

The Administrative Justice Office: An Update on Recent Activities

The Administrative Justice Office (AJO) reports the following highlights of its work since the last BCCAT newsletter.

Strategic Plan

With the Attorney General's Service Plan 2005/06-2007/08 now posted on the Ministry's website (<http://www.bcbudget.gov.bc.ca/sp/ag/>), the AJO's own Strategic Plan will soon be posted on its website (<http://www.gov.bc.ca/ajo/>). The AJO's Plan reflects the Ministry's vision, mission, culture and values and supports the Ministry goals of law reform and innovative justice processes and an effective civil justice system. The AJO's Plan includes a proposed three year work plan but notes that some flexibility will be necessary to ensure effective consultation and collaboration with stakeholders and to reflect any new priorities that might be identified. A copy of the Plan has been shared with the Circle of Chairs.

To support delivery on its Plan, the AJO recently became part of the Ministry's Justice Services Branch and looks forward to benefiting from a shared common interest in law reform and additional operational support.

Updated AJO Web Site

The AJO is almost finished updating its web site (<http://www.gov.bc.ca/ajo/>) to provide easy access for tribunal members and staff, members of the public and other stakeholders to current information about administrative justice reform. The new "Tribunal Tool Kit", which will include model generic documents such as rules, practice directives and operating agreements, is expected to be of particular interest to BCCAT members. More information about work on these documents is set out below.

Administrative Justice Reforms in Other Jurisdictions

As part of its work in support of BC's administrative justice system, the AJO monitors administrative justice reforms in other jurisdictions, and notes Alberta's recently introduced Bill 23, which proposes to limit tribunals' constitutional jurisdiction, and the UK's broad current reform agenda, as being of particular interest:

- **Alberta's Bill 23**

On March 14, 2005, Alberta's Attorney General introduced the *Administrative Procedures Amendment Act, 2005* which, similar to BC's *Administrative Tribunals Act*, clarifies tribunals' jurisdiction to consider constitutional questions. The Alberta Bill proposes that constitutional jurisdiction will be exercisable only if permitted by regulation. The extent of the limitation is as yet unknown as the Bill has only been given second reading and, until Royal Assent is given, no

regulation will be enacted. A copy of the Bill is available at:

http://www.assembly.ab.ca/adr/adr_template.aspx?type=bills_bill&selectbill=023

- **United Kingdom**

The UK government's broad program for reform of the whole "end to end" administrative justice system is set out in its White Paper "*Transforming Public Services: Complaints, Redress and Tribunals*", available at:

<http://www.dca.gov.uk/pubs/adminjust/adminjust.htm>

Key program elements include:

- A new unified tribunal under a Senior President, with jurisdictional Presidents responsible for particular areas, and appointments to be made by the Judicial Appointments Commission to ensure independence.
- A commitment for a new *Courts and Tribunals Bill*, to be introduced in spring, 2005 (not yet tabled), to provide the legislative framework, which is to be implemented in 2006 on a roll-out basis.

Details on these initiatives and reports on reform activities in other jurisdictions will be posted on the AJO's web site shortly.

New Model Documents

To support tribunals to implement the ATA, the AJO is developing generic model precedents for various documents that may be common to a number of tribunals so that, if a tribunal chooses, the model can be adapted to suit the tribunal's unique needs and specific statutory provisions. The first of those documents, model practice directives, have been circulated to tribunal chairs, and collaboration with tribunals and sponsoring ministries on a model memorandum of understanding is also well underway.

Posting of these documents on the AJO's web site is anticipated in the near future.

Continuing Legal Education Society Program

The March 3, 2005 CLE program, "*The New Administrative Tribunals Act*", attracted 87 participants, illustrating a high level of interest by legal practitioners in the new legislation. With participation from the AJO, various tribunal chairs, tribunal counsel, AG's lawyers and private practitioners, various aspects of the Act were highlighted and discussed. Copies of the program papers are available through the CLE customer service department at 604-893-2121 or at custserv@cle.bc.ca.

Some of the Other AJO Activities

The AJO has continued its meetings with the Circle of Chairs, and with various tribunals and ministry representatives in its ongoing support and liaison roles, and the AJO is currently exploring whether there is sufficient interest in it hosting a workshop for senior tribunal staff to share information and ideas. The AJO is also looking forward to a scheduled meeting with the BCCAT board of directors in April.

The AJO welcomes comments and suggestions. Contact information is available at <http://www.gov.bc.ca/ajo/> or by calling 250-387-0058.

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