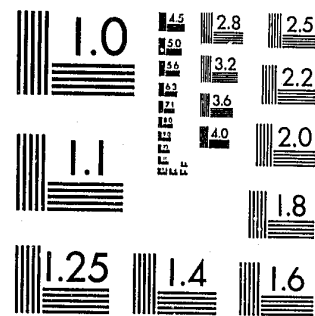


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5/6/82

British Columbia

# Legal Services Society

## ANNUAL REPORT

81490

OCTOBER 1, 1979  
TO  
MARCH 31, 1980

British Columbia

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# Legal Services Society

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## ANNUAL REPORT

U.S. Department of Justice  
National Institute of Justice

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**OCTOBER 1, 1979  
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## Introductory Remarks by the Chairman

This is the first Annual Report of the Legal Services Society. The date of the inception of the Legal Services Society was October 1, 1979. The reporting date required by law is as of April 30 each year. Therefore this annual report covers the first six months of our operations up to April 30, 1980.

The Legal Services Society is the result of the amalgamation of the former Legal Services Commission and the former Legal Aid Society. This amalgamation was brought about by the Legal Services Society Act which was passed unanimously by the British Columbia Legislature in 1979.

The objects of the Society as set out in Section 3 of the Legal Services Society Act are to ensure that: "(a) services ordinarily provided by a lawyer are afforded to individuals who would not otherwise receive them because of financial or other reasons; and (b) education, advice and information about law are provided for the people of British Columbia."

The work of the Society is therefore divided into two types of services: client services provided on an individual basis, and education and information services provided to the general public and to the schools in British Columbia.

The amalgamation has been a success. The former disagreements between the Legal Services Commission and the Legal Aid Society as to planning legal services on a province-wide basis have been solved by our joining together as one organization. The head office staffs of the Legal Aid Society and the Legal Services Commission are now in new premises at 555 West Hastings Street, Vancouver, B.C. and are working well together. There is a good spirit and morale and the loyalty of staff is clearly to the Legal Services Society.

The Board of Directors of the Legal Services Society is made up of four who were formerly directors with the Legal Aid Society, three who were formerly commissioners with the Legal Services Commission, and seven "new blood". The interest shown and the efforts given by the new Board have been gratifying. As with staff, the loyalty of the Board members is to the new organization.

The work carried out by the former Legal Services Commission and the former Legal Aid Society has continued in full. Throughout the Province "Legal Aid" offices have become "Legal Services" offices. The former community law offices have continued to operate under community based boards of directors. The special programs for schools, public legal education, native legal services and library services that were part of the work of the Legal Services Commission, are being carried on by the Legal Services Society. The training and



planning facilities of the two organizations have been combined and are stronger because of this.

However, it would be misleading to leave the impression that all the problems have been solved. This would overlook the fact that there are many sizeable communities in British Columbia that do not have offices offering legal services to the disadvantaged. It would also overlook the fact that the fees paid to the private bar for criminal and family cases have fallen way behind inflation and need to be brought up to date. Also, the demand for services has increased and more personnel are needed to cope with the volume of work. Further funds are necessary to meet these needs.

Many challenges lie ahead. The amalgamation has succeeded in laying a solid foundation for the delivery of legal services to the people of British Columbia. It is my belief that the organization now in place is capable of meeting the challenges.

Duncan W. Shaw  
Chairman

## Executive Director's Report

On the pages of this report which follow are descriptions of the number and variety of activities which come within the mandate of the Legal Services Society. They all represent the efforts of many people to convert into action the objectives which are set out for the Society under the Legal Services Society Act.

For the most part these activities have preceded the creation of the Statute and for this reason amongst others the Society, particularly through its Board of Directors, has been closely examining our work and the work which we help to sponsor.

The purpose of that examination is to determine what objectives we are meeting and what objectives call for increased attention. The knowledge which is being gained from the examination is assisting the Society to develop policies and programs which best use the resources available to us and best meet the needs of those who look to the Society for assistance.

Six important matters reviewed in the first six months of operation indicate the kinds of issues before the Society and the job to be done to achieve our objectives.

In December 1979 the Supreme Court of British Columbia found that the new Family Relations Act could not validly confer jurisdiction on the Family Court to grant custody and some other matters. As a result, many people who had been proceeding through Family Court without lawyers looked to the Legal Services Society to provide lawyers to assist them to take their cases before the Supreme Court of British Columbia, the court which did have jurisdiction. The Society was fortunate in negotiating a special contract with the Ministry of the Attorney-General to obtain funds which would enable it to provide counsel to meet this new demand for assistance. This is an example of how changes in the law can create new needs for assistance and changes in demand upon the resources of the Society.

The second matter relates to the Society's concern that the delivery of services be as effective as possible. Considerable time and effort have been taken to examine the arrangements for providing services in Victoria and Kamloops. At the time of the creation of the Legal Services Society in each community three separate organizations existed to deliver legal services leading to public confusion, fears of duplication of services and problems in communication and co-ordination. After consultation with organizations in those communities and careful review by the Board of Directors of the Society steps have been



Bryan F. Ralph

taken to create a single organization in each community. It is hoped that these changes will bring about more effective service to the people of those centres.

The third matter concerns the range of special needs of different groups of people who live in British Columbia. Sometimes because of differences in language, culture, geography and experience legal problems call for special solutions. Native peoples, new Canadians, people in institutions and residents of remote communities are examples of groups that the Society is examining with the intent to ensure that their needs for legal services are met as effectively as possible.

In contrast to the special needs of particular groups of people is the general need for information and education about law of all of the people of British Columbia. The Board of Directors has received reports and considered programs which are aimed at meeting this need. It has paid particular attention to the importance of the teaching of law in our schools.

The Board of Directors has also been reviewing the way in which members of the legal profession provide their assistance to the Legal Services Society. In particular the Board has been reviewing the level of compensation and the principles which govern tariff programs which are used for family law and criminal law assistance. It must be recognized that the present level of compensation is substantially lower than that which lawyers would normally charge for their services. The result is that a substantial indirect contribution toward the cost of legal services is being made by those members

## Board of Directors 1979-80\*

Duncan W. Shaw  
Chairman, lawyer, Vancouver

David W.H. Tupper  
Vice-chairman, lawyer, Vancouver

Mr. Justice P.D. Seaton  
Judge of the B.C. Court of Appeal, Vancouver

Judge A.J. Scow  
Judge of the Provincial Court of B.C.,  
Port Coquitlam

Elizabeth O'Kiely  
Social worker, West Vancouver

Donald A. Silversides  
Lawyer, Prince Rupert

Frank Maczko  
Professor of Law, Vancouver

Diane Calhoun  
Housewife, Smithers

T.J. Melnick  
Lawyer, Cranbrook

David Smith  
Minister, Langley

David Buchanan  
Lawyer, Vancouver

J.T. Edwards  
Lawyer, Vancouver

Jane Fleming  
Town planner, Kelowna

Robert Johnston  
Lawyer, Victoria

\*The Legal Services Society Act provides for the appointment of 14 members of the Board of Directors, seven appointed by the Lieutenant Governor in Council and seven are appointed by the Law Society of British Columbia in consultation with the Executive of the British Columbia Branch of the Canadian Bar Association.

of the legal profession who act on referrals made by the Society.

The sixth example of issues before the Society is that of the role of the community in assisting to provide legal services. A considerable portion of the Legal Services Society budget is granted to community groups to provide a range of legal services in their own areas. These groups have their own boards of directors who establish policies for their groups and determine programs in their towns or regions of the province. The Legal Services Society recognizes the important advantages in providing legal services which can be gained from the assistance and participation of local communities. The full nature and extent of that role has to be explored in conjunction with such communities and this matter is one which will be looked at much more closely in the 1980/81 fiscal year.

At the end of our first six months of operation it is clear that there are many issues, many problems, many needs but limited resources. It is also clear that legal assistance is a vital and essential service. The challenge for the Legal Services Society will continue to be to use its resources as effectively as it possibly can to provide this essential service.

A handwritten signature of Bryan F. Ralph in dark ink.

Bryan F. Ralph  
Executive Director

## Client Services

The Client Services department administers programs which provide direct legal services throughout the province to persons who would not otherwise receive those services because of financial or other reasons.

Different services are provided through a variety of programs and agencies. In general, these services can be characterized in two ways, client-oriented services and issue-oriented services.

The philosophy behind a client-oriented service is to attempt to put the financially eligible person, as an individual, as nearly as possible, on an equal footing before the law, with the person who can afford to pay for legal services. Most services offered by the Client Services department can be characterized

in this way. Some examples of this kind of service would be assistance given to a client to defend a criminal charge, obtain custody of children, resist foreclosure proceedings against a family home or appeal a Workers' Compensation decision.

Issue-oriented services are aimed at assisting individuals or groups to confront problems or issues which affect large numbers of poor people. Activities in this area might include providing legal advice for clients organizing a housing co-operative for low-income citizens, providing legal education to low-income people, or taking action to ensure the enforcement of community by-laws important to low-income people.

### WHO IS ELIGIBLE

A person is financially eligible for direct services when requiring him to pay legal fees would impair his ability to furnish himself and his family with the essentials necessary to keep them adequately fed, clothed, sheltered and living together as a family.

This test is designed to be flexible enough to take into account an applicant's entire financial situation, including the probable cost of the services required. Financial guidelines, regular consultation between those determining eligibility, as well as the right of an applicant refused service to appeal the decision to the

Executive Director, ensure considerable uniformity in the determination of eligibility throughout the province.

If a person is not financially eligible for service, he may, nevertheless, be assisted if he cannot obtain the needed services from another source and agrees to make a financial contribution, where possible. Typically, assistance given under these criteria would be given because of an applicant's special ethnic, cultural or linguistic needs, or because of his or her geographical isolation.

### METHODS OF PROVIDING SERVICE

There are two mechanisms for the delivery of client services: programs utilizing the private Bar and offices operated around the province by the Legal Services Society or by funded agencies.

#### Tariff Programs

The private Bar is engaged in delivering services to eligible clients in the criminal and family law areas, through tariff programs. Clients whose problems are covered by the tariff are referred by a Legal Services Society office or an area director to a private lawyer. The lawyer is then paid a fee for service determined by the tariff. The solicitor-client relationship is the same as if the client had retained a lawyer privately.

A client has the right to select any lawyer that is willing to act from within the geographical region where the client lives or where the problem arises. In criminal cases where the minimum penalty, upon conviction, is life imprisonment, the client is entitled to retain and instruct any member of the Bar of British Columbia, who is prepared to act for him.

The criminal law tariff covers:

- All indictable offences.

- Summary conviction offences where there is a likelihood that, if convicted, the accused will receive a prison sentence or lose his means of earning a living.
- Juvenile Delinquents Act proceedings for which the accused would qualify if he were an adult.
- All proceedings under the Extradition Act and the Fugitive Offenders Act.

(See Table II, p. 16)

The family law tariff covers:

- Respondents in the Provincial Court under the Family Relations Act, (the Ministry of the Attorney-General provides legal services for Family Relations Act applicants in the Provincial Court).
- Parents under the Family and Child Services Act.
- Applicants or Respondents under the Child Paternity and Support Act.
- Children in any family law matter in which they need independent representation which is not available from another source.
- All family law matters in County and Supreme Court, including divorces, Family Relations Act proceedings and adoptions.

(See Table III, p. 18)



Tariff fees for private lawyers acting on legal aid cases are, in many cases, significantly below what lawyers would receive if they were acting on a similar case, on a private basis. In addition, lawyers in private practice frequently agree to act, without fee, on civil law cases where no tariff is provided. The value of the contribution the private Bar makes to the service provided to clients in these ways cannot be underestimated.

### Reciprocity

Where residents of other jurisdictions require legal services in B.C., the Legal Services Society attempts to provide the same assistance for them, as it does to residents of B.C.

Within Canada, this procedure is formalized by the inter-provincial reciprocity agreement, which all provincial and territorial legal aid plans are parties to. Financial eligibility is determined according to the criteria of the applicant's province of residence. The service provided is that which the assisting province would provide to its own residents.

Internationally, the Legal Services Society has no formal reciprocity agreements. However, where a B.C. resident requires legal assistance in a foreign jurisdiction, the Legal Services Society will contact the legal aid program in the other jurisdiction and request that service be provided. The Legal Services Society handled over 400 reciprocal cases in the last year, from all parts of Canada, as well as from the U.S.A., Australia, United Kingdom, West Germany and other European and Commonwealth countries.

### Duty Counsel

Duty Counsel are staff lawyers or lawyers retained from private practice, who are available in the courts to advise accused persons held in custody. Advice is given concerning the charges an accused faces, procedures he will face in court and the right to apply for legal aid. In addition, Duty Counsel ensure that an application form for legal aid is completed; when appropriate, make bail applications on behalf of accused; speak to sentence if an accused determines to plead guilty; and represent accused in respect of whom the Crown is seeking a psychiatric remand. Where possible, Duty Counsel also give advice to and appear on behalf of accused who are not in custody, but are making their first appearance in court.

Duty Counsel are provided in adult criminal courts in the following areas: Delta, Parksville, Burnaby, Vanderhoof, Langley, New Westminster, Richmond, Port Hardy, Fort St. John, Alert Bay, Victoria, Chilliwack, Kelowna, Ladysmith, Prince Rupert, Smithers, Pemberton, Vancouver, Courtenay, Powell River, Prince George, Sechelt, Kamloops, Port Alberni, Uclulet,

Mission, Abbotsford, Surrey, Trail, Vernon, Nanaimo, Campbell River and Dawson Creek.

Duty Counsel are also available in juvenile court in Vancouver, one day per week.

### Legal Services Society Branch Offices

The Legal Services Society operates branch offices in a number of communities throughout the province. Staff lawyers, and secretary/legal assistants and, in some offices, paralegals administer the tariff and duty counsel programs. In addition, they provide a wide range of legal services to qualified applicants, particularly in areas not covered by the Legal Services Society tariff.

The offices are located in: Burnaby, Campbell River, Chilliwack, Cranbrook, Dawson Creek, Fort St. John, Kamloops, Kelowna, Nanaimo, Nelson, New Westminster, Prince George, Prince Rupert, Surrey, Vancouver, Victoria, Vernon, and Williams Lake.

### Area Directors

In communities where there is no Legal Services Society branch office or community office, a private lawyer administers the tariff programs and gives summary advice on non-tariff matters. Area Directors make an invaluable contribution to the overall service provided.

They are located in: Delta, Duncan, Fort Nelson, Golden, Mackenzie, Nakusp, Pemberton, Penticton, Powell River, Quesnel, Revelstoke, Richmond, Salmon Arm, Smithers, Squamish, Terrace, Tofino/Uclulet, Whitehorse, North Vancouver and Abbotsford.

### Community Law Offices

The Legal Services Society funds a number of independent societies throughout the province, which run community law offices. The offices are staffed by paralegals, with approximately half the offices employing a staff lawyer and the other half making use of a lawyer in private practice to act as a consultant and supervisor. Most community law offices administer the legal aid tariff for their area.

The offices provide a wide range of direct and indirect legal services for the communities. The Societies draw on their local knowledge to assess local needs and to set priorities among those needs.

These offices are located at: Abbotsford, Kamloops, Maple Ridge, Nanaimo, New Westminster, Penticton, Powell River, Quesnel, Smithers and Victoria.  
(See Table IV, p. 18)



## OTHER FUNDED AGENCIES

### Vancouver Community Legal Assistance Society

The Legal Services Society contributes one-third of the funds required by the Vancouver Community Legal Assistance Society. VCLAS provides a range of services through three offices. It provides a lawyer to supervise the Law Student's Legal Advice Clinic in Greater Vancouver; it runs the Mental Patients Advocacy Project at Riverview Mental Hospital; and it provides direct services through its staff at its main office. VCLAS has been involved in such programs as assisting low-income groups with problems under the Societies Act; doing welfare appeals, landlord and tenant matters, Unemployment Insurance cases; and undertaking test cases or class actions on matters of concern to low-income groups.

### Elizabeth Fry Society

The Elizabeth Fry Society provides assistance to women in conflict with the law. The Society provides courtworker services around the province, community access workers to women's correctional institutions, and in Vancouver, counselling services. The Legal Services Society provides funds for Elizabeth Fry courtworkers in Vancouver and Kelowna, and contributes to its courtworker programs in Kamloops and Prince George.

### B.C. Civil Liberties

The Legal Services Society funds the Executive Director at the B.C. Civil Liberties office in Vancouver. The executive director provides information and co-ordinates an advocacy referral service for those persons whose problems raise civil liberties issues.

## SPECIAL PROGRAMS

### Prison Services Program

Special services are provided to prisoners in institutions in the Lower Mainland and the Fraser Valley, by a lawyer and paralegal personnel based in Abbotsford and New Westminster. These special services ensure that prisoners have access to the ordinary services that other citizens can look to for assistance, as well as to ensure that legal assistance is available for some of their unique problems.

A number of cases have been taken by project personnel to attempt to expand or define the rights which prisoners ought to retain, in spite of their incarceration. These cases have raised issues concerning the authority of the Federal Court to review administrative matters, the authority of prison officials to make transfers, the duty of the Parole Board to act fairly, the authority of prison officials to order solitary confinement, and the right of a prisoner to counsel in an administrative hearing.

### Mental Patients' Advocate Project

This project has taken place under the direction of the Vancouver Community Legal Assistance Society, with funding assistance from the Donner Foundation, the Federal Department of Justice, the Law Foundation of B.C., the Legal Services Commission and latterly the Legal Services Society.

The project is designed to provide legal assistance to mental patients, and former mental patients who have a legal problem. It is a pioneering project, which provides free on-site, specialized and independent legal assistance to mental patients. The project office is located at Riverview Hospital in Coquitlam.

In the experience of the project, sixty percent of cases handled relate to complaints about hospital procedures, and of those cases,

eighty percent of the clients are seeking release from the hospital. An evaluation of the project conducted by the Department of Justice, concluded that there was clearly an overwhelming need among mental patients for legal aid services and, generally, that the Mental Patients' Advocate Project was an appropriate model for delivery.

A number of significant cases have been brought which have helped to clarify mental health legislation in B.C. Further clarification relating to the rights of patients under mental health legislation should be possible through future litigation.



## NEW DEVELOPMENTS

### Burnaby Defence Office

The Burnaby Criminal Defence Project began operating in October, 1978 with a staff of three lawyers, a paralegal and two secretaries.

This three-year project was established to assess the feasibility of a criminal public defender program and its effectiveness relative to other methods of providing legal services. The office handles most criminal law legal aid cases in Burnaby Provincial Court. An independent evaluation of the project is funded by the Federal Department of Justice.

### Do Your Own Divorce Program

In the Vancouver area, clients who qualify for legal aid and who have grounds to commence divorce proceedings on the grounds of living separate and apart for the time prescribed by the Divorce Act, are given assistance under this

special program. Referrals are made to one of the Law Student's Legal Advice Clinics in the Lower Mainland where the students will assist the client to prepare and serve the documents necessary to commence the divorce petition and set the matter down for trial. The Legal Services Society appoints a lawyer, who is paid a fee under the tariff, to represent the client at the trial.

By making use of the assistance law students are able to provide, the client's own resources and appointment of a lawyer by the Legal Services Society at the time of trial only, a significant number of clients can be assisted for a relatively low cost. During the 1979/80 fiscal year, approximately 150 persons were assisted to obtain divorce decrees under this program.

### Kamloops

As a result of discussions between the Legal Services Society and other groups providing legal services in the Kamloops area, the Kamloops Regional Law Centre Association was formed. This Association was formed from an amalgamation of the Legal Services Society branch office, the Kamloops Civil Liberties Society, and the Interior Public Legal Awareness Society. This new association is an independent organization, whose Board of Directors is composed of local residents concerned with the effective delivery of legal services in their community, and is funded by the Legal Services Society.

The Association will continue to administer the legal aid tariff and duty counsel programs, provide advocacy service for a wide range of civil problems, and provide public legal education to the community.

It is anticipated that local direction of the Society, and its single management structure should ensure that the legal needs of the Kamloops region are met with relevant, responsive assistance.

### Victoria

The Victoria Law Centre Association was formed in Victoria to deliver legal services and set priorities for the delivery of legal services in the Victoria area. With funding assistance from the Legal Services Society and the University of Victoria, the Victoria Law Centre will administer the legal aid tariff and duty counsel programs, provide a continuing program of public legal education and direct legal services to clients requiring assistance.

The Law Centre co-operates closely with the Faculty of Law at the University of Victoria which, as part of its clinical law program, permits law students to spend time at the Law Centre for

academic credit, providing assistance to clients under the guidance of a member of the Faculty, and lawyers employed at the Law Centre. The Law Centre Board itself is made up of representatives from the Victoria Bar, the Faculty of Law of the University of Victoria and non-lawyers, chosen for their interest in community issues.

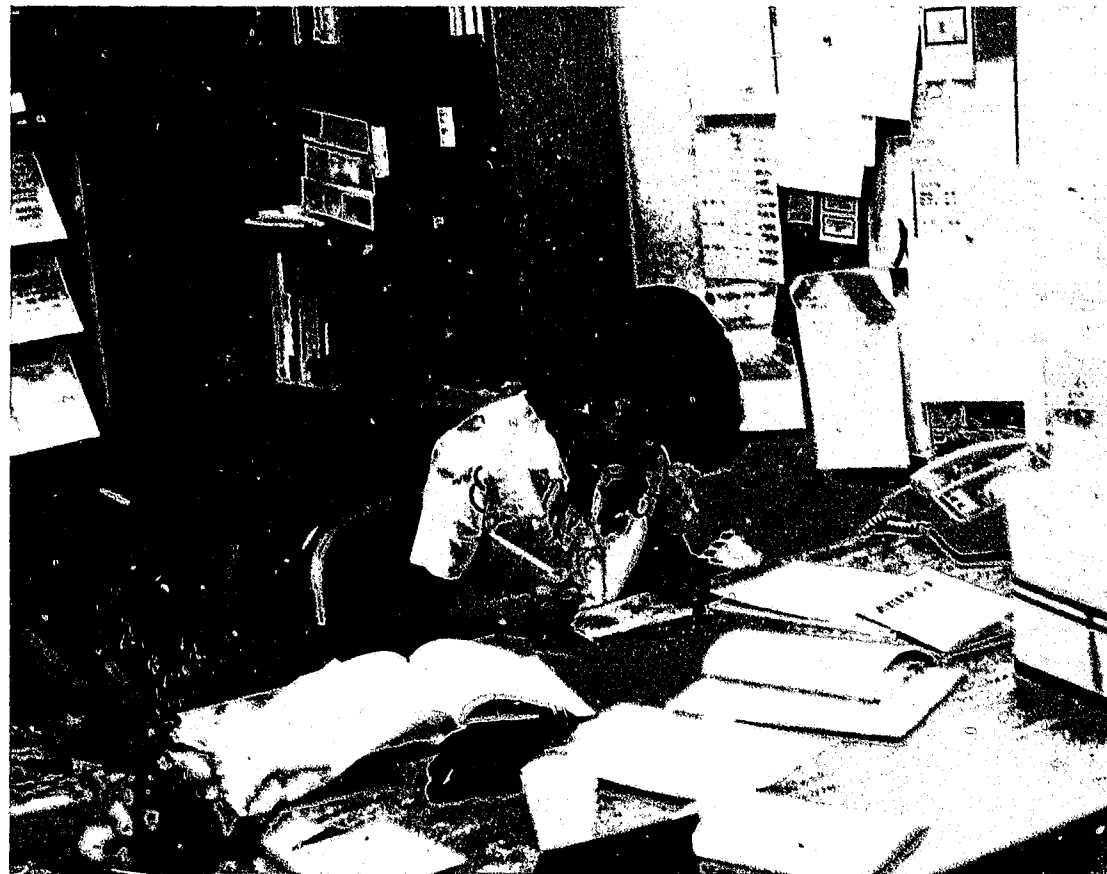


## Planning and Research Department

This department handles most of the projects and responsibilities of the former Legal Services Commission's research and evaluation functions and Commission Counsel, and administers the Client Information System, which collects data from Community Law Offices.

The major current project has been the design of a new management information system to cover Legal Services' operations. There is continued involvement in the research and management information activities covering the Burnaby Criminal Defence Office, the Community Law Offices, and other funded operations, as well as liaison with the research staffs of the Attorney-General's Ministry and the Department of Justice.

The department provides consultation, informational and legal support to other departments, especially on policy-related questions. Activities of the Planning and Research staff also include general research on types of public legal services, liability insurance and advising on funding contracts.



## Legal Information Services

The Legal Information Services department of the Legal Services Society provides education, advice and information about law to the people of British Columbia.

This department has drawn together four departments of the former Legal Services

Commission—the schools program, the public legal education program, the library services program and the training program.

It also co-ordinates the graphics, layout and printing of Legal Services Society publications through its own publications department.

### SCHOOLS PROGRAM

The purpose of the Schools program is to support and develop legal education in the British Columbia school system so that students become more aware of the rule of law and of their responsibilities and rights as citizens, and to develop material and offer support services to ensure the adequate presentation of legal topics in the schools.

#### Curriculum Materials Development and Distribution

During the six-month period, a number of new law-related curriculum materials were developed on topics pertinent to students in such courses as Law 11, General Business 12, and Social Studies.

Materials developed for secondary grades included the production of teacher guides entitled *Pesticides and the Law* and *The Inquiry Process: Uranium Mining in B.C.* Two projects were also jointly undertaken with The Law Courts Public Education and Tours Office—the production of a set of legal files outlining the procedures for five different court cases and a set of five poster-size court charts.

One elementary project was also undertaken to document the summer 1978 program for youth aged 10 to 12, conducted by the Westminster Community Legal Assistance Society.

In addition to these new projects further work was done on curriculum materials previously funded. These included the print publications on the B.C. Forestry Act, legal implications of mining, prisons, an introduction to environmental law, and three audiovisual productions on the legal situation of farm and domestic workers, immigration law, and the rule of law.

Six other publications were also revised for legal content during this period.

By the end of March 31, 1980, the Schools Program had 33 titles available for school use. A total of 6,100 copies of the publications were distributed to schools during this six-month period.

### Teacher Training

Three two-day regional workshops on the Law of Contract and new Schools Program audiovisual materials (Criminal Procedures, Environmental Law, Immigration Law) were held for 96 Law 11 and General Business 12 teachers in the Fraser Valley, Vancouver Island, and Okanagan regions.

Three law workshops were also held at the Social Studies annual conference in February and one workshop was held in October for teachers attending the B.C. Association of Justice Councils' annual conference.

### Newsletter

Four issues of the Schools Program 12-page Newsletter were produced on the themes of Family Law, Civil Rights, Contracts, and Juveniles with each issue containing a resource handbook on bibliographical information as well as relevant legislation and information about the Schools Program. Forty-five hundred copies of each issue were sent to teachers, librarians, and others involved in law and education.

### Liaison Activities

In addition to ongoing relationships with many legal and educational organizations in B.C. and elsewhere to ensure the support for Schools Program activities, the six-month period also saw continued input into the Ministry of Education's revision of the Social Studies curriculum Grades 1 to 11, participation on the national planning committee for the first Canadian legal education conference for youth and membership on the editorial board of the Canadian Law Information Council's schools publication, *Just in Time*.

### Evaluation

Time was spent during this period writing the Schools Program evaluation report which assesses the Program's major activities, outlines the changes as a result of the evaluation, documents the needs of the field and describes the history of the Program.



|                                       |  |  |
|---------------------------------------|--|--|
|                                       | <p><b>Courtwatching Program</b></p> <p>This program, which matched university Law III students with school classes in Greater Victoria and Vancouver to explain court procedures and assist when students attended court, was phased out over the summer of 1979. This program has been taken over and expanded</p>  | <p>by the newly-formed Law Courts Education and Tours Office located in the new Vancouver Courthouse complex. While the Schools Program no longer offers direct services to teachers in this area, assistance has been given to the Law Courts office in the development of some of their programs.</p>  |
| <b>TRAINING PROGRAM</b>               | <p><b>Training</b></p> <p>The training department is responsible for the training of community legal information workers, staff lawyers, and secretary/legal assistants throughout the province. The goal of the department is to ensure competent delivery of direct and indirect legal services to the public by providing training programs for staff and personnel in funded agencies; and by providing resource materials for use in the offices.</p> <p>During the six-month period the following workshops were held:</p> <p>Administrative Appeals—October 31-November 2/79<br/> Agency Board Concerns—October 20-21/79<br/> Family Relations Act—November 14-16/80<br/> Introductory Workshop—November 19-30/79<br/> Introductory Workshop—December 3-14/79<br/> Staff Lawyers Conference—January 23-25/80<br/> Consumer Law &amp; Contracts—March 17—21/80<br/> Indian Act—March 31-April 2/80</p>                               | <p>The training department organizes workshops in various areas of the province for staff, and also provides funding for staff to attend programs organized by other agencies such as the Continuing Legal Education Society of British Columbia and the law programs of community colleges. Staff lawyers and lawyers in funded agencies attend quarterly staff lawyer conferences.</p> <p>12 paralegals<br/> Board members from 14 funded agencies<br/> 14 paralegals and lawyers<br/> 26 paralegals and secretary/legal assistants<br/> 18 paralegals and secretary/legal assistants<br/> 33 lawyers<br/> 13 paralegals<br/> 14 paralegals and lawyers</p>  |
| <b>PUBLIC LEGAL EDUCATION PROGRAM</b> | <p><b>Public Legal Education Program</b></p> <p>The goal of the Public Legal Education program is to promote public awareness of the rule of law and to provide the opportunity for adults to acquire knowledge about their legal environment to permit them to pursue both their rights and their obligations.</p>  | <p>The activities of the program include: funding groups active in public legal education, providing technical and production assistance, producing public legal education materials, and co-ordinating and encouraging the involvement of law and educational agencies in public legal education programs.</p>  |
|                                       | <p><b>Funded Programs</b></p> <p>Interior Public Legal Awareness Society received a grant to continue its public legal awareness courses and workshops in Kamloops, and surrounding districts. Over 3,000 people attended 150 classes and workshops held in 16 communities.</p> <p>Vancouver People's Law School received a grant to subsidize the revision and distribution of its popular booklets. In the past year, 12 titles were available and 30,819 booklets were distributed. A second grant supported an outreach program for ethnic communities in the Vancouver area. Over 5,000 people from ethnic groups attended orientation sessions and law classes, primarily in Punjabi and Chinese communities. Legal information and referral workshops were provided for agency personnel and volunteers working with ethnic communities. Support was provided for the "You and the Law" radio program on CJVB with twice-weekly</p> | <p>programs in Chinese and Punjabi relating to housing, consumer, immigration, family tax, and government benefits.</p> <p>West Coast Environmental Law Association received funding for workshops in 20 communities. Using environmental concerns specific to the community, the workshops presented a procedure model to be used by community groups when appearing at environmental hearings.</p> <p>Labour Advocacy and Research Association received support to produce a slide-tape program and print materials on the history of farm and domestic workers. The materials were presented and discussed at 23 workshops and ongoing distribution systems were established.</p> <p>The B.C. Coalition of Rape Relief Centres received support to assist them to provide information and training sessions for groups in six centres, providing services to women and children who have been sexually assaulted.</p> |

#### LIBRARY SERVICES PROGRAM

Community Law Offices in New Westminster and Victoria received funds to reprint "When I'm 64" and "Witness Demystification". Victoria also developed a video-tape to facilitate the development of witness demystification programs through the province.

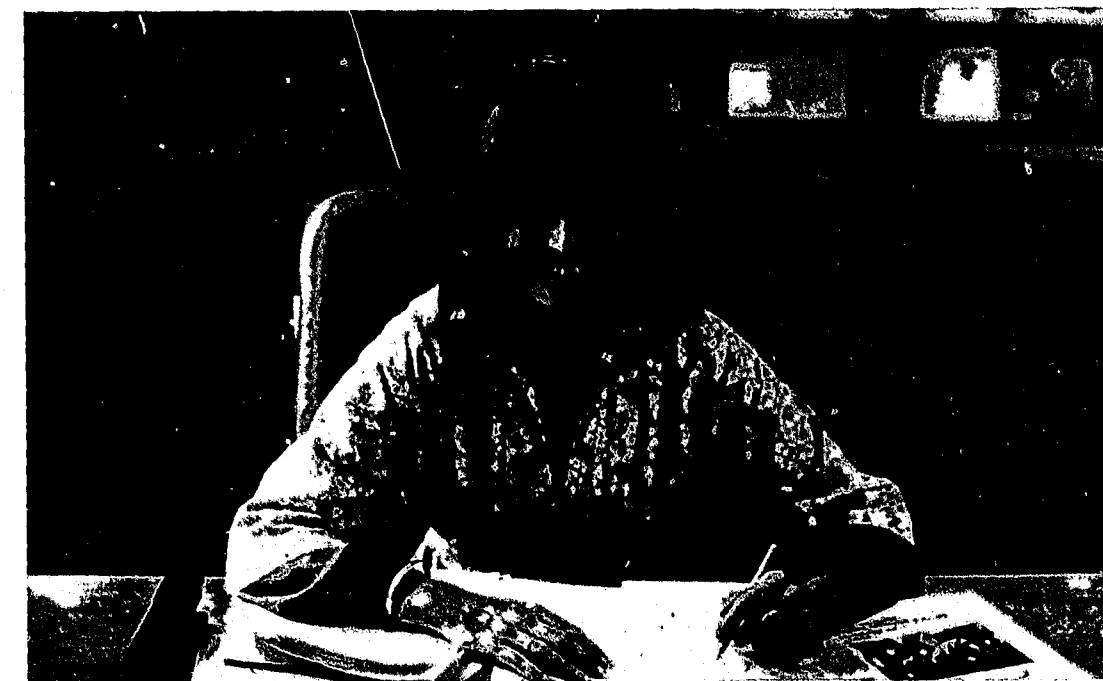
Fourteen funded legal service centres were involved in a total of 289 public legal education activities such as regular newspaper columns, newsletters, co-sponsoring or developing legal information workshops and preparing brochures for their communities.

Other activities included fieldtrips to 10 centres to identify information needs; co-operation/joint sponsorship with the B.C. Bar, Continuing Legal Education, Continuing Education and Justice Institute of a noon-hour series on Family Law and Consumer Law at

Robson Square; joint funding of "A Common Assault", an audiovisual presentation initiated by The Task Force on Family Violence; production and distribution of seven pamphlets describing various elements of family law; production of brochures and a display stand on Legal Services Society and legal aid; evaluation and revision of a consumer law package to be used in English-as-a-Second Language classes; joint funding of a videotape on the Uranium Inquiry for use in schools and by community groups; joint funding of the development and printing of administrative law flow charts; funding of a Rural Law Handbook; and revision of the funding policy to facilitate fair comparison, selection and evaluation of community-based programs.

#### Funding

During the period, 13 public library systems, two college libraries and 30 school libraries were provided with funds to establish or maintain their legal collections. School library funding increased substantially during this period due to the publicity given the funding program in the Schools Program Newsletter and to three workshops which enabled law teachers and school librarians to increase their awareness of the use and availability of legal materials. By the end of this year a total of 42 secondary schools in the province had received assistance for their legal collection. For the first time funding was provided for a legal collection in a prison library, the Lakeside Regional Correctional Centre.



### Training

The training program ensures that librarians become skilled in legal reference and referral and that legal collections are maintained as current and accurate sources of legal information. Library services sponsored basic legal bibliography workshops which were specifically aimed at school librarians, and public library training sessions took a different direction through the sponsoring of "second level" workshops for experienced librarians, given to small groups.

Another new focus for training was found in the substantive law workshops covering

labour, landlord/tenant, wills and other areas of the law which were attended by 133 librarians. Other training included workshops for the library technicians program at Vancouver Community College (Langara) and the Simon Fraser University criminology program. Many of these workshops were developed as a result of the work of the Library Services fieldworker who made 28 trips throughout the province to provide assistance in organizing and maintaining legal collections in libraries and regional offices, and to assess these legal collections in relation to the particular information needs of the community.

### Legal Resource Centre

Our centre answered 2,345 telephone inquiries during this period. The most striking change in the services was found in the increased circulation of audiovisual materials. A total of 507 items were circulated and circulation tripled from October to March, as a result of the distribution of the Audiovisual Catalogue produced and distributed to every school librarian and law teacher, as well as to most public libraries.



## Native Programs Branch

The Legal Services Society funds a number of programs particularly designed to assist Native people to understand and deal with legal problems. The Society funds the Native

Courtworker and Counselling Association, four Native Community Law Offices, and four Friendship Centres to provide legal services to Native people.

### NATIVE COURTWORKER and COUNSELLING ASSOCIATION

The Native Courtworker and Counselling Association provides a courtwork service to Native people charged with criminal offences. The objective of the Association is to ensure that Native Indian people who find themselves in conflict with the law have the opportunity to obtain advice and assistance. The Association employs 42 courtworkers, 5 supervisors and 5 prison liaison workers located at 32 centres servicing over 100 communities in the province.

The courtworkers assist clients to understand court procedures; inform clients of their rights; provide information to the courts for adjournments, bail hearings, trials and sentencing; refer clients for legal assistance and other related services; counsel clients about their actions and problems; identify and investigate problems and complaints in the delivery of justice services.

In 1979/80, the Native Courtworker and Counselling Association acted on behalf of 4,806 clients in relation to 7,082 charges. The largest percentage of charges were related to drinking/driving, theft, and robbery and breaking

and entering. The courtworkers provided the only representation for 45.7% of their clients, an additional 48.2% being represented by legal aid lawyers. A table setting out the types of representations at trial, the type of charges handled, the disposition on charges, and the type of sentence is set out in Table V (p. 19), submitted by the Native Courtworker and Counselling Association.

The courtworkers also conduct prevention programs designed to involve members of the Native community in the justice system and to educate the community about justice services. The Association provides a prison liaison program to assist in the rehabilitation of Native inmates. The prison liaison workers provide information on regulations, procedures and available services to inmates, provide counselling and referral for counselling, assist inmates to apply for early release, encourage inmates to participate in institutional programs, develop special programs for Native inmates, and assist families of Native inmates.

### NATIVE COMMUNITY LAW OFFICES

In keeping with the principle of local control and delivery of legal services, the Native Programs Branch of the Legal Services Society funds community law offices at Hazelton, Merritt, and on the Queen Charlotte Islands at Skidegate and Masset.

The Haida Counselling and Legal Assistance Society offers legal assistance to a general population of five to six thousand people in the Queen Charlotte Islands, of which 30-40% are of Native Indian ancestry. The Society operates two offices; one is located on the Skidegate reserve and the other is located on the Masset reserve.

The Board of Directors for the society is elected on an annual basis and is comprised of an even number of members from the two reserves. The society provides client/casework services and has held a number of public legal education workshops. The staff has also been active in preparing consumer advice columns which are distributed house-to-house on the reserves and are also published in the local newspaper.

The Gitskan-Carrier Tribal Council which represents approximately 4,500 Native Indian

people from eight Indian villages on the Skeena and Bulkley Valley Rivers, oversees delivery of legal services which are provided under the name of the Upper Skeena Counselling and Legal Assistance Society.

The staff of the Law Centre provides client/casework services and has held a number of public legal education workshops. The Council maintains a policy of defending Native Indian people who have been charged with hunting and fishing offences. The staff lawyer is also working with a Land Claims Advisory Committee.

The Nicola Valley Counselling Centre offers legal assistance to approximately 1,500 status Native Indian people from five surrounding reserves and a population of approximately 4,500 non-status Native Indian people located in the Nicola Valley.

Policy and direction is determined by a Board of Directors which consists primarily of non-status Native Indians. The Society provides information and referral services, courtworker services, casework and advocacy services, public legal education and community development.

## NATIVE FRIENDSHIP CENTRES

A friendship centre is a non-governmental, autonomous agency controlled by a community board of predominantly Native Indian people, and provides services and programs according to the needs of the respective community.

The Secretary of State's Migrating Native People's Program is designed to assist Native Indian people who, for whatever reasons, are faced with problems of adjusting to the mainstream of Canadian society. With this in mind, the main thrust of this program is to encourage Native Indian people and the friendship centres to become more involved with their respective communities to develop co-operative actions on the problems facing Native Indian people.

In British Columbia there are 18 friendship centres throughout the province. They deliver a variety of services such as hostels, drop-in centres, and programs such as cultural, recreational, youth, and drug and alcohol abuse. The main source of funding for these programs is the Department of Secretary of State under the Migrating Native People's Program.

The Legal Services Society has contracted with the following four centres to provide legal information and referral services and to establish various legal education and awareness programs consistent with the needs as defined by the local boards.

The Fort St. John Indian Friendship Centre's legal information counsellor provides such services as a) public legal education workshops on the Fish and Wildlife Act and Regulations, b) a legal awareness program on the impact of the B.C. Hydro site, c) a program to establish "law in the schools", d) an information and referral service, and e) a survey of existing legal services in the area.

The Mission Indian Friendship Centre's legal information counsellor provides legal information and referral services. Workshops which have been held include a) Community Awareness, b) Residential Tenancy Act, c) Women's Rights, d) Youth and the Law, e) Consumer Law, and f) Public Legal Clinic.

The Smithers Indian Friendship Centre's legal information counsellor has extensive background in Native politics and organizations in the area. Services provided are public legal education programs in the areas such as a) Human Rights, b) Consumer Rights, c) Women's Rights, d) Hunting and Fishing Rights, e) Housing, and f) Information and Referral Services. The staff has also undertaken a training and sensitization program with referral services to enable Native Indian people to have better service in the community. The counsellor has also been doing direct client work involving

problems with Consumer Law, Human Rights, Ministry of Human Resources, Workers' Compensation, Debt, Traplines, and Unemployment Insurance.

The Port Alberni Indian Friendship Centre's legal information counsellor does casework and referral, one of the major roles of the counsellor being to provide public legal education and information to the community. An example of a recent workshop which was held was on the Forestry Act. Areas of discussion were a) reserve forest management practices, b) review and effect of the Act on Indian reserves, c) Nuu-Chah-Nulth woodlot licences' possibilities, d) business development, and e) work opportunities in the forest industry. Additional workshops which have been presented are a) Information and Resources, b) Housing, c) Family Law, d) Indian Act, e) Women and the Law, f) Landlord and Tenant Law, g) Protection of Children's Act, h) Discrimination, and i) Labour Law.

The counsellor has also been involved in assisting the Society in organizing and incorporating a local Transition House for Women, a Fishermen's Co-op, and a Drug and Alcohol Abuse Program.

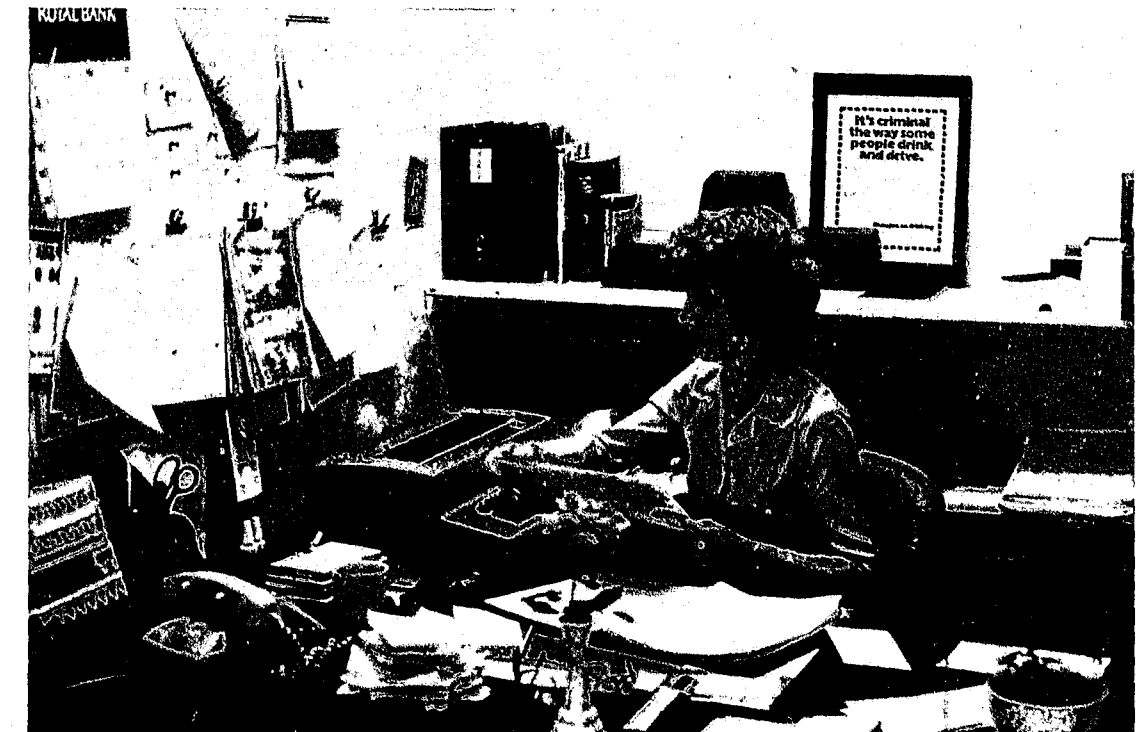
The Native Programs Branch has also funded various other public legal education programs and workshops which have been organized and operated by other friendship centres in the province.



## Applications Received: Legal Services Society Branch Offices

TABLE I  
Apr. 1/79-Mar. 31/80

| LOCATION        | CRIMINAL | CIVIL  | TOTAL  |
|-----------------|----------|--------|--------|
| Campbell River  | 510      | 506    | 1,016  |
| Chilliwack      | 886      | 790    | 1,676  |
| Cranbrook       | 454      | 446    | 900    |
| Kamloops        | 1,150    | 915    | 2,065  |
| Kelowna         | 625      | 766    | 1,391  |
| Nanaimo         | 899      | 1,068  | 1,967  |
| Nelson          | 422      | 752    | 1,174  |
| New Westminster | 1,416    | 1,282  | 2,698  |
| Prince George   | 1,027    | 1,054  | 2,081  |
| Prince Rupert   | 371      | 258    | 629    |
| Surrey          | 944      | 1,468  | 2,412  |
| Vancouver       | 7,459    | 5,196  | 12,655 |
| Vernon          | 361      | 394    | 755    |
| Victoria        | 1,890    | 3,403  | 5,293  |
| Williams Lake   | 429      | 229    | 658    |
| TOTAL:          | 18,843   | 18,532 | 37,375 |



Criminal Tariff Costs, by Offence Type

TABLE II  
Apr. 1/79-Mar. 31/80

|   | % of<br>Total Cases | No. of<br>Proceedings | Total<br>Cost | Average<br>Cost/Proc. |
|---|---------------------|-----------------------|---------------|-----------------------|
| Homicide, including murder, manslaughter, infanticide, attempted murder, criminal negligence causing death (except M.V.)  | 3.8                 | 227                   | 132,807       | 585                   |
| Sexual offences, including rape, indecent assault, indecent acts, indecent exposure, other sexual intercourse, incest, seduction, buggery, bestiality, procuring                                    | 2.4                 | 348                   | 81,424        | 233                   |
| Assaults, including wounding, assault causing bodily harm, assaulting a peace officer, common assault, kidnapping, obstructing peace officer, abduction, unlawful confinement, resisting arrest     | 8.3                 | 1,804                 | 287,695       | 159                   |
| Robbery, including with firearm or other offensive weapon or by assault, extortion  | 5.2                 | 805                   | 181,131       | 225                   |
| Breaking and Entering, including business premises, and residences, unlawfully in a dwelling house, possession of house-breaking instruments  | 13.7                | 3,052                 | 474,709       | 155                   |
| Theft of M.V., taking car without owner's consent   | .8                  | 224                   | 28,934        | 129                   |
| Theft over \$200, including theft from M.V.   | 5.2                 | 1,285                 | 180,840       | 140                   |
| Theft under \$200, including theft from M.V.  | 6.4                 | 1,761                 | 220,310       | 125                   |
| Possession of Stolen Property   | 4.3                 | 1,018                 | 148,935       | 146                   |
| Frauds, including false pretences, breach of trust, impersonation, forgery, counterfeiting, uttering  | 7.                  | 1,638                 | 243,328       | 148                   |
| Prostitution, including soliciting, procuring, operating a bawdy house  | .3                  | 55                    | 9,607         | 175                   |
| Gaming and Betting, including being found in gaming or betting house, lotteries, cheating at play   | .3                  | 8                     | 1,170         | 146                   |
| Weapons, including carrying, pointing, possessing prohibited or restricted weapons, and explosives, bomb threats  | 3.3                 | 664                   | 113,325       | 171                   |
| Property, including arson, trespassing at night, prowling, mischief, loitering, wilful damage   | 3.1                 | 717                   | 106,625       | 149                   |
| Escaping, including unlawfully at large, failure to appear, violation of judicial interim release   | 2.5                 | 561                   | 77,700        | 139                   |
| Driving offences, including criminal negligence causing death or injury, dangerous driving, failure to remain at the scene of an accident, driving under suspension or prohibition                  | 3.2                 | 847                   | 111,508       | 132                   |
| Drinking offences, including impaired driving, over .08, failing to provide a breath sample   | 8.8                 | 2,517                 | 304,462       | 121                   |
| Other Criminal Code offences, including causing a disturbance, breach of probation, threatening, perjury, unlawful assembly, misleading a police officer, fear of injury, failure to keep the peace | 3.9                 | 997                   | 134,023       | 134                   |
| Possession of cannabis, including marijuana, hashish  | 1.5                 | 435                   | 52,176        | 120                   |

|   |      |        |           |     |
|---|------|--------|-----------|-----|
| Possession of opiates, including heroin, cocaine, codeine   | .8   | 205    | 27,769    | 135 |
| Possession of restricted drugs, including LSD, STP, MDA   | .3   | 100    | 11,309    | 113 |
| Possession for the purpose of trafficking of cannabis   | 1.8  | 407    | 63,536    | 156 |
| Possession for the purpose of trafficking of opiates  | .8   | 119    | 26,447    | 222 |
| Possession for the purpose of trafficking of controlled drugs, including amphetamines, barbiturates   | .08  | 19     | 2,935     | 154 |
| Possession for the purpose of trafficking of restricted drugs   | .3   | 69     | 11,937    | 173 |
| Trafficking in cannabis   | .7   | 155    | 25,553    | 165 |
| Trafficking in opiates  | .7   | 133    | 25,830    | 194 |
| Trafficking in controlled drugs   | .06  | 14     | 2,245     | 160 |
| Trafficking in restricted drugs   | .3   | 67     | 10,816    | 161 |
| Drug Conspiracies, (any drugs)  | 1.3  | 83     | 44,019    | 530 |
| Other drug offences, including importing, cultivating   | .2   | 36     | 6,997     | 194 |
| Other Federal offences, including bankruptcy, shipping, customs, excise, harbours board, income tax, unemployment insurance, contributing to juvenile delinquency | .2   | 43     | 6,240     | 145 |
| Other   | 8.1  | 1,725  | 280,917   | 162 |
| Provincial M.V. offences, including driving without due care, failure to remain at the scene of an accident, no insurance, all "point system" offences            | .2   | 46     | 6,640     | 144 |
| Other Provincial offences, including Liquor Act, Wildlife Act, social service tax, social welfare, securities, hunting offences                                   | .6   | 132    | 19,128    | 145 |
| Municipal by-laws   | .01  | 5      | 496       | 98  |
| TOTAL   | 100% | 22,321 | 3,463,511 | 155 |

Note:  
1. Proceedings—any given case may include more than one separate court proceeding, so the number of "proceedings" shown in this report is higher than the number of "cases" shown in other reports.  
2. Cost—these figures reflect only fees approved for payment, exclusive of disbursements and transcript costs. It includes cases in which fees were paid to private practitioners, and also the equivalent of fees to which our staff lawyers would have been entitled, pursuant to the criminal law tariff.

## Family Tariff Costs, by Type of Proceeding

TABLE III  
Apr. 1/79-Mar. 31/80

| Type of Proceeding                | No. of Proceedings | Cost             | Average Cost | % of Total Cost |
|-----------------------------------|--------------------|------------------|--------------|-----------------|
| Family Relations Act              |                    |                  |              |                 |
| maintenance                       | 665                | 103,887          | 156          | 8.9             |
| show cause                        | 221                | 35,860           | 162          | 3.              |
| custody                           | 701                | 107,115          | 152          | 8.7             |
| access                            | 157                | 21,330           | 136          | 1.8             |
| other                             | 251                | 28,129           | 112          | 2.4             |
| Protection of Children Act        | 554                | 106,254          | 192          | 9.1             |
| Children of Unmarried Parents Act | 50                 | 8,042            | 161          | .6              |
| Interim Applications              | 66                 | 9,480            | 144          | .8              |
| Registrar's Hearing               | 66                 | 10,397           | 158          | .8              |
| Variation of Court Order          | 339                | 52,744           | 156          | 4.5             |
| Divorce Act                       |                    |                  |              |                 |
| defended                          | 499                | 131,355          | 263          | 11.2            |
| undefended                        | 2,807              | 488,665          | 174          | 41.9            |
| Equal Guardianship of Infants Act | 68                 | 18,787           | 203          | 1.2             |
| Adoption Act                      | 41                 | 6,843            | 167          | .6              |
| Appeals                           | 48                 | 11,507           | 240          | 1.0             |
| Other                             | 239                | 80,070           | 126          | 2.6             |
| <b>TOTAL</b>                      | <b>6,762</b>       | <b>1,165,466</b> | <b>172</b>   | <b>100.0</b>    |

## Types of Problems Routinely Handled by Community Law Offices

TABLE IV  
Apr. 1/79-Mar. 31/80

| Major Problem Categories     | # of cases per problem category (1979/80) | % of total 19,331 cases (1979/80) | % of total 18,499 cases (1978/79) |
|------------------------------|---|-----------------------------------|-----------------------------------|
| 1. Matrimonial/family        | 3,988                                     | 20.6                              | 22.5                              |
| 2. Criminal                  | 2,631                                     | 13.6                              | 13.1                              |
| 3. Consumer                  | 1,675                                     | 8.7                               | 9.8                               |
| 4. Landlord/tenant           | 1,420                                     | 7.3                               | 7.7                               |
| 5. Social Assistance/welfare | 1,114                                     | 5.8                               | 6.4                               |
| 6. Debt                      | 1,213                                     | 6.3                               | 7.2                               |
| 7. Small Claims              | 1,191                                     | 6.2                               | 5.5                               |
| 8. Income Tax                | 918                                       | 4.7                               | 4.7                               |
| 9. Property/real estate      | 902                                       | 4.7                               | 5.1                               |
| 10. Wills/estates            | 901                                       | 4.7                               | 3.6                               |
| 11. Pension                  | 889                                       | 4.6                               | 3.0                               |
| 12. Labour                   | 863                                       | 4.5                               | 4.1                               |
| 13. Motor Vehicle/ICBC       | 623                                       | 3.2                               | 4.2                               |
| 14. UIC                      | 604                                       | 3.1                               | 3.7                               |
| 15. Insurance                | 558                                       | 2.9                               | 1.9                               |
| 16. Child Welfare            | 296                                       | 1.5                               | —                                 |
| 17. WCB                      | 230                                       | 1.2                               | 1.3                               |
| 18. Human Rights             | 228                                       | 1.2                               | .9                                |
| 19. Prison Inmate            | 236                                       | 1.2                               | —                                 |
| 20. Police Complaint         | 130                                       | .7                                | —                                 |
| 21. Torts, not Small Claims  | 141                                       | .7                                | —                                 |
| 22. Immigration              | 125                                       | .6                                | .5                                |
| 23. Lawyer Complaint         | 106                                       | .5                                | .7                                |

## Native Courtworker and Counselling Association

TABLE V  
Jan. 1/79-Jan. 1/80

### Representation

The Association's 4,806 Native clients had 7,082 charges. The following table indicates the type of representation which each client had and the percent of charges upon which clients had each type of representation.

| Type of Representation             | % clients with representation | % of charges where client had representation |
|------------------------------------|-------------------------------|--|
| 1. Lawyer paid for by self         | 4.1                           | 4.4  |
| 2. Lawyer acting free of charge    | 1.3                           | 1.2  |
| 3. Legal Aid lawyer                | 48.2                          | 52.5   |
| 4. Community law office            | .7                            | 1.2  |
| 5. Represented only by Courtworker | 45.7                          | 41.4   |
| 6. Number of missing observations  | (43)                          | (73)   |

In summary, 45.7% of the Native clients were unrepresented by legal counsel and had only a Native Courtworker to assist them. Native clients were unrepresented on 41.4% of the charges they faced. (Clients with multiple charges were more likely to have representation than clients with only one charge.)

### Type of Charges

The Native clients were faced with the following charges:

| Type of Charge                                      | No. of charges of all clients | Percent |
|---|-------------------------------|---------|
| 1. Murder, Manslaughter or negligence causing death | 58                            | .8%     |
| 2. Robbery, Break and Enter                         | 690                           | 9.7%    |
| 3. Sex Offence                                      | 37                            | .5%     |
| 4. Assault  | 440                           | 6.2%    |
| 5. Theft  | 1,375                         | 19.4%   |
| 6. Nuisance   | 406                           | 5.7%    |
| 7. Drinking-Driving                                 | 1,563                         | 22.1%   |
| 8. Motor Vehicle                                    | 530                           | 7.5%    |
| 9. Liquor Act Offence                               | 435                           | 6.1%    |
| 10. Possession of Drugs                             | 212                           | 3.0%    |
| 11. Weapons Offence                                 | 147                           | 2.1%    |
| 12. Fish and Wildlife                               | 102                           | 1.4%    |
| 13. Failure to Appear                               | 316                           | 4.5%    |
| 14. Breach of Probation                             | 241                           | 3.4%    |
| 15. Other   | 519                           | 7.3%    |
| 16. Unknown   | 11                            | —       |
| <b>TOTAL</b>  | <b>7,082</b>                  |         |

### Disposition on Charges

On each charge faced by the Native Indian clients, the following disposition resulted:

| Disposition                                    | Number | Percent |
|--|--------|---------|
| 1. Charge Stayed or Dropped                    | 1,509  | 21.4%   |
| 2. Plea of Guilty Entered                      | 4,065  | 57.6%   |
| 3. Case went to Trial                          | 1,084  | 15.4%   |
| a) Client convicted after trial                | (755)  | (10.7%) |
| b) Client Acquitted after trial                | (329)  | (4.7%)  |
| 4. Conviction Registered (Plea Unknown)        | 228    | 3.2%    |
| 5. Unknown whether acquitted or charge dropped | 161    | 2.3%    |
| 6. Result Unknown                              | 35     | —       |
| 7. Total of Conviction Registered              | 5,108  | 71.5%   |

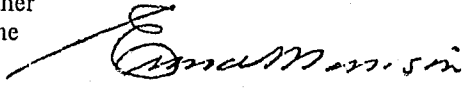
From examining many reports it appears that in a large number of cases where a charge against a client was stayed or dropped or when an acquittal was registered, the client was convicted on some other charge.

# Auditor's Report

To the Chairman and Members of the  
Legal Services Society, and  
To the Attorney-General,  
Province of British Columbia

I have examined the statement of financial position of the Legal Services Society as at 31 March 1980 and the statements of income and expenditures and surplus for the period from 1 October 1979, the date of commencement of operations, to 31 March 1980. My examination was made in accordance with generally accepted auditing standards, and accordingly included such tests and other procedures as I considered necessary in the circumstances.

In my opinion, these financial statements present fairly the financial position of the Society as at 31 March 1980 and the results of its operations for the period then ended in accordance with generally accepted accounting principles, as modified by note 2 to the financial statements.

  
Erma Morrison, C.A.  
Auditor-General

Victoria, British Columbia  
10 October 1980

## Notes to the Financial Statements

31 March 1980

### 1. Corporation Amalgamation

The Legal Services Society Act was proclaimed in force on 1 October 1979. The Act provided for the amalgamation of the Legal Aid Society and the Legal Services Commission and replaced the Legal Services Commission Act. All assets, liabilities, obligations, property and records of the Legal Aid Society and the Legal Services Commission were transferred to and assumed by the new Society effective 1 October 1979.

### 2. Significant Accounting Policies

- a) Tariffs are amounts billed to the Society for solicitors' fees and costs to provide legal aid to persons in need. The tariff billings are approved by the Society and paid by the Province of British Columbia through the Ministry of the Attorney-General. The Society includes these payments in both income and expenditures.
- b) Property and equipment are recorded as operating expenditures at the time of acquisition.
- c) Accrued vacation pay is not recorded in the accounts since it is considered that it would not have a material effect on these financial statements.

### 3. Recoveries—Funded Agencies

Under certain conditions of the contracts between the Society and the Community Law Offices and other agencies, unexpended balances of grants at the fiscal year-end are refundable. As at 31 March 1980 such unexpended balances due to the Society were estimated to be \$40,000. Recoveries of \$55,775 during the period include \$15,775 due to the Legal Services Commission prior to amalgamation.

### 4. Legal Costs Recovered from Clients

These consist of amounts recovered in respect of legal expenses paid on behalf of clients. Accumulated recoveries included in the book value of net assets transferred from the Legal Aid Society, upon incorporation of the new Society, amounted to \$194,604. Recoveries credited to income of the current fiscal period by the Legal Services Society amounted to \$27,457.

### 5. Commitments

As at 31 March 1980 the Society was committed to purchase goods and services totalling \$20,570 which were not received or paid for until the following fiscal period.

## STATEMENT OF FINANCIAL POSITION As at 31 March 1980

EXHIBIT A

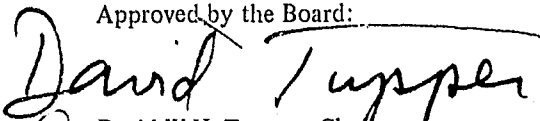
|   |                     |
|---|---------------------|
| Assets                                    |                     |
| Cash                                      | \$ 25,571           |
| Term deposits                             | 806,867             |
| Accounts receivable                       | 74,397              |
| Due from the Province of British Columbia | 170,470             |
| Estimated recoveries (note 3)             | 40,000              |
| Prepaid expenses                          | 1,791               |
|   | <u>\$ 1,119,096</u> |

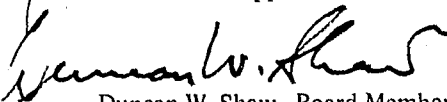
### Liabilities and Surplus

|                   |                     |
|-------------------|---------------------|
| Accounts payable  | \$ 240,764          |
| Surplus—EXHIBIT C | 878,332             |
|                   | <u>\$ 1,119,096</u> |

The five accompanying notes are an integral part of these financial statements.

Approved by the Board:

  
David W.H. Tupper—Chairman

  
Duncan W. Shaw—Board Member

10 October 1980

## STATEMENT OF INCOME AND EXPENDITURES For the Period 1 October 1979 to 31 March 1980

EXHIBIT B

|   |                     |
|---|---------------------|
| Income                                      |                     |
| Grants                                      |                     |
| Province of British Columbia (note 2a)      | \$ 5,100,822        |
| Government of Canada                        | 514,806             |
| Law Foundation                              | 300,000             |
|   | <u>\$ 5,915,628</u> |
| Other Income                                |                     |
| Interest income                             | 93,766              |
| Legal costs recovered from clients (note 4) | 27,457              |
| Miscellaneous income                        | 8,076               |
|   | <u>129,299</u>      |
|   | <u>6,044,927</u>    |

continued next page



| STATEMENT<br>cont. | Expenditures                                     |                               |
|--------------------|--|-------------------------------|
|                    | Tariffs paid by the Province of British Columbia | \$ 3,570,303                  |
|                    | Administration                                   | 448,890                       |
|                    | Branch Offices                                   | 1,163,812                     |
|                    | Legal Information Services                       | 216,250                       |
|                    | Schools Program                                  | 70,665                        |
|                    | Public Legal Education                           | 107,544                       |
|                    | Library Services                                 | 71,784                        |
|                    | Training   | 50,710                        |
|                    | Research   | 24,188                        |
|                    | Development                                      | 11,200                        |
|                    | Native Programs                                  | 284,498                       |
|                    | Native Courtworkers                              | 575,306                       |
|                    | Community Law Offices                            | 664,258                       |
|                    | Elizabeth Fry Society                            | 62,548                        |
|                    | Recoveries—funded agencies (note 3)              | (55,775)                      |
|                    |  | <u>\$ 7,266,181</u>           |
|                    | EXCESS of Expenditures over INCOME               | EXHIBIT C <u>\$ 1,221,254</u> |

| STATEMENT OF SURPLUS                           |                | EXHIBIT C           |
|--|----------------|---------------------|
| For the Period 1 October 1979 to 31 March 1980 |                |                     |
| Book value of net assets transferred from:     |                |                     |
| Legal Services Commission                      | \$ 1,511,308   |                     |
| Legal Aid Society (note 4)                     | <u>652,093</u> | <u>\$ 2,163,401</u> |
| Less: Fixed assets written off (note 2b)       |                | <u>63,815</u>       |
|  |                | 2,099,586           |
| Excess of expenditures over income—EXHIBIT B   |                | <u>1,221,254</u>    |
| Surplus at end of period—EXHIBIT A             |                | <u>\$ 878,332</u>   |

| SCHEDULES | BRANCH OFFICES  | Schedule 1          |
|-----------|-----------------|---------------------|
|           | Branch Offices  |                     |
|           | Burnaby         | \$ 87,100           |
|           | Campbell River  | 64,733              |
|           | Chilliwack      | 60,595              |
|           | Cranbrook       | 59,366              |
|           | Dawson Creek    | 36,022              |
|           | Fort St. John   | 5,774               |
|           | Kamloops        | 67,386              |
|           | Kelowna         | 63,388              |
|           | Nanaimo         | 62,505              |
|           | Nelson          | 53,749              |
|           | New Westminster | 81,053              |
|           | Prince George   | 56,477              |
|           | Prince Rupert   | 56,812              |
|           | Surrey          | 51,338              |
|           | Vancouver       | 204,866             |
|           | Vernon          | 6,718               |
|           | Victoria        | 89,631              |
|           | Williams Lake   | 56,299              |
|           |                 | <u>\$ 1,163,812</u> |
|           | EXHIBIT B       |                     |

| SCHEDULES<br>cont. | LEGAL INFORMATION SERVICES                   | Schedule 2        |
|--------------------|--|-------------------|
|                    | Legal Information Services                   |                   |
|                    | Salaries and Benefits                        | \$ 171,970        |
|                    | Publications                                 | 40,708            |
|                    | Other  | 3,572             |
|                    | EXHIBIT B                                    | <u>\$ 216,250</u> |
|                    | Schools Program                              |                   |
|                    | Teaching Aids and locally developed programs | \$ 16,370         |
|                    | Printing and Reproduction                    | 31,841            |
|                    | Newsletter                                   | 8,607             |
|                    | Workshops                                    | 8,696             |
|                    | Curriculum Revision Committee and Evaluation | 3,390             |
|                    | Other  | 1,761             |
|                    | EXHIBIT B                                    | <u>\$ 70,665</u>  |
|                    | Public Legal Education                       |                   |
|                    | Community Based Projects                     | \$ 84,121         |
|                    | Funded Agencies                              | 22,366            |
|                    | Other  | 1,057             |
|                    | EXHIBIT B                                    | <u>\$ 107,544</u> |
|                    | Library Services                             |                   |
|                    | Community Law Office Libraries               | \$ 10,583         |
|                    | School Libraries                             | 11,700            |
|                    | Public Libraries                             | 15,129            |
|                    | Other Libraries                              | 5,105             |
|                    | Legal Services Society Library               | 7,469             |
|                    | Talking Law Radio Show                       | 4,306             |
|                    | Training and workshops                       | 7,223             |
|                    | Audio-visual                                 | 5,387             |
|                    | Other  | 4,882             |
|                    | EXHIBIT B                                    | <u>\$ 71,784</u>  |

| NATIVE PROGRAMS                                     | Schedule 3        |
|---|-------------------|
| Native Programs                                     |                   |
| Salaries and Benefits                               | \$ 36,877         |
| Workshops and travel                                | 9,741             |
| Other   | 320               |
| Friendship Centres                                  |                   |
| Fort St. John                                       | 16,205            |
| Mission   | 19,418            |
| Port Alberni  | 16,218            |
| Smithers  | 16,595            |
| Upper Skeena Counselling & Legal Assistance Society | 50,321            |
| Nicola Valley Friendship & Counselling Society      | 42,625            |
| Haida Counselling and Legal Assistance              | 76,178            |
| EXHIBIT B   | <u>\$ 284,498</u> |

SCHEDULES  
Cont.

COMMUNITY LAW OFFICES

Schedule 4

|  |                   |
|--|-------------------|
| Community Law Offices                                      |                   |
| Nanaimo Community Law Office                               | \$ 39,817         |
| Smithers Community Law Centre Society                      | 72,860            |
| Legal Information Service—Maple Ridge                      | 36,852            |
| Matsqui, Sumas, Abbotsford Community Services              | 90,816            |
| Greater Victoria Community Action Legal Assistance         | 54,537            |
| Kamloops Civil Liberties Society                           | 35,187            |
| South Okanagan Civil Liberties                             | 44,508            |
| Powell River Civil Liberties                               | 53,303            |
| Quesnel Human Rights & Civil Liberties Association         | 72,616            |
| Williams Lake Human Rights and Civil Liberties Association | 34,622            |
| Vancouver Community Legal Assistance Society               | 43,372            |
| New Westminster Legal Assistance Society                   | 77,022            |
| B.C. Civil Liberties Association                           | 8,746             |
|  | <u>\$ 664,258</u> |

END