

PROVINCE OF BRITISH COLUMBIA

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ATTORNEY GENERAL
ANNUAL REPORT

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*The Honourable HENRY P. BELL-IRVING, D.S.O., O.B.E., E.D., Lieutenant
Governor of the Province of British Columbia*

MAY IT PLEASE YOUR HONOUR:

The Annual Report of the Ministry of Attorney General of the Province for the period April 1, 1980 to March 31, 1981 is herewith respectfully submitted.

HONOURABLE ALLAN WILLIAMS, Q.C.
Attorney General

*Office of the Attorney General
May 1981*

The Honourable Allan Williams, Q.C.
Attorney General

SIR: I have the honour to submit herewith the Annual Report on the work of the Ministry of Attorney General for the period April 1, 1980 to March 31, 1981.

RICHARD H. VOGEL
Deputy Attorney General

Ministry of Attorney General
Victoria, B.C.
May 1981

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Introduction

The first Attorney General of British Columbia was the Hon. John Foster McCreight. He was appointed Attorney General in 1871 and served until 1872. The Hon. Allan Williams is the 27th Attorney General. The office of the Deputy Attorney General was created in 1882 and Mr. P.A.E. Vogel was appointed first Deputy on May 7, 1882. Mr. Richard Vogel is the 14th Deputy Attorney General.

The office of the Attorney General in British Columbia antedates the entry of the Province into Confederation in 1871. The appointment of the first Attorney General took place very early in the life of the Colony of Vancouver Island. The Commission of the Imperial Government issued in London in July 1849 gave to Governor Richard Blanshard the authority to appoint such persons to the Legislative Council "as shall from time to time be required or designated." Similar powers were given subsequently to the first Governor of the mainland Colony. Mr. George H. Cary was appointed Attorney General for the mainland Colony on March 10, 1859. He was appointed acting Attorney General for Vancouver Island sometime during October or November 1859.

It was not until 1899 that the first Attorney General's Act of the Province spelled out the duties and responsibilities of the Attorney General. Before the enactment of the Attorney General's Act in 1899 the first Attorney General and his successors looked to the common law and the constitutional law of Great Britain to determine their responsibilities and powers.

The Attorney General was recognized as being the leader of the Bar with precedence over King's Counsel but with no greater privileges than any other member of the Bar, or any person appointed to act for him, was required to conform to the rules of the court, with the court exercising over him the same authority which it exercises over any other suitor or advocate.

The first annual report for this Ministry was published for the year 1974. Each of the following reports stresses that the concern of the Ministry is to improve the administration of justice in the Province.

The most important responsibility of the Attorney General remains the administration of justice in the broadest sense of the word.

The Attorney General's responsibilities include policing, law enforcement and the administration of criminal law, including the conduct of prosecutions. In addition, he is responsible for the superintendency of the design, construction, maintenance and administration of all courts in the Province and for the smooth operation of our judicial system, including the related services of sheriffs and court reporters. His responsibilities include many Corrections Branch programs which are handled in the community and a wide array of correction facilities within the provincial system which are geared for people sentenced to serve up to two years less a day. The various types of corrections institutions include secure custodial facilities which are designed to protect citizens from offenders who may pose a threat to the safety and well-being of the community. Imprisonment is the major function of secure custodial facilities and security is a primary concern. It is the policy of the Ministry that imprisonment should be effected in as humane a manner as possible, but it was not always that way. In a book entitled "A History of Police in England", W.L. Melville Lee, Methuen & Co., London (1901), there is a quote which illustrates the policy in 1600's, "For its first line of defence England trusted to the supposed deterrent of a rigorous penal code; the more humane and effectual method, prevention, being lost sight of in the mistaken belief that it was possible to extirpate crime by the severity by which it was punished, a belief that survived in the face of the fact, that as punishment increased in bitterness, so did offences grow in frequency and in violence."

For persons who are not escape risks or a danger to the community there are open

Introduction

facilities or minimum security centres, semi-isolated forest camps, farms or ranches. Convicted youths and adults who are sentenced to secure custodial facilities can transfer to an open facility only after being screened by classification officers.

The Attorney General has specific responsibilities to act for and to advise the Crown Provincial and represent the public interest in both criminal and civil law. He is responsible to prosecute in the name of the Crown under the Criminal Code of Canada, and Provincial Acts or Regulations. He is responsible for ensuring that the civil justice system is organized, maintained and effectively operated. He is the legal advisor to the Crown Provincial, the Provincial Cabinet, all Ministers, ministries, Crown corporations and all other emanations of the Crown Provincial. In addition to the above, the Attorney General is specifically responsible for the administration of various boards, commissions and tribunals.

It is obvious from this that the Ministry of Attorney General is a very complex and diversified ministry. It is a ministry in which there is a very real potential for conflicts. These conflicts are resolved through a professional accommodation. As each entity discharges its duties and obligations in the public interest they accommodate in a professional manner the several interests of the "collectivity" of the concept implicit within a unified justice ministry.

Historically the judiciary operates completely independently of Government and the Ministry of Attorney General and according to their own traditions. This has been the case in common law countries since the passage of the Act of Settlement by the English Parliament in 1701. The judiciary do justice as they see fit.

Each of the components in the justice system has a long tradition in the common law. The challenge facing the ministry is to co-ordinate internal resources to offer better service to the people of British Columbia.

Since 1974 there has been a profound change in British Columbia in organization of justice services. Courts have been transferred from the municipal cost base to that of the Province. A provincial Crown Counsel system has been established and regionalized across the Province. The Corrections Branch, while functioning under its own statute, the *Correction Act 1979*, reports through the Commissioner of Corrections to the Attorney General. A Court Services Division has been created.

The role of Court Services is to professionally provide a "neutral" administrative service to all of the courts of the province and to the judiciary of the Provincial, County, Supreme Courts and the Court of Appeal.

The Assistant Deputy Minister of Court Services is responsible to the Chief Justice of the Provincial Court, the Chief Justice of the Supreme and County Courts and the Chief Justice of the Court of Appeal for matters of judicial administration. He is, at the same time, responsible to the Attorney General for all other matters of administration connected to the Courts under the amended *Provincial Court Act* of 1980; *Supreme Court Act* of 1976 and *Court of Appeal Act* of 1979.

The Ministry of Attorney General is responsible for the prevention of crime and is bound to encourage all programs directed toward crime prevention.

The nature of the current programs and policies makes it imperative that a real, two-way communication with the public be established and maintained. The Ministry is trying to develop a system to meet the needs of our changing society in this and other areas. Crime prevention programs however, require the Ministry to have an effective working relationship with community groups.

To this end, during 1980 the ministry approved the introduction of the "Development of Criminal Justice Performance and Activity Measures." The objective of this program is to measure

roduction

formance and results of programs which
part of Corrections, Court Services and
ce Services Branches.

well, experimental projects have been
eloped with community groups to work
rd community involvement in crime
ention. One project which has had a
siderable impact on various communities
ounterAttack. This program was
xended, particularly in schools, where the
ren material has been used by teachers as
eering aids in several subjects.

ther important undertaking is the
ancouver Law Court Public Education
rogram which is a program aimed at
riding members of the public with an
nstanding of British Columbia's court
stem. Since its beginning in the fall of
91, the program has organized full or half
educational visits to the Vancouver Law
cts for more than 27,000 school students,
embers of the public and staff from the
listry of Attorney General. Approximately
7 discussion sessions have been held
eleen visitors and the 40 judges from
pal, Supreme and County Courts, who
erworking with the program. Sessions have
ex held with other court services
nnel.

tr program activities include:

- 1) development of curriculum materials
suitable for use by high school and
college teachers
- 2) a set of five wall charts with teacher
guides which are now in use in every
high school in British Columbia
- 3) a set of five dummy legal files for
teachers and a mock trial simulation kit
which is being completed.

the fall of 1980 development of a
ncial court program started. To date two
page leaflets showing the structure of
ncial courts, complete with instructions
n how to read a court list, have been
raced and distributed to numerous
ot houses in British Columbia and to high
chool teachers.

By the fall of 1981 the program will begin to
implement a self-service "walk in" program
for the general public. Self-service video
display units with short video programs on
British Columbia's court system and
court procedures, will be placed in several
court houses. Along with educational leaflets
these units will become part of an educational
display package which will be made available
to court services personnel throughout British
Columbia.

Other program activities have included the
organization of lunch time educational
seminars for court services personnel and
work shop presentations for a wide variety of
educational or legal groups.

As part of the continuing need for security of
persons and property, the Ministry assumed
responsibility for the new *Private
Investigators and Security Agencies Act*. This
Act regulates the licensing of all locksmiths,
private investigators, security patrolmen,
burglar alarm installers, armoured car
companies, and others associated with private
and public security.

Changes to the *Motor Vehicle Act* are
expected to follow from recommendations
made by the Motor Vehicle Task Force,
which concluded its deliberations in
November 1980. In recognition of the use of
our roads by a rapidly increasing number of
vehicles, the Task Force examines statutes
and regulations governing road use in British
Columbia.

As part of continuing reorganization a
Director of Information Services has been
appointed to co-ordinate all activities of
information services.

The ministry continues to examine all
possibilities for improved service to the
community. With all the new developments
within the ministry, the increase in
population, and the increasing load which is
placed on the justice system, it is noteworthy
that the budget of the Ministry of Attorney
General, which is approximately 4% of the
provincial budget, has not varied more than
1% of the provincial budget in the last six
years.

Court Services

Responsibilities

The Court Services Division, Ministry of Attorney General, is responsible for the superintendency of the design, construction, maintenance and administration of all levels of courts in the Province. The Division is also responsible for management of support staff including the related services of sheriffs and court reporters and recorders and systems necessary to ensure that civil and criminal cases can proceed in Provincial Court, B.C. Court of Appeal, County Court and Supreme Court.

There are three major distinct types of service:

- (a) Court Administration
- (b) Sheriff Services
- (c) Reporting Services.

In addition, there are:

- (a) Support Services
- (b) Planning Division
- (c) Training Division
- (d) Tracing Unit
- (e) The Courts Record Management Centre
- (f) Court Services; Information Services
- (g) Reciprocal Enforcement of Maintenance Orders.

Court Administration provides a variety of services in the approximately 100 court registries throughout the Province, including:

- (a) answering inquiries from the public and all persons within the justice system
- (b) preparing and entering court files
- (c) typing court lists
- (d) entering and controlling exhibits used as evidence in the courts
- (e) providing clerical staff for the courts
- (f) handling money ordered for payment to court to cover fines, tickets, bail, family maintenance, and other trust items
- (g) providing Justices of the Peace for release of accused persons on bail, issuance of summonses, search warrants, and warrants for arrest.

Court registries are seen most commonly by the general public as the place where a person must go to file a dispute of a traffic violation or as the place where a small claim dispute is registered.

In most areas of the Province the registries are integrated to serve all levels of courts, as well as the B.C. Court of Appeal which is in Vancouver and Victoria.

Developments

- (a) The Accounts Receivable Committee developed a system for recording and controlling money owing to the Province.
- (b) A new Traffic Ticket Filing System was implemented.
- (c) Criminal, small claims, and family legal forms were revised and reprinted.
- (d) Disclosure of Court Registry Documentation policy was developed.
- (e) Procedures and systems were reviewed for controlling exhibits in criminal court.
- (f) Policies and procedures were developed for handling pardons on provincial-wide basis.
- (g) Videotape equipment for the assessment of accused impaired driving was purchased and distributed.

Sheriff Services are responsible for the duties listed below.

Deputy Sheriffs, although not police constables, are peace officers and have all powers and responsibilities associated with that position.

Duties of a Deputy Sheriff include:

- (a) Service of Criminal and Civil documents
- (b) Court Security
- (c) Witness Administration
- (d) Jury Administration (Supreme)
- (e) County and Coroner's Court
- (f) Escort accused and convicted persons
- (g) Seizure of goods or chattels
- (h) Assistance to the Superintendent of Motor Vehicles.

Court Services

more than 100,000 persons were escorted in 1980-1981, with fewer reported incidences, less escape, than the previous year.

Developments

Two new Deputy Sheriffs were appointed to the New Westminster Court and new standards were introduced for Deputy Sheriffs.

A amendment was made to the *Sheriff Act* (effective February 24, 1981) authorizing Deputy Sheriffs to charge municipalities for the use of documents issued under a municipal bylaw.

A amendment to the *Jury Act* authorized the use of jury summons by ordinary mail.

Court reporters and recorders are responsible for taking and maintaining verbatim transcripts of all trials in Provincial, District, and Supreme Courts in British

Columbia. They are also responsible for recording pre-trial civil processes.

Developments

Court reporters services have been expanded to meet increased jurisdictions of County Courts in civil matters.

A two-year Recording Equipment Purchase Program has been completed.

Staff has been increased slightly to meet increased reporting assignments and to reduce delays in transcript delivery.

A Court Reporting Services Operating Manual has been prepared and distributed.

Vancouver Superior, County and Provincial Courts have been affected significantly this year by the opening of the airport holding cells, the closure of the B.C. Penitentiary and the raising of monetary jurisdiction in the Small Claims court to \$2,000.

Corrections Branch

Responsibilities

The Commissioner of Corrections has the status of a Deputy Minister and reports directly to the Attorney General.

The Corrections Branch is required by Statute to and does prepare a separate Annual Report which is tabled in the Legislature by the Attorney General.

The Branch is responsible for correctional services, youth and adult probation, family court counselling, and correctional institutions for adult and youth offenders accused and/or convicted of criminal offences.

The administration of the Branch is divided into six regions: Vancouver Island, Vancouver, North Fraser, South Fraser, Interior and Northern.

The services of the Branch are divided into six categories. They are:

- (a) Secure Custodial Facilities
- (b) Open Facilities
- (c) Community Based Programs
- (d) Probation & Family Services
- (e) Management Support Services
- (f) Inspection & Standards.

Secure Custodial Facilities

These facilities are for adults charged with criminal offences who are remanded in custody to await trial. Persons convicted of criminal offences within provincial jurisdiction, and sentenced to periods of up to two years less one day, are also accommodated within these facilities. There are six secure adult custody institutions; five for men, one for women.

The Branch provides two secure containment centres for youths found delinquent under the *Juvenile Delinquents Act*. In addition, secure facilities are provided for juveniles and adults in need of secure remand, pending disposition by the court.

Programs within most adult and juvenile institutions include education, recreation, arts and crafts, employment on temporary

absence passes, alcohol awareness program and life skill courses. Most of the programs are operated by Corrections staff; some are contracted out or staffed by volunteers.

Open Facilities

Open facilities are minimum security centres including farms and forest camps which accommodate adult sentenced offenders. There are twelve such facilities throughout the six regions, one of which is for women. The Branch also provides open facilities for youths, including those who are required as a condition of probation to participate in an attendance program. Two camps are included in the containment program for youths who need separation from the community but do not need the level of security provided by Willingdon or the Victoria Youth Detention Centres. Attendance Programs include "wilderness outward bound", and educational and leisure activities for youths who remain in the community on probation, and who require structured activity.

These programs provide opportunities for sentenced offenders to participate in useful work. Adult work programs include forest management, woods operation, salmon rehabilitation, crop rearing and animal husbandry.

Community-Based Facilities

Community-based adult programs provide supervised accommodation within communities, as a last phase in an offender's sentence to facilitate re-entry into the community. The programs are run from Community Correctional Centres (CCC's) operated by Corrections staff. Programs are also run from Community-Based Residential Centres (CBRC's). Funds are provided by the Corrections Branch for these centres, but they are staffed and operated by private agencies such as the John Howard Society. There are nine CCC's with a total capacity of 167 persons. Accommodation under contract is also available for youths on remand. The space varies with each region.

Corrections Branch

to adult offenders in these centres are on a full job, training, or education program. Residents take part in volunteer work or recreation activities, sports, and recreation within the community. The focus of balance programs for youths and young adults is on remedial education, life skills training, and developing responsibility.

Probation and Family Services

(Adult and Youth)

The branch offers the following services:

- (1) Pre-Court reports on offenders
- (2) Pre-Trial supervision of persons released from custody on remand
- (3) Pre-sentence reports
- (4) Post-Disposition of offenders on probation.

These services include: informal counselling and supervision for probationers in the community; arrangement for restitution activities or work programs through community service orders; counselling services under the *Family Relations Act*.

There are more than 80 offices throughout the Columbia offering these services to an estimated total of 12,000 adults and youths and 1,000 families. Adults and youths on probation for property damage and theft offences may be obliged to perform community service.

Inspection and Standards

The Division has statutory responsibilities to give regular inspections of adult and youth correctional facilities, investigate complaints and on behalf of clients of the Branch, and investigate matters concerning the administration of the *Correction Act*.

Inspection and Standards is also responsible for development, implementation, and monitoring standards of operation for the Branch.

Developments

The Corrections Branch in 1980-1981 gave high priority to:

- (a) the effective operation of current correctional programs
- (b) the development of necessary standards
- (c) the management of human resources
- (d) the care and custody of offenders and their return to society
- (e) the replacement of outdated correctional facilities
- (f) the expansion of services to the family throughout the Province
- (g) continuing identification of need for community-based youth resources and the development of the necessary programs.

The crowding of secure youth containment facilities continued to be a major problem in 1980-1981. The Branch continued to emphasize the use of attendance programs as a condition of probation for youth. The use of purchased bed space in the community was an alternative to secure remand. During 1980-1981, there was a decrease in the number of adult inmates due to the development of effective alternatives to incarceration. This trend, combined with more intensive supervision, better trained staff and, in some cases, renovated buildings, has resulted in fewer escapes and fewer infractions of rules. However, adult correctional centres were still operating at 90% capacity, with open facilities at 73% and community correctional based facilities at an average of 85% use.

Major renovations were completed during the year at the Victoria Youth Detention Centre and the Lakeside Correctional Centre for Women. Renovations to Prince George Regional Correctional Centre were completed in 1980.

During the year, a Computerized Offender-Based Information System of all adult offenders since 1972 has provided staff with ready access to records of offenders.

Corrections Branch

Within the three Lower Mainland Regions of Vancouver, North Fraser and South Fraser, provincial classifications expanded the jurisdiction of Direct Court Classification by which offenders move directly to the facility in which they will start their sentences. The primary objective of the project was to reduce inmate population at L.M.R.C.C. (Oakalla) and increase population in open facilities. Secondary benefits of humanitarian treatment were considered together with the separation

of hardened inmates from more unsophisticated offenders, particularly the first time offender.

During 1980, the Branch-wide Corrections Personnel Classification Project (CPCP), undertook a review of job descriptions and the development of a classification system that is to enhance career mobility for all Branch employees. The development of the new classification system is expected to be undertaken in mid-1981.

Criminal Justice Division

Responsibilities

The Criminal Justice Division advises all Government Ministries on matters of criminal prosecutions and enforcement of matters falling within provincial jurisdiction; and provides advice to the police and Crown Counsel.

The Division is responsible for:

- (a) the administration of criminal justice
- (b) policy analysis on issues identified by the Attorney General and Deputy Attorney General or by the Division itself
- (c) the analysis of legislation, both new and established
- (d) the initiation of policy, procedure and legislation-oriented research
- (e) the participation in committees and task forces in matters pertaining to criminal law
- (f) the establishment of policy and procedure for prosecution in consultation with Regional and District Crown Counsel
- (g) the operation of Crown Counsel services throughout the province.

Developments

During the fiscal year 1980–81, a new organizational structure was adopted for the Criminal Justice Division and Crown Counsel services. The new organization establishes a more effective structure by function. Two new positions were created in the office of the Assistant Deputy Attorney General, Criminal Justice Division: (a) An Executive Counsel responsible to the Assistant Deputy Attorney General for the operation of the Crown Counsel System throughout the Province with one lawyer at Criminal Justice Division Headquarters reporting directly to him/her, and (b) A Director, Policy and Support Services, responsible to the Assistant Deputy Attorney General, Criminal Justice Division, for policy and program development, legal services to government, and administrative support with five lawyers, an Administrative Officer and a Research Officer from Criminal

Justice Division Headquarters reporting directly to him. The Director of Firearms and Special Services, Director of Film Classification and the Order-in-Council Review Board operations have a reporting relationship to this position.

Crown Counsel Services were structured into six regions, each with a Regional Crown Counsel reporting directly to the Assistant Deputy Attorney General. Five regions have District Crown Counsel reporting to the respective Regional Crown Counsel.

A new office was opened in Squamish, bringing the total to 47 offices. Crown Counsel complement remained at 167 while support staff numbered 113 for a total permanent establishment of 280. In addition, a number of temporary auxiliary positions are in use throughout the province.

Motor Vehicle Task Force

The Task Force, established in 1978, concluded its deliberations on the majority of issues included in its mandate and submitted a report to the Ministers concerned in November 1980, together with a draft *Motor Vehicle Act* reflecting the report's recommendations and containing substantive and structural changes.

The majority of the 21 recommendations deal with sanctions and the procedures by which traffic violations are processed.

The Assistant Deputy Attorney General, Criminal Justice Division acted as Chairman, and two of his Legal Officers and the Director of Research for the Criminal Justice Division participated on the task force.

Ministerial Case Management Evaluation Task Force

The Ministerial Case Management Evaluation Task Force was established in June 1980 to evaluate administrative procedures and programs in the police, Crown Counsel, Court Services and Corrections Branches as these pertain to the processing of cases through the Courts.

Criminal Justice Division

The objective of this study is, with the co-operation of the judiciary and without increasing the number of judges, court rooms or staff, to try to effect improvement in the management of the increased number of cases coming before our courts. The main functions being evaluated under the task force mandate are:

- (a) witness management
- (b) case management from arrest to disposition
- (c) documentation flow
- (d) data storage and retrieval.

The initial evaluation phase consisted of personal interviews with field staff in all areas of the province to determine problem areas, effective procedures, and to obtain suggestions as to how to improve the case management process. The task force will continue to collect quantitative data and review programs and procedures which may be worthy of consideration for implementation at the operational level.

The task force is comprised of four Assistant Deputy Ministers, eight senior management staff from the Police, Court Services, Crown Counsel and Corrections Branches acting as a Steering Committee and an Evaluation Group.

The Assistant Deputy Attorney General, Criminal Justice Division, and the Director of Research are members of the task force.

Film Classification

Responsibilities

The Film Classification Office is responsible for the administration of the *Motion Picture Act* regulations, 1979, under which motion pictures are examined and classified before they are shown to the public.

Licences to operate theatres and film exchanges are also issued by this Branch. Theatres are inspected annually. The

R.C.M.P. is sometimes asked to perform these inspections on behalf of the Director.

Film Classification publishes a report each year giving a detailed account of revenue and classification breakdown. The 1980 report contains a five year comparison and is available from the Branch upon request.

Developments

In the period April 1, 1980 through to March 31, 1981, 952 films were classified. Of the films, 11 were rejected and 54 were passed after editing.

Revenue from the classification of films, issuance of licences and sale of restricted clips amounted to \$110,910.50 from April 1980 to March 1981.

Firearms and Special Services Branch

The firearms and Special Services Branch issued 25,201 Firearms Requisition Certificates during the year, and 600 firearms businesses were licensed, with an additional 268 retail businesses licensed to sell ammunition only. The Branch maintains a central filing system for the 56,909 Firearms Acquisition Certificates issued since the inception of the program.

The Branch inspected all firearms businesses in British Columbia during 1980, with the exception of a few in the remote areas which have been inspected by the R.C.M.P.

During 1980, the *Private Investigators and Security Agencies Act* was passed by the Legislature and the Firearms and Special Services Branch began preparing for the licensing of security patrolmen/guards, private investigators, locksmiths, alarm salespersons, security consultants, and armoured car companies. It is anticipated that as many as 6,000 licences will be issued during 1981, for this rapidly expanding industry.

Police Services

Responsibilities

The Branch is responsible for integrating the services supplied by:

- (1) Co-ordinated Law Enforcement Unit
- (2) R.C.M.P. under contract to the Province of B.C.
- (3) B.C. Police Commission.

Co-ordinated Law Enforcement Unit

Responsibilities

The Co-ordinated Law Enforcement Unit was established specifically to suppress organized crime in British Columbia. It co-ordinates the efforts of police and other agencies in a planned, concentrated assault on illegal, big profit businesses such as narcotic trafficking, gambling, prostitution, loan-sharking, fencing and fraud.

C.L.E.U. consists of a Policy Board of senior officials and police officers, and other investigators such as seconded police officers and civilian division of researchers, analysts and other specialists.

C.L.E.U. is divided into two sections: Joint Forces Operation, and Policy Analysis Division.

Joint Forces Operation in the Lower Mainland is directed by a Joint Management Team, composed of the Assistant Commissioner in Charge of R.C.M.P. District Number One and the Deputy Chief in Charge of Staff Operations, Vancouver City Police. This team is mainly responsible for "tact" selection. Two inspectors, one from the Vancouver City Police and the other from the R.C.M.P. are responsible for the day-to-day activities of Joint Forces Operation. There is a second J.F.O. unit on Vancouver Island with similar liaison between local police and R.C.M.P.

Developments

During 1980-1981, the J.F.O. unit was involved in 96 arrests for offences such as drug importation and trafficking, homicide, armed robbery, fencing, bookmaking, fraud, prostitution, and major thefts. This brings the arre total to 824 since the origin of the Vancouver J.F.O. in 1974.

The most notable case of the year was an international drug conspiracy in which 29 persons were charged. The investigation cost about \$1 million and the trial, which is expected to last from eight months to a year, will probably cost an equal amount. Through the operation of Vancouver J.F.O. millions of dollars worth of illicit drugs were seized before they could reach the consumer, and major drug rings were destroyed.

The Vancouver Island J.F.O. was involved in 48 arrests, (mostly drug offences), bringing its arrest total since 1975 to 265.

Policy Analysis Division, a component of C.L.E.U. staffed by civilians, is responsible for research, planning, testing, and co-ordinating the products of strategic intelligence. The Division distributes information as part of the program to suppress organized crime.

There are four sections in the Policy Analysis Division:

- (a) Strategic Intelligence Section
- (b) Systems Research & Development Section
- (c) Research and Prevention Section
- (d) Administrative Section.

Developments

Over the past year, the Policy Analysis Division has intensified its co-operation with the law-enforcement community. Some of the strategies developed by the Division to control organized crime have been accepted and implemented. In addition, C.L.E.U. research has continued to attract local, national and international recognition. An intensive study was made of the *Racketeer Influenced and Corrupt Organizations Statute*, enacted by the U.S. Federal Government in 1970 (R.I.C.O.). This U.S. statute was enacted specifically to deal with the inter-related activities of criminal organizations and with the problem of seizing criminal assets. A report of the study was circulated to the Provincial Attorneys General.

Several articles prepared by C.L.E.U. have been reprinted in the University Law School and the Battelle Human Affairs Research Centre.

Legal Services to Government

Responsibilities

The branch represents the interests of the Crown in civil matters. It provides advice on general matters in areas of civil law as well as specific services such as drafting of legislation and the conduct of litigation involving the Crown.

Developments

The volume of work handled by the branch lawyers has increased dramatically as resources improve to match the demand for services.

There have been significant developments towards strengthening in-house capacity. Staff lawyers now handle:

- (a) Rentalsman Litigation, Labour Relations and Employment Law
- (b) Agricultural Land Commission
- (c) Expropriation arbitration in the Ministry of Transportation & Highways
- (d) Contract negotiation; in particular the North-East Coal Project, the Terry Fox Foundation and the Interferon negotiations with the Wellcome Foundation in Great Britain.

General legal services to the 19 ministries of Government are divided into five sections:

- (a) Civil Law
- (b) Legislative Counsel
- (c) Constitutional and Administrative Law
- (d) Civil Litigation
- (e) Law Section; Public Trustee.

Civil Law

This branch of the ministry represents the interest of the Crown in civil matters. There has been an increase in the number of public servants within Civil Law in recent times, mostly by "transfers" of legal positions from other Ministries.

Legislative Counsel

Counsel examines, revises and drafts regulations and orders-in-council and proposed legislation from all provincial Ministries, and maintains a library of federal provincial and British statutes.

Constitutional and Administrative Law

This section examines all federal and provincial aspects of constitutional law for ministries; advises and represents the Attorney General in constitutional issues; and upon all notices served upon the Attorney General by federal boards or commissions, (such as the Canadian Transport Commission), and furnishes advice to such tribunals as the Energy Commission.

Civil Litigation

This section will represent the Crown in litigation where the Crown is plaintiff or defendant.

Law Section; Public Trustee

The Law Section, Office of the Public Trustee provides and obtains legal counsel and advice to the Public Trustee with respect to proceedings and matters involving specific infants, mental incompetents and certain estates of deceased persons for which the Public Trustee is responsible. Examples include: acting for the Public Trustee in seeking adequate provision for infants out of the estate of a parent in a Wills Variation proceeding, seeking recovery for mental incompetents in personal injury matters, seeking access for a mentally incompetent parent to that person's child in divorce proceedings, seeking directions from a judge in the administration of an estate for which the Public Trustee is administrator. The Law

Legal Services to Government

Section also provides and obtains legal counsel and advice to the Public Trustee with respect to proceedings and matters involving cooperation of the Office and generally with respect to proceedings and matters with the jurisdiction of the Public Trustee.

Public Trustee

Responsibilities

The Public Trustee protects the estates and financial interests of minors or mentally disordered persons and settles the estates of deceased persons where no other is competent to act. This service is provided in the following ways:

- (a) directly administering the estates as guardian, committee, executor, trustee, administrator and under power of attorney
- (b) monitoring trusts for minors or mentally incompetent persons to ensure that they are properly handled

- (c) investigating the estates, financial affairs and legal claims of minors and mentally disordered persons who are reported to have been imposed upon or taken financial advantage of
- (d) advising those persons as to the correct course of action
- (e) providing legal representatives for those mentally disordered persons or minors for whom the Public Trustee has or may obtain authority to act.

Developments

Over the past year a study has been undertaken by special consultants, the B.C. Systems Corporation and the Comptroller-General to develop methods to modernize control, capacity, response and security features of the Public Trustee's accounting systems. Approximately \$125 million in trust accounts are administered by the branch. The costs of the study and implementation of new designs will be covered by ordinary office revenue within three to five years.

Policy Planning Division

Responsibilities

The Policy planning Division consists of three components; the Policy and Program Analysis Unit, the Research and Evaluation Unit, and the Special Projects Branch.

1. Policy & Program Analysis

This Unit coordinates policy for the ministry, linking ministry priorities and goals with those of government and preparing policy briefing material for decision-makers. It may be required to:

- (a) initiate the development of policy on major issues
- (b) prepare briefs on policy issues for the Attorney General and Deputy Attorney General
- (c) coordinate policy development on issues of interdepartmental concern.

2. Research & Evaluation Unit

The Unit has three main areas of responsibility:

- (a) contributing to the development of more effective and efficient programs and procedures by initiating and administering research and evaluation projects
- (b) coordination of research and evaluation programs affecting the Ministry as a whole
- (c) promotion of appropriate communication about research activity across the Ministry and between the Ministry and various outside agencies—community research services, universities and government research staff in other jurisdictions.

During the 1980–81 fiscal year, the Unit completed:

- (a) a paper on the justifying aim of community service by offenders
- (b) an analysis on the feasibility of recovery of Criminal Injuries Compensation Funds by means of community service

- (c) a field study of reparative sentencing administration
- (d) a review of provincial sources of reparative sanctions data
- (e) an exploratory study of public attitude to the law concerning the family, juvenile delinquency and livelihood (jointly with the Solicitor General of Canada)
- (f) a study on the enforcement of child support orders in British Columbia.

On-going work of the Unit includes:

- (a) the production of an annual source book on criminal justice statistics
- (b) the planning (jointly with the Policy Unit) of a broad approach to program evaluation in the Ministry.

Work begun by the Unit during the 1980–8 fiscal year includes:

- (a) a survey of school-based delinquency programs in B.C.
- (b) an evaluation of the Burnaby Youth Services Program
- (c) a study of comparative legal theory of compensation by offenders
- (d) an evaluation report on the major issues and implications for juvenile delinquency programs
- (e) an evaluation of the prisoner remand system in B.C.

3. Special Projects Branch

The work of the Special Projects Branch includes the duties formerly undertaken by the justice Coordination group. The Branch being organized to continue this work, together with new special projects.

A Juvenile Crime Prevention Program has been developed to improve local crime control by working with local, public and private agencies, and individual citizens. Workshops and meetings were conducted in all regions of the province to demonstrate the value of community involvement in crime prevention.

Policy Planning Division

An agreement was made with the Solicitor General of Canada to co-sponsor a juvenile crime prevention program. The objective of this joint federal/provincial program is to reduce the entry of potential young offenders into the criminal justice system.

The **Kootenay Committee on Intergroup Relations (K.C.I.R.)** is a committee of citizens working to eliminate the threat of racism and other problems in the Kootenay and other communities. The Committee is independent of government, and is endorsed by the Ministry of Attorney General.

The **CounterAttack** component of the program continues to reflect the government's commitment to eliminating alcohol-related traffic crashes and fatalities in this province. Program evaluations conducted in 1980 show an initial 19.5% reduction in drinking-related traffic fatalities was substantially maintained between 1977 and 1979, resulting in 110 lives saved, 2,540 fewer injuries, as well as a \$53.5 million saving in related costs to society.

CounterAttack's major task is to encourage changes in attitude and behaviour through enforcement, education, community action, legislation, legislative reform and research programs. Development of these programs continued through 1980-81, with the introduction and implementation of a comprehensive high school education program, development of the Motor Vehicle Task Force Report and a draft *Motor Vehicle Act*.

Police cooperation and identification with the program is strong. Police agencies actively participate in CounterAttack's school and information programs, as well as operating mobile roadchecks and videotape enforcement programs. In 1980, police in British Columbia laid 22,190 DWI charges, an increase of 1,617 over 1979, and issued 1,663 roadside suspensions. Approximately one-third of all licensed vehicles in British Columbia are checked for drinking drivers.

All high schools in British Columbia have received curriculum material on CounterAttack, covering seven subjects. The program is fully underway and is supported by this Ministry, the Ministry of Education and the Insurance Corporation of British Columbia. Students are actively involved in school and community aspects of the CounterAttack program, which has received highly favourable comments from teachers, administrators, and school superintendents who have actively participated in an anti-drinking/driving program, provincially or locally.

A number of information programs were directed toward the public, including television and radio campaigns, poster and pamphlet distribution, province-wide displays, and publication of a special edition tabloid. Information projects were sponsored through many government and private industry sources.

The Motor Vehicle Task Force Report and draft *Motor Vehicle Act*, released to the public in November 1980, contained the result of deliberations and recommendations of the Attorney General task force (1978) which reviewed regulations and laws governing road use in British Columbia.

A computer crash profile system was introduced in more than 140 communities in British Columbia. Information on nine selected features of traffic crashes is now available to provincial, regional or individual communities, where only aggregate totals were previously available.

In 1980-81 the British Columbia Medical Association, the Canadian Medical Association and the Motor Vehicle Task Force Report endorsed a significant CounterAttack recommendation for mandatory blood alcohol testing of traffic crash victims confined to hospital as a result of their injuries.

Statute Revision

Responsibilities

This Division is responsible for revising the statutes of British Columbia and preparing the necessary Tables of Concordance.

Developments

A new consolidation, volumes 1 to 6 (known as Revised Statutes of British Columbia, 1979) came into force May 17, 1980. Tables of concordance, prepared under the supervision of this Division, were distributed by the Continuing Legal Education Society. A new data base of the 1979 revision, sent on line from the Ministry to Q.L. Ltd. in Kingston, Ontario in May 1980, replaced the existing statute data base.

Among other developments, Volume 7 of the consolidation has been prepared and was distributed to subscribers in May, 1981. Volume 7 includes:

- Part A: Revised Statutes Act, order and proclamation
- Part B: Colonial constitutional documents
- Part C: British North America Acts
- Part D: Table of Reserved Bills and Disallowed Acts 1849-1978
- Part E: Table of Local, Private and Unconsolidated Public Acts
- Part F: Historical Table showing the disposition of each section of R.S.B.C. 1960 and of annual statutes 1961 to 1979
- Part G: A consolidated version of the British North America Acts, 1867 to date.

In addition, a computer tape of the Province's first comprehensive statute index (volume 1) was produced by the Canadian Law Information Council and delivered to the Queen's Printer on June 1, 1981. Work on the revision of the statutes continues, along with special assignments.

Support and Regulatory Services

Responsibilities

This Branch is responsible for integrating services supplied by:

- () Finance and Administration
- () Personnel
- () Information Services
- () Library Services
- () Land Titles.

Developments

This Branch has been involved in a number of projects, including staff development and

reorganization of department structures to implement new policies. There has been continuing liaison with B.C. Systems Corporation in the management of data systems which are an essential part of the services supplied by this Branch. As an extension of computer services, a new Registrar has been appointed to the Land Titles Branch to administer the new computer programs which have been introduced to record Certificates of Title and other Land Titles documentation.

MINISTRY OF ATTORNEY GENERAL

Summary

| | | Estimated 1980-81 Staff | \$ |
|--|---------|----------------------------|----|
| Master's Office..... | (6) | 155,343 | |
| Administration and Support..... | (160) | 5,561,051 | |
| Legal Services..... | (1,435) | 34,558,563 | |
| Criminal Justice Division..... | (280) | 9,139,726 | |
| Legal Services..... | (95) | 46,035,075 | |
| Protections..... | (2,061) | 63,679,321 | |
| Legal Services Society..... | | 11,715,293 | |
| Legal Services to Government..... | (73) | 4,826,766 | |
| Superior and County Judiciary..... | (52) | 1,342,993 | |
| Provincial Judiciary..... | (135) | 6,009,712 | |
| Proctors..... | (28) | 2,557,118 | |
| British Columbia Parole Board..... | (6) | 382,506 | |
| Law Reform Commission..... | (8) | 329,314 | |
| Personal Injuries Compensation Act..... | | 1,918,200 | |
| Probate Trustee..... | (87) | 1,820,944 | |
| Probate Commission..... | (48) | 1,613,155 | |
| British Columbia Racing Commission..... | (10) | 1,037,410 | |
| Probation Classification Branch..... | (6) | 143,795 | |
| Probation Registry Branch..... | (315) | 7,110,955 | |
| Board in Council Patients' Review Board..... | (2) | 102,350 | |
| Building Occupancy Charges..... | | 37,903,000 | |
| Computer and Consulting Charges..... | | 1,750,000 | |
| Total of ministry..... | (4,805) | 239,692,590 | |

Support and Regulatory Services

Finance and Administration

Responsibilities

This branch is responsible for the development, application and maintenance of financial policies within the ministry. The office also manages all aspects of the ministry's data and facilities group.

The Finance and Administration section is divided into five components. They are:

- (a) Financial Operations
- (b) Facilities Management Unit
- (c) Data Services

- (d) Budget Analysis
- (e) Internal Audit.

Developments

During the fiscal year 1980-1981, emphasis was placed on financial control to ensure that the Ministry of Attorney General complied with rules and regulations currently being developed by the Ministry of Finance, the Auditor General and the Office of the Comptroller-General.

Personnel Services

Responsibilities

The Branch recruits and selects staff for the Ministry, classifies job descriptions, monitors labour relations, provides safety standard training and supervises employee relations.

Services are provided from Regional Personnel Offices in Vancouver (Lower Mainland Regions), Kamloops (Interior Region), and Prince George (Northern Region), under direction from Headquarters in Victoria.

- (c) Probation Officers
- (d) Correction Personnel Classification Project.

Court Services

- (a) Staffing Standards
- (b) Court Administration and Sheriff Services Offices
- (c) Courts Classification Committee
- (d) Physical Fitness Standards, Deputy Sheriffs.

Legal Services To Government

- (a) Major recruitment drive, Civil Law Section
- (b) Reorganizing, Public Trustee's Office

Criminal Justice Division

Change in geographic boundaries for Crown Counsel.

Policy Planning

- (a) Establishment of Special Projects Branch
- (b) Dissolution of Justice Coordination Branch.

Support & Regulatory Services

- (a) Information Services reorganization
- (b) Fire Commission reorganization
- (c) Land Titles "exceptional absence" study.

Developments

| | |
|--|-------|
| Establishment control for regular, full-time positions | 4,796 |
| Requisitions processed | 3,000 |
| Competitions processed | 450 |
| Organization reviews | 30 |
| Individual position classification reviews | 190 |
| E.P.E.C. submissions | 15 |
| Legal Officer Evaluation Committee submissions | 28 |
| Grievances | 250 |
| Training: sessions conducted | 31 |
| Managers in attendance | 465 |

Major personnel projects for 1980 include:

Corrections

- (a) Post and Organization Review
- (b) Staff Planning Technique

Support and Regulatory Services

Information Services

Responsibilities

Information Services provides the people of British Columbia with current information regarding changes and developments on programs, services, structures and policies within the Ministry.

In order to disseminate information, this service prepares and distributes news releases, brochures, booklets, audio-visual material, handbooks and annual reports.

Information Services promotes internal communication throughout the Ministry of Attorney General and also provides ready information to the general public.

Developments

The Director of Information Services has been appointed to co-ordinate the activities of the Information Services Branch.

Library Services

Responsibilities

The library serves the Ministry of Attorney General through:

- (a) the acquisition, bibliographic control and distribution of texts, reports and government publications
 - (b) the development of a central law and management collection
 - (c) reference services
 - (d) inter-library loans and other user services
 - (e) the co-ordination of ministry library activities
 - (f) the liaison with related agencies such as the Law Library Foundation and the Canadian Law Information Council.
- Library Services is part of the Information Services Branch.

The main library, with access to the QL data base. This system reduces research time through automatic retrieval of law reports, statutes and other information. Upon request, lawyers have access to selected case tables, abstracts and indices.

The library also commenced publishing UPDATE, a newsletter for library users. The publication includes recent accessions, notices, research tips and similar items of interest. As a result of this publication, use of the collection has increased markedly over the last 12 months.

Records of several new collections were added to the computer catalogue. This catalogue, available in printout or microfiche, lists the holdings of the main library, the B.C. Police Commission Library, the Co-ordinated Law Enforcement Unit Library, and the Oakalla Women's Unit collection. Eventually all ministry holdings will be included.

Developments

Several new services were instituted in 1980. A computer terminal was installed in the

Land Titles Service

Responsibilities

The Land Titles Service operates the Torrens system of registration of title to land, maintains and develops the system, and carries out the following functions:

- (a) brings newly granted Crown land into the system

- (b) registers and gives good safeholding and marketable title to all dealings by owners with land
- (c) records involuntary claims against land such as builders liens, caveats, etc.
- (d) passes on the correctness of plans of subdivision of land and registers the same if found to be in order

Support and Regulatory Services

- (e) provides State of Title certificates and other classes of search of Land Titles records
- (f) provides the forum and judicial officer for hearings of applications to cancel plans.

The Director, Land Titles, supervises seven land title districts, each under the supervision of its own Registrar. The Director regulates the procedures followed in the registry offices. He is also available to advise the Registrars on all legal matters and to perform the duties of Registrar when required.

The responsibility of each Registrar is to interpret the *Land Title Act* and all applicable law, and to ensure that security of title is maintained at all times.

Developments

The number of applications received in 1980–1981 totalled 640,085 as compared to 523,314 in 1979–1980. This figure is restricted to ownership transfers, and charges

such as mortgages, agreements for sale and money judgments. It does not include miscellaneous filings made under the *Land Title Act* and other statutes.

Land Titles approximate revenue in 1980–1981 is \$36,612,369.68 compared to the 1979–1980 total of \$24,081,433.00.

In recognition of the heavy increase in property development, a computer program has been introduced into the Land Title Office in Victoria, to record all information concerning applications for Certificates of Title. This program will reduce the processing time for applications.

A Land Titles School (a division of the Justice Institute), has been inaugurated for Land Titles Office staff so they might be better trained to serve the public.

The first volume of the **Land Titles Practice Manual** (2-volume) work has now been issued. It will replace the **Guide to the new Land Title Practices** and the former **Land Registry Practice Manual**.

Boards and Commissions

B.C. Board of Parole*

B.C. Coroners Service

B.C. Police Commission*

B.C. Racing Commission*

Criminal Injuries Compensation Act*

Justice Development Commission*

Law Reform Commission*

Legal Services Society*

Office of the Fire Commissioner*

Order-In-Council Patients' Review Board

* Files a separate annual report.

Boards and Commissions

B.C. Board of Parole

Responsibilities

Under new provisions of the *Parole Act* (Canada), the Parole Board reviews applications for parole from inmates of provincial Correctional Centres. The Board previously had jurisdiction over inmates under the age of 22 who were serving an indeterminate sentence following a definite sentence.

A unique feature of the Board is its membership, which is comprised of members of the public from six regions of the Province. The community has representation through the Board and can contribute to parole decisions which affect the public.

The B.C. Board of Parole files a separate Annual Report.

Developments

A policy manual covering the new responsibilities under the Act has been prepared and distributed throughout the justice system.

An agreement has been reached between members of the Canadian Association of

Paroling Authorities for the transfer of parolees between member boards. There are four jurisdictions involved: Governments of Canada, Ontario, Quebec and British Columbia.

The Board is committed to; the development of policies which allow for restitution by inmates for their offences; improved communication between the Board and inmates; the development of a Management Information System in support of research and program evaluation; and the encouragement of public accountability at the community level. Statistics for the fiscal year 1980-1981 are as follows:

| | |
|---|-------|
| Number of Reviews..... | 1039* |
| Number of Grants..... | 527 |
| Number of Denials..... | 277 |
| Number of Revocations..... | 76 |
| Number on Parole as of March 31, 1980..... | 65 |
| Number on Parole as of March 31, 1981..... | 275 |

*This figure reflects all case decisions rendered by the Board and includes: grants, denials, deferrals, revocations, extensions of temporary parole and decisions of no action.

B.C. Coroner's Service

Responsibilities

The B.C. Coroners Service, headed by the Chief Coroner, is comprised of approximately 150 permanent and fee-for-service staff located throughout the province. The Coroner has five main roles:

- (a) **The Investigative Role**—the medico-legal investigation of sudden deaths. This involves the coroner, enforcement agencies, pathologists, toxicologists, other forensic scientists, and in more complex cases, specialists as investigators.
- (b) **The Judicial Role**—The judicial responsibilities of the coroner in Coroners Court. This is a court of law

where inquests are held to establish the circumstances surrounding death.

- (c) **The Reporting Role**—the Chief Coroner is obligated by law, to report the findings and recommendations brought forward by inquests and inquiries to the appropriate persons, agencies and ministries of government. The objective of the reporting role is to have the recommendations implemented and thus prevent similar deaths occurring in the future.
- (d) **The Preventive Role**—the collection and analysis of data arising from coroners' inquiries and inquests. Thorough analysis permits the

Boards and Commissions

identification of trends in mortality from which preventive measures can be developed and recommendations made.

- (e) **The Administrative Role**—responsibilities of the coroner include: the issuance of warrants to bury/cremate; completion of death registrations; control of exhumations; and granting permission to transport bodies across provincial boundaries. There is also considerable involvement in counselling bereaved relatives.

Developments

Compliance with the *Coroners Act*, (first enacted in 1975 but not proclaimed and re-enacted in 1979) the Service has introduced regional representation with the appointment of five full-time Regional Coroners. Twenty-eight permanent positions have been approved for the Coroner's Service, including six full-time Coroners. The Regional Coroners will be responsible for Coroners within each region and will be available to assist the 123 fee-for-service local Coroners with investigations, inquiries and inquests. Regional Coroners will also identify local training needs for Coroners. As a further aid to training, a training manual for Coroners was produced in 1980 by the Justice Institute of British Columbia.

Approval in principle has been given for the Coroner's office to be located in the new Vancouver General Hospital, which will be completed in late 1982. The Vancouver Coroner will be using morgue facilities in the new complex and have access to some of the most modern pathology equipment available.

The connection of the Coroner's Service with a major teaching hospital is of major importance. It is also an advantage to the medical profession when it is involved in forensic pathology. The joint facilities will enable students of pathology to benefit from practical training in forensic autopsies, so filling the gap in forensic pathology training which now exists.

Because of an increasing workload, a serious backlog of toxicology testing in medico-legal cases has developed over the past few years. These delays have created considerable problems for coroners, police and pathologists, and caused hardship to bereaved relatives. The Chief Coroner has initiated a study of these problems, with the assistance of consultants in the field. The group is considering the feasibility of using regional laboratory services for basic toxicology testing. Full screen toxicology testing for unknown drugs will continue at the central laboratory. It is expected that the results of this study will reduce the backlog significantly.

Research has been initiated into forming a data base and records system for the Coroner's Service. Historically, there has been no data base for use with analyses in cases of unnatural deaths within the Province.

A study of death in the young was made by UBC research staff. This study produced a startling picture of mortality among our youth, showing that violent death is much more common in B.C. than in other parts of Canada. A pilot study of perinatal deaths has also begun, which should lead to a larger study scheduled to commence in the summer of 1981.

B.C. Police Commission

Responsibilities

Under the *Police Act* of British Columbia, the Commission is responsible for the training, standards and co-ordination of all provincial and municipal activities throughout the Province, including the liaison with the

Assistant Deputy Minister, Police Services, Ministry of Attorney General, municipal police boards and committees.

Responsibilities include supervising the B.C. Police Academy; creating and encouraging programs for the promotion of harmonious

Boards and Commissions

relationships between the police and the public and research studies or projects related to law enforcement and crime prevention; maintaining a system of statistical records; and performing all other duties as may be necessary in the field of policing in the Province of British Columbia.

The B.C. Police Commission tables its own Annual Report.

Developments

The Uniform Crime Reporting System showed an increase in Criminal Code offences of 7.9 per cent excluding drug offences and traffic C.C. offences, from a total of 295,030 in 1979; it is the largest increase in the last five years.

The growth and evaluation of crime prevention programs continued to be a major concern of the Commission throughout 1980, with emphasis on police and community program co-operation. Business, service clubs, and the community in general have contributed to many programs started by local police departments and detachments. Funds for crime prevention for 1979-1980 came partly from the Government of British Columbia and partly from the federal Department of the Solicitor General. Research projects were carried out in 1980 by Commission staff, or under the sponsorship of the B.C. Police Commission. Projects included reports on trends in municipal policing costs in British Columbia, policing costs in Williams Lake, and witness protection in British Columbia. A Victim's Service Directory started in 1980 will be completed in 1981.

The B.C. Police Commission publishes the **B.C. Police Journal** each quarter. The journal is gaining ever-increasing support. It contains news of particular relevance to police matters, with contributions from police and other members of the criminal justice system.

The executive of the B.C. Police Commission organized regional visits in the province and met with people in policing, minority group municipal officials and the general public in Kelowna and Prince George and their surroundings.

Most of the goals set by the Commission at the beginning of the year have been met. The Commission recognizes that there is a need for intensified effort in fighting crime, reactively and by strong crime prevention programs.

B.C. Police Academy

The objective of the B.C. Police Academy is to educate, train, and develop peace officers for the Province of British Columbia.

Recruit Training Program—Course content has been redeveloped to provide continuity rather than repetition of known facts. During the three-year training period before attaining the status of certified municipal constable, recruits are spending a total of 32 weeks at the Academy. In 1980, 339 recruits attended the various levels of recruit training.

The first class graduated in March 1975 and in the six years since, approximately 40% of the serving officers, men and women of the municipal forces in British Columbia have had the benefit of training at the B.C. Police Academy. There are presently 220 persons undergoing recruit training there.

Advance Programs have been reorganized. An instructional services component has been created for the development, co-ordination and administration of advanced training sessions.

The Assessment Centre has served the police community by assisting in the administration of pre-selection and promotional procedures. In 1980, 166 recruits were assessed in pre-selection centres, 72 candidates in promotional centres, and 26 peace officers were trained as assessors.

Bards and Commissions

B.C. Racing Commission

Responsibilities

The B.C. Racing Commission is empowered to govern, direct, control and regulate horse racing in the Province as set out in rules and regulations of the *Horse Racing Act* as follows:

- (a) licences all personnel connected with horse racing
- (b) investigates alleged and actual violations of racing regulations and criminal acts
- (c) ensures the security of horses competing at the race tracks
- (d) ensures the examination of all competing horses by a qualified veterinarian
- (e) hears appeals of defendants charged with breaches of racing regulations; and meets with other national and international regulatory bodies to maintain the high standard of presentation

- (f) promotes and ensures the proper distribution of the Breeder Incentive Fund, the B.C. Bred Purse Supplement Fund, and the Horse Racing Improvement Fund, pursuant to the requirements of the *Horse Racing Tax Act*.

The B.C. Racing Commission presents its own annual Report.

Developments

- (a) 5,500 licences were issued to personnel at the race track
- (b) 3,600 races were supervised by Commission staff
- (c) 25,000 horses entered to race were examined by Commission veterinarians to prevent illegal activity and protect the wagering public
- (d) Investigations were made into alleged and known activities of licences and the criminal element, to ensure honest racing.

Criminal Injuries Compensation Act

Responsibilities

The *Criminal Injury Compensation Act* is administered by the Workers' Compensation Board. The Act provides for compensation for victims of violent and certain other crimes.

The Criminal Injury Compensation Act tables its own Annual Report in the Legislature.

Developments

In fiscal year 1979-1980, the actual cost of the program was \$1,926,658, of which 19% was cost incurred by the Workers' Compensation Board in their administration of the Act. The amount paid to victims for the fiscal year 1980-1981 is \$1,600,868.

There is a 10¢ per capita contribution from the Federal Government which results in a contribution for fiscal year 1981-1982 of approximately \$260,000.

Justice Development Commission

Responsibilities

The Commission provides grants for the following purposes:

- (a) To facilitate the improvement of the

administration of justice in British Columbia

- (b) To assist in the extension of justice services to those members of our society who do not presently have sufficient access to them

Boards and Commissions

- (c) To provide experimental and alternative programs capable of improving the quality of justice throughout the Province.

The Commission submits its own Annual Report showing the specific distribution of funds, as well as a brief description of projects for which money was made available.

Developments

In 1980 there were three sources of funds within the jurisdiction of the Justice Development Commission.

- (a) Core Funds—allocated to “established” agencies in the community, which have been operating programs and providing services within the justice system for several years

- (b) Short-Term Demonstration Projects—funds were made available for investigation into new ways of delivering justice services. These funds are restricted to short-term projects

- (c) Juvenile Crime Prevention—an allotment for special projects to increase community awareness of juvenile crime prevention.

Eleven core agencies received funds in the amount of \$537,585.62 in 1980. Eight agencies received funds of \$228,629.25 for demonstration projects. In the “special projects/juvenile crime prevention” category six agencies received funds in the amount of \$176,890.38. These projects included juvenile accountability panels, youth counselling projects, and support of justice councils across the Province.

Law Reform Commission

Responsibilities

The Law Reform Commission is constituted under the *Law Reform Commission Act* of 1969. Its function is to keep the laws of the Province under constant review by research, and to make recommendations to the Attorney General.

The Law Reform Commission tables its own Annual Report in the Legislature.

Developments

During 1980, final reports were submitted to the Attorney General, on the following subjects:

Civil Litigation in the Public Interest (LRC46); Calculation of Interest on Foreclosure (LRC 47); The Recovery of Unauthorized Disbursement of Public Funds (LRC 48).

Government action was taken in 1980 with respect to recommendations contained in the following reports of the Commission:

LRC 45, Appendix to Annual Report for 1979 (*Attorney General Statutes Amendment Act, 1980* S.B.C. 1980, c 1, ss. 7, 17).

LRC 32, Proof of Marriage in Civil Proceedings (*Attorney General Statutes Amendment Act, 1980*) S.B.C. 1980, c. 8).

LRC 22, Powers of Attorney and Mental Incapacity (*Attorney General Statutes Amendment Act, 1980*). S.B.C. 1980, c. s.11)

LRC 24, Security Interest in Real Property Remedies on Default (*Attorney General Statutes Amendment Act, 1980*).

Work currently in progress involves investigation of the following:

- (a) Arbitration
- (b) Crown Liens
- (c) Reviewable Transactions
- (d) Personal Injury Claims
- (e) *Prejudgment Interest Act*
- (f) Extrinsic Aids to Statutory Interpretation
- (g) Office of the Sheriff

Words and Commissions

(a) Benefits Conferred Under a Mistake of Law

(c) Illegal Contracts

(d) Distress for Rent and Other Debts.

Legal Papers were distributed for comment and response on the following subjects:

(a) Calculation of Interest on Foreclosure

(b) The Making and Revocation of Wills

(c) Benefits Conferred Under A Mistake of Law

(d) Distress for Rent and Other Debts.

Legal Services Society

Responsibilities

Under the *Legal Services Society Act*, 1979, the Society provides legal assistance to individuals who would not otherwise receive assistance because of financial or other reasons. Education, advice, and information about the law are provided to the public.

The Legal Services Society administers the legal aid plan through its 18 offices in the province. In 20 other locations, private lawyers act as area directors for the plan. Single applicants are referred to lawyers for a reduced fee.

A number of independent societies throughout the province receive funds from the Society with which to run community law programs. Funds are also provided by the Attorney General's Legal Programs branch of the Society

for three community law offices, which provide legal services to predominantly native communities, and the Native Courtworker and Counselling Association of B.C.

Financial assistance is also given to the Vancouver Community Legal Assistance Society, the Elizabeth Fry Society, and the law students' advice clinics in Vancouver and Victoria. Law students working from these clinics give free legal advice to people who cannot afford a lawyer. For example, assistance is given to small claims creditors or people wishing to sponsor refugees.

The Legal Services Society is funded only in part by the Government, operates independently of the Ministry of Attorney General and tables its own Annual Report in the Legislature.

Office of the Fire Commissioner

Responsibilities

The Office of the Fire Commissioner is responsible for establishing standards for fire protection in the Province. The *Fire Services Act* transfers the responsibilities of the Fire Commissioner into fire inspection and prevention (Division of Fire Safety) and the administration of fire suppression, which is maintained by local government through the Fire Commissioner and Fire Services Advisory Board.

The Office of the Fire Commissioner files its Annual Report.

The **Division of Fire Safety** is responsible for:

(a) processing plans for building of fire assembly, educational and institutional

occupancies; reviewing plans of flammable liquids and propane gas bulk storage facilities

- (b) inspecting propane installations
- (c) hearing appeals resulting from Fire Commissioner orders
- (d) carrying out fire protection surveys for regional districts
- (e) investigating all suspicious fires or fires where there was loss of life, large property damage or where violations of the regulations were suspected
- (f) training of police and fire personnel in fire investigation and related duties
- (g) providing printed information and guidelines to the public and fire service personnel on topical subjects relating to fire safety

Boards and Commissions

- (h) fire prevention via television and filmstrips
- (i) liaison with other agencies or organizations concerned with fire safety.

Developments

The Engineering Section processed 1477 fire fighting/suppression plans in 1980. Staff inspected 14 industrial and commercial propane installations, 3 bulk propane facilities and 7 tanker vehicles. Regulations require that all propane systems in recreational vehicles are inspected regularly.

Moving picture projectionist examinations, held pursuant to the *Fire Services Act* and regulations, were attended by 24 applicants and 18 inspections were made of moving-picture theatres.

Decisions were made on more than 200 appeals. These appeals were made to the Fire Commissioner by building owners and/or occupiers following orders received by them from local fire authorities to improve fire safety aspects of their buildings.

Lectures and demonstrations were given to institutional, commercial and service organizations, as well as fire and police services personnel. These lectures covered general fire safety, propane installations and other aspects of fire regulations.

Since the formation of the Fire Services Academy (Justice Institute of British Columbia) in 1978, program development has been accelerated to meet the demands of 2500 paid full-time fire fighters, 4000 volunteer fire fighters and 300 industrial fire fighters. In the last year, approximately 2000 students from more than 100 communities attended courses at the Fire Services Academy. The courses included leadership development, fire prevention, fire investigation, volunteer fire fighting (field training), and industrial fire prevention. In co-operation with the Buildings Standard Branch, Ministry of Municipal Affairs,

lectures were delivered via the Anik-B Satellite system to 404 candidates at 12 ear terminals located throughout the Province.

Approximately 200,000 guidelines on various fire topics were distributed through Fire Service Information Services last year. The newsletter "In Fire Mation" continues to attract interest, having a circulation of 2100 in government offices, industry, media and others interested in fire safety.

Fire prevention fire safety filmstrips were distributed to all the television stations in British Columbia for broadcasting as public service announcements. Donations of "free time amounted to over \$20,000 from one local station alone. Plans are proceeding for "Learn Not to Burn" school curriculum.

The Arson Alert Program and operations centre continues to offer a 24 hours-a-day information line and the services of a team of fire investigators. The public is encouraged to participate in this way in the fight against arson.

On November 1, 1980 the National Fire Code of Canada 1977 was adopted as the British Columbia Fire Code Regulation. This regulation will provide the Province with a uniform fire safety regulation.

A regional office in Nanaimo was opened in June 1979. It has contributed to a definite improvement in the level of service on Vancouver Island. The regional office has also formed a closer liaison with local fire departments for fire prevention and investigation. Plans have recently been approved for five more regional offices to be established in 1981.

FIRE LOSSES IN 1980

| | No. of Fires | Dead | Injured | Dollar Lost |
|------|-----------------|------|---------|----------------|
| 1980 | 7369 | 89 | 305 | \$106,365 |
| 1979 | 7656 | 125 | 444 | \$106,300 |

The average per capita loss from fire was \$40.35; an average of 2.79 fires for every 1000 persons in British Columbia.

Records and Commissions

Fatalities

| | | |
|--|----------------------|--------------|
| Men: 50 | Women: 19 | Children: 20 |
| Causes Smoking/imprisonment | | |
| Alcohol/liquor | 39 | |
| Fire | 5 | |
| Motor Vehicle Accidents | 11 | |
| Improper use/installation of | | |
| Gas fuel fixed equipment | 6 | |
| Persons (43%) were asleep at the time of | | |
| Fire | | |
| Dollars Lost | | |
| Additional Institutions | | |
| 1980 | \$8.3 million (1980) | |
| 1979 | 9.3 million (1979) | |
| Fire | | |
| 1984 | 19,597,637 (1980) | |

| | |
|--|--------------|
| *Large-Loss Fires | |
| 50 | 36.6 million |
| (\$250,000 individual loss) (1980) | |
| Automobile Fires | |
| 20% of total | 2.5 million |
| Residential Fires | |
| 28.3% (1-2 family dwelling) | 27.7 million |
| Apartment Building—6.85 | |
| The period 4 p.m. to midnight accounted for 43% of fires in 1980. Although fewer fires were reported from midnight to 8 a.m. (23%), fires occurring during this period caused the most harm in terms of fatalities (57%) and dollars lost (47%). | |
| *34% of the Province's annual dollars lost by fire. This number includes 14 'set' fires. | |

Order-in-Council Patients' Review Board

Responsibilities

The board reviews the records of persons who have been found "not guilty by reason of insanity" for indictable offences, or who are unfit to stand trial for other reasons.

Developments

During 1980, the Board reviewed the conduct of 62 patients, compared with 213 in 1979. The number of patients currently subject to review fluctuates between 140 and

150, and there seems to be a consistent flow of patients at this level. Of these patients, 84 are in-patients at the Forensic Psychiatric Institute, being "not guilty by reason of insanity", or unfit to stand trial; 61 are living in the community subject to regular supervision by the Forensic Psychiatric Services. It is noteworthy that the patients living in the community generally manage without further conflict with the law and no serious episodes involving violence have been reported.

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Mr. Bruce Harvey
Chairman
Mr. Robert E. Collis
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City of the Fire Commissioner
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Fire Commissioner
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B.C. Police Commission
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STATUTES

(as of June 1, 1980)

| | | |
|--|--------------------------------------|--|
| <i>Accountants (Certified General) Act</i> | <i>Fire Services Act</i> | <i>Perpetuity Act</i> |
| <i>Accountants (Chartered) Act</i> | <i>Fireworks Act</i> | <i>Police Act</i> |
| <i>Accountants (Management) Act</i> | <i>Fort Nelson Indian Reserve</i> | <i>Power of Appointment Act</i> |
| <i>Act of Majority Act</i> | <i>Minerals Revenue Sharing Act</i> | <i>Powers of Attorney Act</i> |
| <i>Attraction Act</i> | <i>Fraudulent Conveyance Act</i> | <i>Prevention of Cruelty to Animals Act</i> |
| <i>Awards (Landscape) Act</i> | <i>Fraudulent Preference Act</i> | <i>Private Investigators & Security Agencies Act</i> |
| <i>Attorney General Act</i> | <i>Frustrated Contract Act</i> | <i>Probate Recognition Act</i> |
| <i>Barristers & Solicitors Act</i> | <i>Good Samaritan Act</i> | <i>Property Law Act</i> |
| <i>Billing Act</i> | <i>Holiday Shopping Act</i> | <i>Provincial Court Act</i> |
| <i>Bank Accounts Assignment Act</i> | <i>Homestead Act</i> | <i>Public Service Bonding Act</i> |
| <i>Bankers Lien Act</i> | <i>Horse Racing Act</i> | <i>Public Trustee Act</i> |
| <i>Bank Mortgage Act</i> | <i>Hotel Guest Registration Act</i> | <i>Queen's Counsel Act</i> |
| <i>Commercial Tenancy Act</i> | <i>Hotel Keepers Act</i> | <i>Recognizances Act</i> |
| <i>Community Regulation Act</i> | <i>Infants Act</i> | <i>Recovery of Goods Act</i> |
| <i>Company Act</i> | <i>Interpretation Act</i> | <i>Regulation Act</i> |
| <i>Constitution Act</i> | <i>Judicial Review Procedure Act</i> | <i>Rent Distress Act</i> |
| <i>Conveyancers Act</i> | <i>Jury Act</i> | <i>Repairs Lien Act</i> |
| <i>Conveyance Act</i> | <i>Justice Administration Act</i> | <i>Sale of Goods Act</i> |
| <i>County Boundary Act</i> | <i>Land (Settled Estate) Act</i> | <i>Sale of Goods in Bulk Act</i> |
| <i>County Court Act</i> | <i>Land (Wife Protection) Act</i> | <i>Sale of Goods on Condition Act</i> |
| <i>City Agent Act</i> | <i>Land Title Act</i> | <i>Sales on Consignment Act</i> |
| <i>City of Appeal Act</i> | <i>Land Title Inquiry Act</i> | <i>Securities (Forged Transfer) Act</i> |
| <i>City Order Enforcement Act</i> | <i>Land Transfer Form Act</i> | <i>Sheriff Act</i> |
| <i>City Order Interest Act</i> | <i>Law & Equity Act</i> | <i>Small Claim Act</i> |
| <i>City Rules Act</i> | <i>Law Reform Commission Act</i> | <i>Statute of Frauds Act</i> |
| <i>City Assistance Act</i> | <i>Legal Services Society Act</i> | <i>Statute Revision Act</i> |
| <i>Civil Injury Compensation Act</i> | <i>Legitimacy Act</i> | <i>Statute Uniformity Act</i> |
| <i>City Franchise Act</i> | <i>Libel & Slander Act</i> | <i>Subpoena (Interprovincial) Act</i> |
| <i>City Proceeding Act</i> | <i>Limitation Act</i> | <i>Supreme Court Act</i> |
| <i>City Act</i> | <i>Married Woman's Property Act</i> | <i>Survivorship & Presumption of Death Act</i> |
| <i>Disciplinary Authority Protection Act</i> | <i>Motion Picture Act</i> | <i>Traffic Victims Indemnity Fund, 1961 Act</i> |
| <i>Estate Act</i> | <i>Municipal Act</i> | <i>Trust Variation Act</i> |
| <i>Estate Administration Act</i> | <i>National Cablevision Limited</i> | <i>Trustee Act</i> |
| <i>Estate of Missing Persons Act</i> | <i>Transfer of Jurisdiction Act</i> | <i>Tug Boat Worker Lien Act</i> |
| <i>Evidence Act</i> | <i>Negligence Act</i> | <i>Warehouse Lien Act</i> |
| <i>Expropriation Act</i> | <i>Notaries Act</i> | <i>Warehouse Receipt Act</i> |
| <i>Family Compensation Act</i> | <i>Occupiers Liability Act</i> | <i>Wills Act</i> |
| <i>Family Relations Act</i> | <i>Offence Act</i> | <i>Wills Variation Act</i> |
| <i>Federal Courts Jurisdiction Act</i> | <i>Ombudsman Act</i> | <i>Woodworker Lien Act</i> |
| | <i>Partition of Property Act</i> | |
| | <i>Patients Property Act</i> | |
| | <i>Pension Society Act</i> | |