

The Administrative Justice Office: An Update on Recent Activities

The fall and winter have been busy for the AJO, with a variety of activities in several key areas, notably Tribunal-Ministry Relationships, Networking, Information Sharing, Education and Training, and Research and Policy Analysis.

Tribunal-Ministry Relationships

Recognizing that appropriate tribunal-ministry relationships are of critical importance to the effective delivery of administrative justice, the AJO has worked on various aspects of support to those relationships. With respect to the overall relationship framework, the AJO concluded its work on the model MOU, undertaking to revise it as gaps or other necessary changes are identified by tribunal chairs and ministries. The model MOU is available on the AJO website.

The AJO has been providing resource support to a number of tribunal chairs and ministries as they work to conclude MOU's. The AJO is pleased to report that an MOU has been concluded between the Chair of the Mediation and Arbitration Board (Paul Love) and the Minister of Energy, Mines and Petroleum Resources (the Honourable Richard Neufeld). Several others are reported to be discussing the wording of an MOU.

To support more effective relationships between tribunals and ministries at the staff level, and in response to the often-cited need for ministry staff to be better informed about tribunals' roles, the AJO is co-hosting (with Crown Agencies Secretariat) a cross-ministry workshop on independence and accountability of tribunals and Crown corporations. The workshop is the first of its kind and is directed to ministry staff with responsibilities for financial reporting, communications and policy and legislation issues. As many of the people in those positions provide support to both tribunals and Crown corporations, the workshop will highlight the similarities and the differences between tribunals and Crown corporations and should improve their understanding of, and appreciation for tribunals and the work they do. The AJO expects this workshop will be a catalyst for further networking and education opportunities, so that ministry staff will be better informed about the issues that tribunals deal with regularly.

The AJO will also inform ministry staff about the administrative tribunal sector, through a presentation at the Regulating Better in BC conference. The April 4 conference, hosted by the Regulatory Reform Office, will be attended by representatives from across government.

Networking

The AJO has been involved in a number of networking activities. In November 2005, the AJO facilitated a second workshop for senior tribunal staff, to exchange ideas about tribunal operations, case management processes and systems, and partnerships with other tribunals to obtain the best use of operational resources. A discussion about staff succession planning strategies and other human

resources issues concluded with a request that AJO circulate information about staff vacancies through e-mail and the AJO web site.

The AJO has been asked to continue this work and will host a third workshop in May or June, 2006. The AJO may consider a fall workshop that brings together tribunal staff and ministry staff, to problem solve common operational issues and bridge some of the information gaps.

The AJO continues to attend meetings of the Case Management System User Group, which includes representatives from a number of tribunals. The Group discusses issues of common concern, including the possibility of co-developing and cost sharing enhancements to case management IT systems.

Information Sharing

As part of its public information mandate, the AJO's web site is updated to provide brief summaries of court cases that discuss the ATA. Many of those cases address the standard of review provisions and, as the AJO noted in a December 2005 *Lawyers Weekly* article, the courts have commented positively about the new legislated standards, as this issue is now simpler and much easier to resolve.

Information about administrative justice reforms in other jurisdictions is also posted regularly to the AJO web site. In February, Dianne Flood, the AJO's Executive Director, reported on these recent developments to the CBA Administrative Law Section (Vancouver).

The AJO continues to expand the "Tribunal Toolkit" on its web site, which is intended to reduce tribunals' time and expense in developing documents and forms or researching information that is common to a number of tribunals. Recent additions to the Toolkit include information bulletins about Orders for the Payment of Costs and Enforcing Tribunal Orders Using Court Processes.

Education and Training

The AJO was pleased to participate at another successful BCCAT conference in the Fall, 2005. The conferences are a great way for those involved in the administrative justice system to expand their knowledge about the system and for the AJO to hear, both formally and informally, about issues of importance to BCCAT members.

The AJO also congratulates BCCAT's Education Committee on the progress made on its review and updating of the training course materials. The Ministry of Attorney General is pleased that it has been able to provide significant financial support to this very worthwhile effort.

In May, the AJO will facilitate a one-day Tribunal Appraisal Skills Seminar for tribunal chairs. The seminar will be presented by staff from the UK's Judicial

Studies Board and will focus on developing skills and approaches for appraising tribunal members' performance, while ensuring respect for their decision-making independence.

Research and Policy Analysis

The AJO has also been busy with consultations about policy issues related to administrative justice. In particular, government preparations for the Spring 2006 legislative agenda generated a number of legislative proposals from various ministries, which the AJO reviewed to ensure the overarching administrative justice principles of access, transparency and fairness continue to be reflected in any new legislation.

The AJO is also working with the Dispute Resolution Office (DRO) to assemble current information about the processes used by BC administrative tribunals to resolve disputes. Tribunal chairs were asked to complete a questionnaire about their tribunals' dispute resolution processes. The AJO/DRO will use the results to better understand the specific dispute resolution environment within which tribunals operate, inform policy discussions and establish AJO/DRO planning priorities. The information obtained from the responses will also provide a basis for discussions between the AJO/DRO and tribunals, to identify opportunities to assist tribunals in evaluating and expanding or enhancing their dispute resolution processes.

Contacting the AJO

The AJO welcomes questions or concerns related to the *Administrative Tribunals Act* or the administrative justice system. BCCAT members should not hesitate to let us know about "Tribunal Success Stories" or information about upcoming events related to administrative justice, so that we can add new information to the AJO Web site.

The AJO can be contacted by calling 250-387-0058 or by e-mailing Dianne.Flood@gov.bc.ca. You may also complete the Feedback form available on the home page of the AJO web site (www.gov.bc.ca/ajo/).