Improving Access and Efficiency via Technological Infrastructure

- *Remarks*

- **Susan Stanford**, Executive Lead, Network BC
 - “Provincial Connectivity Investments and Alignment with Justice and Public Safety Priorities and Access to Justice”
- **Lynda Cavanaugh**, Assistant Deputy Minister, Court Services Branch
 - “Courthouse Technology and Infrastructure: Opportunities, Constraints and Future Direction”
- The Hon. **Thomas Crabtree**, Chief Judge, Provincial Court of British Columbia

1445 Break

1500 Session 2: Breakout sessions

Breakout discussions will be facilitated by members of the Summit steering committee.

1600 Session 2 (conclusion): Plenary report and discussion

Breakout groups report in a facilitated plenary session.

1630 Facilitator’s summary of the day’s results

- *Remarks*

- **David Loukidelis**, QC, Summit Facilitator

1640 Closing

- *Closing remarks*
 - The Hon. **Robert Bauman**, Chief Justice of British Columbia
 - The Hon. **Mike Farnworth**, Minister of Public Safety and Solicitor General of British Columbia
- *Appreciation and adjournment*
 - **Caroline Nevin**, Moderator

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Appendix II: Summit Participants

Anderson, Brian (Acting Director Business Operations, BC Prosecution Service)

Bailey, Ian (Acting Chief Information Officer, Government of British Columbia)

Bauman, Honourable Robert (Chief Justice, of British Columbia)

Bayes, Shawn (Executive Director, Elizabeth Fry Society of Greater Vancouver)

Boucher, Denis (Chief Superintendent, Mgmt. Information and Technology, RCMP "E" Division)

Boyle, Patti (Assistant Deputy Minister, Community Safety and Crime Prevention Branch, Ministry of Public Safety and Solicitor General)

Bond, Allison (Deputy Minister, Children and Family Development)

Buckham, Nathan (Director, Strategic Technology and Corporate Projects, BC Corrections Branch, Ministry of Public Safety and Solicitor General)

Cavanaugh, Lynda (Assistant Deputy Minister, Court Services Branch, Ministry of Attorney General)

Cheema, Sundeep (Acting Assistant Deputy Commissioner, Integrated Services, Correctional Service of Canada)

Clark, Andrew (Technology Consultant, Willowtree Consulting)

Crabtree, Honourable Thomas (Chief Judge, Provincial Court of British Columbia)

Cronin, Kasandra (Partner, LaLiberté Cronin & Company)

Davey, Michelle (Superintendent, Investigative Division, Vancouver Police)

Dubord, Neil (Chief Constable, Delta Police; President, BC Association of Municipal Chiefs of Police)

Eby, Honourable David, MLA (Attorney General of British Columbia)

Flegel, Pam (John Howard Society of the Lower Mainland)

Ford, Cristie (Associate Professor, Allard School of Law, University of British Columbia)

Fyfe, Richard (Deputy Attorney General, Ministry of Attorney General)

Gehl, Bob (Chief Operating Officer, PRIMECorp)

NINTH BC JUSTICE SUMMIT REPORT OF PROCEEDINGS

Gerhart, Todd (Chief Federal Prosecutor, Public Prosecution Service of Canada, BC Region)

Grüter-Andrew, Oliver (CEO, PRIMECorp; President and CEO, E-Comm 911)

Hastings, Brandon (Lawyer, Quay Law Centre)

Hinkson, Honourable Christopher (Chief Justice, Supreme Court of British Columbia)

Hughes, Jim (Chief Legal Technology Counsel, BC Prosecution Service)

Kimberley, Kate (Director, Strategic Planning and Priorities, BC Prosecution Service)

Leung, Karen (Legal Officer, Office of the Chief Judge, Provincial Court of British Columbia)

Loukidelis, David (**Facilitator**) (David Loukidelis Law Corporation)

MacLennan, Alex (Executive Director, Road Safety Initiative, Road Safety BC)

MacLennan, Sherry (Director, Public Legal Information, Legal Services Society)

McLean, Kimberley (Provincial Director, Strategic Operations Division, BC Corrections Branch, Ministry of Public Safety and Solicitor General)

Mason, Heidi (Director, Legal Advice and Representation, Legal Services Society)

McBride, Heidi (Executive Director and Senior Counsel, Superior Courts Judiciary)

Merner, David (Executive Director, Dispute Resolution Office, Justice Services Branch, Ministry of Attorney General)

Mezzarobba, Marcie (Executive Director Victim Services and Crime Prevention, Community Safety and Crime Prevention Branch, Ministry of Public Safety and Solicitor General)

Morley, Jane (Lawyer and Mediator; and Coordinator, Access to Justice BC)

Morris, Mike, MLA (Opposition Critic for Public Safety and Solicitor General)

Nevin, Caroline (Executive Director, Canadian Bar Association BC Branch)

Nolette, Dave (Digital Program Director, Justice Education Society of BC)

O'Neill, Robert (A/Chief Information Officer, Justice and Public Safety Sector)

Outerbridge, Timothy (Registrar, Court of Appeal for British Columbia)

Pecknold, Clayton (Assistant Deputy Minister and Director of Police Services, Policing and Security Branch, Ministry of Public Safety and Solicitor General)

NINTH BC JUSTICE SUMMIT REPORT OF PROCEEDINGS

Poulin, Sonia (Executive Director, Justice Education Society of BC)

Robertson, Wayne (Executive Director, Law Foundation of British Columbia)

Rude, Jason (Senior Director, Support Services, Vancouver Police)

Rudolf, Sally (Legal Counsel, Court of Appeal for British Columbia)

Salter, Shannon (Chair, Civil Resolution Tribunal)

Sandstrom, Kurt (Assistant Deputy Minister, Justice Services Branch, Ministry of Attorney General)

Schmidt, Tracee (Executive Director, Strategic Projects, Information Systems Branch, Justice and Public Safety Sector)

Shackelly, Darryl (Program Director for Changing Directions in Support of Aboriginal Youth, Native Courtworker and Counselling Association of BC)

Sieben, Mark (Deputy Solicitor General, Ministry of Public Safety and Solicitor General)

Stanford, Susan (Executive Lead, Network BC)

Spraggs, Thomas (Lawyer, Spraggs and Company)

Suckling, Allan (OIC IT Core Services, Information Management & Technology Branch, RCMP "E" Division)

Thatcher, Stephen (Assistant Commissioner, Lower Mainland District Commander, RCMP "E" Division)

Thomson, Kathryn (Lawyer and Technology Consultant)

Veenstra, Bill (President, Canadian Bar Association, BC Branch)

Vonn, Micheal (Policy Director, BC Civil Liberties Association)

Webb, Mike (CTO PRIMECorp; VP of Technical Services, E-Comm 911)

Whitcombe, Adam (A/Executive Director, Law Society of British Columbia)

Wild, Joanne (Inspector, Investigative Division, Vancouver Police Department)

Wilkinson, Andrew, MLA (Opposition Critic for Justice and Attorney General)

Wishart, Honourable Susan (Associate Chief Judge, Provincial Court of British Columbia)

Zabarauckas, Carmen, (Executive Director, Tribunal Transformation Initiative, Justice Services Branch, Ministry of Attorney General)

Appendix III: Summit Organizing Team

Steering Committee (and *observers)

(Chair) Allan Castle Coordinator, BC Justice Summits/BC Justice and Public Safety Council

Elenore Arend Assistant Deputy Minister, BC Corrections Branch

Bob Gehl Chief Operating Officer, PrimeCorp

Brandon Hastings Quay Law Centre (representing Canadian Bar Association)

Kate Kimberley Director, Strategic Planning, BC Prosecution Service

David Loukidelis (Summit Facilitator) David Loukidelis Law Corporation

Alex MacLennan Executive Director, Road Safety Initiative

Sherry MacLennan Director, Public Legal Information and Applications, Legal Services Society

David Merner Executive Director, Dispute Resolution Office, Justice Services Branch

Denis Boucher Chief Supt., Management Information and Technology, RCMP "E" Division

Lynda Cavanaugh Assistant Deputy Minister, Court Services Branch

Robert O'Neill Acting Chief Information Officer, Justice and Public Safety Sector

Mark Sieben Deputy Solicitor General

Heidi McBride* Executive Director & Senior Counsel, Superior Courts Judiciary

Sally Rudolf* Legal Counsel, Office of the Chief Justice, Court of Appeal for British Columbia

Karen Leung* Legal Officer, Office of the Chief Judge, Provincial Court of British Columbia

NINTH BC JUSTICE SUMMIT REPORT OF PROCEEDINGS

Working Group

Chris Mah	Executive Director, Strategic Initiatives, Information Systems Branch
Dan Chiddell	Director, Strategic Information & Business Applications, Court Services Branch
Kevin Conn	Director, Court Innovation, Court Services Branch
Mac Campbell	Director of Business Transformation, Dispute Resolution Office
Michelle Clough	Project Manager, BC Prosecution Service
Andrea Kolot	Service Design Specialist, Digital Services, Information Systems Branch, Justice and Public Safety Sector
Blair Neufeld	Director, Digital Services, Information Systems Branch, Justice and Public Safety Sector
Tlell Raffard	Director, Digital Delivery and Project Integration, RoadSafetyBC
Victor Liang	Research Officer, Maintenance Enforcement & Locate Services, Justice Services Branch

Special thanks to Annette Gibbons, Rozi Dobreci, Brandie Youell, Emma Valentinuzzi, and Jasmine Tam of Justice Services Branch, and to Michelle Burchill, Events Manager, Peter A. Allard School of Law, University of British Columbia.

Appendix IV: Justice and Public Safety Council

Under provisions of the *Justice Reform and Transparency Act*, Council members are appointed by Ministerial order and may include those in senior leadership roles in the government with responsibility for matters relating to the administration of justice in British Columbia or matters relating to public safety, or any other individual the Minister considers to be qualified to assist in improving the performance of the justice and public safety sector. The membership and current affiliations at the time of the Summit included:

Richard Fyfe (Chair)	Deputy Attorney General, Ministry of Attorney General
Mark Sieben (Vice-Chair)	Deputy Solicitor General, Ministry of Public Safety and Solicitor General
Elenore Arend	Assistant Deputy Minister, BC Corrections, Ministry of Public Safety and Solicitor General
Allison Bond	Deputy Minister, Ministry of Children and Family Development
Patti Boyle	Assistant Deputy Minister, Community Safety and Crime Prevention, Ministry of Public Safety and Solicitor General
Lynda Cavanaugh	Assistant Deputy Minister, Court Services, Ministry of Attorney General
Peter Juk	Assistant Deputy Attorney General, BC Prosecution Service
Clayton Pecknold	Assistant Deputy Minister, Policing and Security, Ministry of Public Safety and Solicitor General
Kurt Sandstrom	Assistant Deputy Attorney General, Legal Services, Ministry Attorney General
Taryn Walsh	Executive Lead, Strategic Public Safety Initiatives, Ministry of Public Safety and Solicitor General

British Columbia **JUSTICE SUMMIT**

February 23rd, 2018

The Honourable David Eby, QC
Attorney General

The Honourable Mike Farnworth
Solicitor General and Minister of Public Safety

The Honourable Chief Justice Robert Bauman
Chief Justice of British Columbia
British Columbia Court of Appeal

The Honourable Chief Justice Christopher Hinkson
Chief Justice of the Supreme Court of British Columbia

The Honourable Chief Judge Thomas Crabtree
Chief Judge of the Provincial Court of British Columbia

Dear Minister Eby, Minister Farnworth, Chief Justice Bauman, Chief Justice Hinkson and
Chief Judge Crabtree:

Re: Ninth BC Justice Summit, Fall 2017 – Report of Proceedings

On behalf of the Justice Summit Steering Committee, please find enclosed an embargoed copy of the
Ninth Justice Summit Report of Proceedings. The Report provides a summary of the event held
November 24th, 2017, together with resulting recommendations. The Report will be issued in un-
embargoed form to all participants, and published on the internet, at 9:00 am on Monday February 26th.

I am available to answer any questions you may have.

Sincerely,

Allan Castle, PhD
Chair, Justice Summit Steering Committee

Attachment
pc: Richard Fyfe; Mark Sieben

From: Smith, George AG:EX
To: Eby, David AG:EX
Subject: FW: AS REQUESTED: AI QA
Date: Monday, July 16, 2018 1:44:26 PM
Attachments: 551223 - DAG IBN - AI Challenge.pdf
AI Justice Challenge QA.DOCX
Importance: High

FYI – following from last week's meeting

From: Richter, Connie AG:EX
Sent: Monday, July 16, 2018 10:36 AM
To: Smith, George AG:EX
Cc: Harder, Derrick AG:EX; Milne, Gala AG:EX; Scott, Samantha AG:EX; Nanninga, Tanera AG:EX
Subject: AS REQUESTED: AI QA
Importance: High

Good morning, George.

Last week the ADM for CSB briefed the Minister on the RFI (currently posted) for the AI Challenge (BN attached for your convenience).

At the end of the meeting I understand that you requested a Q/A type document in case the vendor community or anyone else had questions, so the AG could be properly informed. That document is attached now for your review/reference.

Thank you, C

Artificial Intelligence (AI) Justice Challenge – Q&A

This document provides key information for all relevant audiences on the AI Challenge Initiative.

1. What is the AI Justice Challenge Event?

The Ministry of Attorney General is organizing a Challenge event in October 2018 that seeks to bring together the IT community and other interested parties to address some of its most pressing business needs. The Challenge is a two-week event that will begin on the Access to Justice Week¹ in October 2018. It will be open to all interested parties; however, only a few will be selected to participate due to the ability and capacity to support the anticipated large number of interested parties.

The focus of the Challenge will be on AI and related innovative technologies, which broadly encompasses innovations along a continuum from machine learning, natural language processing, online virtual assistants to robotic process automation, virtual reality and mobile technologies.

2. Why is this Challenge Event taking place?

Government is committed to make life affordable while delivering services that people can count on every day, anywhere. In the justice sector, this means providing the public with better access to the justice system so that citizens can navigate their legal matters more quickly, easily and affordably.

The justice system is a strong foundation of British Columbia, however, there continues to be the need to address challenges in court delays and system inefficiencies, while improving access to justice for the public. It also means meeting expectations of delivering different types of services that citizens or the increasing number of self-represented litigants demand, through various accessibility options, anytime, from anywhere aided by technology.

Rapidly evolving technology such as AI technologies present a significant opportunity for the justice sector to leverage technology enablers to solve some of its complex and challenging problems. By opening the doors and welcoming innovative ideas, solutions, and collaborations, the AI Justice Challenge offers a tremendous opportunity for both government and the innovation community to collaborate on solving real business challenges that impact millions of people across the province.

3. Who is involved in the Challenge Event?

Through the established Court Technology Board, the Challenge Event is led by the Ministry of Attorney General and the three levels of B.C. Courts. It is also supported by the following partners:

- Innovate BC – provides AI expertise, logistics/event execution, marketing/communication
- Ministry of Citizens' Services – provides solicitation, procurement and technology expertise
- Ministry of Jobs, Trade and Technology – provides technical/data expertise, research and strategic partnerships with the industry and academia

The Challenge will also be supported by academia and researchers as validators and evaluators, and is aligned with government's digital and technology priorities. The Challenge is open to established commercial and start-up businesses that specialize in AI and associated technologies, as well as academic researchers or other non-commercial entities.

4. How is the Challenge Event structured?

The Challenge Event is the foundational starting point of a multi-phased AI Challenge Initiative.

¹ An Access to Justice Week in British Columbia is being organized and led by the Law Schools in B.C., supported by the Access to Justice Committee, and will involve law students and a variety of access to justice activities and events

- **Challenge Event:** a broad invitation through government solicitation processes will be sent to interested parties to participate in a Challenge Event (competition) over a two week period in October 2018. Selected competitors (no more than 20) will be asked to submit AI technology solutions to the chosen business needs. The solicitation for proponents will be sent out August 2018.
- After the Challenge Event, the other phases of the AI Challenge Initiative will depend on the number of promising solutions from the Challenge Event, and the capacity and availability of resources or funding to proceed. The two other phases will be:
 - **Proof of Concept** – promising solutions from the Challenge Event will be selected by a panel of experts to participate in a 16-week residency to produce AI prototypes for selected business needs. It is anticipated up to 6 participants for 3-4 business needs will be included in the phase.
 - **Development:** based on funding availability, successful prototypes from the 'Proof of Concept' phase are supported for further development to completion with the intent of producing implementable AI solutions.

5. What are the five identified business needs and proposed solutions for the AI challenge?

Not all the business needs of the justice sector can be or should be addressed by AI technologies. The following challenges and proposed solutions were selected based on principles such as putting people first, transparency, auditability, transferability to other sectors, and the ability to address real problems:

- a. **Challenge 1 - Smart Online Guide:** could provide timely access to justice, reduce court delays and increase affordability by providing smart virtual aids for accessing services in different languages, or completing many complex court forms in a user-friendly interactive way that eliminates errors.
- b. **Challenge 2 - Intelligent Reviewer:** could reduce processing times and court delays, and increase efficiencies with the enhanced ability to quickly search and organize large amounts of information.
- c. **Challenge 3 - Artificially Intelligent Legal Guide:** will increase affordability and timely access to justice by assisting citizens who find it difficult, cumbersome and financially burdensome to obtain required legal guidance to services such as probate, and/or wills and estates planning.
- d. **Challenge 4 - Auto Transcriber** – will result in faster and cheaper transcription, reducing costs for government and increasing affordability via an automated solution that converts speech to text.
- e. **Challenge 5 - Smart Court Way-finder and Inquirer Platform** – could reduce court delays, increase efficiencies, and improve navigability and timeliness of court proceedings by providing interactive way-, information- and document-finding technologies for court staff and court users.

6. Why is this good for British Columbia?

The solutions that are implemented will go a long way to support a more transparent justice system capable of delivering timely, well-balanced services in efficient ways to the public. The solutions ultimately aim to improve service to the public, and would also be transferable to other public sector organizations, while fostering and contributing to small and big business growth and innovation, and helping create jobs in the strong B.C. technology industry through rapidly emerging AI technologies.

7. What else should we know about the AI Challenge?

The AI Challenge signals B.C.'s commitment to do something different utilizing emerging technologies to address myriad of business problems. From utilizing AI technologies to directly meet expectations of the public and needs of court users – to indirectly contributing to addressing longstanding issues with network connectivity and judicial tools² through the expected learning and gains from AI exploration.

The Challenge also provides an avenue for meaningful partnerships between industry and government.

² The Ministry is currently working with OCIO as part of a larger government strategy to improve network connectivity and WiFi in the courthouses, and as well work is currently underway on judicial tools and related technology including access to digital content

From: Milne, Gala AG:EX
To: Eby, David AG:EX
Cc: Smith, George AG:EX; Harder, Derrick AG:EX
Subject: FW: EMBARGOED report of proceedings 10th Justice Summit
Date: Tuesday, September 18, 2018 12:05:46 PM
Attachments: Report transmittal letter Summit 10.pdf
Tenth Summit Report_Final_Embargoed.pdf

FYI report from the last Justice Summit included here.

Gala

From: Minister, AG AG:EX
Sent: Tuesday, September 18, 2018 8:18 AM
To: Smith, George AG:EX; Milne, Gala AG:EX; Harder, Derrick AG:EX
Subject: FW: EMBARGOED report of proceedings 10th Justice Summit

Good Morning,

Fyi – I have not forwarded this email to the AG.

Candice

From: AG Justice Reform AG:EX

Sent: Monday, September 17, 2018 5:51 PM

To: Minister, AG AG:EX; Farnworth.MLA, Mike LASS:EX; 'dougswhite@gmail.com'; 'lsmith@mncbc.ca'; 'regionalchief@bcagn.ca'; 'nancy@denisiqi.org'; 'robert.bauman@courts.gov.bc.ca'; 'christopher.hinkson@courts.gov.bc.ca'; XT:Gillespie, Melissa AG:IN

Cc: Fyfe, Richard J AG:EX; Sieben, Mark PSSG:EX

Subject: EMBARGOED report of proceedings 10th Justice Summit

The Honourable David Eby, QC

Attorney General

The Honourable Mike Farnworth

Solicitor General and Minister of Public Safety

The Honourable Chief Justice Robert Bauman

Chief Justice of British Columbia

British Columbia Court of Appeal

The Honourable Chief Justice Christopher Hinkson

Chief Justice of the Supreme Court of British Columbia

The Honourable Acting Chief Judge Melissa Gillespie

Acting Chief Judge of the Provincial Court of British Columbia

Regional Chief Terry Teegee

British Columbia Association of First Nations

Mr. Douglas S. White III

Co-Chair, Criminal Justice

British Columbia Aboriginal Justice Council

Ms. Nancy Sandy

Co-Chair, Child Welfare

British Columbia Aboriginal Justice Council

Ms. Lissa Smith

Minister of Justice

Métis Nation of British Columbia

Dear Minister Eby, Minister Farnworth, Chief Justice Bauman, Chief Justice Hinkson, Acting Chief Judge Gillespie, Regional Chief Teegee, Mr. White, Ms. Sandy, and Ms. Smith:
On behalf of the Summit Steering Committee, please find attached an embargoed version of the

report of proceedings of the Tenth Justice Summit, together with covering correspondence. The report will be released to all participants, and published on the internet, at 9:00 am Thursday September 20th.

Should you have any questions, please do not hesitate to get in touch.

Sincerely,

Allan Castle

(Coordinator, BC Justice Summit)

Allan Castle, PhD

Coordinator, Justice and Public Safety Council

& BC Justice Summit

(778) 679-2916

British Columbia **JUSTICE SUMMIT**

September 17th, 2018

The Honourable David Eby, QC
Attorney General

The Honourable Mike Farnworth
Solicitor General and Minister of Public Safety

The Honourable Chief Justice Robert Bauman
Chief Justice of British Columbia
British Columbia Court of Appeal

The Honourable Chief Justice Christopher Hinkson
Chief Justice of the Supreme Court of British Columbia

The Honourable Acting Chief Judge Melisa Gillespie
Acting Chief Judge of the Provincial Court of British Columbia

Regional Chief Terry Teegee
British Columbia Association of First Nations

Mr. Douglas S. White III
Co-Chair, Criminal Justice
British Columbia Aboriginal Justice Council

Ms. Nancy Sandy
Co-Chair, Child Welfare
British Columbia Aboriginal Justice Council

Ms. Lissa Smith
Minister of Justice
Métis Nation of British Columbia

Dear Minister Eby, Minister Farnworth, Chief Justice Bauman, Chief Justice Hinkson, Acting Chief Judge Gillespie, Regional Chief Teegee, Mr. White, Ms. Sandy, and Ms. Smith:

Re: Tenth BC Justice Summit, Spring 2018 – Report of Proceedings

On behalf of the Justice Summit Steering Committee, please find enclosed an embargoed copy of the Tenth Justice Summit Report of Proceedings. The Report provides a summary of the event held May 31st-June 2nd 2018. The Report will be issued in un-embargoed form to all participants, and published on the internet, at 9:00 am on Thursday September 20th.

I am available to answer any questions you may have.

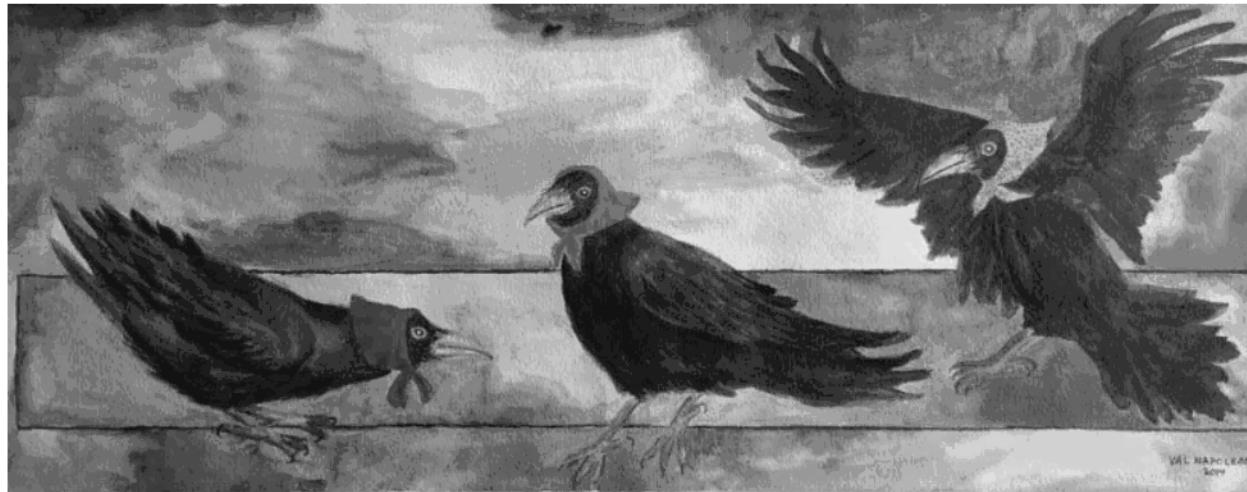
Sincerely,

A handwritten signature in black ink, appearing to read "Allan Castle".

Allan Castle, PhD
Coordinator, Justice Summit Steering Committee

Attachment
pc: Richard Fyfe; Mark Sieben

British Columbia
JUSTICE SUMMIT



TENTH JUSTICE SUMMIT

Indigenous Justice

Musqueam - xʷməθkʷəy̕əm

May 31 – June 2, 2018

REPORT OF PROCEEDINGS

EMBARGOED

EMBARGOED

On the cover: "Rainbow Grandmothers" by Val Napoleon. Used with permission of the artist.

Kokum Raven Series: Artist Statement

Indigenous law is in the world and there are many ways to learn about it, teach it, and to represent it. The way I have chosen here is with the raven – a trickster for some Indigenous peoples. She can teach us by being a trouble maker and by upsetting the log jams of unquestioned assumptions. She can also teach us with love, patience, and a wicked sense of humour. She can create spaces for conversations and questions – that is her job as a trickster and a feminist so that nothing is taken for granted and all interpretations are laid bare.

TENTH JUSTICE SUMMIT REPORT OF PROCEEDINGS

Table of Contents

Executive Summary	3
Introduction – Tenth BC Justice Summit	4
Summit Host: Musqueam (xʷməθkʷəy̓əm)	4
Vision and Objectives of the 10 th Justice Summit	4
The Role of Indigenous Organizations in Planning for the Justice Summits	9
Summit Proceedings, Day One: Indigenous Caucus	13
Opening Protocol/Remarks and Objectives	13
Update on Indigenous Justice in BC	13
Exploring Indigenous Justice Strategy Pathways for Change	14
The Tenth Justice Summit on Indigenous Justice	15
Exploring Indigenous Justice Strategy Elements	16
Summit Proceedings, Days Two and Three: All Participants	17
Opening Ceremony	17
Keynote Remarks	18
Bearing Witness – Indigenous Experience of the System	19
Action on Reconciliation: A Better System and a Better Relationship	21
The Way Forward	28
Bearing Witness: What Form Should a Better Relationship Take?	32
Reflections of the Summit Witnesses	35
Closing remarks	42
Next Steps – Looking Forward	44
Key themes of the Tenth Summit	44
Towards a Jointly Developed Indigenous Justice Strategy in BC – Planned Engagement	45

TENTH JUSTICE SUMMIT REPORT OF PROCEEDINGS

Eleventh BC Justice Summit	46
Appreciation	47
Summit Feedback	48
Appendix I: Summit Agenda	49
Appendix II: Summit Participants	56
Appendix III: Summit Organizing Team	62
Steering Committee (and *Observers)	62
Working Circle	63

EMBARGOED

Executive Summary

The Tenth BC Justice Summit marked the first time that justice system leaders and Indigenous peoples have come together with the sole focus of considering the Indigenous experience of the justice system in British Columbia, and was the first Summit in which Indigenous people played a central role in the design and planning of the event. The overall goal of the 2018 Justice Summits is to identify and accelerate real, transformative changes to the justice system in BC that will benefit Indigenous people.

A one-day caucus for Indigenous Summit participants preceded the Tenth Summit. Speakers focused on the need to disrupt the status quo particularly as it systemically relates to the overrepresentation of Indigenous people, and called for implementation of key international, national and provincial recommendations. Common among the ideas shared was a desire for more holistic approaches inclusive of Indigenous communities and Indigenous approaches. The Caucus also allowed for an update on the work to date regarding the first jointly developed BC Indigenous Justice Strategy.

All participants attended the second and third days of the Summit. Key themes included:

- The importance of resources (links between strengthened Indigenous capacity, reconciliation and justice; effective funding formulae; and funding for immediate action).
- The importance of Indigenous culture, law, and history (a relationship of trust as a foundational requirement for change; the critical value of Indigenous knowledge, law and traditions; and the need to avoid confusing reconciliation with assimilation).
- The importance of education (empathy for the experiences of Indigenous people, enabled by many forms of education).
- The importance of community and healing (an inclusive justice dialogue; real change based on work at the community level; and a justice system focused on healing).

These themes will form part of discussions between now and the Eleventh Summit, and will be used by the Summit Steering Committee as a framework for building an agenda for the Eleventh Summit focused on action recommendations.

Introduction – Tenth BC Justice Summit

In 2018, the holding of the Tenth and Eleventh BC Justice Summits marks the first time that justice system leaders and Indigenous peoples have come together with the sole focus of considering the Indigenous experience of the justice system in British Columbia – historically, today, and in the future. These Summits open an important dialogue between Indigenous and non-Indigenous peoples and are an opportunity to begin developing a new relationship and partnership in transforming the justice system.

Summit Host: Musqueam (xʷməθkʷəy̓əm)

From May 31st to June 2nd, the Tenth Justice Summit was generously hosted by the people of Musqueam, who throughout the event warmly welcomed Indigenous and non-Indigenous participants from many nations to their Cultural Centre and Community Centre, and to the traditional unceded territory of the Musqueam people.

The organizers, and all participants, are grateful to Musqueam for the welcome and for the setting of the Summit, which provided a safe place for open dialogue in the same place by the river where for thousands of years the ancestors of today's Musqueam people fished, hunted, trapped, gathered, and lived. As guests of Musqueam, participants expressed gratitude for the warm welcome and hospitality.

Vision and Objectives of the 10th Justice Summit

The first Indigenous Justice Summit

In 2017, the BC Aboriginal Justice Council (BCAJC) was asked by the Government of British Columbia to work with the Ministries of Attorney General and Public Safety & Solicitor General in visioning and planning for the 2018 Justice Summits, to be held on the theme of Indigenous Justice. Since then, the BCAJC has been involved as a partner, working with the Province to help ensure that the 2018 Justice Summits can help to mark a turn in the relationship between Indigenous peoples and the Province, signaling a commitment to meaningfully involve Indigenous peoples in discussions about the future of the justice system in BC and the transformative changes that are required.

TENTH JUSTICE SUMMIT REPORT OF PROCEEDINGS

While Indigenous leaders and experts have been involved in past Justice Summits, the Tenth Justice Summit was the first Summit at which Indigenous Justice formed the central theme, and the first Summit in which Indigenous people were a driving force in the design and planning of the Summit.

The Tenth BC Justice Summit is the first of two Summits to be held in 2018, focusing on issues related to Indigenous peoples and the justice and public safety sector in British Columbia. The Eleventh Summit will take place in November 2018. The overall goal of the 2018 Justice Summits is to identify and accelerate real, transformative changes to the justice system in BC that will benefit Indigenous people.

Indigenous overrepresentation and the need for transformative change

As context for the Summit, participants were highly conscious of the significant overrepresentation of Indigenous people in both the criminal justice and child welfare systems. In British Columbia as in the rest of Canada, Indigenous people are incarcerated at far higher rates than non-Indigenous people and are also far more likely to be victims of violent crime. Additionally, the rates of Indigenous children in care are far higher than non-Indigenous children, the result of Indigenous children being far more likely to be removed from their families under child protection orders. These continuing patterns cause incalculable damage to individuals, families, and communities, and reinforce the intergenerational trauma created by past practices of residential schooling and cultural genocide targeting Indigenous peoples and communities throughout Canadian history.

There are many ways in which these patterns are felt. While statistics can never tell the whole story, the numbers themselves underline how important it is to act.

- In Canada, 25% of adults and 33% of youth admitted to provincial/territorial correctional services in 2014/2015 were Indigenous. The proportion of Indigenous adults admitted to provincial/territorial custody in 2014/2015 (26%) was almost 9 times higher than their representation in the population (3%). The degree of Indigenous overrepresentation in the correctional system is greater for Indigenous women. In 2014/2015, Indigenous women accounted for 38% of adult female custody admissions. The proportion of Indigenous adults and youth admitted to

TENTH JUSTICE SUMMIT REPORT OF PROCEEDINGS

correctional services has increased for every type of correctional supervision since 2007/2008.¹

- In BC, despite the *Gladue* ruling nearly two decades ago, the incarceration of Indigenous people continues to occur at a rate (31.2%) more than five times greater than the percentage of the population that is Indigenous. This rate showed no meaningful change between the two census periods of 2011 and 2016. Indigenous women represented 47 percent of all women remanded in custody in 2016-17 – up from 36 percent in 2008-09.²
- One recent study showed that the rate of Indigenous people who reported experiencing violent victimization was more than double that of non-Indigenous people. The reported sexual assault rate was nearly three times higher for Indigenous people than for non-Indigenous people. Indigenous women and girls reported experiencing violent victimizations at a rate 2.7 times higher than that reported by non-Indigenous women and girls. The high rates of victimization experienced by Indigenous people did not change between 2009 and 2014.³
- Indigenous children and youth in BC are over 15 times more likely to be in care than non-Indigenous children and youth. Approximately 17% of Indigenous children and youth in care in March 2015 found “permanency” (returned to parents, were adopted or saw a permanent transfer of guardianship) in the year following. Close to 60% of Indigenous children in care will age out without ever finding permanency.⁴

¹ Research and Statistics Division, Department of Justice Canada, *JustFacts: Indigenous overrepresentation in provincial/territorial corrections*. November 2016. <http://www.justice.gc.ca/eng/rp-pr/jrf-pf/2016/nov02.html>

² Government of British Columbia; BC Corrections Operations Network (CORNET); demographic data from Statistics Canada census 2011 and 2016 population tables. Indigenous data reflects those who self-report “Aboriginal”, “First Nations”, “Métis” or “Inuit” status in comparison to those who self-report other categories.

³ Tina Hotton Mahony, Joanna Jacob and Heather Hobson, *Women and the Criminal Justice System* (Statistics Canada, June 21, 2017), <https://www.statcan.gc.ca/pub/89-503-x/2015001/article/14785-eng.htm>

⁴ Grand Chief Ed John: *Indigenous Resilience, Connectedness And Reunification–From Root Causes To Root Solutions: A Report on Indigenous Child Welfare in British Columbia* <http://fns.bc.ca/wp-content/uploads/2017/01/Final-Report-of-Grand-Chief-Ed-John-re-Indig-Child-Welfare-in-BC-November-2016.pdf>

TENTH JUSTICE SUMMIT REPORT OF PROCEEDINGS

Indigenous Culture and Tradition and the Summit Dialogue

Due to the importance and emotional nature of the discussion, the organizing team took a number of steps in dialogue with Musqueam to ensure a culturally safe and supportive environment throughout the event. The moderator and facilitator roles from past Summits were absorbed in the role of *shqwi'qwal*. The *shqwi'qwal*, as speaker, assists the community to find a new path, ensuring that all voices are heard. Reflecting the importance of Elders as keepers of wisdom and history, and their role in keeping us grounded in culture and tradition, Elders were in attendance in the plenary, and many Witnesses (Indigenous and non-Indigenous) were called to offer their reflections on the discussion. The Tsow-Tun Le Lum-Tun Le Lum Society provided resolution health support workers and a cultural support team, including traditional ceremony and medicines such as brushing-off and smudging, throughout the event. Participants also enjoyed powerful performances by the Wolfpack Dance Group of Musqueam and by Madelaine McCallum (Métis dance), reminding us of the importance of cultural identity to our youth.

About the Justice Summit Process

The BC Justice Summit process was created in 2013 via the *Justice Reform and Transparency Act*. The Justice Summits provide a forum for respectful discussion between justice and public safety sector leaders in BC, to facilitate innovation in, and collaboration across the justice and public safety sector and how its performance can be improved.

Each calendar year, the Summits are organized around a particular theme or focus on a particular justice issue. The Summit may review initiatives taken in other jurisdictions; make recommendations relating to priorities, strategies, performance measures, procedures and new initiatives related to the sector; assess progress made; and engage in any other necessary discussions regarding the performance of the sector.

Following each Justice Summit, a report is drafted and is reviewed by all participants before being finalized and provided to the Attorney General, the Minister of Public Safety and Solicitor General, the Chief Justices of the Court of Appeal and of the Supreme Court, the Chief Judge of the Provincial Court of British Columbia, other Justice Summit participants, and the public.

TENTH JUSTICE SUMMIT REPORT OF PROCEEDINGS

In addition to the judiciary, and based on the chosen Summit topic, the Ministers may invite to a Justice Summit any individuals considered to be qualified to assist in improving the performance of the justice and public safety sector.

The Evolution of the Justice Summits

Since the inaugural Justice Summit in 2013, the Summits and their reports have been developed by an independent steering committee representative of the interests present at the Summit and functioning at arm's-length from the Ministers. The following is a list of past Justice Summit themes:

- **The First and Second BC Justice Summits** (March 2013 and November 2013) focused on criminal justice;
- **The Third Summit** (May 2014) focused on the family justice system;
- **The Fourth Summit** (November 2014) focused on better responses to violence against women.
- **The Fifth Summit** (November 2015) focused on a “trauma-informed” justice system response to victims of violent crime, and on better coordination and information sharing where family justice, criminal justice, and child protection proceedings intersect;
- **The Sixth and Seventh Summits** (2016) focused on justice, mental health and substance use; and
- **The Eighth and Ninth Summits** (2017) focused on justice and technology, calling for a digital information management strategy for the province and needed technological improvements in the courts.

Beginning with the Fifth Justice Summit in 2015, the Justice Summits began to issue formal recommendations and moved to an annual cycle of themes. Since then, the approach has been for the Justice Summits to explore one different theme every year, with two events (Spring and Fall) on the same topic. The Spring Summit is an opportunity to hear many different voices on the topic, and to hear responses to those ideas. The Fall Summit brings forward recommendations which are respectful of and reflect the ideas raised in the Spring.

The Role of Indigenous Organizations in Planning for the Justice Summits

To effectively transform the BC justice system, Indigenous people need to be meaningfully involved in the work to ensure improved outcomes for Indigenous peoples who come in contact with the various components of the justice system. Indigenous leaders and advocates in BC demand “nothing about us, without us.” The Tenth Justice Summit on Indigenous Justice was planned with this commitment in mind.

The BC Aboriginal Justice Council

The BC Aboriginal Justice Council (BCAJC) was contacted in 2017 to partner with the province to design and deliver two Justice Summits on Indigenous Justice. The BCAJC has been involved with the design and planning of the 2018 Justice Summits from the beginning through participation in a Steering Committee and a Working Circle.

Who is the BC Aboriginal Justice Council?

In 2007, the Union of BC Indian Chiefs (UBCIC), the BC Assembly of First Nations (BCAFN), and the First Nations Summit (FNS), working together as the First Nations Leadership Council (FNLC), held a BC First Nations Justice Forum to provide an opportunity for collaboration on issues related to Indigenous justice. The 2007 Justice Forum resulted in a draft BC First Nations Action Plan, which was distributed for approval to all BC First Nations. Resolutions for its implementation were subsequently passed at the UBCIC, BCAFN and FNS assemblies in support of creating the BCAJC.

In 2013, the Native Courtworker and Counselling Association of BC (NCCABC) developed a framework document entitled Social Justice Policy Platform and Strategic Plan, which would be the foundation for the development of the BCAJC. The NCCABC board approved a strategic direction outlined in Better Outcomes for Aboriginal People and the Justice System: An NCCABC Strategy Framework to Reduce the Overrepresentation of Aboriginal Children, Youth and Adults in the Child Protection and Criminal Justice Systems in BC. Then in 2014, work was reinitiated by the NCCABC with the FNLC through the passing of additional resolutions, wherein NCCABC was identified as the host agency for the BCAJC.

TENTH JUSTICE SUMMIT REPORT OF PROCEEDINGS

Today, NCCABC acts as the host agency for the BCAJC. As host agency, NCCABC is responsible for securing and administering BCAJC resources, and establishing work plans to support ongoing BCAJC operations.

The BCAJC is composed of seven individual council members. Each of the respective political organizations – FNS, UBCIC, and BCAFN – appoint one representative according to their own protocol and accord of appointments. One representative is appointed from the Board of Directors of the NCCABC. The three remaining council members are jointly appointed by the NCCABC, BCAFN, FNS, and UBCIC.

The Role of Métis Nation BC

The Métis Nation British Columbia (MNBC) represents nearly 90,000 self-identified Métis people in British Columbia. Of that number, nearly 18,000 are provincially registered Métis Citizens with MNBC. The Métis National Council and the Provincial Government of British Columbia, as well as the Federal Government of Canada, recognize the MNBC as the official governing Nation for Métis in BC.

The Métis Provincial Council of British Columbia was first incorporated under the Society's Act on October 23, 1996. In 2003 the Métis leadership ratified the "Métis Nation British Columbia" (MNBC) Constitution thereby establishing a new Métis Nation governance structure. Since 2003, the MNBC leadership has implemented a number of institutions of governance such as the Senate Act, Métis Nation Governing Assembly Act, BC Métis Natural Resource Act, Métis Youth of BC Act, Métis Women of BC Act, Métis Veterans of BC Act, an Electoral Act, Metis Registry Act and an objectively verifiable citizenship process.

MNBC represents thirty-eight Métis Chartered Communities in British Columbia and is mandated to develop and enhance opportunities for Métis communities by implementing culturally relevant social and economic programs and services. MNBC signed an original Metis Nation Relationship Accord in 2006, and in 2016 signed the Métis Nation Relationship Accord 2 which is being honored. MNBC is also currently working directly with the Government of Canada on a framework agreement which will be signed soon and will address the Section 35 rights of the Metis citizens of BC.

TENTH JUSTICE SUMMIT REPORT OF PROCEEDINGS

MNBC is delighted to be working with the Province of BC on the upcoming Indigenous Justice Strategy. The current Minister of Justice for Metis Nation BC is Vice-President Lissa Smith and the Justice Coordinator is Daleen Thomas.

Agenda and Planning for the 10th Justice Summit

The concept, attendance, and agenda of the Tenth Summit was developed by a Summit Steering Committee identified by the Attorney General, with support from a Working Circle with expertise in justice issues, Indigenous justice, and Indigenous culture. The Steering Committee membership included:

- Richard Fyfe, QC (Deputy Attorney General of British Columbia)
- The Honourable Steven Point (Judge, Provincial Court of British Columbia and former Lieutenant Governor of British Columbia)
- Kurt Sandstrom, QC (Assistant Deputy Minister, Justice Services)
- Darlene Shackely (Executive Director, Native Courtworker and Counselling Association of British Columbia)
- Mark Sieben (Deputy Solicitor General of British Columbia)
- Lissa Smith (Minister of Justice, Métis Nation of British Columbia)
- Colleen Spier (British Columbia Aboriginal Justice Council)
- Regional Chief Terry Teegee (Joint National Lead on Justice for the Assembly of First Nations)
- Douglas White III (Co-chair, Criminal Justice, British Columbia Aboriginal Justice Council, and President, Native Courtworker and Counselling Association of British Columbia)

The Steering Committee also included observers from the Court of Appeal for British Columbia, the Supreme Court of British Columbia, and the Provincial Court of British Columbia. The Committee met between March and May in planning the Tenth Summit.

The Working Circle for the Tenth Summit supporting the Committee included members representing or supporting Métis Nation BC, BC Assembly of First Nations, First Nations Summit, Union of BC Indian Chiefs, BC Aboriginal Justice Council and a range of justice and public safety sector agencies. Membership is listed in Appendix III.

TENTH JUSTICE SUMMIT REPORT OF PROCEEDINGS

About the Preparation of this Report

This Report of Proceedings was prepared by the Summit Steering Committee for the Attorney General of British Columbia; the Minister of Public Safety and Solicitor General of British Columbia; the Chief Justice of British Columbia; the Chief Justice of the Supreme Court of British Columbia; and the Acting Chief Judge of the Provincial Court of British Columbia.

Reflecting the co-organization of the Summit, this Report was also prepared for the Members of the British Columbia Aboriginal Justice Council in their mandated capacity to lead dialogue on justice with the Province on behalf of the First Nations Leadership Council; and for the Métis Nation of British Columbia.

The Report was made available in draft to all participants in the editing stages for review and comment, prior to being delivered as a finished product and subsequent release to the public.

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Summit Proceedings, Day One: Indigenous Caucus

Opening Protocol/Remarks and Objectives

On May 31st, 2018, an Indigenous caucus session was held at the Musqueam Cultural Centre, commencing the Tenth BC Justice Summit. The day began with an opening by Musqueam Elder, Larry Grant. Following the welcome, opening remarks from Doug White, Co-Chair of the BCAJC, Lissa Smith, Justice Minister of the Métis Nation of British Columbia (MNBC), and the Honourable David Eby, Attorney General of BC were heard. In addition, the Honourable Steven Point provided keynote remarks, contextualizing for everyone in attendance the contemporary landscape of Indigenous justice in B.C. and Canada.

The Indigenous caucus session was planned for Indigenous participation only. As noted above, the BCAJC, the MNBC, and the FNLC were active participants in the joint planning for the Summit through a Steering Committee and a Working Circle. Together, representatives of these organizations helped to define the objectives for the Indigenous Caucus Session. The agreed upon objectives were as follows:

- To provide Indigenous participants at the Summit an opportunity for those in attendance to receive an update on ongoing Indigenous led justice initiatives within BC;
- To prepare for successful participation in the Justice Summit (June 1-2, 2018);
- To review the overall plans to engage Indigenous peoples, communities and organization on Indigenous justice in 2018/19; and
- To gather information for use in development of the following:
 - An Indigenous Justice Forum (September 2018 – TBC);
 - The Eleventh BC Justice Summit on Indigenous Justice (Nov 2-3, 2018); and
 - The first jointly developed Indigenous Justice Strategy in BC.

Update on Indigenous Justice in BC

The first item for discussion following the opening comments was an update on Indigenous Justice in BC. Nancy Sandy, BCAJC Co-Chair for Child and Family Justice, began with an update on Indigenous Justice as it relates to Indigenous child and youth welfare in BC. Following an overview on the history of the BCAJC, Sandy discussed the need to disrupt the

status quo for Indigenous children and youth in care, particularly as it systemically relates to the overrepresentation of Indigenous people who are street entrenched and/or involved in the criminal justice system. She also spoke to the importance of remembering where we all come from through the resurgence of Indigenous laws and legal processes. This includes the recognition of Indigenous legal traditions as a third legal order in Canada.

Following Nancy Sandy, Doug White, BCAJC Co-Chair for Indigenous Justice, spoke to the inertia in the current justice system and its resistance to change – particularly as it relates to Indigenous people. White spoke to the need to initiate a coherent, clear approach to address the gross overrepresentation of Indigenous peoples in both the justice system and the child welfare system through forging proper relationships between the provincial government, the leaders in the justice system and Indigenous peoples. White acknowledged that although there are pockets of effective work happening in BC, additional work needs to be done to fundamentally change the outcomes for Indigenous peoples – this includes the implementation of the Truth and Reconciliation's (TRC) 94 Calls to Action, UNDRIP and Ed Johns report on Indigenous child welfare, 'Indigenous Resilience, Connectedness and Reunification – From Root Causes to Root Solutions'. White also described the Justice Summits as an opportunity to initiate and build a fundamentally different relationship between the province and Indigenous Nations and to identify clear pathways for change.

Exploring Indigenous Justice Strategy Pathways for Change

Following the opening remarks, participants were posed with the question '*What is the change you want to see?*' Attendees shared their ideas about possible pathways for change. Common among the ideas shared was a desire for more holistic approaches that are inclusive of Indigenous communities and Indigenous approaches. Several of the themes are shared below, and nearly all of these were explored further through the Justice Summit.

Attendees discussed the need to pursue a system that takes mental health and wellbeing into consideration and incorporates Indigenous ways of knowing as they relate to justice and the law. Ensuring that all practitioners in the justice system have a good understanding of reconciliation and the specific histories and contemporary challenges of Indigenous peoples in Canada, attendees argued is critical to establishing pathways for transforming the

justice system. One related suggestion was to initiate mandatory cultural competency training within the legal profession.

Attendees described the need for an increase in Indigenous people working in every facet of the justice system. The desire for a focused effort and commitment to build Indigenous restorative justice programs that utilize Indigenous laws as a method to take pressure off the court system and provide different sentencing options was discussed. Suggested components of this restorative approach included access to cultural support for Indigenous offenders involved in the justice system, support for those who are transitioning back into the community following imprisonment, and support for offenders' families.

In terms of support for Indigenous offenders, attendees acknowledged that many Indigenous people who are incarcerated are not from the territory in which they are incarcerated. Attendees recognized the challenges in ensuring that these offenders have access to their families and cultures.

Representatives from MNBC spoke to the need to develop a unified front between First Nations and Métis communities, and expressed hopefulness that the Justice Summit would become a turning point in its respective relationships with the province and with other Indigenous partners.

The Tenth Justice Summit on Indigenous Justice

Attendees discussed the next two days of the Tenth Justice Summit, to be held following the Indigenous caucus. Compartmentalizing services has created many of the barriers that Indigenous peoples are faced with in the justice system, attendees argued. Attendees reflected on the Summits as an opportunity to create better outcomes for Indigenous peoples and acknowledged that fundamentally changing the justice system will require the cooperation of all systems (i.e., health, education, justice all services that impact Indigenous peoples).

Attendees referenced the provincial government's mandate to fully implement the principles of UNDRIP and the TRC's Calls to Action. One attendee referenced the mandate letters of the Ministers and spoke to the need for a renewed focus on restorative justice, culturally relevant resources, timely access to justice and increased positive outcomes for

TENTH JUSTICE SUMMIT REPORT OF PROCEEDINGS

Indigenous peoples. The Tenth Justice Summit was identified as a place to put these documents into action through discussion, particularly through an Indigenous Justice Strategy.

Exploring Indigenous Justice Strategy Elements

The Indigenous Caucus provided a space for the BCAJC to update attendees on the work to date in relation to development of the first jointly developed BC Indigenous Justice Strategy (the ‘Justice Strategy’). Attendees discussed the need for a long-term plan and strategies for its implementation. One attendee suggested on-going internal meetings within Indigenous circles to continue the conversation. Having a diverse strategy that reflects the diversity of Indigenous Nations was highlighted as a necessity.

Indigenous experts in attendance highlighted what they witnessed to be effective initiatives in community, including community policing programs and the use of Gladue Reports. One attendee noted that there is still debate about whether Gladue applies to all Indigenous people, which should not be the case. Another described Gladue reports as critical in asserting our own stories. Funding to First Nations for legal counsel on all child protection proceedings was also suggested. Several practitioners also brought up the need for an MOU with Correctional Services. In discussing the involvement of Indigenous legal professionals in initiating a Justice Strategy, speakers discussed the histories of Indigenous lawyers, and that it was not until the 1950’s that Indigenous peoples could practice law and represent themselves. Through discussion, attendees noted that many Indigenous lawyers, particularly Indigenous women, continue to experience racism in their practice. A participant suggested that we need to be developing services from the ground up to reflect the diversity of needs of Indigenous people.

In their closing comments, BCAJC Co-chairs Nancy Sandy and Doug White reinforced that there is difficult work ahead to identify pathways for change, including the long-term goal of re-establishing Indigenous jurisdiction where Indigenous laws guide the work of rebuilding a justice system that works for Indigenous people. The co-chairs implored attendees that over the next year and a half, their help would be needed to build, strengthen and begin the work of implementing a BC Indigenous Justice Strategy.

Summit Proceedings, Days Two and Three: All Participants

Opening Ceremony

The full meeting of the Tenth Justice Summit commenced on Day Two. Elder Larry Grant and Councillor Rosalind Campbell began the day by welcoming participants to Musqueam territory on behalf of the Musqueam people and the Musqueam Band Chief and Council.

The shqwi'qwal, Harold Tarbell, was introduced to all participants by the Honourable Judge Steven Point, former Lieutenant Governor of British Columbia, and by Councillor Campbell. The shqwi'qwal was given the traditional blanket symbolizing the role.

As on Day One, witnesses for the full meeting of the Summit were called. Participants asked to be witnesses included:

- Phil Gladue
- Betty Gladue
- Al Edkins
- Tom McCallum
- Ramona Bent
- Rosemary Trehearne
- Ken Pruden
- Caroline Buckshot
- Jane Morley
- Taryn Walsh

The Tsow-tun Le-lum healing team were introduced to all participants. Throughout the Summit, Tsow-tun Le-lum supported participants during and after their discussions, providing smudging and brushing off to cleanse the spirit.

Remarks of welcome were then offered on behalf of the Assembly of First Nations by Regional Chief Terry Teegee, on behalf of Métis Nation British Columbia by the MNBC Minister of Justice, Lissa Smith, and on behalf of the BC Aboriginal Justice Council by its Co-Chair for Criminal Justice, Doug White.

In his remarks, Doug White spoke to the importance of the opportunity presented by the Summit discussion. In recent decades and even in recent years, justice reform efforts in British Columbia have often marginalized or even been silent on questions of the Indigenous experience of the justice system. This dialogue can be seen as the beginning of an

interrogation of the foundations of the colonial system of justice, and as an opportunity to begin building a new relationship on more solid foundations. Remarks followed from Lissa Smith, highlighting the importance of Indigenous unity in dialogue and negotiations with government over the future of the criminal justice system.

The full meeting of the Tenth Summit was officially opened by the Honourable David Eby, QC, Attorney General of British Columbia.

Keynote Remarks

Keynote remarks for the Summit were delivered by the Honourable Steven Point.

Judge Point provided participants with important context for this Justice Summit, the first to be focused on Indigenous justice. He reminded participants that British Columbia had been colonized in the near-absence of treaties, and without prior allegiance having been sworn to the Crown. Unlawfully, under colonization Indigenous peoples had witnessed the Crown lay claim to the territories and waterways where they had lived and hunted for many thousands of years. They had been placed on small reservations, a process abetted by an imported system of justice and law enforcement which acted in other ways to repress Indigenous people and harm or destroy Indigenous language and culture.

As a young person, Judge Point had been encouraged by Skowkale Elders to lead and speak for his people as Chief. He then entered institutions such as university and the legal system where Indigenous people in the 1960s and 1970s were so few as to be nearly invisible, and where discrimination was widespread.

Judge Point noted that with the growing awareness in Canada of the harms of the colonial experience, and the responsibility of Canadian governments and society to reconcile with Indigenous people, it is time to take off our coats, park our egos, and build a new relationship between Indigenous and non-Indigenous people. This relationship should put away the colonial relationship; not by forgetting it, but by learning from it to create a relationship based on trust and understanding. Indigenous people, their nations and their communities need to rebuild, and need help to do so, including help from the justice system.

In closing, Judge Point asked non-Indigenous and Indigenous participants alike to begin this process from a position of empathy. It is difficult to understand what it is like to be a minority until it happens to you, in a country that used to be yours, governed by a system that is foreign to your people.

Bearing Witness – Indigenous Experience of the System

Following Judge Point's keynote remarks and a short break, the Summit moved to a discussion period. Participants introduced themselves to the others at their own table, relating their own personal cultural background and their journey to this discussion. Participants then shared their experiences and knowledge of the Indigenous experience of the justice and public safety system in British Columbia in light of the keynote remarks.

Following this conversation, representatives from a selection of tables were invited by the shqwi'qwal to share the table's discussion with the room as a whole, with participants being invited afterwards to share any additional stories. From the discussion, five key points emerged.

- Progress on reconciliation and on justice issues requires strengthened Indigenous capacity at the nation and individual levels

Numerous tables and speakers highlighted the importance of building (or rebuilding) Indigenous capacity. To engage on a footing of fairness and equality requires strengthening at the level of national capacity, as resolution of many of the larger questions implies a nation-to-nation relationship. Without this capacity to engage, self-determination is difficult or impossible. Within the justice system itself, it is important that there be more Indigenous people in all professional roles, to correct imbalances within the system, to provide necessary knowledge and influences which have been missing or in short supply, and to better reflect the communities in which the system operates.

- The dialogue about justice must be more inclusive, in order to create common purpose

As strategies and reforms are developed, participants expressed that we need to be certain that the dialogue reaches and includes all those who are needed at the table, as some

people who have important contributions aren't yet being invited. We need to examine our boundaries as to who is and who isn't brought into the discussion. Rather than using legalese and letting the colonial system continue to define the terms of discussion, we need to speak to people in ways they can understand.

Many participants also felt that the beginning of the Summit dialogue, as a more inclusive forum than others before, gave reason to be hopeful. The metaphor of the canoe was often invoked: if we are all paddling in different directions, we will go nowhere. This discussion offers us a chance to begin paddling in the same direction.

- Indigenous knowledge, law and traditions can make a profound contribution to the way justice is delivered

Participants returned repeatedly to the idea that the justice system has much to learn from Indigenous communities, at various levels. At the community level, there is a wealth of knowledge which exists today about the effectiveness of programs and interventions. Importantly, this knowledge relates not only to programming which exists within the sphere of the colonial justice system, but to traditional and culturally-based approaches which are grounded in the community. It is often very clear 'what works' at the community level, and effective pathways are in many cases well-known.

In terms of law and institutions, the importance of Indigenous law and Indigenous justice models is becoming increasingly apparent, now aided by focused research in these areas. It was apparent to many participants that there exists a wealth of largely untapped knowledge. As this knowledge and the cultures which bore it have suffered a sustained attempt at destruction, we are in a situation where non-Indigenous people don't know what they don't know. It is time to give space and a platform to what is already known and what can be discovered.

- Real progress requires real resources, allocated through an effective funding formula

Participants considered the questions of capacity and resources to be directly linked. A repeated theme was that change for individuals has to be based on their connection to the community and how the community provides support. Experience tells us that

disconnection from the community has worsened any existing challenges for Indigenous people, and that change comes from the community. While capacity to engage matters and must be resourced, the overwhelming priority in terms of changing lives today is to secure resources to deliver services at the community level.

Resources can only be most effectively applied with an appropriate funding model: how are resources to be shared? While no formula was proposed at this stage, the community-level focus was repeated by many, including support for victims services, support for defendants and their families, and support to services in remote communities.

- Reconciliation in the justice system requires empathy for the experiences of Indigenous people

Participants were united in expressing the need for non-Indigenous society to continue the process of learning, recognizing and understanding what Indigenous people have experienced. Indigenous people have learned much about the colonial state, but little learning has occurred in the other direction. There is a need for much more education in support of reconciliation, regarding the impact of residential schools and recognizing the pervasive role of trauma amongst the many Indigenous people who are poor and struggling. Running through these comments was the recurrent theme that Indigenous people are often left disconnected, not knowing who they are due to being removed from their families and their land. Non-Indigenous people should take this information in the spirit in which it is offered. Without this knowledge and the empathy which should accompany it, progress will be difficult.

Action on Reconciliation: A Better System and a Better Relationship

In the afternoon of Day Two, discussion at the Summit moved to practical considerations within the criminal justice system, considering ways to create a better system and a better relationship.

Panel 1: The reality on the ground

In the first panel discussion of the afternoon, speakers discussed the Indigenous experience of criminal justice from a frontline perspective: what is needed, and what is working?

- Mitch Walker spoke from his experience of developing Gladue reports with and on behalf of Indigenous defendants in criminal cases.⁵ Gladue can and should be much more than it currently is within the CJS in BC. It is an avenue for individual communities to take back autonomy in the CJS and make important and vital changes within their communities for safety, crime control and justice/social programming. Gladue can be used as a tool for communities and Nations to regain autonomy over the justice processes that occur within their communities. It starts with reports, but the ultimate goal is control. With control and autonomy comes confidence, direction and an ownership. A Gladue Program could help all communities, provincially, to change the way Indigenous peoples are sentenced in BC, through the rediscovery and incorporation of localized practices, traditions and methods of sanction. Gladue can lead to communities feeling and believing that the Criminal Justice System is not something that happens outside their purview of control, but rather as something in which they are equal partners and their methods have value, meaning and consequence.

Ignorance remains regarding Gladue reports. They are best understood as promoting autonomy in justice, which for Indigenous people is often seen as something outside their scope of control. They are one way of helping communities to heal. Despite the assistance of the Legal Services Society, there are still just 75 reports being developed annually in British Columbia, a tiny amount compared to the demand.

- Aaron Pete spoke from his perspective as a Native Courtworker in the Fraser Valley. His work begins with learning about the healing process within different bands, as each approach will be unique. The goal then is to create a wraparound approach for each client by connecting them to resources in the community, to connect with Legal Aid, and to attempt to have a Gladue report introduced in Court to create better understanding

⁵ A Gladue report may be requested by a Canadian court when considering sentencing a defendant of Aboriginal background under section 718.2(e) of the Criminal Code. The process derives its name from *R. v. Gladue*, a 1999 Supreme Court of Canada decision which was the first Court ruling on s. 718.2(e). In s. 718.2(e), a court is required to take into account all reasonable alternatives to incarceration, "with particular attention to the circumstances of Aboriginal offenders." The report describes those circumstances to the court with respect to the defendant in question.

of what brought the client to that point. The challenges are significant as many people he sees have significant mental health problems, and low levels of education. His clients are often very low in confidence and lack direction, and the challenge is to encourage them as opposed to weighing them down. The question ‘what do you want to do from here?’ is intended as a helping hand but can often be felt as a burden, based on how institutions have treated people in the past.

- Participants then heard from Mary Brown, who leads the Heiltsuk Gvi’las Restorative Justice Program. The program, which is diverse and involves many approaches, originates and is founded on local Indigenous laws, values, traditions of respect, and culture. The community is at the centre of the justice programs used, which are developed in partnership with the justice system and have strong elements of transparency and accountability. The program uses a variety of interventions; an example of an approach with a strong cultural grounding is the isolation program, in which repeat offenders likely to be remanded are (in consultation with police, crown and defence) isolated in water-access-only cabins connected to that family for a period of time, so that they can reflect on behaviour and reconnect with the spiritual traditions of the community. The program has experienced remarkable success, particularly with youth, moving from having the highest per capita numbers in BC on probation to *no* youth on probation, but also with the adult population.
- Jason Simmonds spoke to participants about challenges presented by the justice system to Métis people. The biggest single issues to be confronted are the repatriation and reconnection of people to their communities and addressing the pipeline from the child welfare system to the penitentiary system in BC and in Canada. Echoing the call to begin an interrogation of the foundations of the system, he asked participants to consider the characteristics of justice institutions which reflect those institutions’ colonial origins and mindsets. There has been relentless focus on separating Indigenous children from their families and communities. If we are committed to changing this, we will recreate our institutions. This will involve finding ways to look at Indigenous communities and the lives of Indigenous families which are based on understanding and empathy and allow

for benign interpretations of genuinely benign circumstances. Above all, we need to create systems that reconnect and keep our children with our communities.

- Coreen Child spoke to participants from her experience as chief, and as someone who is supporting the families of missing and murdered women and girls. The experience of the justice system, of violence, of the loss of a child, of someone going missing, continues to unsettle and destabilize whole communities. For Indigenous people, the search is to find a place of belonging, to have a sense of identity, to know who you are and where you come from. Of all the discussions had at this event and elsewhere, one vital goal is to find ways for Indigenous people to feel settled, to find and reclaim their identities, and to find belonging. The justice deals with people in a cold and distant way, such as when ‘impact letters’ are requested from families who have lost a loved one. What truly matters is to hear that your loved one matters, that your community matters. Similarly, when setting out a transition plan for an offender, that plan too should be based on identity and community, built around the idea that the person *belongs*.
- At the conclusion of the panel, Genesis Hunt was invited to add to the discussion in the context of his work with the Indigenous Justice Program and with the Restorative Justice Association. He argued that the commonly-held idea that restorative justice (RJ) can only be used in minor cases is a myth: there are pioneering efforts in new directions, which suggest that RJ has the potential to be used in serious criminal cases such as sexual assault, impaired driving causing death, or child pornography. RJ’s effectiveness is also in play when we consider that the trauma suffered by many Indigenous people is complex, rather than being a single dimension. Combined with Indigenous courts and the guidance and wisdom of Elders, restorative approaches can create a sacred and powerful space in justice. The example was provided of a young Indigenous woman in court in Duncan, who was not engaging with anyone as her case progressed. When the judge opened the floor for Elders to speak, the young woman raised her head and began to engage, participating from that point forward because of that deep connection. More generally, there is an important role for RJ in decriminalization of members of a community beyond any question of sentencing, by working on a person’s ‘criminal thinking’ and their choices of criminal friends and associates.

Panel 2: Change at the system level

In the later panel of the afternoon session participants heard from a second group of panelists, who considered what true reconciliation and change in justice might look like at the system level.

- Melissa Louie and Leah George-Wilson spoke to the linkage between reconciliation and reform in the criminal justice system and the broader issue of Indigenous rights and title. Often, working on rights and title can be categorized as ‘political,’ in contrast with the legal, technical, operational challenges associated with reform of the justice system which are supposedly apolitical. The central message of the presentation was to the contrary: that justice system reform is inextricable from questions of rights and title, and from related issues of housing, health and quality-of-life. With the government of Canada’s acceptance of the Truth and Reconciliation Commission’s 94 calls to action, and Canada’s 2016 support of the UN Declaration on the Rights of Indigenous People, we are moving from a period of confrontation to a period of collaboration. However, the increased autonomy for Indigenous people essential to achieving reconciliation, and to respecting and creating space for Indigenous laws and traditions, means that rights and title are central to the discussion.

This is a critical point in history, and for the justice system to respond intelligently and effectively to these circumstances, greater awareness of the TRC Calls and the UN Declaration are required throughout. Key leaders such as the judiciary and the Law Society are in a position to have a positive influence, by bringing missing pieces into the dialogue *via* increasing familiarity with these foundational elements. We need to see a growth in Continuing Legal Education with such a focus, and in legal advice with a reconciliation lens.

- Participants next heard from Brenda Butterworth-Carr, speaking from her perspective both as an Indigenous woman and as a senior leader within the national police force. During her career, she has seen growth in awareness across society and within policing of the Indigenous experience of the criminal justice system (and

experience of policing more specifically). In light of this history, the challenge for her and for the RCMP as a whole is how to make right what is wrong. While these wrongs have unfolded over many generations, we have to make things right as quickly as possible. A major part of making positive changes to the way Indigenous people experience policing is to recognize that policing is an activity which occurs at the community level and must be changed at the community level – most fundamentally, by ensuring that police forces reflect and understand the communities they serve. Here, the leadership and respect for the roots of culture which is so well demonstrated in the Heiltsuk restorative justice approach is something we can all learn from. At the training level, RCMP recruits are now learning about the loss of Indigenous land, the history of the relationship between Indigenous peoples and settlers, and what there is to overcome. At the operational level, there is a focus on avoiding doing further harm; for instance, through restricting the use of administration of justice charges, recognizing their tendency to increase incarceration rates. At the leadership level, senior leaders in the RCMP need to bridge to leaders in government to ensure the commitment to reconciliation is a common one.

- Marcie Flaman continued the discussion of changing police practices regarding Indigenous people, from her experience in policing urban Vancouver and working to protect Indigenous women in the Downtown East Side who are highly vulnerable to crimes of violence and sexual violence. Much like the justice system as a whole, progress can be made wherever our institutions can learn to communicate based on respect, in ways which allow people to feel heard and safe. When these things are true people become more able to listen, and a real dialogue about safety and trust can be established. The SisterWatch program in Vancouver which reaches out to many Indigenous women operates on these principles, having learned to hold meetings in ways that work and in places that work, establishing strong links to the community.
- Aaron Sumexheltza spoke to participants from his experience as Chief of the Lower Nicola Band. The principal message of his remarks was that effective reform of

criminal justice as it affects Indigenous people cannot only be focused on justice programs but has to be grounded in history and law. Knowledge of the history, and a commitment to decolonization, is essential. As an illustration, he read several passages from the Wilfred Laurier Memorial, the letter provided to Prime Minister Wilfred Laurier by the Okanagan, Shuswap and Kamloops chiefs which details the gradual, non-treaty-based taking of Indigenous lands and suppression of culture and hunting rights in the Southern Interior by white settlers from 1850 to 1910. When considered along with the accompanying trauma of residential schooling, it should be obvious that no approach to contemporary justice issues regarding Indigenous people can occur in isolation. To get to action, which we need to do later this year, there needs to be a frank and honest discussion, and the Summit is a good start. We should expect and welcome an emotional discussion as part of any meaningful reconciliation between BC and Indigenous peoples and use that honest discussion as a means of strengthening our relationship.

- EMBARGOED**
- The concluding remarks on the panel were made by Terry La Liberté, offered in context of his many years of work as defence counsel. He identified the gap between the expectation expressed in the Criminal Code and by the Supreme Court in *Gladue*, regarding a court's awareness of the particular circumstances of Indigenous offenders, and the reality of the very limited funding available to make such reporting a reality. Setting aside the general question of the legal aid tariff, the gap is such that Law Foundation money has been used to pay for Gladue reports, with limited relief now that the Legal Services Society has money to pay for a limited number. Notwithstanding that change, the troubling reality of this funding model is that Indigenous clients are required to pay for their own Gladue reports, reports which are mandated as necessary for appropriate sentencing.

At this point in the proceedings, the panel remarks had extended into the period allotted for participant discussion and report-back. Accordingly, the shqwi'qwal asked participants to discuss the content of the presentations and their own perspectives on practical considerations for reconciliation, at their tables. The report-back was deferred until after the morning presentations on Day Three.

Upon the conclusion of the discussions, the Summit adjourned until the following day.

The Way Forward

At the outset of Day Three, following an opening greeting from Elder Larry Grant, the shqwi'qwal described the objectives for the remainder of the Summit. Participants then heard from a final panel, with speakers reflecting on the Summit discussion and on pathways forward.

- Doug White, reflecting on the Summit, conveyed his gratitude for the sharing of life experiences, thoughts and ideas by all participants. His remarks linked the question of justice reform to issues of autonomy and self-determination. Indigenous people deserve to be in control of their own destinies, and what must accompany that is the inherent right and authority to make decisions. The history of British Columbia has been based on the wrong ideas, namely that aboriginal title didn't matter, and Indigenous people didn't matter. However, we can all see that recent decisions regarding title – such as the *Tsilhqot'in* decision of the Supreme Court – are causing ruptures in existing patterns, which is creating anxiety and uncertainty. The *status quo* is broken. Our job is to find a pathway through that deep uncertainty. If we cannot figure this out, the danger is that we are laying the groundwork for conflict on the ground.

For all these reasons, we need to work in partnership to create a shared understanding. If Aboriginal title exists, then so does Aboriginal decision making. Therefore, this partnership will need to recognize multiple locations of legitimate authority and decision-making, flowing from the moving from a situation in which the Crown is unconstrained in its decision making (albeit with duty to consult) to a situation in which we have a genuinely multi-jurisdictional country. In that relationship, Indigenous decision-making would not be subjugated but coordinated with Canadian and provincial decision-making, and Section 35 of the Constitution will come to life. The new paradigm should be one of consent, one in which the Crown would no longer be able to act unilaterally. This will not be easy as the Crown has jealously guarded its role as decision maker over Indigenous identity, and over

criminal justice. The work of the Aboriginal Justice Council has been to reach out to the province to work in partnership, have these difficult conversations, and craft a shared vision for the future. The Indigenous justice strategy being developed will be an important element of this work.

- Regional Chief Terry Teegee highlighted the importance of continuing to do important work within the system to improve the lives of Indigenous people and Indigenous communities today, while the longer process of determining a just and fair relationship between Indigenous peoples and Canada continues. It is an enduring mystery as to why the Supreme Court's repeated direction to the justice system regarding 718.2(e) of the Code has been applied only to a very limited extent, or in some cases not at all. How can the *Gladue* ruling not have led to more action, given that the overrepresentation of Indigenous people in criminal justice has actually worsened since 1999? There is urgent action required in these matters. Similarly, there is also urgent action required on the use of administration of justice charges. Too often, these charges are used following breaches of conditions which are either onerous or unrealistic or both, acting not as a corrective to behaviour but simply to increase the rate of Indigenous incarceration. We could instead be thinking about a presumption of diversion with respect to Indigenous defendants. Further, there is great potential in the work of Indigenous courts. We need to build momentum to show that talk of a new relationship is being accompanied by action and addressing these practical opportunities in the near future would be an important, practical step forward.
- Judge Point's remarks focused on the importance of a stronger, healthier relationship as part of the change process. For generations, we have characterized the situation as "them vs us." We all need to get over that, even though is true that Indigenous people have not been treated well. The discussions at the Summit have shown the importance of connecting people to the right resources; however, resources are only part of the picture, as we need to understand the power of institutions which reflect the colonial past, and how those institutions affect communities. Looking at institutions and considering different approaches holds much promise. As we have

heard, restorative justice built on Indigenous culture and traditions is a viable mean of avoiding criminalization. We must explore these ideas as there is no propensity of Indigenous people to commit more crimes than anyone else. This dialogue has been very positive, but now the government has to act and to show commitment to change.

- Richard Fyfe reflected on the Summit proceedings from the perspective of his own career in the Ministry leading to his current role as Deputy Attorney General. In that time, the provincial position has mainly been one of involvement in litigation. It is now clear that collectively we need to move beyond the mindset of litigation towards one of relationship building. That shift can and should bring a different approach and an opportunity to work collaboratively, where we place matters of survival, dignity and well-being at the forefront of our objectives. Often, we can and should move fast; but sometimes moving fast can cause harm, something we should remain aware of and discuss.

The many thoughtful remarks from speakers over the past day suggest a number of important themes. We need to make a priority of keeping people in, and connected to, their communities, and find ways to support them that strengthen the community's role. In doing so we need explore how we can do better on *Gladue*, as there is no propensity of Indigenous people to commit crimes more than other people, and the overrepresentation we see is unacceptable. We need to look hard at institutions that reflect our colonial past and having enduring impacts on families and communities and build ones that reconnect families. We can learn much more from the sacred and central place held by Elders in Indigenous culture, and recognize restorative justice's power as a way of connecting people to the wisdom and tradition of their communities and avoiding criminalization. There is a need to move forward to action, and the Ministry of Attorney General is committed to working with Indigenous people to achieve these changes. All of this must be addressed in an improved relationship, one in which as Judge Point has said we move from "them and us" to "we."

- Kurt Sandstrom added further remarks from the perspective of government. From what has been said at the Summit and other recent consultations, it is clear that access to justice is not a reality for many Indigenous people and communities. Indigenous people see little or no reason to trust the criminal justice system. There is substantial overrepresentation of Indigenous people in the criminal justice system, a situation which all agree is unacceptable but which has consistently failed to improve. As others have said, there is a need to take quick action, and there are some things government and the Aboriginal Justice Council are examining in the near term. These include an improved approach to *Gladue*; expanded use of diversion regarding Indigenous offenders; the expansion of Indigenous courts in general and exploring Indigenous family court; the implementation of regional Indigenous Justice Centres; more culturally-aware support for traumatized people in contact with the justice system; and the use of new technologies to expand access to justice in rural and remote areas. More than all of this, we require a new relationship. All participants have a common interest in a system that works for everyone. To build this, those in the colonial system must recognize that, at this stage, they need Indigenous traditions more than Indigenous people need those of Canada.

- The final speaker on the panel, Professor Val Napoleon, spoke of the practical work that she and her colleagues are conducting to rebuild and articulate Indigenous law. The work is occurring through a new intensive course on Gixtsan land law within the University of Victoria's Canadian and Indigenous Law Degree program. Indigenous law hasn't gone anywhere in Canada, but it has been undermined. The challenge the researchers have undertaken is to recover Indigenous law in individual communities via projects built around contemporary questions which are important to the people in those communities. Research is conducted on all the different ways law has been expressed and managed, through critical and systematic engagement and analysis, focus groups, and working directly with individuals.

In the oral tradition, it is vital to work with all sources: stories, songs, writings, and institutions. As the researchers uncover law, rules and norms, they also look for the location of authority, asking who the authoritative decision makers would have been

for the particular contemporary legal problem that is at issue. The kinds of law which emerge through this research include sacred law, natural law, deliberative law, customary law, and positivist law. The ultimate goal of the work is to contribute to the normalization of Indigenous law: first by identifying sources, then by developing secondary resources, and finally through the application of those resources and the laws they reflect to situations today.

Bearing Witness: What Form Should a Better Relationship Take?

Following the morning panel and a short break, the Summit moved to a discussion period. At their tables, participants shared their thoughts on priority pathways concerning the justice system and Indigenous peoples, reflecting on the most important steps to take now, and how we can strengthen our relationship going forward.

Following this conversation, representatives from a selection of tables were invited by the shqwi'qwal to share the table's discussion with the room as a whole, with participants being invited afterwards to share any additional stories. This included reflections on the conversations from the afternoon of Day Two. From the discussion, six key points emerged.

- Now is the time for government action, not words

Participants commonly expressed support for the Summit dialogue, but regularly made clear their belief that talk is not the same as reconciliation. Actions speak louder than words. Whether explicitly stated (many times) or implied, substantial new resources were commonly seen as necessary to achieve positive outcomes for Indigenous people regarding the criminal justice system. This includes resourcing of programs, particularly at the community level such as restorative justice or Gladue report writing, or to promote access to justice in remote areas; more system-level resource support to allow for greater representation of Indigenous people within the key justice professions and roles; and capacity support, to allow for sustained, effective engagement in areas such as research, education, policy and law reform. Pilot projects should lead quickly to actually delivering services more broadly. To measure the effectiveness of investments such as these in achieving desired outcomes, the government should also consider having some other body than government track key performance indicators.

- Work at the community level is essential in creating real change

In plenary discussion, those reporting out returned frequently to the idea that real change in criminal justice from the perspective of Indigenous people must be based in the community and mobilize grassroots energy. Local relationships between community groups, Crown prosecution, police, and probation – relationships which are culturally sensitive and grounded in respect and a commitment to reconciliation – are essential factors for us to succeed at (for example) diversion programming or restorative justice. Group-to-group relationships are important, but the bedrock is individual level relationships. Effective knowledge and respect are strengthened when decision makers visit, listen to, and learn from the communities most affected by the work that is done, including seeing firsthand the effectiveness of local, culturally-grounded solutions.

- Reconciliation in criminal justice does not equal assimilation

Participants frequently made the point that a future characterized by reconciliation is one in which Indigenous law and culture have substantially influenced the colonial system; we should not simply expect people to adapt to the *status quo*. Even those accommodations which have been made to date, while well-intentioned, exist within the paradigm brought by settlers. Indigenous courts for all their innovation are essentially colonial courts. For guidance, we should look to the TRC Calls but also to the UN Declaration in finding ways to create space for and learn from Indigenous law and traditions. Suggestions included “no new courthouses, more longhouses,” and the idea that Elders’ importance to healing and problem solving is such that they should be considered key resources in the way that clinicians and other experts support the system. Indigenous people have a good understanding of what the justice system has done to them, and it was argued that the system now needs to learn about Indigenous law and approaches to wrong-doing. Meaningful reconciliation means movement – movement in an Indigenous direction and in ways which empower self-determination.

- A relationship of trust is a foundational requirement for change

It was common in the discussion for participants to express the idea that relationships must now change – from an adversarial, litigation-based approach to partnerships based on trust, at all levels. This will require courage and risk-taking particularly at the leadership level to

model this behaviour for others and create the conditions for reconciliation. The government must be trusted to follow through and must live up to that trust. There must be honesty in achieving reconciliation, particularly through acknowledgment that real wrongs occurred, often at the hands of the justice system and often with their consequences still visible and unaddressed. Participants also expressed that “reconciliation cuts both ways;” as trust is earned in partnership, both partners should be able to speak honestly and plainly to each other.

- The criminal justice system (and government) should be far more focused on healing

Nearly every intervention in the discussion related directly or indirectly to the relationship between criminal behaviour and the massive, intergenerational, overlapping traumas experienced by Indigenous people in British Columbia. Indigenous overrepresentation is essentially a crisis in the health of communities, a crisis which plays out in criminal, family, and child welfare proceedings and leads to further trauma and dislocation. The fundamental priority is to invest in healthy communities, mitigating poverty and restoring traditional practices which narrow the gap between people and their communities. The criminal justice system in its own specific work should function with a far more protective mission regarding Indigenous people, with a presumption of diversion and well-connected wraparound services. Courts and restorative justice programs dealing with Indigenous people should undergo a fundamental rethinking from a healing perspective, using Indigenous court-workers more regularly and recognizing the linkages across criminal and family process; healing units should be further developed within penal institutions.

- Reconciliation in the justice system can be enabled by education

Participants were strongly supportive of more education in support of reconciliation, both with respect to the historical record and regarding the reclaiming of Indigenous law. It was also recognized that there is no one Indigenous history or set of laws, but huge variation at the level of individual nations. This means that general education should be followed with education on the local context and culture to create understanding of the diversity of Indigenous experience. This history is often an oral history and hearing these often-emotional stories directly from those with lived experience is an important part of

TENTH JUSTICE SUMMIT REPORT OF PROCEEDINGS

reconciliation. Finally, there is also a need for specific, professional education, such as expanded training on trauma-informed practice, and role-specific cultural competency training.

- Development of Indigenous legal institutions should be supported

A key theme was the critical importance of Indigenous capacity building at the local/nation government level as a foundation for building Indigenous legal institutions (including Indigenous Courts, Tribal Police, Restorative Justice systems, and other institutions). The institutions are critical in the emergence of greater autonomy and communities' control of their own destiny. Several speakers noted that the development of these institutions is linked to title and jurisdiction. Smaller communities do not have the capacity to advance these in a manner similar to developments in the larger Inter-Tribal Courts models in the United States.

Reflections of the Summit Witnesses

Following the report-outs from the tables, the shqwi'qwal invited the Summit Witnesses to offer their thoughts and guidance to participants based on the three days' discussion.

Phil Gladue

Thank you for being here. This has been a long time coming. It is good that we have come together as human beings, to express where we come from. It is important that this message gets to the schools. All children need to learn about this country. They'll turn the tables, Aboriginal and non. It is good to see all Elders, front line workers, and politicians gathered together. When we come to gatherings like this, we should open up our elephant ears. I learned a lot here and I will be passing it along to my family and others.

Betty Gladue

How wonderful it is for us to sit here today, to be able to dialogue and do something good. We have been manipulated and controlled for so long; I am overwhelmed because people are listening, and I had an impact. All these very

TENTH JUSTICE SUMMIT REPORT OF PROCEEDINGS

important people sitting beside me. They're going to listen to me. I have pride in myself, in my community. I have pride and I have hope. I will go home in peace. Things are happening, and we need a workbook to give others to carry this message.

Al Edkins

I want to remind you of what Judge Steven Point said: take off your tie, your ego, when you come to the door. Egos kill what we as humankind could accomplish. Culture, acceptance of principles, support – these are all very noble, these aspirations, but are we going to buy into it?

I see acceptance of the need for change by all governing parties. I'd rather negotiate than litigate. We are committing to establishing and maintaining a force, a forum for change. We need to maintain it. Others may bring their ego. We're in the process of shedding ours. We also need to humanize the process. We all love, breed and die. We're all human.

What does meaningful reconciliation mean? We should throw out meaningful and keep reconciliation. I made a phone call to one of our Elders and they said without forgiveness, there is no reconciliation. We have to put the past away if we are to move ahead.

Tom McCallum

I'd like to thank the Creator, the Elders and all the ancestors of the territory. I was inspired by the words of the Honourable Steven Point, and by the young people who danced for us. I have met many wonderful people who come from the government – I've never seen so many government people in one room, except when I went to court.

When I came to BC, I was honoured to be able to practice my culture. I do a ceremony called the First Dance. The tree is the centerpiece. Trust is the central point of everything we are doing here. What I have seen here is people

coming together with a like mind, sharing at a personal level to get to know each other, to remove the fear of the unknown. We are getting to trust each other, but we have a fear-based society. We're starting to open that up. Today is very different from the first day. The fear is gone.

Inclusion was mentioned. I'm really happy Metis are included in this going forward. It's so important. The grass that you see, the river, the ones that are flying – that's where our knowledge comes from – they are all our ancestors. It's about our lives. There's a story behind everything. This is our justice system. What you see here, the land, the water: we have ceremony. That guides us. Elders are not Elders just because of a long life, but because they are able to tap into the source, that's where they get their information.

I work in prison system, in an Aboriginal unit. There are changes happening there as well. We believe that's what's going to help. But we're working at the back end of the system. We have to go to the front end; and we have to work with children. Thomas Aquinas says give me a child for the first seven years, I'll give you the man.

There is no word for justice in our language. We talk about a good life, being in harmony. I'd like to thank Val Napoleon for the work she is doing, because our nations have their own ways. Maybe they'll share with us, and we can all share how we can move together. And in this second 500 years you're going to do the listening, and we're going to do the talking.

Ramona Bent

I'm honoured to be here. Something I've learned coming to these meetings is how strong the culture is here at Musqueam. I really feel it in my heart. I was asked to come as an Elder, but I'm an Elder in training. I have learnt so much here. I saw how many Aboriginal judges and lawyers we have. We don't have that many in my area.

As we build communication, as we make sure all voices are being heard, we are weaving the story about who we are. As I began my own healing journey, I had to start telling my story piece by piece. All the things we've talked about – education, residential schools, the Sixties Scoop, what happened to families, intergenerational violence – we are telling our stories to be heard as individuals. I work at OCC, and the clients I meet don't know who they are. It's sad to see: they are trying to connect to Mother Earth. I see a lot of emptiness. As a person you need to know who you are, how you are and why you're here.

It important to check out other programs and see what is working. What resources are out there? We experience things like the RCMP taking our children away and need to help ourselves be stronger. We need to bring in restorative justice, education, Friendship Centres, and make sure there are more Aboriginal people working in these systems.

We also need to keep funds in local communities for more support, like Legal Aid. In northern communities, look how long it takes for sentencing, how much it costs to see the probation officer. And meanwhile everyone is working in isolation.

There should be an apology to build trust.

We need to start supporting families in communities, have them be part of release plans. There are Elders in the system, and we need more. They bring balance. It is important that Elders are in these discussions. We need them at our schools, at the daycare, at the band office. They bring education, understanding and healing.

We should review our policies and our mandates, and think outside the box, to find a way to take a negative and turn it into a positive. It's important from an individual perspective and from an agency perspective to be open to change. We should take what is being said as knowledge, not as an attempt to tear things down.

TENTH JUSTICE SUMMIT REPORT OF PROCEEDINGS

It really comes down to resources. Prevention starts in schools, in day care, with resources for women, where we can bring our teachings. Resources, resources, resources!

Rosemary Trehearne

I'm so grateful to be here. I'm honoured to have been asked to come. I've heard it's a new way. I'm glad that for some of you it's a new way, but for some of us it's an old way. Eventually we get up and move forward. Not just First Nations people, but everyone in the room. I've listened to people in this room, in higher positions, keep their minds open to what we're talking about. I can't say enough about the people who are here to work with us, but instead of them and us I want to say "we."

I've worked in Aboriginal justice since 1972. When I heard about Gladue reports in my community, I understood the courts now had to listen to the background of Aboriginal people. If we can't use the things we've learned throughout our work, throughout our lives, then the work is wasted. It should have been made a lot meatier. I'm hoping Gladue reports will become more permanent within justice system.

People in authority, leaders, need to make people under them be more accountable to Indigenous people. The same with Chief Judges and others who have that type of position. You have to let your well-meaning approach go down through the system. And it has to come from the community: we know what we need. And it comes back to resources.

Ken Pruden

What I've witnessed since I've been here is progress and listening. We are being listened to. It has given us a chance to explain our concerns, and to understand our differences. A lot of people who are not of Aboriginal heritage think we're all one group. Indigenous people are a diverse group: we all are

TENTH JUSTICE SUMMIT REPORT OF PROCEEDINGS

different. Think about the amount of knowledge and experience of these different groups that have come together to solve these problems.

A journey of a thousand miles starts with one step. I really feel honoured to take part in a gathering such as this. If we continue on this path, reconciliation will become a truth. I wish you all safe journey.

Caroline Buckshot

On the first day, Doug White talked about interrogating the very foundations of our institutions. That's what we are doing. I'm going to take a page out of Aaron's book and share a story. I'm from the Algonquin territory.

The Creator created earth, trees, water, land, winged ones, furry ones, all of it. He brought the animals together, and said I'm going to bring humans to the earth. They're going to be very different from you. I'm going to give you gift of love, but I don't want to give them because they'll misuse and abuse it.

The eagle said, give to it me, I'll take it to the mountain. The salmon said, I'll take it to the deepest part of the oceans. And all the animals were sharing their ideas. But way at the back, there was a little mole. The mole said, I know where to put this gift of love. Put it in their hearts, Creator. That's the last place they'll look.

Jane Morley

I'm very grateful to be here, to come to this place, this beautiful building. I've been to a number of Summits, and this one gets top marks. I think it's because of my hosts.

I'm a non-Indigenous witness. I knew I was supposed to remember the things we have talked about. I have trouble remembering what happened yesterday. I needed some props. I looked at the gift I received, a beautiful spoon, with a

TENTH JUSTICE SUMMIT REPORT OF PROCEEDINGS

frog, a symbol of transformation. As Doug said, we're in a period of transformation. It may not be of our choosing, but we have choices.

I am reflecting about the canoe metaphor, and how it helps us understand how we move forward. I feel what I've witnessed is an invitation from Indigenous people to join and get into the canoe. That's a risky invitation. As non-Indigenous people, we have to recognize that we don't necessarily know how the canoe works. We need to look for leadership from Indigenous people. We need to paddle.

We don't know where we're going, but our journey is the destination. We've had good signs, like what we heard from Bella Bella, those working on Gladue reports. As we go, we'll be paddling together. We heard the rhythm from the drums today. We need to move with that rhythm.

I have heard many, many stories of people who have gone through residential schools. When you let go and listen you learn. And I have learned. The Truth and Reconciliation Commission report should be required reading. We must educate ourselves. A canoe moves, and you have to move with it. When you get someone in a canoe who doesn't know about it, that's when it's dangerous and tips. We need to be careful not to tip the canoe.

Indigenous children and families need to be connecting to their communities. We as settlers have taken away from Indigenous communities.

I also learned that we come with resources, probably one of the reasons we're being invited into the canoe. A priority for those resources is nation building. We need to think how this builds Canada, too. I am grateful for Val Napoleon's presentation. As a nation that has Canadian laws, we need to embrace Indigenous laws, so we can be in that canoe.

Taryn Walsh

We need to communicate and acknowledge the history of what has happened to Indigenous people. My daughter is ten, and she said today at school we talked about residential schools, and about the story of Phyllis. It was something she could really relate to.

We need to acknowledge that history has a place in the justice system; Gladue reports are a way of making this acknowledgement.

In this era of the TRC Calls to Action, and the UN Declaration, what does that look like when we apply it to the justice system? How do we move that forward? At this summit, it began to look like a partnership, reflected in the participants, in the agenda, and in the location. This was remarkable. As we move forward, this will no longer be remarkable, it should become normal. I thank you for this opportunity.

Closing remarks

To conclude the Summit, participants heard a number of closing addresses.

The Honourable Christopher Hinkson, Chief Justice of the Supreme Court of British Columbia, provided remarks on behalf of the judiciary, noting that the Summit had brought all participants a better understanding of Indigenous people's experience of the criminal justice system. Chief Justice Hinkson observed that much more must be done to ensure individual people are reconnected with their communities. There was a message of hope at the Summit, that we are beginning to build cultural competency and that non-Indigenous people are beginning to understand. This gives reason for optimism that a new relationship can bring about transition in the justice system to the benefit of Indigenous people, work that will clearly not end with these two Summits. The role of the judiciary is unique in this. There is a focus on judicial education regarding the UN Declaration and the TRC calls to action. As this greater awareness takes hold, the obligation of the judge remains that of adjudicating fairly.

TENTH JUSTICE SUMMIT REPORT OF PROCEEDINGS

The Honourable Steven Point noted that we are now looking for solutions to conquer the problems we know exist. The law of averages suggests that we are going to find solutions with enough of us paying attention, so we must be patient, listen, and suspend our judgment. The justice system is waiting to be decolonized, and it is true that Indigenous people have paid a big price. We must feed the right dragon, by starving out self-pity and anger, and feeding kindness and humility.

Nancy Sandy and Doug White, the co-chairs of the BC Aboriginal Justice Council, offered their thanks to participants for attending the Summit. Nancy Sandy reminded participants that laws come from the Creation stories, and law is meant to support and nourish the good life. Doug White noted that this work is aimed at addressing the greatest tragedies and the most important needs of Indigenous people and is directly connected to children. We have a chance to repair the harms and ugliness of the past. We are all harmed; cultural genocide cannot be conducted without harming yourself. But today there is a lot of redemptive potential. We need a loving relationship – and if we can have one, we would stop punishing each other.

The Summit was officially adjourned by the Honourable Mike Farnworth, Minister of Public Safety and Solicitor General of British Columbia. Minister Farnworth gave thanks to the Musqueam people for their generosity in hosting the event; to the Elders, Witnesses, and healing team, for their guidance, wisdom and support in making the event a success; and to the organizers, including the Aboriginal Justice Council and Métis Nation, for their efforts in planning the Summit. Minister Farnworth observed how important it was, as the Summit showed, to have diversity of voices in reforming the system and building our new relationship. Thanking all participants, the Minister declared the Summit adjourned.

Next Steps – Looking Forward

Key themes of the Tenth Summit

The key themes of the Tenth BC Justice Summit, as expressed by participants, are restated here, organized into four categories.

The importance of resources

1. Progress on reconciliation and on justice issues requires strengthened Indigenous capacity at the nation and individual levels.
2. Real progress requires real resources, allocated through an effective funding formula.
3. Now is the time for government action, not words.

The importance of Indigenous culture, law, and history

4. A relationship of trust is a foundational requirement for change.
5. Indigenous knowledge, law and traditions have a profound contribution to make to the way justice is delivered.
6. We must continue to support and expand development of Indigenous legal institutions.
7. Reconciliation in criminal justice does not equal assimilation.

The importance of education

8. Reconciliation in the justice system requires empathy for the experiences of Indigenous people.
9. Reconciliation in the justice system can be enabled by education.

The importance of community and healing

10. The dialogue about justice must be more inclusive, in order to create common purpose.
11. Work at the community level is essential in creating real change.
12. The criminal justice system (and government) should be far more focused on healing.

These themes will form part of discussions between now and the Eleventh Summit and will be used by the Summit Steering Committee as a framework for building an agenda for the Eleventh Summit focused on action recommendations.

Towards a Jointly Developed Indigenous Justice Strategy in BC – Planned Engagement

Regional Engagement, Indigenous Justice Forum and 11th Justice Summit

In 2017, the BC Aboriginal Justice Council (BCAJC) signed a Memorandum of Understanding (MOU) with the Attorney General and the Minister of Public Safety and Solicitor General. This MOU recognized the parties' acknowledgment that "significant improvements are required in the way that the justice system interacts with Indigenous people in British Columbia" and committed the parties to working together to jointly develop a BC Indigenous Justice Strategy. In accordance with the MOU, the BC Indigenous Justice Strategy will address issues of concern for Indigenous peoples affected by the justice system including, but not limited to:

- The overrepresentation of Indigenous peoples in the justice system;
- The experience of Indigenous people in the justice system;
- Violence against Indigenous people, especially women and girls;
- Engagement with Indigenous communities and organizations;
- Access to justice services by Indigenous people; and
- Lack of culturally relevant, flexible and user-focused services for Indigenous people.

Planned Engagement on Indigenous Justice in 2018 – a Timeline

In addition to the BCAJC's ongoing work to engage with Indigenous communities and organizations, the timeline below outlines key opportunities for engagement in relation to the joint development of a BC Indigenous Justice Strategy (the 'Justice Strategy'). At the Justice Summit, the BCAJC invited conversation about this engagement timeline and the Justice Strategy. The Justice Summit provided an opportunity to discuss what engagement around the development of the Justice Strategy could look like going forward.

The BCAJC continues to work with the province, MNBC and others to ensure engagement around the Justice Strategy continues. Work is underway to plan for regional engagement sessions on the Justice Strategy this fall, and to provide briefings and updates at meeting of the BCAFN, UBCIC, FNS, and MNBC. The possibility of a Fall/Winter 2018 Indigenous Justice Forum is also being discussed. To summarize, it is envisioned that the following planned

TENTH JUSTICE SUMMIT REPORT OF PROCEEDINGS

engagement activities will advance the creation of Justice Strategy, where Indigenous peoples are not just involved, but are the driving force behind its development:

1. The Justice Summits

- The Summits will both include meetings and dialogue between Indigenous leaders, justice experts and the voices of those with lived experiences alongside the leaders of the justice and public safety sector, with approximately equal representation;
- The intended outcomes of the Summits will be to contribute to the Justice Strategy by providing specific recommendations for real change that can be actioned by the province.

2. Regional engagement sessions with Indigenous leaders and experts;

- Participants will include Indigenous leaders, justice organizations and experts to consider justice policy and action priorities with identified/recommended timelines;
- While some government/justice system participants may be invited to participate or observe this event, it is fundamentally a dialogue within the Indigenous community.

3. A provincial Indigenous Justice Forum

- Participants will include Indigenous leaders, justice organizations and experts to consider justice policy and action priorities with identified/recommended timelines;

While some government/justice system participants may be invited to participate or observe this event, it is fundamentally a dialogue within the Indigenous community.

Eleventh BC Justice Summit

The Eleventh Summit will occur in November 2018, following engagement and consultations occurring in response to the Tenth Summit. The agenda will be developed by the Summit Steering Committee, with a focus on proposed Action Recommendations for the consideration of participants.

Appreciation

The Steering Committee would like to express its thanks to Chief Wayne Sparrow, Elder Larry Grant, Councillor Rosalind Campbell, the Musqueam Band Council, Coordinator Noreen Point, and the people of Musqueam, for their generous hosting of the Justice Summit and the warm welcome given to those from all Nations who attended.

The Committee would like to thank the Honourable David Eby, QC, the Honourable Mike Farnworth, and the Honourable Chief Justice Christopher Hinkson, for their remarks at the opening and conclusion of the Summit.

The Committee would like to thank the Honourable Steven Point for his keynote remarks, and for his valuable guidance as the event was organized. The Committee also wishes to thank Harold Tarbell for his great work as shqwi'qwal in directing the conversation with warmth, humour, and respect.

The Committee is grateful for the wisdom and guidance of those attending as Elders: Phil Gladue, Betty Gladue, Al Edkins, Tom McCallum, Ramona Bent, Rosemary Trehearne, Ken Pruden and Caroline Buckshot.

The Committee would also like to extend its appreciation to Regional Chief Terry Teegee, Doug White, Nancy Sandy, Lissa Smith, Mitch Walker, Aaron Pete, Mary Brown, Jason Simmonds, Coreen Child, Genesis Hunt, Melissa Louie, Leah George-Wilson, Deputy Commissioner Brenda Butterworth-Carr, Superintendent Marcie Flamand, Chief Aaron Sumexheltza, Terry La Liberté, Richard Fyfe, Kurt Sandstrom, and Professor Val Napoleon, for their contributions to the dialogue as panelists.

The Committee wishes to thank Madelaine McCallum and the drummers, singers and dancers of the Wolfpack Dance Group, for lifting spirits with their performances at the Summit.

Finally, the Steering Committee would like to thank all participants at the Tenth British Columbia Justice Summit, whose willingness to speak openly and personally contributed so much to the event.

Summit Feedback

Comments on this *Report of Proceedings* and the Summit process are encouraged and may be emailed to the Justice and Public Safety Secretariat at justicereform@gov.bc.ca. Responses may also be sent to the BC Aboriginal Justice Council c/o nccabc@nccabc.net, and to Métis Nation BC via the feedback form at <https://www.mnbc.ca/contact/board-of-directors>.

EMBARGOED

Appendix I: Summit Agenda

Time	Session
Day One (May 31) Indigenous Caucus Session	
OBJECTIVES	<p>The BC Aboriginal Justice Council, the Métis Nation of BC, and the First Nations Leadership Council have actively participated in the joint planning for the Tenth BC Justice Summit through a Steering Committee and a Working Circle.</p> <p>The first day of the Tenth Justice Summit on Indigenous Justice has been planned for Indigenous participation only. The May 31, 2018 Indigenous Caucus is intended to provide Indigenous participants at the Summit an opportunity to do the following:</p> <ul style="list-style-type: none"> • Receive an update on ongoing Indigenous led justice initiatives and other key justice initiatives within BC; • Prepare for successful participation in day 2 and day 3 of the Justice Summit (June 1-2); • Review the overall plans to engage Indigenous peoples, communities and organization on Indigenous justice in 2018/19; and • Inform development of the following: <ul style="list-style-type: none"> ◦ an Indigenous Justice Forum (September 2018 – TBC); ◦ the Eleventh BC Justice Summit on Indigenous Justice (Nov 2-3, 2018); and ◦ the first Indigenous Justice Strategy in BC. <p>Reflecting the importance of the dialogue, the moderator and facilitator roles are absorbed in the role of shqwi'qwal. The shqwi'qwal, as speaker, assists the community to find a new path, ensuring that all voices are heard. Elders will be in attendance in the plenary to bear witness. Please also note that the Tsow-Tun Le Lum-Tun Le Lum Society is providing resolution health support workers and a cultural support team.</p>

TENTH JUSTICE SUMMIT REPORT OF PROCEEDINGS

Time	Session
8:00 – 9:00	Registration/Breakfast
9:00	<p>Opening Protocol</p> <ul style="list-style-type: none"> • Opening (Elder Larry Grant) • Identifying the Shqwi'qwal (Speaker) Harold Tarbell and Calling Witnesses • Welcoming Remarks <ul style="list-style-type: none"> ◦ Attorney General David Eby, Co-Chair for the BC Justice Summit (via Video) ◦ Hon. Steven Point ◦ Regional Chief Terry Teegee ◦ Doug White, BC Aboriginal Justice Council Co-Chair
9:30	<p>Update on Indigenous Justice in BC</p> <ul style="list-style-type: none"> • BC Justice Summits (Members of the Justice Summit Steering Committee) • BC Aboriginal Justice Council (Doug White and Nancy Sandy, BCAJC Co-chairs) • Indigenous Justice Strategy (Doug White and Nancy Sandy, BCAJC Co-chairs, as Partners to the MOU with AG and PSSG)
10:30	Health Break
10:45	The Tenth BC Justice Summit on Indigenous Justice (May 31-June 2)
12:00	Lunch
1:00	<p>Exploring Indigenous Justice Strategy Elements</p> <ul style="list-style-type: none"> • Discussion on emerging 'priority pathways' including key initiatives
2:30	Health Break
2:45	<p>Indigenous Justice Strategy Elements – Continued</p> <ul style="list-style-type: none"> • Continued discussion on emerging 'priority pathways'

TENTH JUSTICE SUMMIT REPORT OF PROCEEDINGS

Time	Session
3:30	Fall 2018 Indigenous Justice Forum and Beyond
4:15	Closing Remarks and Protocol
4:45	Close of day
6:00	Reception (for all Summit participants) 6:30 Traditional Métis dance performance (Madelaine McCallum)
Day Two (June 1)	
8:00 – 9:00	Breakfast/registration
9:00	<p>Opening ceremony</p> <ol style="list-style-type: none"> 1. Welcome - Elder Larry Grant 2. Welcome from Musqueam Band Council - Councillor Rosalind Campbell 3. Acknowledgement of Harold Tarbell as shqwi'qwal. <p>In the Coast Salish tradition, a blanket will be wrapped over his left shoulder to symbolize his role.</p> <ol style="list-style-type: none"> 4. Calling of Witnesses 5. Remarks of welcome <ul style="list-style-type: none"> o Regional Chief Terry Teegee on behalf of AFN o Doug White, Co-Chair Aboriginal Justice Council o Lissa Smith, Justice Minister MNBC 6. Opening of Summit – Hon. David Eby QC, Attorney General
	<p>Shqwi'qwal's opening remarks</p> <ul style="list-style-type: none"> • Harold Tarbell: The Summit dialogue
	Keynote remarks

TENTH JUSTICE SUMMIT REPORT OF PROCEEDINGS

Time	Session
	<ul style="list-style-type: none"> • Honourable Steven Point: Truth, reconciliation and the justice system: why we are here today
10:15	Break
10:30	<p>Bearing Witness – Indigenous Experience of the System</p> <ul style="list-style-type: none"> • Discussion will occur first at small tables. Participants introduce themselves to the others at their table, relating their own personal cultural background and what has brought them to the discussion today. Discussion continues at the tables with participants sharing their experiences and knowledge in light of the keynote remarks. • One participant at each table will then share the table's discussion with the room as a whole. Participants will then be invited to share their stories.
12:15	Performance by Wolfpack dance group
12:30	Lunch
1:30	<p>Action on Reconciliation: a better system and a better relationship (part 1)</p> <ul style="list-style-type: none"> • Panel 1: The reality 'on the ground' – panelists will discuss the current situation in criminal justice from a frontline perspective. What is needed, and what is working? <ul style="list-style-type: none"> ○ Mitch Walker (Gladue Writers' Society) ○ Aaron Pete (Native Courtworker and Counselling Association) ○ Mary Brown (Heiltsuk Gvi'las Restorative Justice Program) ○ Jason Simmonds (Métis Nation Child Welfare) ○ Coreen Child (Minister's Advisory Council on Indigenous Women) <p>The panel will be followed by questions and discussion by participants.</p>
2:30	Action on Reconciliation: a better system and a better relationship (part 2)

TENTH JUSTICE SUMMIT REPORT OF PROCEEDINGS

Time	Session
	<ul style="list-style-type: none"> Panel 2: Change at the system level – panelists will discuss what reconciliation could look like for the way the system operates <ul style="list-style-type: none"> Melissa Louie (Lawyer, Morgan & Associates) Deputy Commissioner Brenda Butterworth-Carr (Royal Canadian Mounted Police) Supt. Marcie Flamand (Vancouver Police) Chief Aaron Sumexheltza (Lower Nicola Band) Terry La Liberté (La Liberté Cronin) <p>The panel will be followed by questions and discussion by participants.</p>
3:30 – 3:45	Break
3:45	<p>Bearing Witness – Important steps towards Reconciliation for the BC Justice System</p> <ul style="list-style-type: none"> Discussion will occur first at small tables with participants sharing their stories and ideas on meaningful reconciliation between BC and Indigenous peoples concerning the justice system. One participant at each table will be asked to share the table's discussion with the room as a whole. Participants will then be invited to share their reflections and comments.
4:30	<p>Reflections on the Day – Important steps towards Reconciliation for the BC Justice System</p> <ul style="list-style-type: none"> Doug White (BC Aboriginal Justice Council) - summary of the major themes and ideas people have brought forward and linkages to the work of the Indigenous Justice Strategy Harold Tarbell – reflections on where the discussions will open up in the morning.
5:00	Close of day

TENTH JUSTICE SUMMIT REPORT OF PROCEEDINGS

Time	Session
Day 3 (June 2)	
8:00 – 9:00	Breakfast
9:00	<p>Opening of Day</p> <ul style="list-style-type: none"> • Opening welcome (Elder Larry Grant) • Reflections on Day Two, outline objectives for last morning (Harold Tarbell)
	<p>The Way Forward</p> <ul style="list-style-type: none"> • Panel discussion on the priority pathways for the justice system and Indigenous peoples in BC. Discussion follows. <ul style="list-style-type: none"> ◦ Doug White (Co-Chair BC Aboriginal Justice Council) <ul style="list-style-type: none"> ▪ Next steps in developing an Indigenous Justice Strategy ◦ Richard Fyfe (Deputy Attorney General) and Kurt Sandstrom (Assistant Deputy Minister, Justice Services) <ul style="list-style-type: none"> ▪ Government's commitment ◦ Val Napoleon (University of Victoria) <ul style="list-style-type: none"> ▪ How do we leave space for Indigenous legal traditions?
	Break
	<p>Bearing Witness: What Form Should a Better Relationship Take?</p> <ul style="list-style-type: none"> • Discussion will occur first at small tables with participants sharing their thoughts on priority pathways concerning the justice system and Indigenous peoples. What are the most important steps to take now, and how should we strengthen our relationship going forward? • Witnesses identified on May 31 and June 1 will be invited to share comments. After the Witnesses have spoken participants will then be invited to make additional comments.
	Summary

TENTH JUSTICE SUMMIT REPORT OF PROCEEDINGS

Time	Session
	<ul style="list-style-type: none">• Harold Tarbell: Summary of the key points from the two days and the next steps.• For information of participants, review of the steps to come:<ul style="list-style-type: none">◦ Preparation of a report for review by participants◦ Gathering at Indigenous Justice Forum in September◦ Eleventh Summit with development of recommendations, and form of ongoing engagement
11:45	<p>Closing</p> <ul style="list-style-type: none">• Hon. Christopher Hinkson (Chief Justice, Supreme Court of British Columbia) – closing remarks• Hon. Steven Point – closing remarks on behalf of Steering Committee• Doug White – closing remarks on behalf of BC Aboriginal Justice Council• Hon. Mike Farnworth (Minister of Public Safety and Solicitor General) – appreciation and remarks
12:30	Summit adjourns

Appendix II: Summit Participants

Alphonse, Joe (Chief, Tl'etinqox First Nation)

Angel, Lenora (Executive Director, Ministry of Children and Family Development)

Attfield, Dave (Assistant Commissioner, Deputy Criminal Operations Officer, Core Policing, Royal Canadian Mounted Police)

Bailey, Ian (Assistant Deputy Minister & Chief Information Officer, Ministry of Attorney General)

Bailey, Rhaea (Manager, Indigenous Services, Legal Services Society)

Bauman, Hon. Robert (Chief Justice of British Columbia)

Bayes, Shawn (Executive Director, The Elizabeth Fry Society of Greater Vancouver)

Belak, Brenda (Legal Counsel, Supreme Court of British Columbia)

Bell, Kristy (Board Member, Native Courtworker & Counselling Association of BC)

Bent, Ramona (Elder, Osoyoos Indian Band)

Bentley, Shannon (Lawyer, Native Courtworker & Counselling Association of BC)

Benton, Mark, QC (Chief Executive Officer, Legal Services Society)

Bond, Allison (Deputy Minister, Ministry of Children and Family Development)

Braker, Hugh, QC (Councillor, Tseshah First Nations)

Brown, Mary (Coordinator, Heiltsuk Gvil'las Community Justice Program)

Buchan, Maureen (Senior Policy Adviser, BC Assembly of First Nations)

Buckshot, Caroline (Aboriginal Elder/Spiritual Advisor, Correctional Service of Canada)

Butterworth-Carr, Brenda (Deputy Commissioner, Commanding Officer, 'E' Division, Royal Canadian Mounted Police)

Callicum, Andy (Vice President, Nuu-chah-nulth Tribal Council)

Campbell, Rosalind (Councillor, Musqueam Indian Band)

TENTH JUSTICE SUMMIT REPORT OF PROCEEDINGS

Cardinal, Ben (Regional Board Member, Native Courtworker & Counselling Association of BC)

Casimer, Cheryl (Political Executive Member, First Nations Summit)

Cavanaugh, Lynda (Assistant Deputy Minister, Court Services Branch)

Child, Coreen (Member, Minister's Advisory Council on Indigenous Women)

Cox-Bishop, Marlene (Senate Clerk, Métis Nation BC)

Dobmeier, Teresa (Assistant Deputy Minister, Ministry of Children & Family Development)

Downey, Tracy (Executive Director, Prince Rupert Aboriginal Community Services Society)

Eby, Hon. David, QC (Attorney General of British Columbia)

Edkins, Alan (Senate Chair, Métis Nation BC)

Farnworth, Hon. Mike (Minister of Public Safety and Solicitor General of British Columbia)

Flamand, Marcie (Superintendent, Operations North, Vancouver Police Department)

Fontaine, Leah (Prosecutor, BC Prosecution Service)

Fyfe, Richard, QC (Deputy Attorney General, Ministry of Attorney General)

George, Gloria (Board Member, Native Courtworker & Counselling Association of BC)

George-Wilson, Leah (Lawyer, Miller Titerle Law Corporation)

Gerhart, Todd (Chief Federal Prosecutor, Public Prosecution Service of Canada)

Gervais, Robyn (Lawyer, Gervais Law)

Gillespie, Hon. Melissa (Acting Chief Judge, Provincial Court of British Columbia)

Gladue, Phil (Elder, Métis Nation)

Gladue, Betty (Elder, Métis Nation)

Grant, Larry (Elder, Musqueam Indian Band)

Haldane, Celeste (Board Chair, Legal Services Society)

Hall, Roger (Aboriginal Liaison, Okanagan Correctional Centre)

Hinkson, Hon. Christopher (Chief Justice, Supreme Court of British Columbia)

TENTH JUSTICE SUMMIT REPORT OF PROCEEDINGS

Hungerford, George (Board Member, CBA Aboriginal Lawyers Forum)

Hunt, Genesis (Indigenous Justice Program Manager, Alert Bay Community Justice)

Jefferson, Joanne (Qwiqwelstom Manager, Sto:lō Nation)

Juk, Peter (Assistant Deputy Attorney General, BC Prosecution Service)

Kelly, Doug, Grand Chief (Chair, First Nations Health Council)

La Liberté, Terry (Lawyer, La Liberté Cronin & Company)

Lawton, Dean, QC (Bencher, Law Society of BC)

Lazanik, Ray (Strategic Advisor, Native Courtworker & Counselling Association of BC)

Lee, Michael, MLA (Opposition Critic for Attorney General, Legislative Assembly)

Leung, Karen (Legal Officer, Office of the Chief Judge, Provincial Court of British Columbia)

Lindley, Shelby (Lawyer, Springfords)

Lord, Lindsay (Chief Executive Officer, John Howard Society Thompson Region)

Louie, Melissa (Legal Counsel, First Nations Summit)

Manak, Del (Chief Constable, Victoria Police Department)

Manuel, Bruce (Corrections Liaison Worker, South Okanagan Restorative Justice Program)

McBride, Heidi (Executive Director & Senior Counsel, Superior Courts Judiciary)

Mccallum, Tom (Elder, Métis Nation)

McLean, Kimberley (Provincial Director, Strategic Operations Division, BC Corrections)

Mezzarobba, Marcie (Executive Director, Community Safety & Crime Prevention)

Miller, Mark (Chief Executive Officer, The John Howard Society)

Morley, Jane (Coordinator, Access to Justice BC)

Morris, Mike, MLA (Opposition Critic for Public Safety & Solicitor General, Legislative Assembly)

Napoleon, Val (Associate Professor, Aboriginal Justice and Governance, University of Victoria)

TENTH JUSTICE SUMMIT REPORT OF PROCEEDINGS

Nash, Laurel (Assistant Deputy Minister, Strategic Partnerships and Initiatives Division)

Nevin, Caroline (Executive Director, Canadian Bar Association BC Branch)

Nickel, Carol-Ann (Executive Assistant, Native Courtworker & Counselling Association of BC)

Noftle, Lynn (Inspector, Youth Services Section, Vancouver Police Department)

Paul, Darcy (Wellness Worker, Sto:lo Nation)

Pecknold, Clayton (Assistant Deputy Minister & Director of Police Services, Police Services Division)

Peters, Alicia (Qwiqwelstom Wellness Court, Sto:lo Service Agency)

Peters, Boyd (Director, Rights and Title, Sts'ailes Band)

Phillips, Robert (Political Executive Member, First Nations Summit)

Point, Hon. Steven (Judge, Provincial Court of British Columbia)

Poulin, Sonia (Executive Director, Justice Education Society)

Pruce, Lori (Director, Aboriginal Programs, BC Corrections)

Pruden, Ken (Elder, Métis Nation of BC)

Ramsdale, Vanessa (Restorative Justice Coordinator, South Island Wellness Society)

Rankin, Taya (Manager, St'at'imc Restorative Justice)

Robertson, Wayne, QC, (Executive Director, Law Foundation of BC)

Robins, Natalie (BC Regional Coordinator, DOJ Indigenous Justice Program)

Rudolf, Sally (Legal Counsel, BC Court of Appeal)

Rutquist, Larissa (Manager, National Policy, Indigenous Justice Program, Justice Canada)

Salman, Azam (Assistant Deputy Minister, Corporate Management Services Branch)

Sam, Michele A. (Board Member, Native Courtworker & Counselling Association of BC)

Sanchez, Jaime (Special Advisor to Regional Chief, BC Assembly of First Nations)

Sandstrom, Kurt, QC, (Assistant Deputy Minister, Justice Services Branch, Ministry of Attorney General)

TENTH JUSTICE SUMMIT REPORT OF PROCEEDINGS

Sandy, Nancy (Co-Chair, Child Welfare, BC Aboriginal Justice Council)

Schmidt, Lee (Associate Director, Indigenous Legal Studies, Allard School of Law)

Shackelly, Darlene (Executive Director, Native Courtworker & Counselling Association of BC)

Shackelly, Darryl (Program Director, Native Courtworker & Counselling Association of BC)

Sieben, Mark (Deputy Solicitor General, Ministry of Public Safety and Solicitor General)

Simmonds, Jason (Director of Children & Families, Métis Nation BC)

Smith, Lissa (Vice President & Minister of Justice, Métis Nation BC)

Sparrow, Leona (Director, Treaty, Lands and Resources, Musqueam Indian Band)

Spicer, Valerie (Sergeant, Diversity & Indigenous Relations Unit, Vancouver Police Department)

Spier, Colleen (Lawyer, Spier and Co., and member, BC Aboriginal Justice Council)

Spotted Eagle, Jon (Director, Native Courtworker & Counselling Association of BC)

Stevens, Lori (Regional Crown Counsel, BC Prosecution Service)

Stewart, Dee (Sergeant, Royal Canadian Mounted Police)

Sumexheltza, Aaron (Chief, Lower Nicola Indian Band)

Tait, Faith (Justice Department Manager, Nisga'a Lisims Government)

Teegee, Terry (Regional Chief, BC Assembly of First Nations)

Tenant, Donna (Director of Sustainable Development, Native Courtworkers & Counselling Association of BC)

Trehearne, Rosemary (Elder, Sto:lo Nation)

Turi, Cari (Assistant Deputy Minister, Correctional Service Canada)

Tyler, Christopher (Community Justice Coordinator, Kwadacha Nation)

Veenstra, Bill (President, Canadian Bar Association BC Branch)

Walker, Mitch (Vice Chair, Gladue Writers Society of BC)

TENTH JUSTICE SUMMIT REPORT OF PROCEEDINGS

Walsh, Taryn (Assistant Deputy Minister, Ministry of Mental Health & Addictions)

Walters, Peter (Consultant, Ministry of Attorney General)

Wells, Terri (Indigenous Justice Program Working Group, North Island Community Justice)

Weselowski, Allan (Director, Ministry of Indigenous Relations and Reconciliation)

Whitcombe, Adam (Deputy Executive Director, Law Society of BC)

White, Douglas (Co-Chair, Criminal Justice, BC Aboriginal Justice Council & President, Native Courtworker & Counselling Association of BC)

Wilson, Judy (Chief, Secretary Treasurer, Union of BC Indian Chiefs)

Wilson, Kory (Executive Director Indigenous Initiatives & Partnership, British Columbia Institute of Technology)

Wilson-Yazzie, Rosalie (Founder, Nesika Law Corporation)

Wishart, Hon. Susan (Associate Chief Judge, Provincial Court of British Columbia)

Yee, Colleen (Inspector, Centralized Ops Support Section, Vancouver Police Department)

Appendix III: Summit Organizing Team

Steering Committee (and *Observers)

Regional Chief Terry Teegee, BC Assembly of First Nations

Douglas White III, Co-Chair Criminal Justice, BC Aboriginal Justice Council, and President, Native Courtworker and Counselling Association of British Columbia

The Honourable Judge Steven Point, Provincial Court of British Columbia

Richard Fyfe, QC, Deputy Attorney General, Ministry of Attorney General

Kurt Sandstrom, QC, Assistant Deputy Minister, Justice Services, Ministry of Attorney General

Darlene Shackelly, Executive Director, Native Courtworker and Counselling Association of British Columbia

Mark Sieben, Deputy Solicitor General, Ministry of Public Safety and Solicitor General

Lissa Smith, Minister of Justice, Métis Nation BC

Colleen Spier, Spier and Company Law, and member, BC Aboriginal Justice Council

Heidi McBride*, Executive Director & Senior Counsel, Superior Courts Judiciary

Sally Rudolf*, Legal Counsel, Court of Appeal for British Columbia

Brenda Belak*, Legal Counsel, Supreme Court of British Columbia

Karen Leung*, Legal Officer, Office of the Chief Judge, Provincial Court of British Columbia

Ex officio

Allan Castle, Coordinator, BC Justice Summits/BC Justice and Public Safety Council

Tami Currie, Executive Director Strategic Planning and Performance, Justice Services Branch, Ministry of Attorney General

Alyssa Melnyk, Vice President, Castlemain Group

TENTH JUSTICE SUMMIT REPORT OF PROCEEDINGS

Working Circle

Tami Currie, Executive Director, Justice Services Branch

Alyssa Melnyk, Vice President, Castlemain Group

Allan Castle, Coordinator, BC Justice Summits/BC Justice and Public Safety Council

Colin Braker, Communications Director, First Nations Summit

Richard de Boer, QC, Director, Policy and Justice Issues, British Columbia Prosecution Service

Courtney Daws, Senior Analyst, Castlemain Group

Jacqueline Davies, Senior Program Manager, Policing and Security Branch

James Knighton, Aboriginal Program and Relationship Analyst, BC Corrections

Lori Pruce, Director, Aboriginal Programs and Relationships, BC Corrections

Darryl Shackelly, Native Courtworker and Counselling Association of BC

Melanie Neil, Executive Director, Court Services Branch

Karyn Scott, Executive Director, Justice Services Branch

Beverley Salkus, Executive Coordinator, Justice Services Branch

Rob Parenteau, Director, Community and Social Innovation, Ministry of Indigenous Relations and Reconciliation

Maureen Buchan, Senior Policy Advisor, BC Assembly of First Nations

Andrea Glickman, Policy Director, Union of BC Indian Chiefs