



## BRITISH COLUMBIA

July 23, 2020

Jean Whittow  
Chair, Legal Aid BC Board of Directors  
Legal Aid BC  
400 - 510 Burrard Street  
Vancouver BC V6C 3B9  
Email: [LSS.Chair@legalaid.bc.ca](mailto:LSS.Chair@legalaid.bc.ca)

Dear Jean Whittow:

On behalf of the Government of British Columbia, I wish to acknowledge receipt of your annual Budget Management Plan. I appreciate your due diligence in the time and effort expended by your board and your finance team in the development of this year's plan. This year's package is a comprehensive submission incorporating budget information provided by ministry staff as well as improvements recommended during the previous year's process.

I also would like to acknowledge that this work happened during the particularly challenging reality of managing the impact of the COVID-19 pandemic on the delivery of legal aid services to British Columbians.

I am pleased that that we have had progress on the historical issues of compensation for legal aid lawyers and I appreciate the time and resources Legal Aid BC (LABC) dedicated to the negotiation process as well as to the ongoing policy consultations.

I approve the revised 2020/21 three-year budget management plan for LABC as submitted on June 26, 2020, reflecting the funding figures confirmed on Budget Day, assuming we have a common understanding and agreement on the following points:

1. As you know, budget decisions regarding legal aid were informed by a number of sources, primarily platform commitments, mandate letters and budget proposals. Treasury Board (TB) has advised that funding must be directed toward the purpose for which it was approved. I understand that my staff has provided you with the appropriate details of funding for each purpose. As such, please notify ministry staff if new priorities arise or pandemic related cost pressures that emerge which cannot be accommodated with savings from Quarters One and Two, that have not been otherwise addressed so they may be discussed at the ministry/LABC working group as per the Memorandum of Understanding (MOU).

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2. I understand the main priorities of the LABC Board align closely with those of government, especially related to Indigenous justice and family legal aid services. I assume your plans and priorities for allocation of government legal aid funding prioritize tariff services as follows. If not, please advise ministry staff so that we can come to a common understanding of the priorities and next steps:
  - a. Indigenous justice: I appreciate the progress you have made in the operationalization of the Parents' Legal Centre at a total of 10 locations, guided by the Grand Chief Ed John's recommendations and results of current consultations with Indigenous communities. I appreciate the work in keeping all these open within the available funding for 2020/21. I look forward to a report back on outcomes later this year.
  - b. Family services: Key priorities are to continue the extended family services that were discontinued in 2016 and advance family case conferences. I appreciate the progress you have made to date in these areas.
  - c. Criminal services: I understand that LABC has successfully introduced the Criminal Early Resolution Contract (CERC) initiative, achieving benefits similar to the Expanded Duty Counsel pilots at Port Coquitlam Courthouse. I look forward to a report of results on the outcomes in the coming year.
3. I expect that any mitigation strategies that impact service delivery would not be undertaken until after all administrative spending options had been assessed jointly by LABC and ministry staff.
4. I appreciate the work you and ministry staff have done to clarify administration costs related to the delivery of legal aid, specifically separating out direct versus indirect administration costs.
5. Please continue to work with government communications staff on the key messaging and timing of any public communications that have, or may be perceived as having, ministry impacts.
6. Finally, as the ministry charts a path forward for responding to the implications of the COVID-19 pandemic on the justice sector, I expect you will continue to play key role in the design and implementation of possible solutions for improving access to legal aid services for British Columbians.

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Please submit your monthly forecasts to ministry staff according to the schedule provided to you. When doing so, please advise of and explain any notable variance in all budget areas. I also look forward to ongoing discussions with LABC as the justice sector navigates the challenges created by the COVID-19 pandemic as well as the transformative opportunity for innovative ways to continue to provide access to justice for all citizens.

Yours truly,

A handwritten signature in black ink, appearing to be 'DEBY', with a long horizontal flourish extending to the right.

David Eby, QC  
Attorney General

pc: Richard J. M. Fyfe, QC  
Kurt J. W. Sandstrom, QC  
Mark Benton, QC