

Annual Report 2019

Supreme Court of British Columbia

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REPORT OF THE CHIEF JUSTICE AND THE ASSOCIATE CHIEF JUSTICE



INTRODUCTION

The Supreme Court of British Columbia is a court of inherent jurisdiction and the superior trial court in the province. Through its day-to-day work, the Court fulfills its constitutional role in our democracy as a neutral and impartial arbiter of disputes, ensuring that the law is upheld, applied to all without influence, and respected. The judges, masters, and registrar of the Court preside over interlocutory applications, various conferences involving counsel and parties, some appeals from decisions of judges of the Provincial Court of British Columbia, and, of course, trials. In many cases, it is necessary for the judges, masters, and registrar to write rulings or reserved judgments to explain the result of the proceeding and to set precedents for future litigants. The Court also works with other actors in the justice system to strengthen respect for and understanding of the importance of the rule of law.

This Annual Report provides information about the volume of proceedings before the Court in 2019, as well as changes to governance and the judicial complement. In the descriptions that follow, proceedings before the Court are broken down into three subject matter areas: civil, family, and criminal proceedings.

THE WORK OF THE COURT

Access to Justice in the Supreme Court

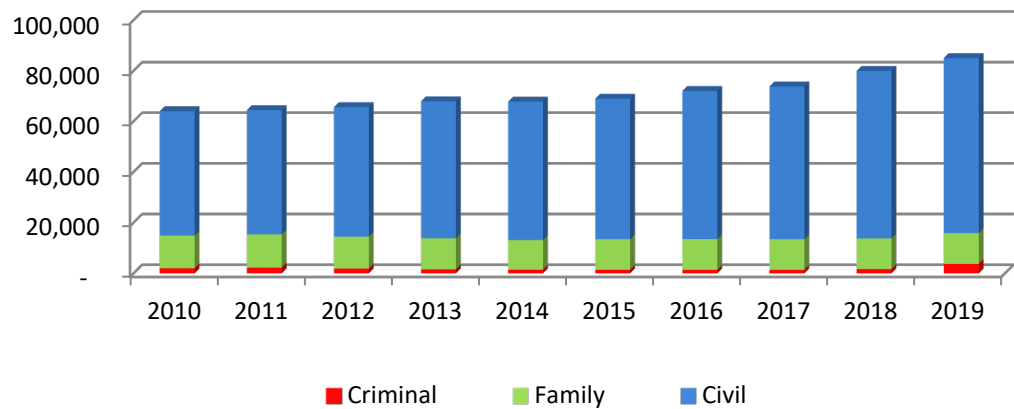
Making justice accessible by ensuring that parties can bring their matters forward for adjudication is always a core concern for the Court. In 2019, several factors seriously affected the Court's capacity to provide timely access to hearings for the people of British Columbia. They include increased filings resulting in increased caseloads for sitting judges and substantially more long trials than in previous years, limiting the availability of assigned judges to hear other matters. Perhaps of greater consequence than either of these factors was the Court's continuing shortage of judges, described in Judicial Vacancies, below. Together these factors have exacerbated bumping and delays in the scheduling of trials and other hearings.

The **total number of new filings for 2019** was 84,958, up approximately 5% from 2018, and 33% from 2010.

Increase in New Filings

The new filings for civil, family, and criminal proceedings in comparison to other years are shown below. The total number of new filings for 2019 was 84,958, up approximately 5% from 2018, and 33% from 2010. The increase is due primarily to

the steady upward trend in civil filings, which have risen by 40% over the past 10 years. Family filings remained at approximately the same level that they have been over the past decade. Criminal filings also saw a very significant increase over the past 12 months, more than doubling from 2018, primarily as a result of changes to the law concerning detention reviews, discussed further below. (See Figure 1 of the Appendix, which is also reproduced below).



	2010	2011	2012	2013	2014	2015	2016	2017	2018	2019
■ Civil	49,163	49,058	51,193	54,075	54,661	55,446	58,501	60,334	66,182	69,133
■ Family	12,832	13,110	12,564	12,263	11,680	12,086	12,123	12,039	12,057	12,150
■ Criminal	1,978	2,212	1,834	1,523	1,396	1,362	1,336	1,350	1,651	3,675

Data Source: Courthouse Activity Cube, CRIM tables – February 6, 2020
 Historical numbers are updated to current information. Data may change due to data settling and corrections.

New filings in 2019 are further broken down into a number of major sub-categories in Figure 2 in the Appendix.

Increase in the Number of Long Trials

In 2019, the Court heard more than twice as many long trials as it did in 2018. Long trials can take anywhere from several months to several years to complete. Long trials generally involve complex subject matters: serious criminal offences involving death, bodily harm, and organized crime; Aboriginal rights and title cases; and *Charter* challenges to provincial and federal legislation. These cases typically require extended periods of hearings with few breaks and frequent rulings on admissibility of evidence. Judges assigned to them are therefore unavailable to hear other matters, including in regular civil chambers rotations. As a result, while these cases result in only modest increases to the number of cases heard, the relative burden of resources required for them can be quite heavy.

As of December 31, 2019, there were nine judicial vacancies.

Judicial Vacancies

In 2019, the Court welcomed eight new justices and three new masters. Three Supreme Court judges were also appointed to the Court of Appeal for British Columbia. Details of these appointments are set out below in Changes to the Court's Complement. In spite of the additions, as of December 31, 2019, there were nine judicial vacancies, amounting to 10% of the statutory allocation of full-time judges to the Court.

Vacancies are created when a full time judge retires, elects to become a supernumerary judge, or is appointed to the Court of Appeal. The Court has been chronically short of its full complement of judges for several years. Judicial vacancies continue to impact Court's capacity to provide hearing dates for litigants in a timely manner, resulting in bumping and rescheduling of trials and long chambers applications. Vacancies increase the already heavy burden on the Court's existing judges, who are assigned more work in order to make up the shortfall.

As set out above, the Court has continued to struggle with meeting the demands for hearings because of its shortage of judges. British Columbia currently has the lowest ratio of superior trial court judges to population of any province or territory in Canada. The population has increased by more than 14% since 2010¹, when the judicial complement, as set out in the *Supreme Court Judges Act*, RSBC 1996, c. 443, s. 2, was last amended. British Columbia's ratio of superior court judges to population as it stood at December 31, 2019, including supernumerary judges, was 1:48,568, compared to 1:38,962 for the rest of Canada.² Filling judicial vacancies would certainly assist the Court in providing more hearing times, but over the longer term, enlarging the judicial complement is also necessary.

Ongoing Issues with Bumping of Civil Hearings

Bumping of scheduled civil trials and long chambers applications in Vancouver and across the rest of the province reached critical proportions in 2019. A matter is

Bumping rates in 2019 were the worst the Court has experienced yet, and there is no forecast for improvement in 2020.

¹ BC Population Data source: Statistics Canada. Table 17-10-0009-01 Population estimates, quarterly <https://www150.statcan.gc.ca/t1/tbl1/en/tv.action?pid=1710000901> DOI: <https://doi.org/10.25318/1710000901-eng> BC CSB 10 Year Annual Report.

² Data source: 2018 Population: Statistics Canada <https://www150.statcan.gc.ca/t1/tbl1/en/cv.action?pid=1710000901#timeframe>, Last modified September 11th, 2019; Count of Judges: BC, Office of the Chief Justice of the Supreme Court of British Columbia, Sept. 12th, 2019. Other Provinces, Office of the Commissioner for Federal Judicial Affairs Canada: <https://www.fja.gc.ca/appointments-nominations/judges-juques-eng.aspx#bc>. Last modified: September 3, 2019.

considered “bumped” if its hearing is delayed and cannot be rescheduled within a week of the original date because judicial resources are not available. Bumping causes additional expense and inconvenience to litigants as a result of wasted preparation time and travel costs for witnesses and experts.

Bumping rates in 2019 were the worst the Court has experienced yet, and there is no forecast for improvement in 2020. Almost three times more long chambers applications were bumped in 2019 than in 2018 across the province, with the highest percentage of chambers applications bumped in the past 11 years. More than 80% of bumped proceedings in 2019 were in New Westminster and Vancouver, even though significantly fewer hearings were booked than in 2019. It is also now extremely difficult to book chambers hearings longer than two hours in Vancouver. The statistics kept do not reflect regular chambers appearances of less than two hours that do not make it onto the list for a given day, although it is known that this also occurs frequently in Vancouver, which has seen an increase in matters heard by judges and a decline in applications before masters. It is anticipated that bumping will continue as long as the Court remains below its full judicial complement.

For more detailed information, please see Figures 5-10 in the Appendix.

Lack of Available Trial Dates

Where there are **urgent circumstances, the Court works to provide hearing dates as soon as possible** regardless of the subject matter.

The shortage of judges at the Court also causes delays in scheduling of matters for trial. Continuations in trials – days added because the original calculation of trial time was insufficient – have also become more common. The lack of available trial dates has been most acute for civil proceedings. For criminal proceedings, because of the liberty interests at stake and the fact that an accused is sometimes in custody awaiting trial, dates are generally made available as needed. In addition, criminal trials once booked are rarely bumped. Because of the urgent nature of many family proceedings, family trials and long chambers applications are often given scheduling priority over civil proceedings. In 2018, dates for a five-day family trial in Vancouver were generally available in seven and a half months, while outside Vancouver, the wait was six and a half months. For civil trials apart from motor vehicle accident trials, the wait for available dates was generally 17 months for Vancouver and New Westminster, and an average of 15 months for other registries. Where there are urgent circumstances, the Court works to provide hearing dates as soon as possible regardless of the subject matter.

More Conferences

In 2019, the number of conferences increased significantly from the previous year, with 8,470 conferences scheduled in family and civil proceedings, over 1,000 more conferences than in 2018. In total, 4,903 hours of the time of judges and masters was allocated to these hearings. This is somewhat less than the total time allocated in 2018 despite the greater number of conferences, most of which were TMCs (Trial Management Conferences, which are mandatory under the *Supreme Court Civil Rules*). The apparent inconsistency can be attributed to a number of factors. Because of the shortage of judicial resources, less time on average can be devoted to each TMC. At the same time, as judicial and masters' experience and competence with conferences increases, TMCs are being dealt with more efficiently. For more detailed information, please see the Appendix, Figures 3-4.

CRIMINAL LAW DEVELOPMENTS

There were some notable developments in criminal law this year that have had an impact on the number of new criminal case filings and the work of the Court.

Section 525 Detention Reviews

Criminal filings in the Supreme Court increased significantly, from approximately 1,651 in 2018 to 3,675 in 2019 (about 2,000 filings). The vast majority of the additional filings is likely due to the significant increase in the number of detention review applications under s. 525 of the *Criminal Code* after the release of the decision of the Supreme Court of Canada in *R. v. Myers*, 2019 SCC 18, on March 28, 2019. *R. v. Myers* clarified that s. 525 requires the person having custody of an accused person in pre-trial detention to apply to the Supreme Court for a detention review after 90 days for an accused charged with an indictable offence or after 30 days for an accused charged with an offence prosecuted as a summary conviction offence³. Upon receipt of an application, the Court must set a date for a detention review hearing. Before *R. v. Myers*, detention reviews under s. 525 were conducted infrequently and only in cases where there was unreasonable delay in getting to trial.

In response to the *Myers* decision, the Court was required to establish an entirely new process to manage the large number of s. 525 detention review applications in

³ As of December 18, 2019, s. 525 was amended such that the period in custody prior to detention review is 90 days for all accused persons except young persons charged with an offence in proceedings being prosecuted by way of summary conviction: see *An Act to amend the Criminal Code, the Youth Criminal Justice Act and other Acts and to make consequential amendments to other Acts*, S.C. 2019 c. 25, s. 235(1) (Bill C-75).

the province. In crafting the process, the Associate Chief Justice held consultation meetings with representatives of the many sectors that would be impacted, including the Supreme Court and Provincial Court judiciary, Crown counsel, defence counsel, the Legal Services Society, BC Corrections, Court Services Branch (including court sheriffs), the Ministry of Children & Family Development, Supreme Court Scheduling and legal staff, who were all invited to collaborate by providing ideas and input. The input provided to the Court was invaluable and resulted in the issuance of Criminal Practice Direction 4 – *Interim Procedure for Detention Reviews Under s. 525 of the Criminal Code* (CPD-4), on May 21, 2019. Feedback received has indicated that the process set out in CPD-4 has worked reasonably well.

Between May and November 2019, on average 210 s. 525 applications were filed per month. As of the end of November, 1,368 s. 525 applications had concluded. Of those, 210 substantive detention review hearings were held and 1,158 applications were concluded prior to a substantive hearing for reasons including that the accused was determined to be ineligible for a detention review or the accused decided to waive the right to a hearing.⁴ The Associate Chief Justice is grateful to the representatives of each sector who contributed a tremendous amount of time and effort to the project over several months, and have continued to support it since.

Bill C-75 Amendments

On June 21, 2019, Parliament gave Royal Assent to *An Act to amend the Criminal Code, the Youth Criminal Justice Act and other Acts and to make consequential amendments to other Acts*, S.C. 2019 c. 25 (Bill C-75). The provisions of the Act came into force in four stages during 2019: (a) on Royal Assent, (b) July 21, (c) September 19, and (d) December 18. Most notably for the Supreme Court, as of September 19, 2019, the provisions of Bill C-75 changed the process for criminal jury selection, including by eliminating the ability of the parties to challenge jurors peremptorily, the procedure for challenging juries for cause, and the provisions authorizing a judge to direct a juror to “stand by”. By virtue of the decision in *R. v. Subramaniam*, 2019 BCSC 1601, the elimination of peremptory challenges and the stand-by power were held to apply prospectively, meaning they do not apply to a case already in the court system where the accused’s right to a jury selection under the old regime had already vested at the time the amendments came into force. As a result, by the end of 2019, the Court had not yet experienced the full impact of the Bill C-75 jury selection amendments.

⁴ Court Services Branch, Monitoring Report: *Criminal Code* s. 525 Applications, January 2020.

It is expected that the Court's work and the cases that come before it will also be impacted to some extent by other Bill C-75 amendments to the *Criminal Code*, including: changes to the bail regime (including s. 525), changes to the availability of preliminary inquiries in the Provincial Court, and the hybridization of many offences. However, it is difficult to say at this early stage what the actual impact will be.

Other Projects

Effective July 1, 2019, the Court implemented changes to modernize the scripts read by court clerks to the accused or jurors at certain stages in criminal jury selection and during jury trials. The language previously in place was antiquated and potentially difficult for lay people to understand. The new scripts were prepared by justices of the Court using more modern, plain language to ensure accused persons and jurors would be able to follow along while maintaining the formality and solemnity of the proceedings.

The Court approved a Court Services Branch pilot project to replace paper records of proceedings with an electronic version. The record of proceedings is the official record of court events associated with a specific criminal proceeding. The pilot commenced at the New Westminster courthouse in August. Based on what appears to have been a seamless transition in New Westminster, the Court approved a plan to implement the electronic record of proceedings in the other court locations in the province. It is anticipated that the elimination of the paper record of proceeding will increase the ability of court clerks to more efficiently carry out their duties during criminal hearings.

Distribution of Trial Work throughout the Province

In 2019, approximately 48% of trials were civil, 34% criminal, and 18% family. **The total number of trials in 2019 was 1,019.**

Trials are divided by subject matter generally into civil, family, and criminal law. In 2019, approximately 48% of trials were civil, 34% criminal, and 18% family. The total number of trials in the Supreme Court of British Columbia in 2019 was 1,019.

The Lower Mainland region (Vancouver, New Westminster and Chilliwack) is the highest volume region in the province in respect of trial work. In 2019, there were 646 trials in this region, representing 63% of the total number of trials in the province.

On Vancouver Island (Campbell River, Courtenay, Duncan, Nanaimo, Port Alberni, Powell River, and Victoria) there were 147 trials, representing 14% of the total number of trials in the province.

In the Northern Interior region (Dawson Creek, Fort St. John, Prince George, Prince Rupert, Quesnel, Smithers, Terrace, and Williams Lake) there were 68 trials, representing 7% of the total number of trials in the province.

In the Southern Interior (Cranbrook, Golden, Kamloops, Kelowna, Nelson, Penticton, Revelstoke, Rossland, Salmon Arm, and Vernon) there were 158 trials, representing 16% of the total number of trials in the province.

For more detailed information, please see Figures 11-13 of the Appendix.

Published Reasons for Judgment

The Supreme Court and the Court of Appeal have been publishing reasons for judgment on the Courts' websites since 1990. BC was one of the first Canadian jurisdictions to make its reasons for judgment available to anyone with an internet connection. On most weekdays, the Supreme Court publishes reasons for judgment or reasons for decision issued by judges, masters, and the registrar. Some reasons for judgment are not published because the reasons are given orally, because there is a publication ban, or because the public interest in protecting the privacy rights of vulnerable parties or witnesses outweighs the public interest in publication. In 2019, the Court published a total of 1,969 reasons for judgment on its website: 1,214 civil reasons, 306 family reasons, and 449 criminal reasons. For a more detailed explanation of what the Court publishes, please see the Appendix, Figures 14-16, and the report of the Court's Library Committee, at page 37.

E-Filing and E-Orders

The Court continues to **encourage all litigants and counsel to e-file documents** as much as possible.

Litigants have been able to file most documents electronically in civil and family proceedings in any registry across the province since 2008, when the Ministry of Justice's Court Services Branch introduced Court Services Online. Although the first few years saw dramatic increases in the number of e-filed documents, that number has since plateaued. A slightly larger number of documents were e-filed in the last 12 months compared to the previous period: 262,846, compared to 259,148 in 2018. Approximately 44% of the total number of documents filed are e-filed. The Court continues to encourage all litigants and counsel to e-file documents where possible. For more detailed information, please see Figure 17 of the Appendix.

A second component of Court Services Online is the service enabling litigants to electronically submit orders for approval and entry. Judges, masters, and registrars of the Court are assigned to process e-orders on a weekly basis during their sitting weeks in concert with the other work that has been assigned to them. In 2019,

11,206 e-Orders were processed by judges, masters and registrars, an increase of just over 300 from 2018. As with e-filing, the Court encourages all litigants and counsel to e-file orders where possible. For more detailed information, please see Figure 18 of the Appendix.

COURT GOVERNANCE

The Chief Justice and Associate Chief in their roles as administrators of the Court rely on the assistance of a number of internal court committees. In addition to the Court's three substantive law committees (the Criminal Law Committee, the Family Law Committee, and the Civil Law Committee), the Court is supported by subject-specific committees including the Education Committee, the Law Clerks Committee, and the Public Affairs Committee, as well as the Executive Committee, which addresses matters of court administration. Some committees such as the Access Policy Working Committee, Joint Courts Technology Committee, and Library Committee bring together members of other courts and of Court Services Branch. The mandates of these committees vary; however, they all share a common purpose: to consider matters of general importance to the Court within their subject matter expertise, and to provide advice and guidance to the Court generally. The Court membership of these committees is drawn from the judges, masters, registrars, legal counsel, and judicial staff. Through their work, the committees strengthen and enhance the Court's effective and efficient management. Committee reports start on page 23 of this report.

SUPREME COURT PRACTICE DIRECTIONS

The Court issued three practice directions and one administrative notice in 2019:

PD-55 Canadian Judicial Protocol for the Management of Multijurisdictional Class Actions and the Provision of Class Action Notice (July 1, 2019)

Practice Direction 55 adopts the Canadian Judicial Protocol for the Management of Multijurisdictional Class Actions developed by the CBA Task Force on Class Actions, which recommended best practices for the management of multi-jurisdictional class actions. It also clarifies notice requirements with respect to class actions.

PD-56 Notification of Publication Ban Applications (October 28, 2019)

Practice Direction 56 replaces the Practice Direction *Re: Publication Ban Notification Project – Expansion to New Westminster* dated October 29, 2009. The new practice direction requires that parties applying for discretionary publication bans or seeking to vary existing bans or close the courtroom must complete and submit the notice

form on the Publication Ban Notification page of the Supreme Court website. Those who have subscribed to the RSS feed will receive notification of the application.

CPD-4 Interim Procedure for Detention Reviews under S. 525 of the Criminal Code (May 21, 2019)

Criminal Practice Direction 4 sets out the general procedure for detention reviews under s. 525 of the *Criminal Code*. The procedure is designed to bring the detained person before the Court at the earliest opportunity after they have been detained in custody pending trial for 90 days (or 30 days for a young person detained on charges for which they are being prosecuted by way of summary conviction), while also ensuring that Crown and defence counsel are notified and have access to the necessary materials in sufficient time to be ready to proceed or, in the case of defence counsel, assist the detained person in determining whether or not to waive their right to a s. 525 hearing.

Three main steps are involved. In the first main step, Corrections staff will initiate the application process by submitting a written application to a central email address at Supreme Court Scheduling. In the second main step, a Scheduling Hearing will be held at a date and time set out in a notice issued by Supreme Court Scheduling, in the location indicated in that notice. Scheduling Hearings for all applications are held centrally in the Vancouver Law Courts. The detained person appears by video-link. Crown or defence counsel may appear by telephone or video-link (if easily available). In the third main step, a Detention Review Hearing will take place at the time, date, and location fixed by the Court, unless the detained person waives their right to have one. Detention Review Hearings will usually be held in the Supreme Court location closest to where the trial will be held, or in the main Supreme Court location in that region, but may be held elsewhere to convenience the various parties involved, if the Court so directs.

AN-16 Vexatious Litigants – Request for Leave to File Process or Documents (updated February 28, 2019)

AN 16 Vexatious Litigants - Request for Leave to File Process or Documents, originally issued August 15, 2018, was updated February 28, 2019 to reflect that the Court may issue *ex mero motu* orders declaring any process filed without the requisite leave a nullity and making other orders as required.

EXTRA-JUDICIAL ACTIVITIES

In addition to the normal workload of hearing cases and applications, deciding issues, writing and issuing reasons for judgment, issuing desk order divorces and

electronic orders, and presiding at case conferences, members of the Court participate in a wide variety of other activities in their communities. Members of the Court speak regularly to students of all ages during courthouse tours arranged by such organizations as the Justice Education Society and the Canadian Bar Association. Members of the Court also attend universities and high schools to meet with and talk to students, in association with Law Week activities organized by the Canadian Bar Association and at other times of the year. Some preside regularly at moot court competitions or speak at annual conferences. Members of the Court welcome opportunities to engage in public education and to contribute to a greater understanding of the justice system and its role in Canadian society. In 2019, the judges, masters and registrars of the Court continued to be volunteered their time with local, provincial, federal and international organizations including:

Access Pro Bono Society of BC	Insolvency Institute of Canada
Access to Justice BC	International Association of Women Judges
Advocates' Club	International Society for the Reform of Criminal Law
Advocates' Society	JUDICOM Advisory Board
American College of Trial Lawyers	Justice Education Society
Annual Review of Insolvency Law and Society	Justice Institute of BC
Arbitrators Association of BC	Law Foundation of BC
L'Association des juristes d'expression française de la Colombie-Britannique	Law Society of BC
BC Council of Administrative Tribunals	Laskin Moot Program
BC Civil Liberties Association	Legal Services Society
BC Model Insolvency Order Committee	National Judicial Institute
BC Institute of Technology	Osgoode Hall Law School Class Action Symposium
BC Law Schools Moot Program	People's Law School
Canadian Association of Insolvency and Restructuring Professionals	Sedona Conference Working Group
Canadian Bar Association	Brainstorming Group on Cross-border Privilege
Canadian Institute for the Administration of Justice	Sopinka Cup Moot Program
Canadian Institute for Advanced Legal Studies	Thompson Rivers University Faculty of Law
Canadian Judicial Council - National Committee on Jury Instructions	Wilson Moot Program
Canadian Judicial Council - Family Law Subcommittee	Trial Lawyers Association of BC
Continuing Legal Education Society of BC	Turnaround Management Association (NW Chapter)
Canadian Superior Courts Judges Association	University of BC Peter A. Allard School of Law
Federation of Law Societies of Canada	University of Toronto Faculty of Law
National Criminal Law Program	University of Victoria Faculty of Law
First Nations Health Authority	Vancouver Foundation
Gale Cup Moot Program	Vancouver Institute
Inns of Court Program	Victoria Foundation
	WorkSafe BC

ACKNOWLEDGEMENTS

The Chief Justice and Associate Chief Justice would like to acknowledge and thank the people who work in courthouses across the province: court clerks, registry staff, sheriffs, and other Court Services Branch employees. The administration of justice in British Columbia is made possible by these dedicated public servants who work tirelessly on behalf of the judiciary and the citizens of British Columbia.

Special mention must be made of the Court's Scheduling staff, including Cindy Friesen and the Scheduling managers throughout the province. As the Director of Supreme Court Scheduling, Ms. Friesen has consistently risen to the challenges that the Court has experienced as a result of the changes referred to above and the Court's ongoing shortage of resources. In 2019, Sue Smolen, the long-serving manager of Supreme Court Scheduling in Vancouver retired from her full-time position. The Court is deeply grateful to Ms. Smolen for her nearly 20 years of service and the countless hours she put in outside of her regular day to ensure that proceedings were set down in a timely manner. Ms. Smolen returned to the Court on a part-time basis for part of 2019.

The Court also thanks its administrative and support staff, including the judicial administration and library staff, judicial administrative assistants, scheduling staff, legal counsel, judicial law clerks, and IT staff. Tammy McCullough, assistant to the Executive Director, who retired from her position in Judicial Administration in 2019, deserves particular acknowledgement for her 30 years of public service to the courts. The functioning of the Court relies heavily on the professionalism, dedication, and diligence of all our support staff. Their many contributions to and continued support of the Court are deeply appreciated.

Finally, the Chief Justice and Associate Chief Justice would like express their thanks to their judicial colleagues: the judges, masters, and registrars of the Court. They routinely and willingly provide support and advice in respect of the administration of the Court.

Christopher E. Hinkson
Chief Justice

Heather J. Holmes
Associate Chief Justice

JURISDICTION OF THE COURT



Nelson Courthouse

SUPERIOR COURT

The Supreme Court of British Columbia has jurisdiction to hear and decide any matter that comes before it, unless a statute or rule limits that authority or grants exclusive jurisdiction to some other court or tribunal. The Supreme Court's inherent jurisdiction allows it to control its own processes and procedures in order to ensure fairness and to prevent abuses of process. The Supreme Court hears civil (including family) and criminal cases, as well as appeals from Provincial Court. The Supreme Court also reviews the decisions of certain administrative tribunals, including the Labour Relations Board, Workers Compensation Appeal Tribunal, the British Columbia Human Rights Tribunal, and residential tenancies arbitration decisions.

SUPREME COURT REGISTRIES AND LOCATIONS

The Supreme Court is a circuit court in which all the judges and masters travel throughout the province to preside over cases. The Supreme Court sits in seven judicial districts and has resident judges in Chilliwack, Kamloops, Kelowna, Nanaimo, Nelson, New Westminster, Prince George, Vancouver, and Victoria. The Supreme Court also sits as required in other locations where there is no resident judge or master, including Campbell River, Cranbrook, Courtenay, Dawson Creek, Duncan, Fort St. John, Golden, Penticton, Port Alberni, Powell River, Prince Rupert, Quesnel, Revelstoke, Rossland, Salmon Arm, Smithers, Terrace, Vernon, and Williams Lake.

CHIEF JUSTICE AND ASSOCIATE CHIEF JUSTICE

The Chief Justice is responsible for the management and direction of matters related to judicial functions, which includes matters related to the preparation, management, and adjudication of proceedings in the Court, and assignment of judges. From time to time, these responsibilities are delegated to the Associate Chief Justice.

SUPREME COURT JUSTICES

As of December 31, 2019, the Supreme Court had 104 justices: the Chief Justice, the Associate Chief Justice, 81 full-time justices and 21 supernumerary justices. As of December 31, 2019, there were nine vacancies⁵ on the Supreme Court.

SUPREME COURT MASTERS

The Supreme Court has 14 masters who are resident in Kamloops, Kelowna, Nanaimo, New Westminster, Vancouver, and Victoria. Masters sit in all of the registries throughout the province on a regular basis. Masters also conduct hearings using telephone and video conferencing.

Masters are judicial officers appointed by the provincial government by Order in Council after it has received recommendations from an ad hoc committee consisting of the Chief Justice, the Deputy Attorney General, the President of the Law Society of British Columbia, and the President of the B.C. Branch of the Canadian Bar Association.

Masters preside in civil chambers and registrar hearings. They hear applications in chambers on a wide variety of matters, including interim orders in family proceedings, interlocutory applications in civil proceedings such as production of documents, and foreclosure proceedings. Supreme Court masters also have the jurisdiction of registrars and preside as registrars throughout the province as required.

REGISTRARS

The Supreme Court has one registrar, who is resident in Vancouver but regularly sits in other registries. Like the masters, the registrar also conducts hearings using telephone and video conferencing.

The registrar is appointed pursuant to s. 13 of the *Supreme Court Act* and is under the general direction of the Chief Justice. He hears a wide variety of matters, including reviews of lawyers' accounts, bankruptcy discharge applications and

⁵ Section 2(2) of the *Supreme Court Act*, R.S.B.C. 1996, c. 443 provides that the Supreme Court consists of 90 full time justices in addition to the Chief Justice and the Associate Chief Justice. A judicial vacancy is created when a full time judge retires or elects to become a supernumerary judge. The retirement of a supernumerary judge does not create a judicial vacancy.

bankruptcy taxations, assessments of bills of costs, subpoenas to debtors, passing of accounts, and references of various types. He also settles orders.

The Supreme Court registrar is also responsible for overseeing the province's deputy district registrars, who work in court registries across the province. The registrar serves as a liaison between the Court and Ministry of Justice - Court Services Branch in regard to registrar's issues.

CHANGES TO THE COURT'S COMPLEMENT



In 2019, the Court welcomed the appointment of eight new judges and three new masters and acknowledged the retirement of five judges and two masters. Additionally, two judges of the Supreme Court were appointed to the Court of Appeal. These changes are listed chronologically within each category.

APPOINTMENTS

The Honourable Mr. Justice Denis Hori

Mr. Justice Dennis K. Hori, formerly a partner with Fulton & Company LLP, was appointed a judge of the Supreme Court of British Columbia in Kelowna on February 8, 2019.

Mr. Justice Hori was born and raised in Kamloops, British Columbia. His parents were relocated there from the west coast of the province after the Second World War. He received a Bachelor of Science in chemistry from the University of British Columbia before receiving his law degree in 1983 from the University of Victoria Law School. Mr. Justice Hori returned to Kamloops after graduation and joined the firm of Hunter Jebson Howard (now Fulton & Company LLP) as an articling student.

Mr. Justice Hori practiced his entire legal career with Fulton & Company LLP. He became a partner of the firm in 1988 and served as the firm's administrative partner. After working primarily as a solicitor for a few years, Mr. Justice Hori found that his true interest was in litigation. His litigation practice was a mix of commercial, employment, municipal and personal injury litigation. Mr. Justice Hori is an active member of the legal community. He has served as an executive of the Trial Lawyers Association of B.C. and was the President in 2013. He was also a guest speaker and advocacy instructor at the Thompson Rivers University Law School.

The Honourable Madam Justice Karen Douglas

Madam Justice Karen F. Douglas, formerly a partner at Harper Grey LLP, was appointed a judge of the Supreme Court of British Columbia on March 8, 2019. She replaced Mr. Justice R.N. Brown (Chilliwack), who elected to become a supernumerary judge effective August 1, 2018. Due to internal Court transfers, Madam Justice Douglas was appointed in Vancouver.

Madam Justice Douglas was born in Vancouver, British Columbia. She has lived in British Columbia, Alberta, Ontario, and Quebec and travelled extensively within

Canada. She received an LL.B from the University of Western Ontario in 1987, after spending part of her third year studying civil law in French at Université Laval in Quebec City. Madam Justice Douglas was called to the Ontario Bar in 1989 and to the British Columbia bar in 1997. She was a litigation associate in McCarthy Tetrault's Toronto office before relocating to British Columbia in 1997. She was a litigation partner with Harper Grey LLP in Vancouver, British Columbia where she has practiced since 1997.

Madam Justice Douglas' civil litigation and administrative practice was focused primarily in the areas of health and privacy law. She has been a frequent speaker in many different forums to a wide variety of audiences including lawyers, students, physicians, residents, and allied health care professionals. Madam Justice Douglas has appeared at all levels of court in British Columbia and successfully responded to leave applications in the Supreme Court of Canada.

The Honourable Madam Justice Amy Francis

Madam Justice Amy D. Francis, formerly a principal at Legacy Tax + Trust Lawyers LLP, was appointed a judge of the Supreme Court of British Columbia in Vancouver on March 8, 2019. She replaced Mr. Justice G.B. Butler, who was appointed to the British Columbia Court of Appeal on August 29, 2018.

Madam Justice Francis was born and raised in Vancouver. She received a Bachelor of Arts (Honours) in English Literature from the University of British Columbia (UBC) in 1994 and a Bachelor of Laws from the University of Toronto in 1999. She was called to the bars of British Columbia and Ontario in 2001. As a junior lawyer, she practiced in the litigation departments of national law firms in both Toronto and Vancouver and worked as a tax litigator for the federal Department of Justice.

From 2006 to her appointment, Madam Justice Francis practiced at Legacy Tax + Trust Lawyers, where she built a litigation career focused on resolving trust and estate disputes. For the last three years, she taught succession law as an adjunct professor at Allard School of Law at UBC. She is a past chair of the Wills and Trusts Section of the British Columbia Branch of the Canadian Bar Association, is a "TEP" designated member of the Society of Trust and Estate Practitioners and has written and spoken widely on matters relating to trusts and estates.

The Honourable Madam Justice Elizabeth McDonald

Madam Justice Elizabeth McDonald, formerly counsel at Justice Canada, was appointed a judge of the Supreme Court of British Columbia in Vancouver on

June 4, 2019. Madam Justice McDonald replaced Madam Justice D.J. Dardi, who resigned effective January 1, 2019.

Madam Justice McDonald was born and spent her early years in Seattle, Washington. She lived and studied in Ontario, Alberta, and California, but was mainly raised in Coquitlam, British Columbia. She received a Bachelor of Arts degree in Political Science from Simon Fraser University in 1995 and a Bachelor of Laws degree from the University of British Columbia in 1998. She was called to the British Columbia Bar in 1999.

Throughout the course of her legal career, Madam Justice McDonald practiced in a wide range of areas—initially as an associate lawyer at Davis & Company in bankruptcy and insolvency and then at Fraser Milner Casgrain in the area of construction law. She joined the Department of Justice Canada in 2002 where, as counsel and senior counsel, she conducted varied and complex commercial, tax, and collections litigation. She co-chaired a national legal committee at the Department of Justice providing advice on litigation across Canada. She has represented clients in all levels of the Courts in British Columbia and the Federal and Tax Courts of Canada, and she has responded to numerous leave applications in the Supreme Court of Canada.

The Honourable Mr. Justice Alan Ross

Mr. Justice Alan M. Ross, formerly a partner at Alexander Holburn Beaudin + Lang LLP in Vancouver, was appointed a judge of the Supreme Court of British Columbia in Vancouver on June 24, 2019. Mr. Justice Ross replaces Mr. Justice R. Sewell, who elected to become a supernumerary judge effective January 22, 2019.

Mr. Justice Ross was raised in Victoria. He obtained his B.A., with a double major in English and History, from the University of Victoria in 1984, and he obtained his LL.B from the University of British Columbia in 1988.

Mr. Justice Ross articulated at the firm of Douglas Symes & Brissenden, then practiced civil litigation at that firm until 2000. Along with five other partners, he joined Alexander Holburn Beaudin + Lang LLP, where he practiced civil litigation, with an emphasis on insurance defence litigation, for the past 18 years. Mr. Justice Ross was President of the Vancouver Bar Association (1998), President of the Lawyers Inn Society (2003–10), a Bencher of the Law Society of British Columbia (2011–12) and the Chair of the Board of the British Columbia Courthouse Library Society (2014–19).

The Honourable Madam Justice Sheila Tucker

Madam Justice Sheila Tucker, formerly counsel at Shapray Cramer Fitterman Lamer LLP in Vancouver, was appointed a judge of the Supreme Court of British Columbia in New Westminster on June 24, 2019. Madam Justice Tucker replaces Madam Justice B.J. Brown, who elected to become a supernumerary judge effective February 19, 2019.

Madam Justice Tucker was born and raised in Revelstoke, British Columbia. She received a Bachelor of Arts in English Literature in 1986 and a Bachelor of Laws in 1991, both from the University of British Columbia. She obtained a Master of Laws from Harvard Law School in 1992 and was called to the bar of British Columbia in 1993. She began her career in the area of administrative law, practicing at several national law firms and, for a time, serving as in-house legal counsel for the British Columbia Labour Relations Board.

For the last decade, a substantial portion of her practice focused on public law, including *Charter* litigation. Beginning in 2016, she practiced general litigation and public law at Shapray Cramer Fitterman Lamer LLP, with an emphasis on legal research and analysis.

Madam Justice Tucker is a past co-chair of the Human Rights Section of the British Columbia Branch of the Canadian Bar Association. She was awarded the British Columbia Civil Liberties Association's Liberty Award for Excellence in Legal Advocacy in 2013, and the Canadian Bar Association (B.C. Branch) Harry Rankin, QC, Pro Bono Award in 2016. She was designated Queen's Counsel in 2016.

The Honourable Mr. Justice David Crerar

Mr. Justice David A. Crerar, formerly partner at Borden Ladner Gervais LLP in Vancouver, was appointed a judge of the Supreme Court of British Columbia on June 24, 2019. Mr. Justice Crerar replaced Mr. Justice P. Abrioux, who was elevated to the Court of Appeal on March 7, 2019.

Mr. Justice Crerar was born in Vancouver and grew up in North Vancouver. He received his B.A. and LL.B from the University of Toronto and was called to the bar of British Columbia in 1998. He was the national leader of the firm's Defamation and Media Group, also practicing in shareholder disputes, Internet litigation, and banking and pension litigation.

He is the author of *Mareva and Anton Piller Orders in Canada* (Irwin), and the co-editor and co-author of the leading Canadian text on civil procedure, *The Civil*

Litigation Process (Emond), and *British Columbia Business Disputes* (BC CLE). He is a contributing author to *BC Creditors' Remedies* and the *BC Civil Trial Handbook*. He has published numerous articles on various legal topics and has contributed to many legal education conferences. Among these, he created the BC CLE Litigator's Arsenal, chairing six conferences.

From 2004 to 2018 he was an Adjunct Professor at the University of British Columbia Faculty of Law, lecturing in civil procedure. Mr. Justice Crerar served on the Boards of the Vancouver International Marathon Society and the Canadian Media Lawyers' Association, and he has volunteered with Access Pro Bono and the BC Civil Liberties Association, among others.

The Honourable Mr. Justice Peter Edelmann

Mr. Justice Peter H. Edelmann, formerly a partner at Edelmann and Company, was appointed a judge of the Supreme Court of British Columbia in Vancouver on December 20, 2019.

Mr. Justice Edelmann was born in Toronto to immigrants from Switzerland. He was raised with his four siblings on a farm in southeastern Ontario, attending French schools in nearby Hamilton. Receiving an undergraduate degree in French literature and philosophy from the University of Toronto, he went on to pursue graduate studies at the University of British Columbia. In 2004, he received both LL.B. and Civil Law degrees from McGill University.

Called to the bar in British Columbia in 2005, he began his career as a sole practitioner primarily focused on criminal defence, in a practice that came to encompass national security, extradition, immigration, and refugee law. Most recently, he was a partner at Edelmann and Company, a recognized immigration and refugee law firm in Vancouver. Justice Edelmann appeared before all levels of the federal and provincial courts, as well as the various divisions of the Immigration and Refugee Board. He was an active member of the Immigration Section of the Canadian Bar Association and sat on the litigation committee for the Canadian Council for Refugees. He appeared regularly before Parliamentary committees and before the Supreme Court of Canada on issues related to criminality and national security in the immigration context.

Mr. Justice Edelmann is fluently bilingual and has written and presented extensively, including teaching law in the Computer Forensics program at the British Columbia Institute of Technology and the University of British Columbia's Certificate in Immigration: Laws, Policies and Procedures program.

Master Steven Schwartz

Master Steven Schwartz was appointed a master of the Supreme Court in Kelowna on February 19, 2019.

Master Schwartz obtained his LL.B. from the University of Ottawa in 1997. In 2009, he founded Schwartz & Company, where he practiced until his appointment. Through his private practice and previous work at Kelowna firms Pushor Mitchell and Benson & Company, Master Schwartz gained experience in divorce and family law, corporate/commercial litigation, employment law, and more. At the time of his appointment, Master Schwartz was the treasurer of the Kelowna Bar Association and was involved in facilitating access to justice through volunteer work with Access Pro Bono at the Ki-Low-Na Friendship Society law clinic.

Master Bruce Elwood

Master Bruce Elwood was appointed a master of the Supreme Court in Vancouver on February 19, 2019.

Master Elwood received his LL.B. from the University of British Columbia in 1992. In 2015, Master Elwood joined the Ministry of Attorney General's civil litigation group, where he worked on numerous complex trials and appeals. Prior to joining government, his work in private practice included experience in commercial litigation, Indigenous law, constitutional litigation, medical malpractice, and more. Master Elwood also teaches courses on the rules of evidence as an adjunct professor at the Allard School of Law at the University of British Columbia.

Master Jennifer M. Keim

Master Jennifer M. Keim was appointed to the Supreme Court in Kamloops on August 1, 2019.

Master Keim received her LL.B. from the University of Alberta in 1995 and was called to the B.C. bar in 1996. She joined the British Columbia Lottery Corporation (BCLC) in 2013, and in 2014 was appointed General Counsel, Director of Legal Services and Information Management and Corporate Secretary. Master Keim has provided legal services on a wide range of business initiatives, legislative analysis, and corporate governance. Prior to joining BCLC, she worked for more than 16 years in private practice, focusing primarily on family law. Master Keim appeared regularly in both the Supreme Court and Provincial Court and was a certified family law mediator from 1999-2013.

Appointments to the Court of Appeal

The Honourable Mr. Justice Patrice Abrioux

The Honourable Mr. Justice Patrice Abrioux was appointed a Justice of the British Columbia Court of Appeal on September 29, 2011. Mr. Justice Abrioux was appointed to the Supreme Court in Vancouver on September 29, 2011. In December 2018, he was appointed a Deputy Judge for the Supreme Court of Yukon.

The Honourable Madam Justice Joyce DeWitt-Van Oosten

The Honourable Madam Justice M. Joyce DeWitt-Van Oosten was appointed a Justice of Appeal of the Court of Appeal for British Columbia and a Judge *ex officio* of the Court of Appeal of Yukon on May 6, 2019. Madam Justice DeWitt-Van Oosten replaces Mr. Justice S.D. Frankel (Vancouver), who elected to become a supernumerary judge effective April 1, 2019. Madam Justice DeWitt-Van Oosten was appointed to the Supreme Court in Vancouver on October 19, 2016.

The Honourable Mr. Justice Grauer

The Honourable Mr. Justice J. Christopher Grauer was appointed a Justice of Appeal of the Court of Appeal for British Columbia on December 20, 2019. Mr. Justice Grauer replaces Mr. Justice J.E.D. Savage (Vancouver), who resigned effective September 1, 2019. Mr. Justice Grauer was appointed to the Supreme Court in Vancouver on April 11, 2008.

RETIREMENTS

The Honourable D. Jane Dardi

The Honourable D. Jane Dardi retired from the Supreme Court of British Columbia at Vancouver on January 1, 2019. She was appointed to the Supreme Court on June 18, 2008.

The Honourable Grant D. Burnyeat

The Honourable Grant D. Burnyeat retired from the Supreme Court of British Columbia at Vancouver on May 25, 2019. He was appointed to the Supreme Court on December 19, 1996.

The Honourable Robert Crawford

The Honourable Robert Crawford retired from the Supreme Court of British Columbia at New Westminster on August 15, 2019. He was appointed to the Supreme Court on September 27, 2001.

The Honourable Gregory T. W. Bowden

The Honourable Gregory T. W. Bowden retired from the Supreme Court of British Columbia at Vancouver on October 1, 2019. He was appointed to the Supreme Court on October 2, 2009.

The Honourable Kenneth Affleck

The Honourable Kenneth Affleck retired from the Supreme Court of British Columbia at Vancouver on November 5, 2019. He was appointed to the Supreme Court on June 24, 2011.

Master Robert McDiarmid

Robert McDiarmid retired from the Supreme Court at Kamloops on July 31, 2019. He was appointed a master of the Supreme Court on June 1, 2011.

Master Douglas Baker

Douglas Baker retired from the Supreme Court at Kamloops on December 31, 2019. He was appointed a master of the Supreme Court in Prince George on July 29, 1998 and was transferred to Vancouver in 2007.

EXECUTIVE COMMITTEE

Members

Mr. Justice Saunders (*Chair*)

Madam Justice Devlin

Mr. Justice Dley (until May 2019)

Madam Justice Donegan (as of June 2019)

Chief Justice Hinkson (ex officio)

Associate Chief Justice Holmes (ex officio)

Heidi McBride, Executive Director & Senior Legal Counsel (ex officio)

Master Muir (as of June 2019)

Master Scarth (until May 2019)

Mr. Justice Silverman

Mr. Justice Skolrood (as of June 2019)

Mr. Justice Thompson

Madam Justice Warren

Mr. Justice G.P. Weatherill

Jill Leacock (Secretary)

Work of the Committee

The Executive Committee of the Supreme Court of British Columbia meets approximately once a month to assist the Chief Justices in formulating and implementing policy initiatives, and in coordinating the work of Court committees.

CIVIL LAW COMMITTEE



Vernon Law Courts

Members

Mr. Justice Walker (*Chair* until June 2019)
Mr. Justice Skolrood (*Chair* as of July 2019)
Madam Justice Beames
Mr. Justice Davies
Mr. Justice McEwan
Mr. Justice Sewell
Mr. Justice Smith
Mr. Justice Thompson
Mr. Justice Verhoeven
Mr. Justice Voith
Madam Justice Warren
Master Caldwell
Jill Leacock, Legal Counsel

Mandate

The role of the Civil Law Committee is to consider developments in civil practice and procedure and to provide input on these matters to the Chief Justice and other members of the Court. The Committee also provides input to the Court Rules Committee from time to time on matters of civil practice and procedure.

Work of the Committee

During 2019, the Committee considered a number of matters, including the application of PD-56 (Notification of Publication Ban Applications) in civil proceedings, the Court Interpreters Program, standardization of Trial Management Conference practice, consent orders in civil forfeiture proceedings and the use of support persons at Court conferences (TMC's and CPC's).

In addition, the Committee regularly provides members of the Court with updates about significant appellate decisions in the area of civil practice and procedure.

CRIMINAL LAW COMMITTEE



Kelowna Law Courts

Members

Madam Justice Ker (*Chair*)
Madam Justice Duncan (*Vice Chair*)
Associate Chief Justice Holmes
Madam Justice Church
Mr. Justice Crossin (as of June 2019)
Madam Justice Devlin
Madam DeWitt-Van Oosten (until May 2019)
Mr. Justice Dley
Mr. Justice Ehrcke
Mr. Justice Gaul
Madam Justice Maisonville
Mr. Justice Tammen
Madam Justice Watchuk
Madam Justice Wedge
Madam Justice Winteringham (as of June 2019)
Claire Wilson, Legal Counsel

Mandate

The role of the Criminal Law Committee is to consider developments in criminal practice and procedure and to provide input on these matters to the Chief Justice and Associate Chief Justice and other members of the Court.

Work of the Committee

The Criminal Law Committee continued to provide the Court with assistance with respect to various matters that arose during 2019. One valued member resigned from the Committee due to her appointment to the Court of Appeal (Madam Justice DeWitt-Van Oosten). The Committee is grateful for the contributions made by Madam Justice DeWitt-Van Oosten during her tenure on the Committee. Two new members, Mr. Justice Crossin and Madam Justice Winteringham, joined the Committee in late June.

The Committee has a number of sub-committees addressing distinct issues that have arisen in or carried over into 2019, including: (i) a working group addressing harmonizing the current Provincial Court of British Columbia “picklists” for common terms for bail, probation, conditional sentence orders and ancillary orders working in tandem with the Provincial Court; (ii) a working group reviewing updates to papers on topics covering criminal law issues held on the Court’s intranet site; (iii) a working

group considering the modernization of certain language used by court clerks in criminal jury trials; and (iv) a working group dealing with process and other issues related to the development of the s. 525 Detention Review Scheduling Hearing Court implemented as a result of the Supreme Court of Canada's decision in *R. v. Myers*, 2019 SCC 18.

The Committee has also been addressing the numerous changes to the *Criminal Code* as a result of the proclamation of Bill C-75 on June 21, 2019 and the implementation of those legislative amendments that were staggered over three different in force dates: June 21, September 19, and December 18, 2019.

Members of the Committee have also consulted with the Public Affairs Committee and the Honourable Bruce Cohen (the Court's Communications Officer) on a number of issues related to accredited media access to exhibits and other matters.

Members of the Committee continue to be active in educational and training activities for members of the Court, as well as with lawyers, high school students, law students, visiting judges and various other groups through the Justice Education Society, the Inns of Court program, the Continuing Legal Education Society, the Canadian Bar Association Criminal Law Section, the Trial Lawyers Association, the B.C. Civil Liberties Association and other similar organizations.

EDUCATION COMMITTEE



*New Westminster
Law Courts*

Members

Madam Justice MacNaughton (*Chair*)
Madam Justice Burke
Mr. Justice Crabtree
Madam Justice Devlin
Madam Justice Duncan
Mr. Justice Harvey
Mr. Justice Kent
Madam Justice Maisonville
Mr. Justice Mayer
Madam Justice Murray
Mr. Justice Riley
Madam Justice Young
Master McDiarmid
Brenda Belak, Legal Counsel

Mandate

The mandate of the Education Committee is to organize and present continuing education programs to in order to assist the judges, masters and registrars of the Court to stay on top of current developments in substantive law, enhance judicial skills and learn about social context and philosophical and ethical issues which relate to the Court's work.

The Committee delivers its main programs at judicial education conferences held in May and November of each year. These conferences are developed and presented in partnership with the National Judicial Institute. The Committee is grateful for the continuing support from the staff at the National Judicial Institute, including the program advisors who support the development of our programs and the program assistants who provide administrative and logistical support for the conferences.

2019 Conferences

The May 2019 Conference was held in Kelowna, BC and included sessions about: the search and seizure of digital evidence; the rules of evidence as they apply to digital evidence; understanding the opioid crisis in BC and the response to it; brain science and mindfulness; and family violence and s. 211 reports. The November 2019

Conference included sessions about: disclosure and third party applications in criminal trials; managing cases involving confidential informants; developments in the law of sexual assault; the legal uses of artificial intelligence; reconciliation of Indigenous law with the common law; legislative changes affecting personal injury litigation; the use/abuse of clinical records in personal injury trials; the different role of causation in liability determinations and damage assessments; a debate on the value of civil juries; common misperceptions about juries; and the legal framework for the admissibility of expert evidence.

New Judge's Training

Starting in 2017, the Committee developed a program for newly appointed judges and masters designed to support them as they transition to our court. The new judges training program is in addition to the opportunity provided to newly appointed judges to shadow one or more judicial colleagues for five days prior to beginning to sit.

In June 2019, the Committee delivered the fourth session of new judges training. This session focused on writing and delivering decisions and managing reserve lists, managing busy chambers, the challenges of decision-making in family proceedings, and tips and resources for being on the road. Each session included an “ask us anything” session.

In addition, over the course of three evenings in September 2019, the Committee ran a program called “Anatomy of a Criminal Trial” based on a series of videos earlier produced for the Court. All judges who had been appointed for less than five years were invited to attend. The videos were followed by discussion questions. The course was facilitated by two senior judges with extensive criminal law experience. The Committee is grateful to the facilitators who made this possible.

Law at Lunch

The Committee also facilitates regular lunchtime seminars presented by and to members of the Court. The Committee is grateful that the members of our Court continue to demonstrate a high degree of engagement in these programs and work diligently to prepare timely, topical, and practical programs for their colleagues.



Prince George Law Courts

FAMILY LAW COMMITTEE

Members

Mr. Justice Tindale (*Chair*)
Madam Justice Fleming (*Vice-Chair*)
Madam Justice MacNaughton
Mr. Justice Armstrong
Madam Justice Choi
Madam Justice Shergill
Mr. Justice Brundrett
Master Dick
Master Harper
Nikki Hair and Zoe Si, Legal Counsel

Mandate

The role of the Family Law Committee is to consider developments in family law practice and procedure and to provide input relating to these matters to the Chief Justice and other members of the Court.

Work of the Committee

The Committee was active in 2019, undertaking the following work:

- Providing comment to the Rules Committee and the Chief Justice regarding proposed changes to the *Supreme Court Family Rules*;
- Drafting and incorporation of standard term orders for Hear the Child reports in the Family Law Picklist;
- Providing comment to the Chief Justice regarding proposed changes to Practice Directions;
- Updating and posting a trial procedure memorandum for self-represented litigants on the Supreme Court website;
- Providing comment on a FAQ sheet respecting applications under the *Interjurisdictional Support Orders Act* drafted by Justice Services Branch;
- Providing comment to the Chief Justice with respect to family registry practices;
- Reviewing and discussing the impact of Bill C-92, *An Act respecting First Nations, Inuit and Metis Children, Youth and Families*; and
- Reviewing and discussing the impact of Bill C-78, *An Act to amend the Divorce Act, the Family Orders and Agreements Enforcement Assistance Act and the Garnishment, Attachment and Pension Diversion Act and to make consequential amendments to another Act*.

Zoe Si, temporary legal counsel, assisted the Committee until Nikki Hair returned from leave and resumed her role in June 2019. Legal counsel for the committee continued the ongoing work of creating and updating family law resources for the benefit of presiders.

JOINT COURTS TECHNOLOGY COMMITTEE



Kamloops Law Courts

Members

Mr. Justice Masuhara (*Chair*)

Madam Justice Bennett

Mr. Justice Willcock

Madam Justice Adair

Mr. Justice Myers

Mr. Justice Punnett

Registrar Outerbridge, Court of Appeal

Heidi McBride, Executive Director and Senior Counsel

Cindy Friesen, Director, Supreme Court Scheduling

Brenda Belak, Legal Counsel, Supreme Court

Ryan Wirth, Manager, Information Technology

Work of the Committee

In 2019, the Joint Courts Technology Committee continued to review technology developments and their impact on the work of the Court of Appeal and the Supreme Court. Committee members also participated on the Courts Technology Board, which is comprised of representatives of the courts and Court Services under the Ministry of Attorney General; made presentations on the courts and technology to the bar and other organizations; observed and reviewed electronic evidence presentation platforms in several trials of the court; and consulted with members of the bar regarding the use of digital technologies and platforms.

JUDICIAL ACCESS POLICY WORKING COMMITTEE



Nanaimo Courthouse

Members

Brenda Belak, Legal Counsel, Supreme Court (*Chair*)
Karen Leung, Legal Officer, Provincial Court
Caroline Berkey, Legal Officer, Provincial Court
Grant Marchand, Manager, Judicial Resource Analysis & Management Information Systems, Provincial Court
Sally Rudolf, Legal Counsel, Court of Appeal (until August 2019)
Shirley Smiley, Legal Counsel, Court of Appeal (as of February 2019)
Heidi McBride, Executive Director & Senior Counsel, Judicial Administration, Superior Courts Judiciary
Rob Richardson, Senior Policy Analyst, Policy, Legislation and Planning, Ministry of Attorney General - Court Services Branch (until August 2019)
Dan Chiddell, Director Strategic Information & Business Applications, Court Services Branch
Stephanie Delacretaz, Strategic Business Operations, Court Services Branch Headquarters (as of January 2019)
Jess Gunnarson, Director of Policy, Legislation, and Planning, Ministry of Attorney General - Court Services Branch (until September 2019)
Erin Turner, Acting Director of Policy, Legislation, and Planning, Ministry of Attorney General - Court Services Branch (as of September 2019)
Kathryn Thomson, Legal Policy Advisor

The Committee develops draft policies and interacts with the various court committees, **seeking guidance and approval for draft policies** relating to access to court records, particularly those in electronic format.

Mandate of the Committee

The Chief Justices and Chief Judge of British Columbia's courts have responsibility for the supervision and control of court records and judicial administration records. The Committee is a joint committee consisting of representatives from all three courts and Court Services Branch employees. The Committee develops draft policies and interacts with the various court committees, seeking guidance and approval for draft policies relating to access to court records, particularly those in electronic format. The Chief Justices and Chief Judge give approval before a policy is adopted. In addition to policy work, the Committee also reviews access applications for those seeking bulk access to court record information.

Work of the Committee

As in previous years, in 2019 the Committee received, considered, and made recommendations in respect of a number of applications for access to court record information from a variety of government, non-profit, and private agencies and

departments in order to fulfill their statutory mandates or to improve the efficiency of their operations. The Committee also considered and made recommendations in respect of access applications from universities and other academic organizations for research purposes.

In July 2016, the Committee appointed from among its members a Data Governance Working Group to identify and address data governance issues, review existing protocols and consider whether additional or updated court data management documentation is required. In 2019, the Data Governance Working Group met several times to continue this work.

LAW CLERKS COMMITTEE



Revelstoke Courthouse

Members

Mr. Justice Kelleher (*Chair*)
Mr. Justice Blok
Mr. Justice Grauer
Madam Justice Iyer
Mr. Justice MacKenzie
Madam Justice Russell
Brenda Belak, Legal Counsel

Mandate

The Committee is responsible for the management of the Judicial Law Clerk Program, which provides a unique learning opportunity for new law school graduates of diverse backgrounds who have achieved a high academic standard. The Committee is directly involved in the recruitment and hiring of judicial law clerks each year. The Committee is assisted in its work by the court's legal counsel, to whom the day-to-day management and administration of the law clerks is delegated.

Work of the Committee

The recruitment process begins approximately two years before the start of the judicial law clerk term when the Committee sends materials to all Canadian law schools. The application and interview process takes place approximately 18 months before the start of the term. In the early spring, members of the Committee interview between 32 and 35 applicants.

In 2019, the Supreme Court received funding to hire three additional law clerks. Twenty-one law clerks were hired for 16 positions in Vancouver, three in New Westminster, and two in Victoria. Beginning in 2021-22, the Supreme Court will be placing one clerk each at the courthouses in Kamloops and Kelowna.

In 2019, the following 21 law clerks began their clerkships with the Court:

Vancouver: Christine Bant, Christine Banta, Susan Brown, Stephanie Browning, Lee Hawkings, Elizabeth Janzen, Alex Kirby, Kaitlin Kuefler, Madeline MacDonald, Sophie Marshall, Pujan Modi, Patrick Palmer, Melissa Rumbles, Caitlin Stockwell, Eamonn Watson, and Ian Wylie

New Westminster: Madeline Adam, Mia Bertanjoli, and Ben Martin

Victoria: Liam Hayes and Rebecca Watmough

The Committee wishes to extend its gratitude and appreciation to the Court's law clerks for the assistance that they provide to the judges and masters of the Court. The enthusiasm, commitment, and dedication they bring to their work and to the work of the Court are invaluable.

The Committee would also like to express its gratitude to the judges of the Court who serve as principals to the law clerks. They provide great mentorship to our law clerks and allow the Judicial Law Clerk Program to continue to provide a rich educational experience.

Finally, the Committee expresses its thanks to Brenda Belak, legal counsel for the Supreme Court, for her work in the recruitment, hiring, training, and supervision of the law clerks, and to Andrea Baedak for providing administrative support to the program.

LIBRARY COMMITTEE



Rossland Courthouse

Members

Mr. Justice Skolrood (*Chair*)

Mr. Justice Goepel

Madam Justice Ker

Heidi McBride, Executive Director & Senior Counsel

Diane Lemieux, Librarian

Electronic Resources

Library staff, led by chief librarian Diane Lemieux, continue to monitor the usage of library resources with a view to directing funds towards the resources that are most widely used. This will continue in 2020.

Use of electronic resources continues to grow, and members of the Court are encouraged to consult with Library staff about what is available and to receive the necessary training.

There were challenges this year as Thompson Reuters Canada, our largest supplier, transitioned its system to a new global system which resulted in significant service issues. Those issues started to resolve by the end of the year.

The Committee would like to acknowledge and thank the Library staff for the exemplary service they provide. All members of the judiciary are encouraged to consult the staff with respect to research needs, including training on the electronic resources.

PUBLIC AFFAIRS COMMITTEE

Members

Mr. Justice Smith (Chair)
The Honourable Bruce Cohen
Mr. Justice Gaul
Chief Justice Hinkson
Madam Justice Russell
Mr. Justice Steeves
Mr. Justice Tindale
Mr. Justice Walker
Madam Justice Wedge
Master McDiarmid
Heidi McBride, Executive Director and Senior Legal Counsel
Brenda Belak and Claire Wilson, Legal Counsel

Mandate

In keeping with the open court principle, the mandate of the Public Affairs Committee (PAC) is to promote activities that enhance public understanding of court processes and to address issues concerning public education about the Court, the media, and access to court files, including exhibits.

Work of the Committee

The PAC hosts an annual lunch with local media to hear emerging issues from their perspectives. This year's lunch took place on April 27, 2019 and was chaired by Mr. Justice Smith. Members of the Committee were joined by Chief Justices Bauman and Hinkson, legal counsel Brenda Belak for the Supreme Court and Sally Rudolf for the Court of Appeal, and 16 members of the accredited media. The Chief Justices recognized the significant challenges that both media and the courts face in terms of resourcing, and expressed their gratitude to the media for the work that they do in overseeing and reporting on cases before the courts.

Media may apply for accreditation with the courts through the Media Accreditation Committee, an independent body of journalists at arm's length to the courts. Accredited media are allowed to record audio of proceedings for the purpose of verifying their notes and have access to the media room at the Vancouver Law Courts. They also receive court lists by email.

In 2018, the Court released expedited forms under the Court Record Access Policy to facilitate requests by accredited journalists for access to exhibits and certain other court records in criminal proceedings. In 2019, upon the recommendation of the PAC, these forms were modified to permit joint applications by several accredited journalists at once. In 2019, on the recommendation of the PAC, Bruce Cohen and legal counsel also developed a set of responses to frequently asked questions from the media about the accreditation process, other Court policies, and where to quickly find information, which are posted on the Court's website.

The Court, in collaboration with Court Services Branch is in the process developing a system to notify interested media and members of the public when a jury returns following sequestration.

As a result of requests at the media lunch, Chief Justice Hinkson arranged for a meeting between representatives of the Court, members of the Media Accreditation Committee, and representatives of Court Services Branch, including the Assistant Deputy Minister to the Attorney General. Topics included the proposed notification system on the return of a jury in criminal cases; a common electronic system in order to access video and other types of exhibits; issues relating to Court Services Online services; and general issues relating to the media's dealings with staff in the court registries.

The Committee appreciates the liaison role that Bruce Cohen fulfills in interacting with members of the media, members of the Court, and registry staff, as well as legal organizations and continuing judicial and legal education programs. The Committee is also grateful for the assistance it receives from legal counsel in the Supreme Court and Court of Appeal, as well as the Registrar of the Court of Appeal, without whose assistance the Committee would not be able to move forward on its work in addressing public and media related initiatives. The Committee expresses gratitude to Andrea Baedak for maintaining the accredited media list of members and distributing information to the accredited media.

JUDGES OF THE SUPREME COURT



Vancouver Law Courts

CHIEF JUSTICE

THE HONOURABLE CHIEF JUSTICE CHRISTOPHER E. HINKSON

- Appointed to the Supreme Court March 2, 2007
- Appointed to the Court of Appeal March 18, 2010
- Appointed Chief Justice of the Supreme Court November 7, 2013

ASSOCIATE CHIEF JUSTICE

THE HONOURABLE ASSOCIATE CHIEF JUSTICE HEATHER J. HOLMES

- Appointed to the Supreme Court March 21, 2001
 - Appointed Associate Chief Justice of the Supreme Court June 21, 2018
-

JUSTICES OF THE SUPREME COURT

THE HONOURABLE MADAM JUSTICE MARY A. HUMPHRIES ▶ (*Vancouver*)

- Appointed to the Supreme Court January 27, 1994

THE HONOURABLE MADAM JUSTICE JANICE R. DILLON ▶ (*Vancouver*)

- Appointed to the Supreme Court April 25, 1995

THE HONOURABLE MR. JUSTICE BARRY M. DAVIES ▶ (*Vancouver*)

- Appointed to the Supreme Court January 10, 1996

THE HONOURABLE MR. JUSTICE WILLIAM G. E. GRIST ▶ (*Chilliwack*)

- Appointed Master of the Supreme Court January 1, 1990
- Appointed to the Supreme Court June 20, 1996

THE HONOURABLE MR. JUSTICE T. MARK McEWAN (*Vancouver/Nelson*)

- Appointed to the Supreme Court August 7, 1996

THE HONOURABLE MADAM JUSTICE ALISON J. BEAMES ▶ (*Kelowna*)

- Appointed to the Supreme Court August 7, 1996

THE HONOURABLE MR. JUSTICE GRANT D. BURNYEAT ▼ (*Vancouver*) – retired May 27, 2019

- Appointed to the Supreme Court December 19, 1996

THE HONOURABLE MADAM JUSTICE CAROL J. ROSS ▶ (*Vancouver*)

- Appointed to the Supreme Court March 21, 2001

THE HONOURABLE MR. JUSTICE HARRY A. SLADE (*Vancouver*)

- Appointed to the Supreme Court March 27, 2001

THE HONOURABLE MADAM JUSTICE CATHERINE A. WEDGE ▶ (*Vancouver*)

- Appointed to the Supreme Court April 4, 2001

THE HONOURABLE MR. JUSTICE ROBERT CRAWFORD ▼ (*New Westminster*) – retired
August 15, 2019

- Appointed to the Supreme Court September 27, 2001

THE HONOURABLE MADAM JUSTICE BRENDA BROWN ▶ (*New Westminster*)

- Appointed to the Supreme Court April 18, 2002

THE HONOURABLE MADAM JUSTICE LAURA B. GEROW ▶ (*Vancouver*)

- Appointed to Supreme Court October 10, 2002

THE HONOURABLE MR. JUSTICE JAMES W. WILLIAMS ▶ (*Vancouver*)

- Appointed to the Supreme Court October 10, 2002

THE HONOURABLE MR. JUSTICE DAVID M. MASUHARA (*Vancouver*)

- Appointed to the Supreme Court October 11, 2002

THE HONOURABLE MR. JUSTICE STEPHEN F. KELLEHER ▶ (*Vancouver*)

- Appointed to the Supreme Court July 24, 2003

THE HONOURABLE MR. JUSTICE LANCE W. BERNARD ▶ (*New Westminster*)

- Appointed to the Supreme Court July 24, 2003

THE HONOURABLE MR. JUSTICE WILLIAM EHRCKE ▶ (*Vancouver*)

- Appointed to the Supreme Court October 28, 2003

THE HONOURABLE MR. JUSTICE ROBERT JOHNSTON ▶ (*Victoria*)

- Appointed to the Supreme Court November 26, 2004

THE HONOURABLE MR. JUSTICE ARNE H. SILVERMAN ▶ (*Vancouver*)

- Appointed to the Supreme Court November 26, 2004

THE HONOURABLE MADAM JUSTICE J. MIRIAM GROPPER (*Vancouver*)

- Appointed to the Supreme Court April 14, 2005

THE HONOURABLE MADAM JUSTICE LORYL D. RUSSELL ▶ (*Vancouver*)

- Appointed to the Supreme Court April 14, 2005

THE HONOURABLE MR. JUSTICE NATHAN H. SMITH ▶ (*Vancouver*)

- Appointed to the Supreme Court May 19, 2005

THE HONOURABLE MR. JUSTICE JOEL R. GROVES (*Vancouver*)

- Appointed Master of the Supreme Court May 4, 2000
- Appointed to the Supreme Court May 19, 2005

THE HONOURABLE MR. JUSTICE ELLIOTT M. MYERS (*Vancouver*)

- Appointed to the Supreme Court November 22, 2005

THE HONOURABLE MR. JUSTICE GEOFFREY R.J. GAUL (*Victoria*)

- Appointed to the Supreme Court January 31, 2008

THE HONOURABLE MR. JUSTICE J. CHRISTOPHER GRAUER ▲ (*Vancouver*)

- Appointed to the Supreme Court April 11, 2008
- Appointed to the Court of Appeal December 20, 2019

THE HONOURABLE MR. JUSTICE PAUL W. WALKER (*Vancouver*)

- Appointed to the Supreme Court June 18, 2008

THE HONOURABLE MADAM JUSTICE D. JANE DARDI ▼ (*Vancouver*)

- Appointed to the Supreme Court June 18, 2008

THE HONOURABLE MADAM JUSTICE KATE KER (*Vancouver*)

- Appointed to the Supreme Court June 18, 2008

THE HONOURABLE MR. JUSTICE NEILL BROWN ▶ (*Chilliwack*)

- Appointed to the Supreme Court July 30, 2008

THE HONOURABLE MADAM JUSTICE ELAINE J. ADAIR (*Vancouver*)

- Appointed to the Supreme Court November 28, 2008

THE HONOURABLE MR. JUSTICE ROBERT J. SEWELL ▶ (*Vancouver*)

- Appointed to the Supreme Court January 22, 2009

THE HONOURABLE MR. JUSTICE JOHN S. HARVEY (*New Westminster*)

- Appointed to the Supreme Court January 22, 2009

THE HONOURABLE MR. JUSTICE PETER G. VOITH (*Vancouver*)

- Appointed to the Supreme Court January 22, 2009

THE HONOURABLE MR. JUSTICE FRITS VERHOEVEN (*Vancouver*)

- Appointed to the Supreme Court January 22, 2009

THE HONOURABLE MR. JUSTICE TERENCE A. SCHULTES (*New Westminster*)

- Appointed to the Supreme Court May 15, 2009

THE HONOURABLE MR. JUSTICE ROBERT D. PUNNETT (*Victoria*)

- Appointed to the Supreme Court June 19, 2009

THE HONOURABLE MR. JUSTICE GREGORY T. W. BOWDEN ▼ (*Vancouver*)

- Appointed to the Provincial Court May 14, 2004
- Appointed to the Supreme Court October 2, 2009

THE HONOURABLE MR. JUSTICE BRIAN D. MACKENZIE ► (*Victoria*)

- Appointed to the Provincial Court October 30, 1990
- Appointed to the Supreme Court October 23, 2009

THE HONOURABLE MR. JUSTICE ANTHONY SAUNDERS (*New Westminster*)

- Appointed to the Supreme Court November 27, 2009

THE HONOURABLE MR. JUSTICE S. DEV DLEY (*Kamloops*)

- Appointed to the Provincial Court June 23, 2008
- Appointed to the Supreme Court March 19, 2010

THE HONOURABLE MADAM JUSTICE MIRIAM A. MAISONVILLE (*Vancouver*)

- Appointed to the Supreme Court March 19, 2010

THE HONOURABLE MADAM JUSTICE SHELLEY C. FITZPATRICK (*Vancouver*)

- Appointed to the Supreme Court June 18, 2010

THE HONOURABLE MADAM JUSTICE JENNIFER A. POWER (*Victoria*)

- Appointed to the Supreme Court August 6, 2010

THE HONOURABLE MR. JUSTICE TREVOR C. ARMSTRONG (*New Westminster*)

- Appointed to the Supreme Court October 1, 2010

THE HONOURABLE MADAM JUSTICE JEANNE E. WATCHUK (*Vancouver*)

- Appointed to the Provincial Court October 3, 1994
- Appointed to the Supreme Court October 28, 2010

THE HONOURABLE MR. JUSTICE MURRAY B. BLOK (*New Westminster*)

- Appointed District Registrar March 25, 2002
- Appointed to the Supreme Court October 28, 2010

THE HONOURABLE MR. JUSTICE D. ALLAN BETTON (*Kelowna*)

- Appointed to the Provincial Court March 19, 2007

- Appointed to the Supreme Court June 24, 2011

THE HONOURABLE MR. JUSTICE KENNETH AFFLECK ▼ (*Vancouver*)

- Appointed to the Supreme Court June 24, 2011

THE HONOURABLE MR. JUSTICE PATRICE ABRIOUX ▲ (*Vancouver*)

- Appointed to the Supreme Court September 29, 2011
- Appointed to the Court of Appeal March 7, 2019

THE HONOURABLE MR. JUSTICE RONALD S. TINDALE (*Prince George*)

- Appointed to the Provincial Court February 15, 2010
- Appointed to the Supreme Court October 20, 2011

THE HONOURABLE MR. JUSTICE ROBERT W. JENKINS (*New Westminster*)

- Appointed to the Supreme Court December 31, 2011

THE HONOURABLE MR. JUSTICE GORDON C. WEATHERILL (*Vancouver*)

- Appointed to the Supreme Court May 31, 2012

THE HONOURABLE MR. JUSTICE ROBIN A. M. BAIRD (*Nanaimo*)

- Appointed to the Provincial Court August 22, 2011
- Appointed to the Supreme Court October 5, 2012

THE HONOURABLE MR. JUSTICE GORDON S. FUNT (*Vancouver*)

- Appointed to the Supreme Court October 5, 2012

THE HONOURABLE MR. JUSTICE JOHN J. STEEVES (*Vancouver*)

- Appointed to the Supreme Court October 5, 2012

THE HONOURABLE MR. JUSTICE KENNETH W. BALL (*New Westminster*)

- Appointed to the Provincial Court January 6, 2003
- Appointed to the Supreme Court November 2, 2012

THE HONOURABLE MR. JUSTICE DOUGLAS W. THOMPSON (*Nanaimo*)

- Appointed to the Supreme Court December 13, 2012

THE HONOURABLE MADAM JUSTICE SHERI ANN DONEGAN (*Kamloops*)

- Appointed to the Provincial Court October 4, 2010
- Appointed to the Supreme Court June 6, 2013

THE HONOURABLE MR. JUSTICE RONALD A. SKOLROOD (*Vancouver*)

- Appointed to the Supreme Court June 6, 2013

THE HONOURABLE MADAM JUSTICE LISA WARREN (*Vancouver*)

- Appointed to the Supreme Court June 6, 2013

THE HONOURABLE MADAM JUSTICE MARGOT L. FLEMING (*Vancouver*)

- Appointed to the Supreme Court June 6, 2013

THE HONOURABLE MR. JUSTICE GARY P. WEATHERILL (*Kelowna*)

- Appointed to the Supreme Court October 2, 2013

THE HONOURABLE MR. JUSTICE GEORGE K. MACINTOSH (*Vancouver*)

- Appointed to the Supreme Court December 17, 2013

THE HONOURABLE MR. JUSTICE NIGEL P. KENT (*Vancouver*)

- Appointed to the Supreme Court December 17, 2013

THE HONOURABLE MADAM JUSTICE JENNIFER M. I. DUNCAN (*Vancouver*)

- Appointed to the Supreme Court December 17, 2013

THE HONOURABLE MADAM JUSTICE NEENA SHARMA (*Vancouver*)

- Appointed to the Supreme Court December 17, 2013

THE HONOURABLE MADAM JUSTICE EMILY M. BURKE (*Vancouver*)

- Appointed to the Supreme Court May 13, 2014

THE HONOURABLE MADAM JUSTICE MARTHA M. DEVLIN (*New Westminster*)

- Appointed to the Supreme Court December 11, 2014

THE HONOURABLE MADAM JUSTICE GRACE CHOI (*Vancouver*)

- Appointed to the Supreme Court May 29, 2015

THE HONOURABLE MADAM JUSTICE BARBARA M. YOUNG (*Vancouver*)

- Appointed Master of the Supreme Court December 6, 2006
- Appointed to the Supreme Court June 19, 2015

THE HONOURABLE MADAM JUSTICE MARGUERITE H. CHURCH (*Prince George*)

- Appointed to the Supreme Court June 16, 2016

THE HONOURABLE MADAM JUSTICE MARIA MORELLATO (*Vancouver*)

- Appointed to the Supreme Court June 16, 2016

THE HONOURABLE MADAM JUSTICE HEATHER MACNAUGHTON (*Vancouver*)

- Appointed Master of the Supreme Court June 1, 2011
- Appointed to the Supreme Court October 19, 2016

THE HONOURABLE MADAM JUSTICE CATHERINE MURRAY (*Vancouver*)

- Appointed to the Supreme Court October 19, 2016

THE HONOURABLE MADAM JUSTICE M. JOYCE DEWITT-VAN OOSTEN [▲] (*Vancouver*)

- Appointed to the Supreme Court October 19, 2016

THE HONOURABLE MR. JUSTICE ANDREW P. A. MAYER (*Vancouver*)

- Appointed to the Supreme Court April 12, 2017

THE HONOURABLE MR. JUSTICE W. PAUL RILEY (*New Westminster*)

- Appointed to the Supreme Court May 11, 2017

THE HONOURABLE MR. JUSTICE WARD K. BRANCH (*Vancouver*)

- Appointed to the Supreme Court June 8, 2017

THE HONOURABLE MADAM JUSTICE CARLA FORTH (*Vancouver*)

- Appointed to the Supreme Court June 14, 2017

THE HONOURABLE MR. JUSTICE MICHAEL J. TAMMEN (*Vancouver*)

- Appointed to the Supreme Court June 14, 2017

THE HONOURABLE MR. JUSTICE WARREN B. MILMAN (*Vancouver*)

- Appointed to the Supreme Court June 14, 2017

THE HONOURABLE MADAM JUSTICE NITYA IYER (*Vancouver*)

- Appointed to the Supreme Court June 14, 2017

THE HONOURABLE MR. JUSTICE LEONARD MARCHAND (*Kamloops*)

- Appointed to the Supreme Court June 21, 2017

THE HONOURABLE MADAM JUSTICE PALBINDER KAUR SHERGILL (*New Westminster*)

- Appointed to the Supreme Court June 23, 2017

THE HONOURABLE MR. JUSTICE MICHAEL J. BRUNDRETT (*Vancouver*)

- Appointed to the Supreme Court June 21, 2017

THE HONOURABLE MADAM JUSTICE JANET WINTERINGHAM (*Vancouver*)

- Appointed to the Supreme Court August 15, 2017

THE HONOURABLE MR. JUSTICE E. DAVID CROSSIN (*Vancouver*)

- Appointed to the Supreme Court September 29, 2017

THE HONOURABLE MADAM JUSTICE FRANCESCA MARZARI (*Vancouver*)

- Appointed to the Supreme Court December 19, 2017

THE HONOURABLE MR. JUSTICE JASVINDER S. (BILL) BASRAN (*Vancouver*)

- Appointed to the Supreme Court January 19, 2018

THE HONOURABLE MADAM JUSTICE DIANE MACDONALD (*Vancouver*)

- Appointed to the Supreme Court February 7, 2018

THE HONOURABLE MADAM JUSTICE BARBARA NORELL (*New Westminster*)

- Appointed to the Supreme Court February 22, 2018

THE HONOURABLE MADAM JUSTICE WENDY A. BAKER (*Vancouver*)

- Appointed to the Supreme Court February 22, 2018

THE HONOURABLE MADAM JUSTICE SHARON MATTHEWS (*Vancouver*)

- Appointed to the Supreme Court February 22, 2018

THE HONOURABLE MR. JUSTICE THOMAS CRABTREE (*Chilliwack*)

- Appointed to the Supreme Court May 4, 2018

THE HONOURABLE MR. JUSTICE GEOFFREY B. GOMERY (*Vancouver*)

- Appointed to the Supreme Court June 15, 2018

THE HONOURABLE MR. JUSTICE CHRISTOPHER J. GIASCHI (*Vancouver*)

- Appointed to the Supreme Court September 4, 2018

THE HONOURABLE MADAM JUSTICE KAREN HORSMAN (*Vancouver*)

- Appointed to the Supreme Court September 4, 2018

THE HONOURABLE MADAM JUSTICE VERONICA JACKSON (*Vancouver*)

- Appointed to the Supreme Court October 9, 2018

THE HONOURABLE MR. JUSTICE STEPHEN WILSON (*Kelowna*)

- Appointed Master of the Supreme Court November 23, 2015
- Appointed to the Supreme Court October 19, 2018

THE HONOURABLE MR. JUSTICE DENNIS HORI (*Kelowna*)

- Appointed to the Supreme Court February 8, 2019

THE HONOURABLE MADAM JUSTICE KAREN DOUGLAS (*Vancouver*)

- Appointed to the Supreme Court March 8, 2019

THE HONOURABLE MADAM JUSTICE AMY FRANCIS (*Vancouver*)

- Appointed to the Supreme Court March 8, 2019

THE HONOURABLE MADAM JUSTICE ELIZABETH McDONALD (*Vancouver*)

- Appointed to the Supreme Court June 4, 2019

THE HONOURABLE MR. JUSTICE ALAN ROSS (*Vancouver*)

- Appointed to the Supreme Court June 24, 2019

THE HONOURABLE MADAM JUSTICE SHEILA TUCKER (*New Westminster*)

- Appointed to the Supreme Court June 24, 2019

THE HONOURABLE MR. JUSTICE DAVID CRERAR (*Vancouver*)

- Appointed to the Supreme Court June 24, 2019

THE HONOURABLE MR. JUSTICE PETER EDELMANN (*Vancouver*)

- Appointed to the Supreme Court December 20, 2019

- ▲ *Appointed to the Court of Appeal*
- ▶ *Supernumerary*
- ▼ *Retired*

MASTERS OF THE SUPREME COURT



Chilliwack Law Courts

MASTER DENNIS TOKAREK ▶ (*Vancouver*)

- Appointed Master of the Supreme Court September 9, 1991

MASTER DOUGLAS BAKER ▼ (*Vancouver*)

- Appointed Master of the Supreme Court July 16, 1998

MASTER SHELAGH SCARTH (*Vancouver*)

- Appointed District Registrar August 17, 1998
- Appointed Master of the Supreme Court November 6, 2000

MASTER PETER KEIGHLEY (*New Westminster*)

- Appointed Master of the Supreme Court March 8, 2004

MASTER IAN W. CALDWELL (*New Westminster*)

- Appointed Master of the Supreme Court April 18, 2005

MASTER GRANT TAYLOR (*New Westminster*) – *went super*

- Appointed Master of the Supreme Court July 29, 2005

MASTER CAROLYN P. BOUCK (*Victoria*)

- Appointed District Registrar April 2, 2002
- Appointed Master of the Supreme Court December 11, 2009

MASTER ROBERT McDIARMID ▼ (*Kamloops*)

- Appointed Master of the Supreme Court June 1, 2011

MASTER LESLIE MUIR (*Vancouver*)

- Appointed Master of the Supreme Court May 7, 2012

MASTER SANDRA HARPER (*Vancouver*)

- Appointed Master of the Supreme Court August 5, 2014

MASTER SANDRA DICK (*Nanaimo*)

- Appointed Master of the Supreme Court January 1, 2016

MASTER TERRY VOS (*Vancouver*)

- Appointed Master of the Supreme Court March 20, 2017

MASTER STUART R. CAMERON (*Vancouver*)

- Appointed District Registrar January 31, 2011
- Appointed Registrar of the Supreme Court July 2, 2014
- Appointed Master of the Supreme Court November 6, 2018

MASTER STEVEN SCHWARTZ (*Kelowna*)

- Appointed Master of the Supreme Court February 19, 2019

MASTER BRUCE ELWOOD (*Vancouver*)

- Appointed Master of the Supreme Court February 1, 2019

MASTER JENNIFER KEIM (*Kamloops*)

- Appointed Master of the Supreme Court July 31, 2019

▲ *Appointed Judge of the Supreme Court of British Columbia*

▶ *Senior Master*

▼ *Retired*

REGISTRARS OF THE SUPREME COURT



Prince Rupert Courthouse

SCOTT NIELSEN, REGISTRAR (*Vancouver*)

- Appointed District Registrar July 14, 2014
- Appointed Registrar December 1, 2018

JUDICIAL STAFF



Salmon Arm Law Courts

OFFICE OF THE CHIEF JUSTICE AND THE ASSOCIATE CHIEF JUSTICE

Judicial Coordinator to Chief Justice Hinkson
Judicial Coordinator to Associate Chief Justice Holmes
Legal Counsel

Carrie Wilke
Bonnie Healy
Brenda Belak, Monique
Dull (to May 2019), Nikki
Hair, Christine Judd, Jill
Leacock, Zoe Si
(temporary), Avichay
Sharon (temporary),
Claire Wilson

JUDICIAL ADMINISTRATION

Executive Director & Senior Counsel
Director, Human Resources and Support Services
Director, Supreme Court Scheduling
Manager of Finance and Business Information
Analysis Manager of Information Technology
Assistant to the Executive Director
Assistant to Director, Supreme Court Scheduling
Assistant to Legal Counsel
Judicial Assistant
Finance Clerk
Website Support and Business Information
Analyst
Judicial Administrative Practice Advisor
Manager, Provincial Registrar's Program

Heidi McBride
Michelle McConnachie
Cindy Friesen
Sanjeev Lal
Ryan Wirth
Tammy McCullough
Chantelle Sanderson
Andrea Baedak
Michelle Sam, Andrea Mueller
Cheryl Steele
Cynthia Dale

Samantha Servis
Sheri Rojas

JUDICIAL ADMINISTRATIVE ASSISTANTS

Vancouver

Irem Akcan, Ramez Ali, Darlene Behnke, Leslie Blazecka,
Tammy Cooley, Jessica Gill, Joy Eliasson, Kirsten Floyd, Ray
Frank, Diana Hatley, Felipa Ibarrola, Joanne Ivans, Raji Johal,
Wanda Lam, Danica Laurente-Tan, Beverlee Lea, Amanda Li,
Christine Mintu, Laura Munday, Linda Peter, Terri Rockwell,
Vickie Siu, Helen Ware, Carrie Wilke, Stephanie Wyer Rose
Yvonne Samek

Chilliwack

Kamloops

Kelowna

Beckie Allen, Jane Raggatt
Lana Pardue, Shannon Zorn

Nanaimo	Melissa Lund, Arlyn Wylie
Nelson	Kathie Tarasoff
New Westminster	Barbara Gourlay, Raji Johal, Melissa Mendoza Alcocer, Jesse Rathor, Andrea Walker
Prince George	Kelly Parmar
Victoria	Karen Gurney, Cherry Luscombe, Bonnie Marcaccini, Victoria Osborne-Hughes, Nicole Munro

SUPREME COURT SCHEDULING

Vancouver

Manager, Supreme Court Scheduling, Civil	Sue Smolen, William Gallagher
Manager, Supreme Court Scheduling, Family	Gurinder Thind, Rebecca Stock
Manager, Supreme Court Scheduling, Criminal	Rhona Ogston
Team Leaders	Rebecca Stock, Elsie Peralta, Erin Dumontet
Supreme Court Schedulers	Patricia Acthim, Kate Curry, Darlene Marasigan, Jeanette McNabb, Tanya St. Pierre, Shahla Ehtesham
Data Entry Clerks	Kristina Antonic, Shahla Ehtesham, Leah Walden, Betty Wong, Catherine Li, Terrence Tung, Jay Nguyen, Gurvinder Malhotra, Gareth Round
Scheduling Training Manager	Ben Bautista

Kamloops, Cranbrook, Golden, Nelson, Revelstoke, Rossland, Salmon Arm

Manager, Supreme Court Scheduling	Brenda Strain
Supreme Court Schedulers	Beckie Allen, Doreen Czerkowski

Kelowna, Penticton, Vernon

Manager, Supreme Court Scheduling	Barb Turik, Janine Benson
Supreme Court Scheduler	Janine Benson, Sandeep Johal
Data Entry Clerk	Arlene Marshinew, Patricia Ward

Nanaimo, Campbell River, Courtenay, Port Alberni and Powell River

Manager, Supreme Court Scheduling	Michelle Schley
Supreme Court Schedulers	Katherine Marriott, Jennifer Sanford

New Westminster, Chilliwack

Manager, Supreme Court Scheduling
Supreme Court Schedulers

Data Entry Clerks

Tanya Dixon
Allison Donnelly, Leanne Griffith,
Renuka Pumbhak, Angelina Sloomweg
Kristina Antonic, Owen Li, Gareth
Round

Prince George, Dawson Creek, Fort St. John, Quesnel, Williams Lake

Manager, Supreme Court Scheduling
Supreme Court Schedulers

Pamela Wallin
Tara Bleich, Kelly Parmar

Prince Rupert, Terrace

Manager, Supreme Court Scheduling

Crystal Foerster, Claudia Turner

Smithers

Manager, Supreme Court Scheduling

Sharon MacGregor, Claudia Turner

Victoria, Duncan

Manager, Supreme Court Scheduling
Supreme Court Schedulers

Claudia Turner
Samantha Ferguson, Wesley
Johnson, Sandra Skene

Section 525 Detention Reviews

Detention Review Coordinators
Judicial Clerks

Chantelle Sanderson, Andrea Baedak
Emma McConnachie (May to August)
Alexis Cortese (May to July)
Leslie Martin (as of October)
Mikayla Bischoff (as of October)

JUDGES LIBRARY

Librarian
Library Technician

Diane Lemieux
Connie Kang

JUDGMENT OFFICE

Reserve Judgment Clerks

Andrea Baedak, Chantelle
Sanderson, Leslie Martin

SUPREME COURT DOCUMENT MANAGEMENT CLERKS

Supervisor & Appellate Court Records
Officer
Document Management Clerks

Christine Gergich, Maxwell Otte
(temporary)
James Curtis, David Delafenetre,
Charles Manuel, Andrea Mueller,
Darren Scherck, Gina Leon, Andrew
Coghlan

IT SERVICES

Service Delivery Manager
Infrastructure Project Analyst

Mark Hujanen
David Chow, Andre Drewitt, Joerg
Boettcher
William Huang
Alex Rodas, Billy Huang, Victor Ly

Help Desk & Operations Analyst
Help Desk Technician

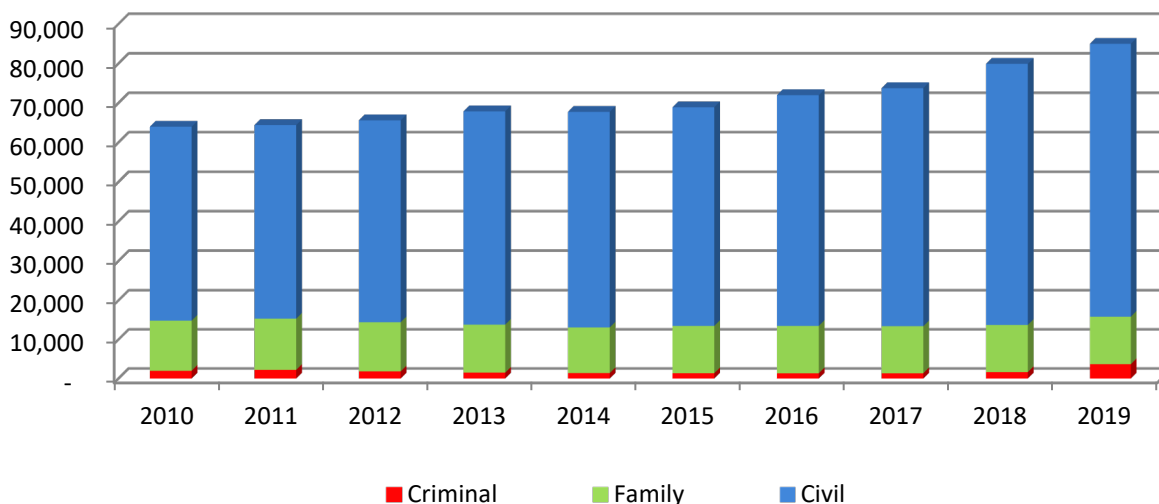
Security and Network Consultant
Business Analyst and Project Manager
Business Analyst
Developer

Don Sudom
Lorne Lovett
Joanne Chong
Jojo Ho

** IT Services are provided by Microserve Business Computer Services*

APPENDIX - COURT STATISTICAL INFORMATION

Figure 1: New Criminal, Family and Civil Filings



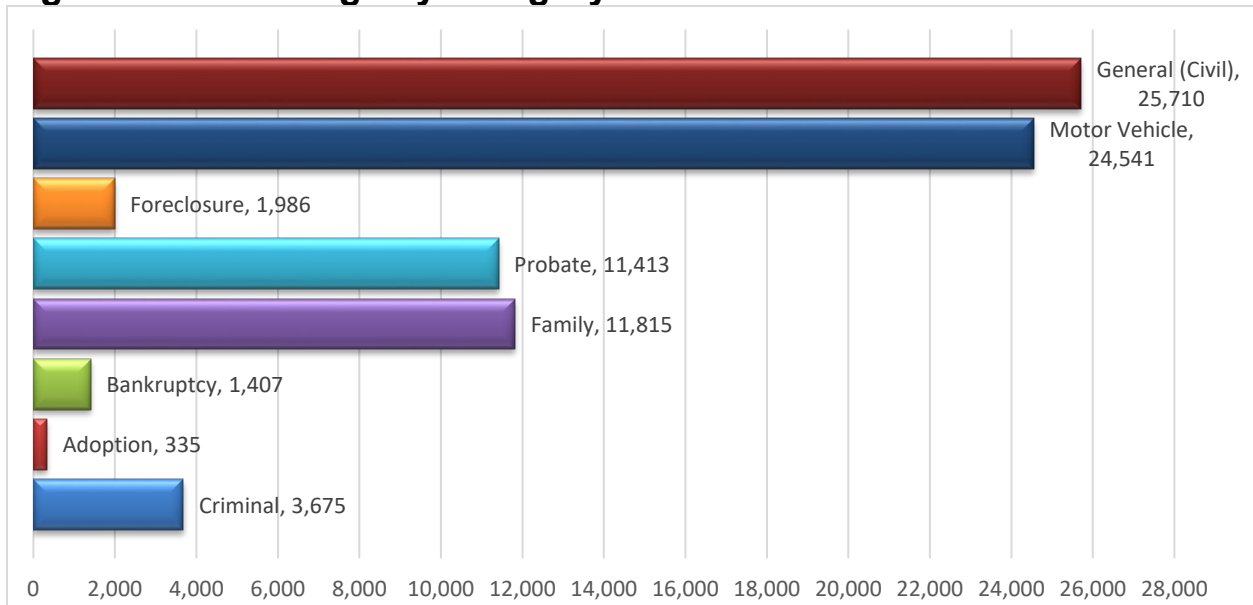
	2010	2011	2012	2013	2014	2015	2016	2017	2018	2019
■ Civil	49,163	49,058	51,193	54,075	54,661	55,446	58,501	60,334	66,182	69,133
■ Family	12,832	13,110	12,564	12,263	11,680	12,086	12,123	12,039	12,057	12,150
■ Criminal	1,978	2,212	1,834	1,523	1,396	1,362	1,336	1,350	1,651	3,675

Data Source: Courthouse Activity Cube, CRIM tables – February 6, 2020
 Historical numbers are updated to current information. Data may change due to data settling and corrections.

Explanation for the variance from 2015 annual report:

In 2016, for statistical reporting purposes, a change in methodology was used to count new cases in the Supreme Court of British Columbia. The change in methodology resulted in consistent reporting with Provincial Court Information. Previously, cases at accused level with a co-accused where on the same case, but with the new methodology, the cases are now counted separately for accused and co-accused. This increases the number of cases. The offset to the increase are the transfer of cases from Provincial Court to Supreme Court. A case from provincial Court to Supreme Court in one month and again another month and vice versa may be considered two or more cases. To eliminate this duplication, the case is only counted once and thus there is a decrease in number of cases, which eliminates duplicate cases which were transferred on various occasions between the two courts. This explains a decrease from historical numbers that were presented in previous annual reports.

Figure 2: New Filings by Category in 2019



Data does **not** include Supreme Caveat and Supreme Enforcement/Legislated Statutes

Figure 3: Number of Conferences by Type

Number of Conferences per Type, 2011 - 2019

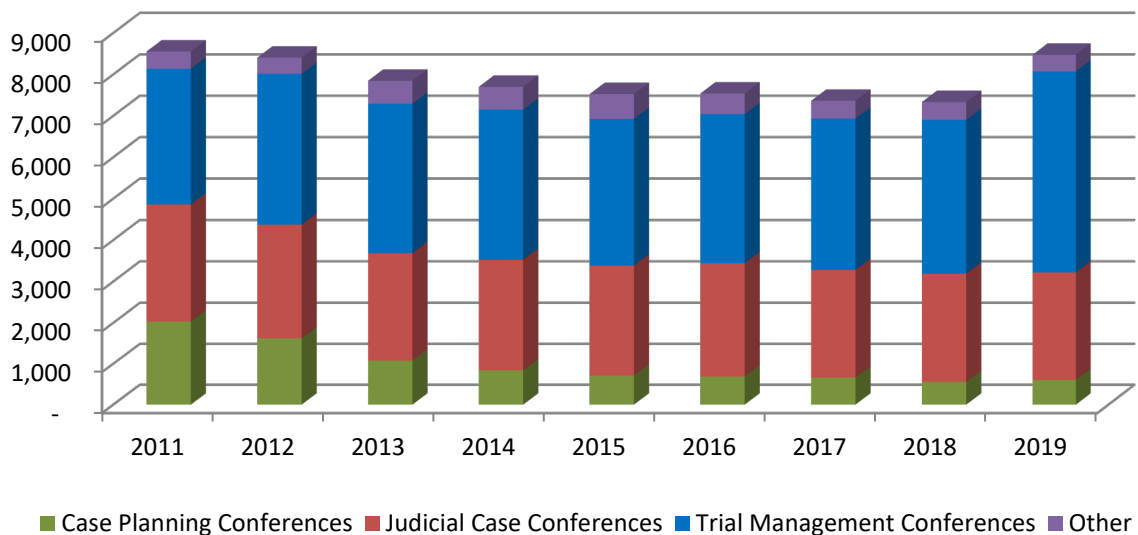


Figure 4: Hearing Hours by Conferences Type

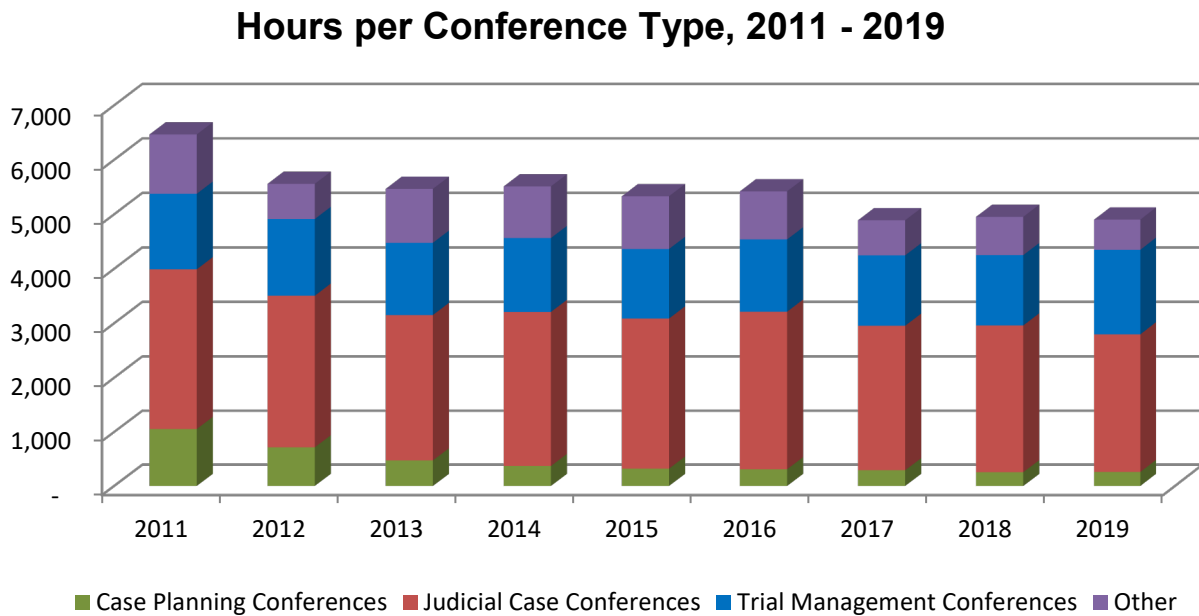
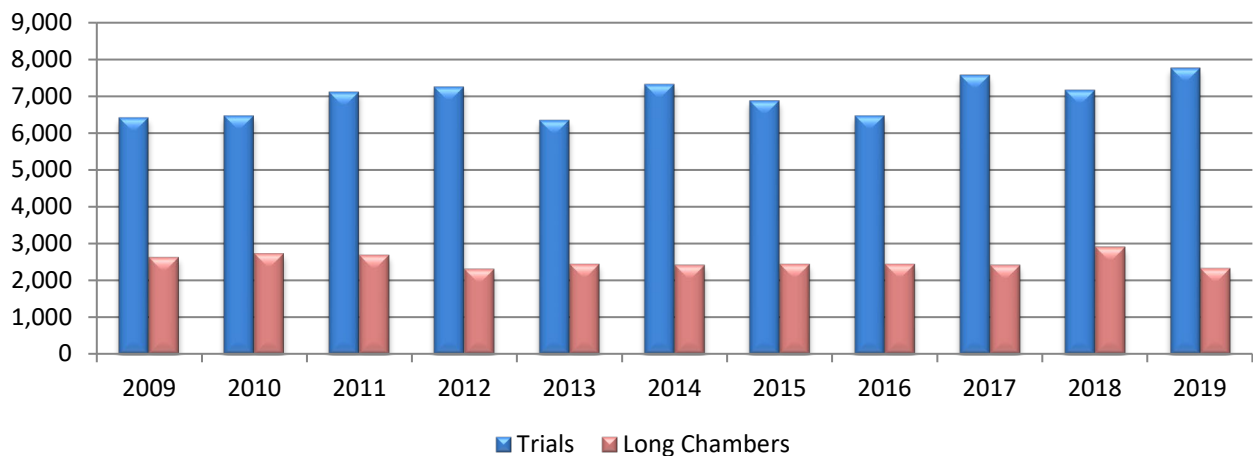
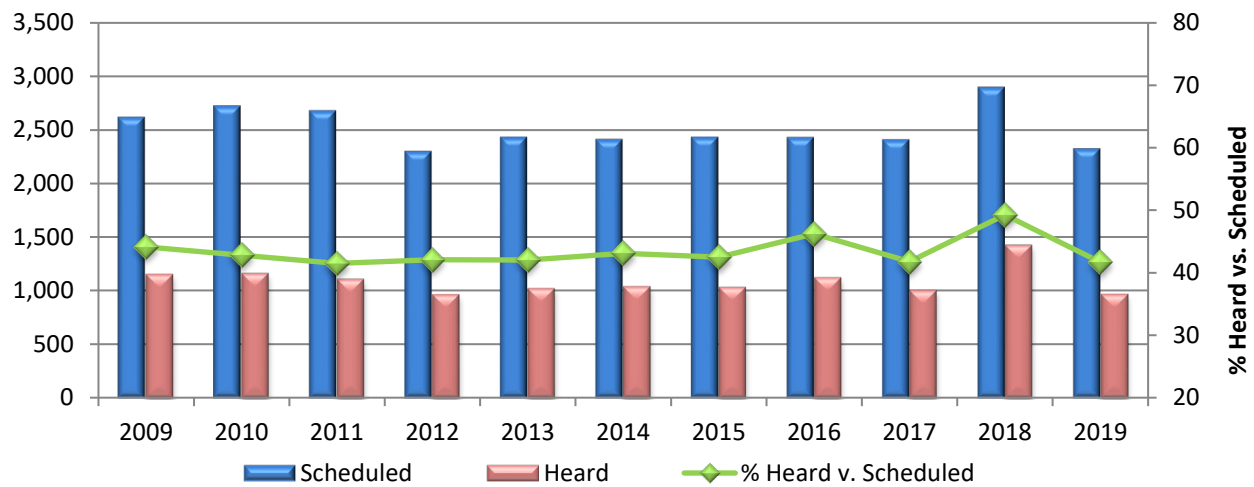


Figure 5: Civil Trials and Long Chambers Applications Scheduled in Vancouver



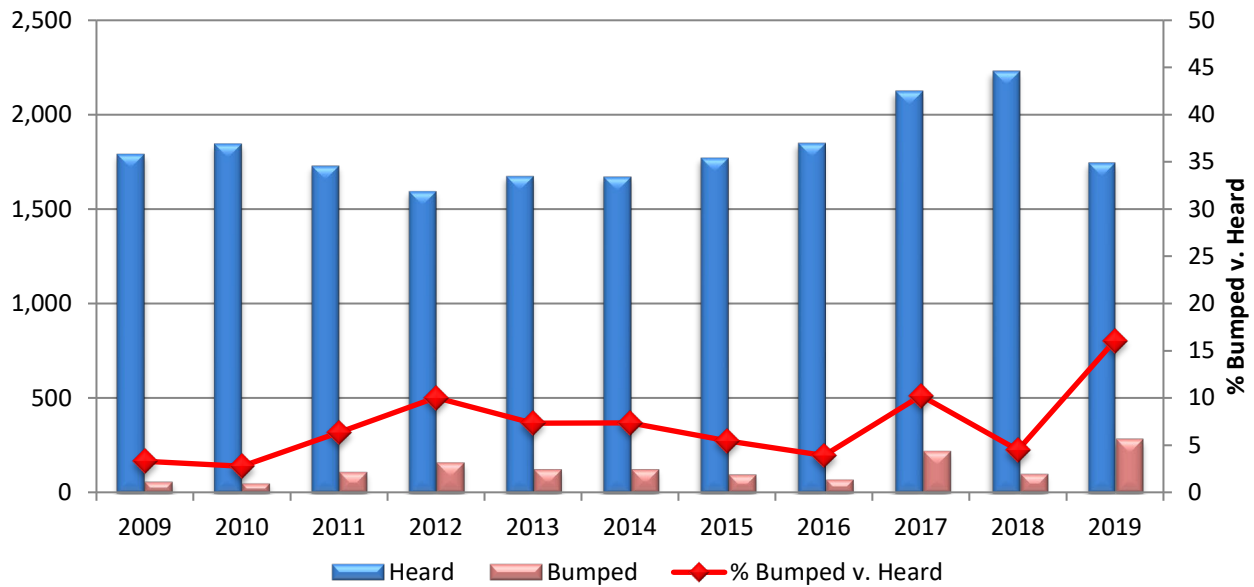
	2009	2010	2011	2012	2013	2014	2015	2016	2017	2018	2019
Trials	6,411	6,470	7,110	7,248	6,347	7,319	6,880	6,464	7,573	7,164	7,765
Long Chambers	2,616	2,721	2,675	2,299	2,431	2,409	2,431	2,428	2,406	2,894	2,322

Figure 6: Long Chambers Applications Scheduled and Heard in Vancouver



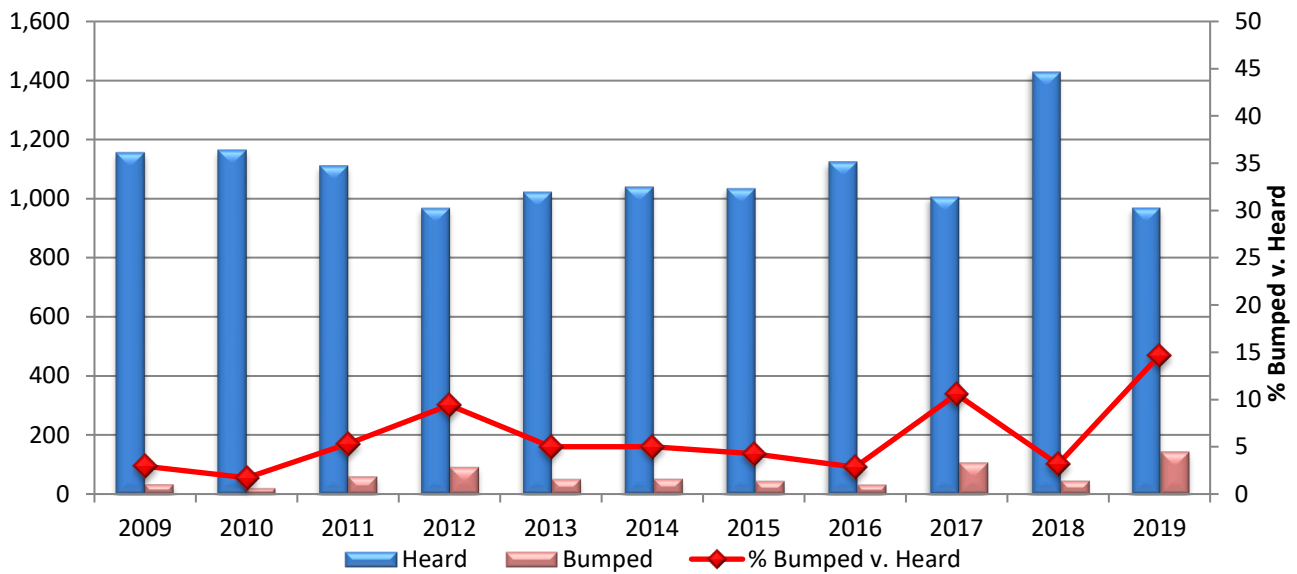
	2009	2010	2011	2012	2013	2014	2015	2016	2017	2018	2019
Scheduled	2,616	2,721	2,675	2,299	2,431	2,409	2,431	2,428	2,406	2,894	2,322
Heard	1,155	1,164	1,110	967	1,022	1,039	1,033	1,123	1,005	1,426	968
% Heard v. Scheduled	44	43	41	42	42	43	42	46	42	49	42

Figure 7: Long Chambers Applications Heard and Bumped in British Columbia



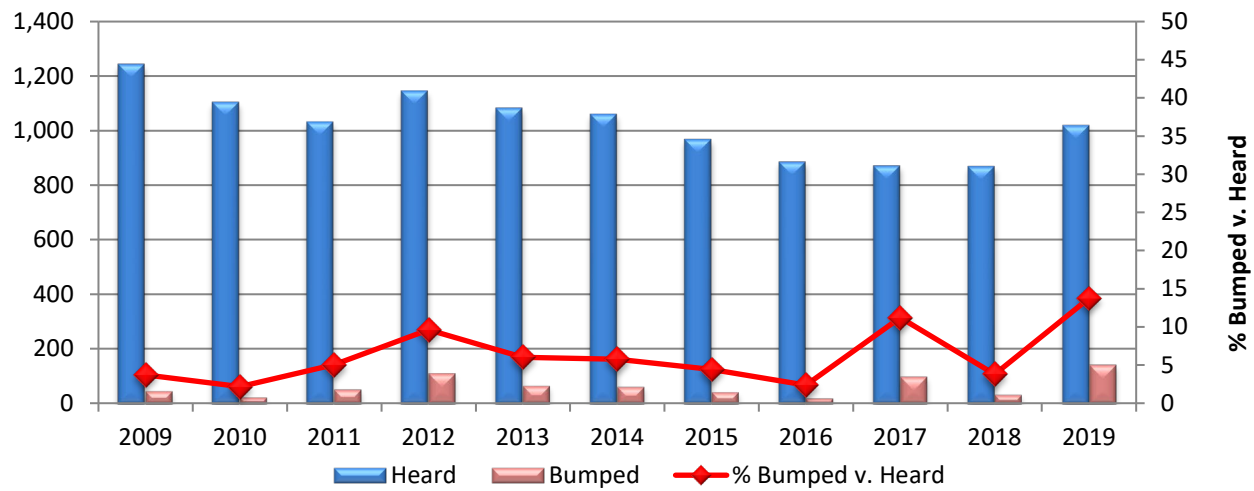
	2009	2010	2011	2012	2013	2014	2015	2016	2017	2018	2019
Heard	1,794	1,847	1,731	1,597	1,677	1,673	1,773	1,850	2,126	2,229	1,747
Bumped	59	51	110	160	123	123	97	72	218	100	281
% Bumped v. Heard	3.3	2.8	6.4	10.0	7.3	7.4	5.5	3.9	10.3	4.5	16.1

Figure 8: Long Chambers Applications Heard and Bumped in Vancouver



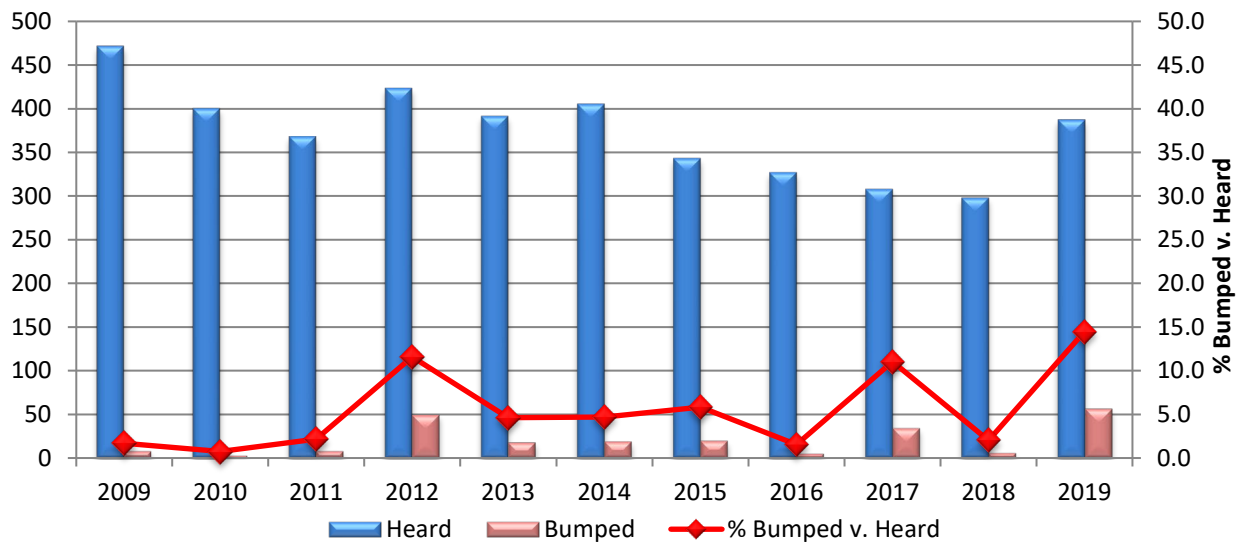
	2009	2010	2011	2012	2013	2014	2015	2016	2017	2018	2019
Heard	1,155	1,164	1,110	967	1,022	1,039	1,033	1,123	1,005	1,426	968
Bumped	34	20	59	91	51	52	44	32	106	45	142
% Bumped v. Heard	2.9	1.7	5.3	9.4	5.0	5.0	4.3	2.8	10.5	3.2	14.7

Figure 9: Trials Heard and Bumped in British Columbia



	2009	2010	2011	2012	2013	2014	2015	2016	2017	2018	2019
Heard	1,243	1,104	1,032	1,145	1,083	1,061	969	887	873	870	1019
Bumped	46	24	52	110	65	61	43	21	98	33	140
% Bumped v. Heard	3.7	2.2	5.0	9.6	6.0	5.7	4.4	2.4	11.2	3.8	13.7

Figure 10: Trials Heard and Bumped in Vancouver



	2009	2010	2011	2012	2013	2014	2015	2016	2017	2018	2019
Heard	471	400	368	423	391	405	343	327	308	298	387
Bumped	8	3	8	49	18	19	20	5	34	6	56
% Bumped v. Heard	1.7	0.8	2.2	11.6	4.6	4.7	5.8	1.5	11.0	2.0	14.5

Figure 11: Trials Heard and Bumped by Type and Location in 2019

	HEARD 2019				BUMPED 2019			
	Civil	Criminal	Family	Total	Civil	Criminal	Family	Total
LOWER MAINLAND								
Chilliwack	10	33	5	48	4	0	2	6
New Westminster	101	59	51	211	35	0	7	42
Vancouver	270	53	64	387	49	0	7	56
Region Totals	381	145	120	646	88	0	16	104
Region %	78%	42%	65%	63%	77%	0%	64%	74%
VANCOUVER ISLAND								
Campbell River	3	8	2	13	1	0	0	1
Courtenay	1	9	0	10	0	0	0	0
Duncan	0	10	0	10	0	0	0	0
Nanaimo	18	13	2	33	2	0	0	2
Port Alberni	0	4	1	5	0	0	0	0
Powell River	0	3	0	3	0	0	0	0
Victoria	28	31	14	73	7	0	0	7
Region Totals	50	78	19	147	10	0	0	10
Region %	10%	23%	10%	14%	9%	0%	0%	7%
NORTHERN INTERIOR								
Dawson Creek	0	2	0	2	0	0	0	0
Fort St. John	0	3	4	7	0	0	0	0
Prince George	5	16	4	25	0	0	0	0
Prince Rupert	0	3	0	3	0	0	0	0
Quesnel	0	5	4	9	1	0	2	3
Smithers	1	5	1	7	0	0	0	0
Terrace	0	0	1	1	0	0	0	0
Williams Lake	1	10	3	14	0	0	1	1
Region Totals	7	44	17	68	1	0	3	4
Region %	1%	13%	9%	7%	1%	0%	12%	3%
SOUTHERN INTERIOR								
Kamloops	11	24	7	42	2	0	1	3
Kelowna	28	18	11	57	8	0	2	10
Vernon	6	11	4	21	3	0	2	5
Nelson	1	2	4	7	0	0	0	0
Cranbrook	0	4	1	5	1	0	1	2
Penticton	5	7	3	15	2	0	0	2
Salmon Arm	0	3	0	3	0	0	0	0

	HEARD 2019				BUMPED 2019			
	Civil	Criminal	Family	Total	Civil	Criminal	Family	Total
Roseland	1	7	0	8	0	0	0	0
Golden	0	0	0	0	0	0	0	0
Revelstoke	0	0	0	0	0	0	0	0
Region Totals	52	76	30	158	16	0	6	22
Region %	11%	22%	16%	16%	14%	0%	24%	16%
TOTAL	490	343	186	1019	115	0	25	140
TOTAL %	48%	34%	18%		82%	0%	18%	

Figure 12: Trials Heard By Registry in 2019

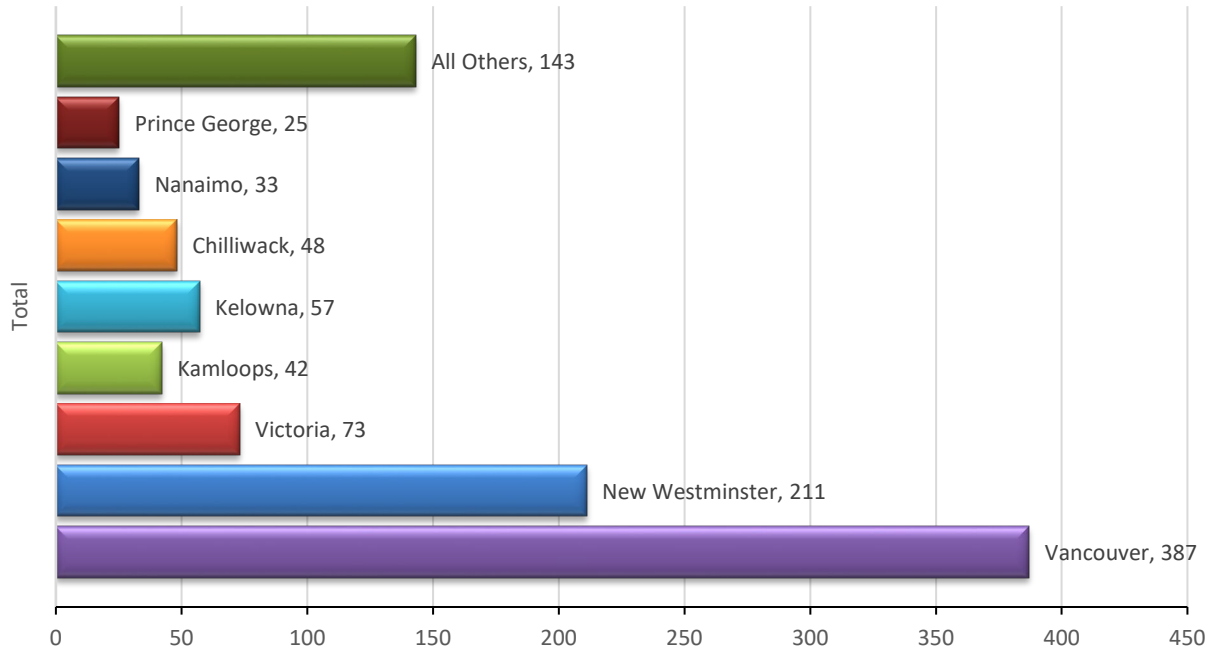


Figure 13: Trials Heard By Region in 2019

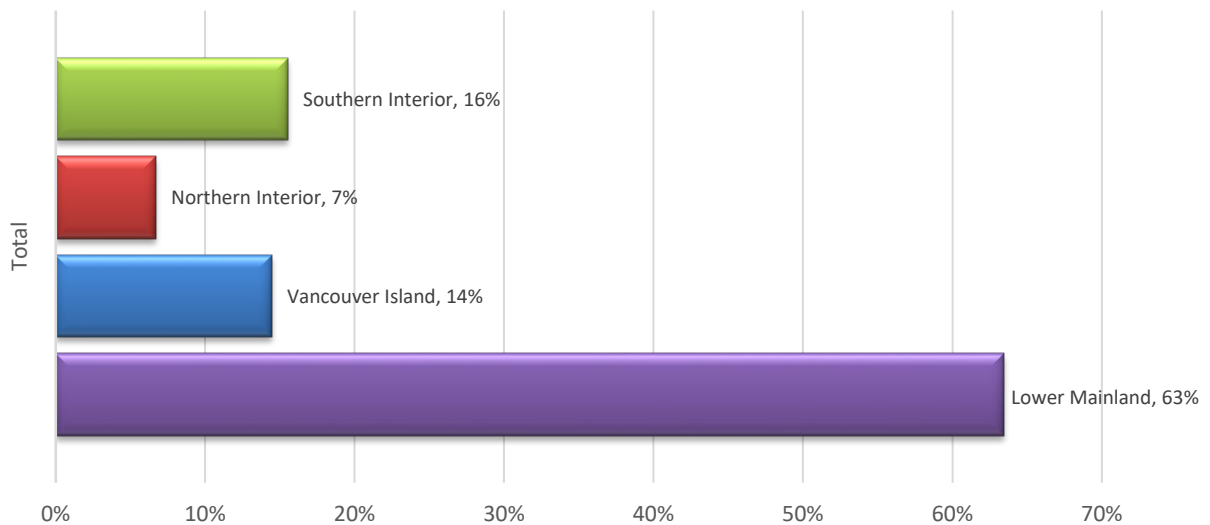


Figure 14: Published Reasons for Judgment by Subject, Type, and Year

	2011	2012	2013	2014	2015	2016	2017	2018	2019
CIVIL									
Oral	274	267	260	285	316	306	340	305	309
Written	1,120	1,120	1,133	1,181	1,050	1,009	868	895	905
Total	1,394	1,387	1,393	1,466	1,366	1,315	1,208	1,200	1,214
CRIMINAL									
Oral	198	188	312	348	354	280	344	377	371
Written	116	144	123	120	114	63	113	109	78
Total	314	332	435	468	468	343	457	486	449
FAMILY									
Oral	41	29	54	66	96	94	86	95	64
Written	211	231	285	299	300	267	272	275	242
Total	252	260	339	365	396	361	358	370	306
TOTAL	1,960	1,979	2,167	2,299	2,230	2,019	2,023	2,056	1,969

Figure 15: Published Reasons for Judgment by Year, 2011 – 2019

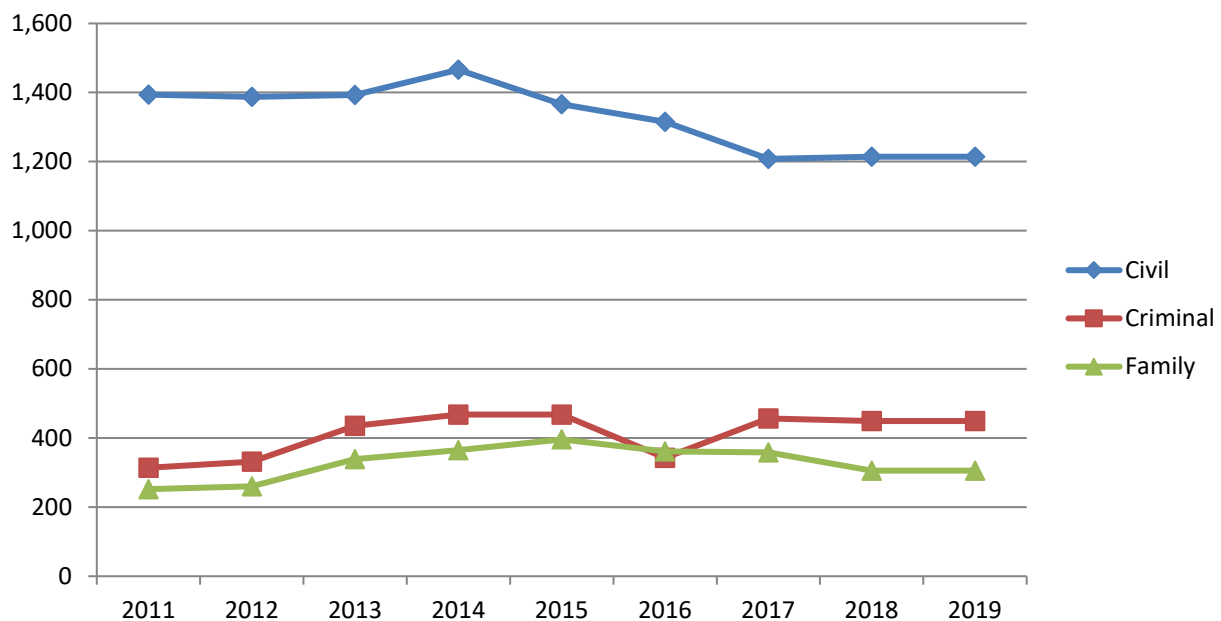


Figure 16: Published Reasons for Judgment by Subject, Type, and Year

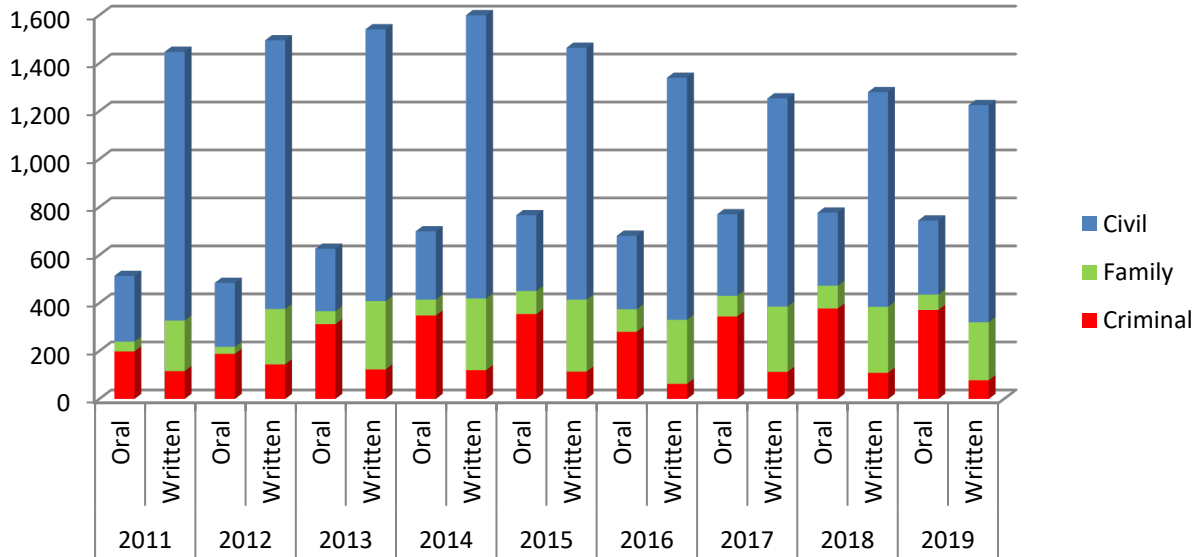


Figure 17: E-Filed Documents in Supreme Court

	2010/11	2011/12	2012/13	2013/14	2014/15	2015/16	2016/17	2017/18	2018/19
Documents Filed	601,307	595,294	588,708	599,767	595,496	593,068	595,228	595,811	591,039
Documents E-Filed	160,458	197,152	208,118	217,130	218,788	232,974	246,026	259,148	262,846
% E-Filed	26%	32%	35%	36%	36%	39%	41%	43%	44%

Figure 18: E-Orders Processed in the Supreme Court

	2010	2011	2012	2013	2014	2015	2016	2017	2018	2019
E-Orders Processed	5,093	8,051	8,530	9,238	8,920	9,427	9,622	10,987	10,902	11,206

Source is CSB-COGNOS efiled cube and form the CEIS_ODS and INT