



Mark Benton, QC, CEO
Legal Services Society of British Columbia (LSS)
Submission to the Senate Committee on
Legal and Constitutional Affairs February 25, 2016

Timing	Theme	Key Messages
0000 - 0030	Introduction of LSS	<ul style="list-style-type: none">• LSS has substantial experience delivering legal aid and is also a major public legal information provider in BC.• BC's Aboriginal population is about 4% of the total but 24% of BC legal aid clients are Aboriginal.• BC has one of the lowest levels of per capita funding in Canada.
0030 - 0230	Legal aid has the full vista of the justice system	<ul style="list-style-type: none">• Assists victims and offenders.• Hires and pays lawyers.• Sees the costs of delay first hand on both victims and offenders.• Sees the drivers of system cost and delay first hand.• Has a full system view of the process.
0230 - 0330	Justice delay is a systemic problem with significant systemic implications beyond simple efficiency issues	<ul style="list-style-type: none">• Delay erodes public confidence.• Delay compromises public safety.• Delay interferes with justice.• Delay has detrimental impacts for civil and family justice too.
0330 - 0430	Delay erodes public confidence	<ul style="list-style-type: none">• Trials that start six years after the event and finish more than a year later erode public confidence in both the efficiency and effectiveness of the system.
0430 - 0530	Delay compromises public safety	<ul style="list-style-type: none">• Delay contributes significantly to the growth in the remand population.• As a result people are serving their sentences on remand with no access to rehabilitative programming or to effective release planning based on risk assessment.• This reduces rehabilitation and therefore public safety.



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0530 - 0700	Delay interferes with justice being done	<ul style="list-style-type: none"> • Delay means that innocent people have their lives disrupted for an undue length of time. • At the same time the guilty are less likely to be brought to justice because as any prosecutor or defence counsel will tell you, the prosecution case deteriorates with age making it less likely that an appropriate conviction will be secured.
	What can be done about this systemic problem?	<p>Note that these problems are interdependent and interrelated so a multi-faceted approach will be appropriate including:</p> <ul style="list-style-type: none"> • Legislative change to simplify process and clarify the law. • Investment in intensive intervention early in the process to promote timely just resolution of cases. • Appropriate funding for legal aid. • Political and policy leadership to champion timeliness as a Canadian justice value and to support system-wide justice change.
	Reference to Research	<p><u>A Criminal Justice System for the 21st Century, Final Report to the Minister of Justice and Attorney General, Honourable Shirley Bond</u> D. Geoffrey Cowper QC, Chair BC Justice Reform Initiative August 27, 2012</p>
	Close and thanks	