

British Columbia
JUSTICE AND PUBLIC SAFETY COUNCIL

Strategic Plan for the Justice and
Public Safety Sector 2020-23

INCORPORATING

Sector Performance Update 2019-20

MARCH 31, 2020

CONTENTS

Chair’s message _____	4
Executive Summary _____	5
The Justice and Public Safety Council _____	6
The Council _____	6
Overview of the strategic plan _____	7
Scope and limitations of the plan _____	7
Continuity of vision _____	8
Goals, objectives and performance gaps _____	8
Sector operational priorities _____	14
COVID-19 response _____	14
Indigenous justice _____	14
Indigenous reconciliation _____	15
Mental health and substance use in the justice system _____	15
Overdose crisis _____	16
Integrated service solutions _____	17
Trauma-informed practice _____	17
Violence against women, girls and 2SLGBTQQIA people _____	18
Access to justice _____	18
Dispute resolution services for families _____	19
Money laundering _____	20
Driving innovation through technology _____	20
Performance measurement and reporting _____	21
Issues and trends: statistical context _____	22

JUSTICE AND PUBLIC SAFETY PLAN 2020-23

Indigenous overrepresentation in the correctional system _____	22
The adult remand population _____	25
Crime rates (reported) _____	28
Violent crime _____	29
Crime severity _____	30
Sector expenditures (provincial): rate of change _____	31
New case volumes (provincial) _____	32
Youth justice _____	34
Performance measurement update 2019-20 _____	35
Indicator 1: Rate of Indigenous incarceration (remand) _____	36
Indicator 2: Rate of Indigenous incarceration (sentenced) _____	37
Indicator 3: Accused representation at Provincial Criminal Court appearances _____	39
Indicator 4: Number of criminal cases judicially stayed due to systemic delay _____	40
Indicator 5: Time to trial in Provincial Court _____	42
Indicator 6: Percentage of Provincial Court criminal cases concluded within 90, 180, and 365 days _____	44
Indicator 7: Percentage of adult offenders who are not reconvicted in BC within two years of release _____	45
Indicator 8: Percentage of Youth Justice clients receiving their first community sentence who are not reconvicted in BC within the following five years _____	45
Indicator 9: Percentage of Youth Justice clients receiving their first custodial sentence who are not reconvicted in BC within the following five years _____	46
Indicator 10: Number of traffic casualties involving high-risk driving behaviors per 100,000 population _____	47
Plan Feedback _____	49
Appendix 1: Justice and Public Safety Council _____	50

Appendix 2: Values of our sector _____ 51

CHAIR'S MESSAGE



As Chair of the Justice and Public Safety Council, I am pleased to present the 2020-21 update of the Council's strategic plan.

Over the past year the justice and public safety sector has experienced several great successes in addition to some significant challenges.

Topping this list, the COVID-19 pandemic has required everyone throughout British Columbia and the rest of the world to unite and respond swiftly to mitigate one of the largest public health crises of our generation. This challenge has been met admirably by all facets of society, including those who have ensured continuity of essential services throughout justice and public safety sector in a way that puts the safety of British Columbians first. The urgency of this evolving pandemic has also catalyzed sector leaders to again come together in the spirit of collaboration and boldly challenge long-standing conventions, view policy barriers through a new lens, and prioritize the art of the possible. While our paramount efforts remain focused on upholding the integrity of the justice and public safety sector throughout this difficult time, the Council simultaneously looks forward to the positive transformations that can arise from an otherwise challenging situation.

In addition to overseeing other key sector developments throughout the previous year, the Council has also taken an opportunity to closely consider the core themes arising from the spring 2019 Justice Summit discussion on: *The Summits, Justice Reform and Assessing Progress*. This Justice Summit reaffirmed the utility and value of broad-scale collaboration across the sector on topics of mutual importance. However, it also highlighted the need for further process refinement to ensure themes arising from Justice Summit discussions are properly validated and actioned through a more coordinated and timely cross-sectoral approach. The Council has begun to explore what these process refinements might look like based on advice provided by Justice Summit participants and looks forward to continued collaborative development of these ideas in partnership with other sector participants throughout the coming year.

Richard J. M. Fyfe, QC
Chair

EXECUTIVE SUMMARY

The Justice and Public Safety Council Strategic Plan describes the orientation of high-level policy reforms pertaining to provincial government sector participants throughout the 2020-2023 period. The Strategic Plan is written and presented under the authority of the *BC Justice Reform and Transparency Act*. The plan begins by outlining the mutually-developed vision for the justice and public safety sector, along with its four associated goals of *Fairness, Protection of People, Sustainability, and Public Confidence*. It then explores each of government's operational priority areas for the sector that fall within the scope of the plan, which includes criminal, civil, family and administrative law, and their associated processes. The plan concludes with a comprehensive review of relevant statistical indicators and trends.

For this iteration of the plan, the Council has overviewed several important ongoing and future areas of focus. As the above Chair's Message highlights, the province's response to the COVID-19 pandemic has become a collective top priority for all sector organizations. This emerging priority is joined by a collection of ongoing priorities including: Indigenous justice and reconciliation; mental health and substance use; violence against women, girls and 2SLGBTQQIA people; access to justice; dispute resolution for families; money laundering; innovation and technology, and; performance measurement. Many of these priorities have seen positive developments over the last number of years and the Council looks forward to continued progression into the future. In addition to the above, the Council is anticipating further exploration of possible Justice Summit process refinements discussed at the spring 2019 Summit as well as the upcoming Justice Summit on *Diversion and Alternatives to Short-Term Incarceration*, which will be convened in November 2020.

Finally, the Statistical Context section of this plan highlights key trends across several important topic areas such as adult and youth criminal justice, court processes, and road safety. Of particular interest, certain indicators demonstrate a prevailing trend towards greater numbers of individuals being remanded to custody in BC, which is similar to experiences in other provinces. The Council continues to monitor these measures closely and explore ways to address challenges while continuously improving existing practices.

THE JUSTICE AND PUBLIC SAFETY COUNCIL

The Council

The Justice and Public Safety Council of British Columbia (JPSC, or the Council) was established in April 2013 under the terms of the *Justice Reform and Transparency Act*. Members of the Council are appointed by the Attorney General.

The Council's objectives under the provisions of the *Justice Reform and Transparency Act* include:

- Development of a strategic vision for the justice and public safety sector
- Establishment of an annual Justice and Public Safety Strategic Plan
- Collection of information on the sector to assist in the Council's functions
- Facilitation of the collection and sharing of information needed to enhance the ability to ensure careful management and prudent expenditure of public resources, engage in evidence-based decision making, make informed evaluations of performance, and design strategies to improve that performance
- Promotion of collaboration and cooperation among participants in the sector
- Provision of advice and recommendations to the Minister

An overview of the Council's current membership can be found in Appendix 1.

OVERVIEW OF THE STRATEGIC PLAN

The *Justice Reform and Transparency Act* requires the Council to produce (and refresh annually) a three-year plan for the sector to achieve progress towards its vision. By law, the Council's annual plan is delivered at the end of March and is made available to the public at the same time.

This is the seventh edition of the rolling three-year strategic plan, initially developed by the Council in March 2014. It highlights the strengths and progression of the sector while simultaneously identifying gaps between where the sector is today and where it should be to meet the needs of citizens.

Scope and limitations of the plan

The plan applies broadly to publicly-funded programs and services that contribute to the administration of justice, to the delivery of justice services, and to public safety in British Columbia, within or outside government – referred to collectively as the justice and public safety sector (the sector). The sector includes:

1. The formal justice system, which includes administrative, civil, criminal, and family law, court processes, prosecution, and related work
2. The closely related functions of public protection, such as policing, corrections, crime prevention, and services to victims of crime
3. Regulatory, protective and/or response functions such as motor vehicle licensing and fines, civil forfeiture, and coroner services
4. The reform of provincial statutes
5. The governing and administrative activity – the bureaucracy – which supports all of the justice and public safety work on which British Columbians rely

Continuity of vision

For the plan renewal applicable to the period 2020-21 to 2022-23, the Council reaffirms its vision and four goals for the sector: British Columbia is committed to a justice and public safety sector founded on the rule of law. The sector encompasses criminal, civil, family and administrative law. It is **fair, protects people, is sustainable**, and has the **public's confidence**. The Council also reaffirms the 12 objectives derived from these goals.

Goals, objectives and performance gaps

Over the following pages, this strategic plan identifies specific gaps where the current reality of the sector does not match the aspirations of the vision. Against each goal and objective, “performance gaps” are set out, as identified through dialogue among sector participants. The gaps are reviewed annually by the Council in light of work done over the preceding 12 months.

JUSTICE AND PUBLIC SAFETY PLAN 2020-23

GOAL	OBJECTIVE	PERFORMANCE GAP(S)
OUR SECTOR IS FAIR	<p>Accessible We offer services accessible to all regardless of means or location, provide meaningful redress and ensure access to justice for vulnerable and marginalized people proactively.</p>	<p>Improved access to justice is needed in civil, family and administrative disputes, in both urban and rural settings.</p> <p>We need to better balance the application of public resources to increase access to justice for accused persons.</p>
	<p>Impartial We model integrity, fairness and natural justice in our procedures and in delivering services, treating people equally.</p>	<p>We require an integrated strategy to address overrepresentation of Indigenous people in the court and correctional systems.</p> <p>We must ensure fair treatment of victims of violent trauma and sexual violence through comprehensive implementation of Trauma-informed Practice.</p>
	<p>Timely We work together to reduce systemic delay as an impediment to justice; we seek early resolution of individual processes wherever possible.</p>	<p>The administration of the court system must continue to be modernized to improve scheduling and decrease unproductive appearances.</p> <p>We need to promote and support established risk/need-assessment practices beyond corrections, in prosecutions and policing.</p>

JUSTICE AND PUBLIC SAFETY PLAN 2020-23

GOAL	OBJECTIVE	PERFORMANCE GAP(S)
OUR SECTOR PROTECTS PEOPLE	Prevention We offer early, appropriate and effective prevention programming to reduce antisocial behaviour. When offenses occur, we provide timely and effective rehabilitative interventions to support behavioural change and mental health/addictions/trauma recovery to reduce recidivism and assist people in rebuilding healthy, productive lives.	Integrated cross-sector and community-based strategies are required to protect vulnerable populations. Interventions must be focused on the root causes of offending behaviours, including mental health challenges, addictions and trauma, and also address the factors that make people more vulnerable to victimization. To improve road safety compliance, we need to better link critical information regarding high-risk drivers, such as driver records, prohibitions, administrative reviews and driver remedial actions.
	Protection We work together to reduce threats to public safety, protect complainants and victims of crime, and prevent re-victimization of the vulnerable by the system.	We need a coordinated, evidence-based framework for managing and supporting sexual and domestic violence cases through the courts, ensuring coordination with family court process, and ensuring referrals to support services. We require better tools to increase the frequency with which missing persons are located.

Systemic Approach

We work across all levels of government to understand and address root causes of crime, and support and participate in effective alternative interventions and innovation.

The recommendations of the Eleventh Justice Summit on Indigenous justice, regarding Gladue principles, community-based programming, and progress reporting, should be fully implemented.

The recommendations of the Seventh Justice Summit regarding mental health, coordinated crisis response and continuity of care should be fully implemented.

JUSTICE AND PUBLIC SAFETY PLAN 2020-23

GOAL	OBJECTIVE	PERFORMANCE GAP(S)
OUR SECTOR IS SUSTAINABLE	<p>Focused efforts Based on measurable demand, we make evidence-based decisions to resource the system’s necessary functions, ensuring these services are delivered efficiently.</p>	<p>We need better measures of demand and workload for sector processes around which resource planning can occur.</p> <p>Sustainable models for policing service delivery are required at the provincial, regional and municipal levels.</p>
	<p>Managed resources We allocate resources prudently across the system according to clear and demonstrated cause and effect.</p>	<p>All significant public investments, in cash or in kind, need to be evaluated against expected outcomes identified in advance.</p> <p>Savings or efficiencies created from reforms should be clearly identified through planning and measurement and be reallocated where resources are most required.</p>
	<p>Effectiveness We measure and improve the return on investment of public resources, collectively and as institutions.</p>	<p>We require methodologies to accurately track and predict the costs for each of the sector’s major functions.</p>

JUSTICE AND PUBLIC SAFETY PLAN 2020-23

GOAL	OBJECTIVE	PERFORMANCE GAP(S)
OUR SECTOR HAS THE PUBLIC'S CONFIDENCE	Adaptive We offer services and programs that are nimble; we solicit and respond to the needs of people and monitor the effectiveness of our programs.	We need to establish, report on, and respond to feedback from populations served by the sector. We require an effective and sustainable model to manage digital information throughout the criminal process.
	Performance-focused We assume collective and respective responsibility for system performance, engaging British Columbians in dialogue as users and observers of the system.	Meaningful performance reports on core sector deliverables and services should be regularly published.
	Empowering People entering the system have sufficient opportunity and support to learn its rules and practices at their level of need; the public both understands and values the system; we treat the time of every participant as valuable.	People must be better informed about ways in which the sector can assist them in adapting to change and resolving disputes. More user-needs-driven information should be made available and provided proactively at the outset of proceedings.

Sector operational priorities

The following areas have been identified as priorities for the sector in 2020-21.

COVID-19 response

The March 2020 arrival of the COVID-19 pandemic and subsequent state of emergency, rapidly and fundamentally changed the way British Columbians lived their daily lives. The effects of COVID-19 are being realized through every facet of society, including the justice and public safety sector. The sector's response to the pandemic has become our top priority with areas of focus such as:

- Ensuring continuity of essential justice and public safety sector services, including time-sensitive court proceedings
- Finding ways to promote the immediate protection of the public and employees when delivering in-person government services that people require
- Protecting BC Corrections populations – both within custody and community settings
- Accelerating innovation and digital transformation initiatives, including the virtualization of court proceedings
- Initiating sector recovery efforts and exploring new ways to deliver services that enhance public safety while continuing to meet public expectations

Additional areas of focus are likely to materialize over the coming weeks and months as the province continues to adjust and strives to develop a new state of normalcy. The Council will continue to closely manage this evolving situation and will adapt priorities as required.

Indigenous justice

The overrepresentation of Indigenous people in the criminal justice system and Indigenous children and youth in the child welfare system, remain key priorities for attention. Over and under-policing of Indigenous peoples is an equally serious problem. The impact of over-policing has contributed to distrust of the police by Indigenous peoples and has perpetuated issues with systemic racism on the front lines. The impact of under-policing has led to Indigenous peoples being disproportionately affected by violence of all kinds (homicides, violence in relationships, sexual violence, and other

violent crime), rates of missing persons that are far higher than the general population, and substantial barriers in obtaining access to justice. The legacy of residential schools, colonialism, systemic racism and their resulting effects are still ongoing. These impacts are often expressed in trauma, which is transmitted across generations and compounds the ability to effectively access justice. The Council looks forward in 2020-21 to beginning the multi-year implementation process for the newly-developed First Nations and Métis Justice Strategies, including important ongoing operational developments on *Gladue* principles, Indigenous Justice Centres, Indigenous courts, and other applicable access to justice transformations. These Justice Strategies and their embedded action plans represent important steps on the journey towards reconciliation with Indigenous peoples.

Indigenous reconciliation

British Columbia's focus on building a true and lasting vision of reconciliation is anchored by a cross-government commitment to adopt and implement the United Nations Declaration on the Rights of Indigenous Peoples, the Truth and Reconciliation Commission's calls-to-action, and the Supreme Court of Canada Tsilhqot'in decision. The *Declaration on the Rights of Indigenous Peoples Act* sets out a process to align BC's laws with the UN Declaration, mandating the BC government to bring provincial laws into harmony with the UN Declaration and requires development of an action plan to achieve this alignment over time.

The Council looks forward in 2020-21 to the continued development and implementation of a multi-year plan for the sector to strategically align its work with the Draft 10 Principles that Guide the Province of British Columbia's Relationship with Indigenous Peoples and the *Declaration on the Rights of Indigenous Peoples Act*.

Mental health and substance use in the justice system

People with mental health and/or substance use challenges continue to be significantly represented throughout the criminal justice system. Research in recent years has established that 60 per cent of individuals under BC Corrections' supervision have at least one mental health and/or substance use diagnosis, with many experiencing multiple

concurrent diagnoses¹. These realities create a compelling case for ongoing coordinated cross-sectoral efforts to address the needs of those affected by mental health and substance use challenges in BC. To date, positive steps to address this topic include:

- Discussions at the Sixth and Seventh Justice Summits and the resulting recommendations for improving mental health and substance use care
- Partnerships between BC Corrections and the Provincial Health Services Authority regarding the transfer of health services in correctional institutions
- Increasing coordination across different sectors in support of better outcomes for mental health and substance use clients
- Pilot projects with police forces in Vancouver, Vernon and Abbotsford (i.e. Project Angel) to refer people who use substances and are at risk of overdose to treatment, services and peer-based supports instead of the criminal justice system

Looking forward, the Council encourages the sector to innovate not only in the appropriate care of those with mental health and/or substance use diagnoses, but also to take steps to reduce the criminalization of offending behaviour that is fundamentally driven by health-related factors.

Overdose crisis

While there has been progress made in this area, the ongoing overdose emergency continues to pose a substantial public health threat throughout British Columbia. People in BC continue to experience high rates of overdose-related harms, including death, due to an unregulated drug supply that is unpredictable and highly-toxic. Since the Provincial Health Officer declared a public health emergency related to opioid overdoses in 2016, the number of annual illicit drug toxicity deaths had risen from 991 to 1,495 in 2017, to a peak of 1,543 in 2018 – a three-year increase of 56%. As a result of rigorous cross-sectoral efforts to combat this crisis, the number of illicit drug toxicity deaths in 2019 dropped back to 975 (a one-year reduction of 37%); however, BC still has considerable work on the horizon.

¹ Somers Research Group (2015). *Mentally Ill Offenders: The Intersections of Public Health and Public Safety*. Simon Fraser University, British Columbia.

Beyond the overwhelming health aspects associated with the overdose crisis, the effects of organized crime on drug trafficking and the exploitation of people who are marginalized, including those who use substances, continues to be felt throughout the sector. The presence of these criminal organizations has given rise to high-levels of street violence, money laundering, extortion, and other serious criminal activities.

The Council looks forward to ongoing cross-sectoral collaboration and further tangible progress on harm reduction measures to continue combatting the overdose crisis. These include implementation of life-saving strategies to help prevent overdoses from occurring in the first place, such as Overdose Prevention and Supervised Consumption Sites and expanding access to prescription alternatives to the toxic illicit drug supply, as well as new approaches for fighting organized crime and further strengthening collaboration between local health authorities and policing agencies.

Integrated service solutions

Municipalities throughout British Columbia are expressing heightened concerns regarding frequent or prolific offending behaviours in their communities, which are often most effectively addressed through integrated service solutions, as opposed to a more punitive approach. Frequent or prolific offending concerns may be unique to a community and focus on disproportional patterns of behaviors such as substance use, property crime, mischief, and the like. Further, the root causes and contributing factors of these behaviours are often closely interrelated with other areas of social concern such as mental health challenges, substance use, unemployment, poverty and homelessness.

The Council recognizes the importance of this issue and looks forward to contributing towards further cross-sectoral collaborations that empower communities to develop customized integrated service solutions that effectively address their areas of concern.

Trauma-informed practice

In partnership with the Justice Institute of BC, a new Trauma-Informed Practice (TIP) Foundations Curriculum is being delivered in a format specifically for members of the justice, public safety and anti-violence community sectors in BC. The impetus for this course came from the Fifth Justice Summit, which focused on a trauma-informed justice

system response to victims/survivors of violent crime. The cross-sector TIP Foundations Curriculum is comprised of two components:

1. TIP Foundations Online Course for Justice, Public Safety and Anti-Violence Community Sectors in BC: a self-directed, continuous intake course comprised of six cross-sector modules and one sector-specific module
2. TIP Foundations In-Person Course for Justice, Public Safety and Anti-Violence Community Sectors in BC: a one-day facilitated course

Violence against women, girls and 2SLGBTQQIA people

There remains much more to do in combatting violence against women, girls and 2SLGBTQQIA people, domestic violence and sexual violence. The National Inquiry into Missing and Murdered Indigenous Women and Girls Final Report revealed that persistent and deliberate human and Indigenous rights violations and abuses are the root cause behind Canada's staggering rates of violence against Indigenous women, girls and 2SLGBTQQIA people. Dismantling the underlying and systemic issues that result in Indigenous women experiencing violence at a much higher rate than non-Indigenous women is fundamental in working towards true and lasting reconciliation. In addition, the BC First Nations Justice Strategy released in 2019 shines light on the need to create better justice system outcomes for women and girls and provides direction for the transformation of the justice system in this regard. The Council looks forward in 2020-21 to beginning implementation of the Calls to Justice from the National Inquiry into Missing and Murdered Indigenous Women and Girls as well as related actions from the First Nations Justice Strategy.

The Council also recognizes that public awareness activities such as the Moose Hide Campaign present an opportunity for people throughout the province to bring about positive change in families and communities while encouraging all to take action against gender-based violence. This and other similar public awareness campaigns remain an important focus for the sector.

Access to justice

Access to justice means having affordable, effective, and lasting resolution for British Columbians experiencing legal problems. There is continued concern throughout the sector over the ability of people to identify, obtain and afford services, understand and

exercise their rights and obligations, and effectively participate in proceedings. While these issues persist on a national-level, there is recognition that our response must primarily be provincial. The work of Access to Justice BC (A2JBC) - the provincial network of justice organizations led by the Chief Justice of British Columbia and committed to improving the BC civil and family justice system – continues to be important in working towards client-centred solutions to these challenges. The Council looks forward to ongoing support for A2JBC and the development of access to justice metrics, such as the Access to Justice Triple Aim and Measurement Framework, which will be necessary to evaluate our progress going forward. The University of Victoria Access to Justice Centre for Excellence and the Research Framework Working Group also continue to be closely engaged in this work, supporting the development of the Measurement Framework.

Budget 2019 also provided funding to pilot legal clinics in up to eight communities across the province, in partnership with the Law Foundation. Clinic lawyers offer legal advice on issues including poverty, housing, immigration and disabilities, and act as counsel in legal proceedings at no cost to their clients. As evidenced by the success of these clinics, increasing access to expert legal guidance and support for vulnerable individuals continues to be a key priority of government as it works to further promote access to justice enhancements.

In addition to the above, the Council also looks forward to full implementation of the recently refreshed Association of Legal Aid Lawyers agreement, which was negotiated between government, Legal Services Society and the Association of Legal Aid Lawyers to promote long-term, sustainable legal aid funding.

Dispute resolution services for families

Families experiencing separation or other types of family restructuring want to resolve disputes in ways that are timely and do not exacerbate or create conflict. Timely and appropriate resolution mechanisms are crucial in providing families with a sense of control, as well as ensuring the family justice system is proportionate and sustainable.

In May 2019, a new Provincial Court process for *Family Law Act* matters was rolled out in Victoria to prototype some key elements of reforms envisioned for the broader Provincial Court Family Rules. Evaluation is still proceeding, though the timeline has been impacted

by COVID-19. These changes were designed to provide families with early opportunities to get information, referrals and resolution services to help them resolve family disputes out of court. This new model is also intended to provide families with more assistance to help them prepare for and obtain just and timely decisions in Provincial Court. Experience from this prototype has informed proposed changes to the Provincial Court Family Rules anticipated to be introduced this year.

In addition, BC Justice Access Centres (JAC) offer a range of information and services designed to help people find an early and affordable solution to civil and family justice issues. The Council looks forward in 2020-21 to the expansion of Justice Access Centres across BC, preparation to implement rules to support families in navigating various dispute resolution services offered, and development of proposals to modernize the *Family Law Act*.

Money laundering

Throughout the province, there is widespread recognition that more must be done to combat the extraordinary levels of money laundering in BC's real estate market, casinos, luxury vehicles, and other sectors of the economy. In May 2019, a Commission of Inquiry into Money Laundering in BC was announced by the Premier. This decision to proceed with a commission of inquiry followed four independent reviews of BC's real estate market and casinos.

The Council looks forward in 2020-21 to the continued implementation of the Provincial Anti-Money Laundering strategy, which contains actions to uncover and address the root causes of money laundering in BC.

Driving innovation through technology

Innovation and technology are key components when striving to deliver effective services that people count on. The sector's Digital Strategy focuses on a vision and approach that coordinates investments in data and technology to optimize service delivery to British Columbians.

The sector has already made significant progress on its digital transformation journey. Since its launch in 2013, the Ministry of Attorney General's Tribunal Transformation Initiative (TTI) has been delivering a common technology platform that enables start-to-

finish digital justice case management and online dispute resolution (ODR) across the administrative justice sector. The launch of Canada's first online tribunal – the Civil Resolution Tribunal – provides a common technology platform that other agencies and tribunals can use. Additionally, the sector has implemented electronic ticketing to support the Road Safety Initiative and accelerated the development and launch of the Cannabis Retail Licensing application.

The Council looks forward in 2020-21 to the continued development and implementation of sector Digital Strategy initiatives that seek to modernize the following areas:

1. Courts
2. Access to justice and tribunals
3. Crime prevention and reduction
4. Prosecutions
5. Coroner investigations
6. Corrections
7. Services for victims of crime
8. Road safety
9. Regulation
10. Emergency management

Performance measurement and reporting

The Council continues, in support of the above priority areas, to encourage efforts to collaborate and innovate in broadening the empirical grounding of our sector's policies and operations, through the individual and collaborative development of business analytics and transparent reporting. It is as important as ever to know what works.

ISSUES AND TRENDS: STATISTICAL CONTEXT

The Council's legislated mandate includes facilitation of the collection and sharing of information needed to enhance the ability to ensure careful management and prudent expenditure of public resources, engage in evidence-based decision making, make informed evaluations of performance and design strategies to improve that performance.

This section of the 2020-23 strategic plan sets out numerous statistical charts intended to illuminate key issue areas within the sector. This section also incorporates the 2019-20 *Performance Measurement Update*. The *Performance Measurement Update* provides an annual set of indicators relating to the sector and was first incorporated into the 2018-21 Strategic Plan. It was previously published by the Council as a separate document in 2015-16 and 2016-17. These indicators were first developed in 2014-15 by a multidisciplinary technical working group and approved by a multidisciplinary External Review Committee comprised of academic experts, justice and public safety executives, non-governmental organizations, and Indigenous organizations, with observers participating on behalf of the judiciary. Participation on the External Review Committee was solicited at the Second Justice Summit in November 2013. Data is provided by organizations within the sector. Prior updates are archived at www.justicebc.ca.

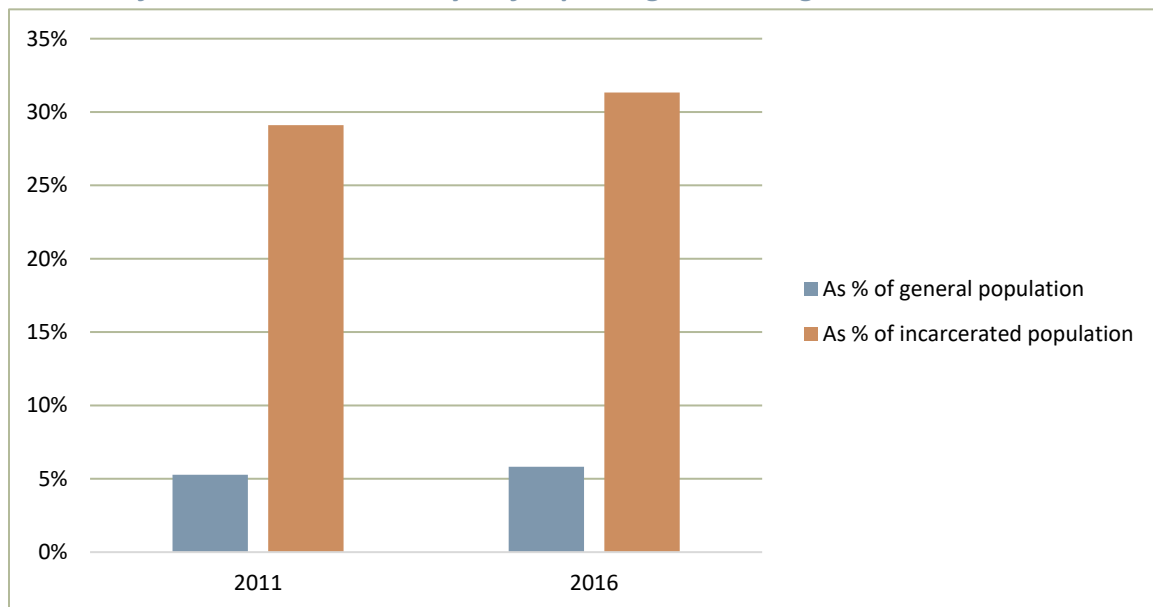
Indigenous overrepresentation in the correctional system

A consistent issue within the sector is the overrepresentation of Indigenous peoples in custody². Data from the 2011 and 2016 Canadian Census helps us to conclude that this situation remains concerning and must continue to be treated as a high priority. In this regard, the Council looks forward to government's ongoing partnership with the First Nations Justice Council and Métis Nation BC, and the positive impacts that are anticipated as a result of the First Nations and Métis Justice Strategies over the coming years.

² In this section and the section following, incarceration rates are used to show patterns of remand, custodial sentences, and levels of representation in the criminal justice system according to ethnicity. While the data shown are commonly used to provide insight in the functioning of the criminal justice system, they cannot tell the whole story, as criminal behaviour is a highly complex phenomenon involving a variety of individual and societal factors, many of which are outside of the control of the justice system.

JUSTICE AND PUBLIC SAFETY PLAN 2020-23

Figure 1: Indigenous proportion of general population vs. proportion of persons released from sentenced custody self-reporting as “Aboriginal”, BC 2011 and 2016³



This analysis uses self-reported ethnicity on release from custody as a proxy measure of overall incarceration rates. In recognizing that this data is gathered by way of self-identification, it is important to acknowledge that changes in these measures may be partly driven by the number of individuals choosing to self-identify as Indigenous, or not. Unique episodes of custody for Indigenous people in BC in 2015-16 accounted for approximately 31 per cent of all custody releases, despite the Indigenous population being just 5.8 per cent of the general provincial population. Indigenous incarceration thus continues to occur at a rate more than five times greater than expected given the percentage of the population which is Indigenous, and was substantively unchanged between the two census periods of 2011 and 2016.⁴

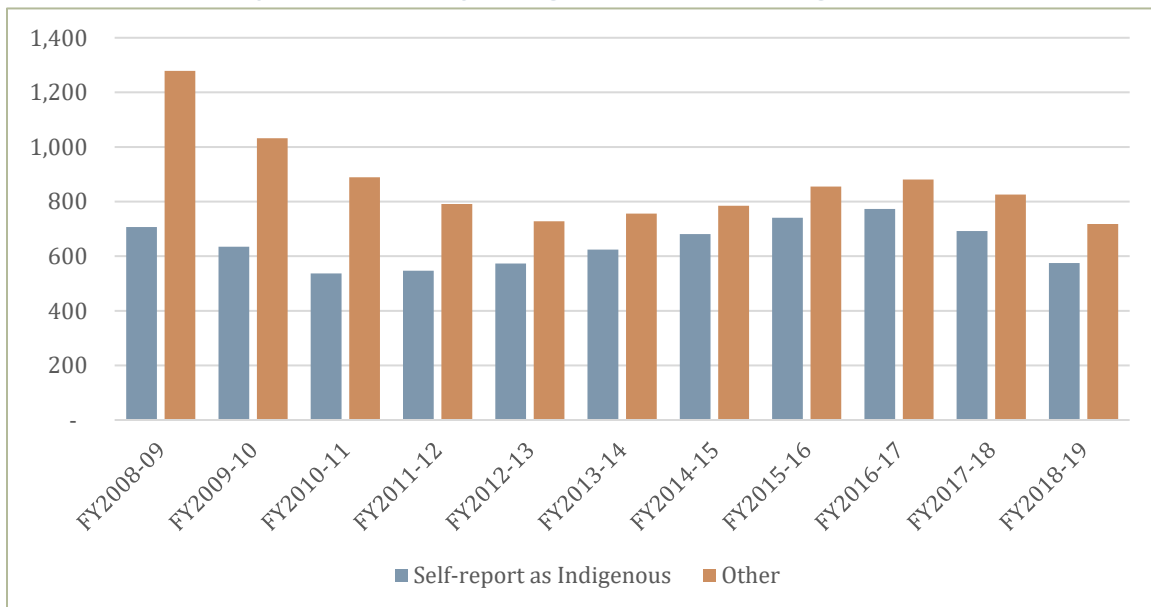
³ Indigenous peoples were identified as 5.3 per cent of the provincial population in the 2011 census, and 5.8 per cent in 2016.

⁴ Source: Government of British Columbia; BC Corrections Operations Network (CORNET), extracted through the Cognos business intelligence system; demographic data from Statistics Canada census 2011 and 2016 population tables. In BC's justice and public safety sector, self-report on admission to corrections is the sole indicator of ethnicity gathered. The rate of releases of individuals from a custody centre who self-report "Aboriginal", "First Nations", "Metis" or "Inuit" status in comparison to those who self-report other categories. This is a measure of all releases, not unique releases of individuals for the following legal hold statuses: dual status, federal, immigration, not stated, and provincially sentenced. This measure does not include releases for clients on remand status. As this is a measure of all releases, not unique releases, this means that individuals who are released more than once in a given year will be counted more than once. The definition of release

JUSTICE AND PUBLIC SAFETY PLAN 2020-23

The contrast between incarceration of Indigenous and non-Indigenous people in British Columbia is even greater when viewed through the lens of gender, but is showing signs of improvement. Indigenous women represented 44 per cent of female remand admissions and 40 per cent of those released from sentenced custody in 2018-19. The most substantial ongoing development shown within the 2018-19 data update is in the continued decline of Indigenous female remand admissions after six consecutive years of increases. Since 2016-17, Indigenous female remand admissions have declined by 26 per cent, from 773 in 2016-17 to 575 in 2018-19. This is additionally noteworthy as non-Indigenous remand numbers declined by 19 per cent over the same period. Similar trends are also materializing within the sentenced population. Since 2016-17, the annual number of non-Indigenous females released from custody has decreased by 1% from 371 to 367, whereas the number of Indigenous females released from custody has decreased by 27% from 337 to 246.

Figure 2: Female remand admissions, BC Corrections, 2008-09 to 2018-19, by self-reported ethnicity (Indigenous vs. non-Indigenous)⁵

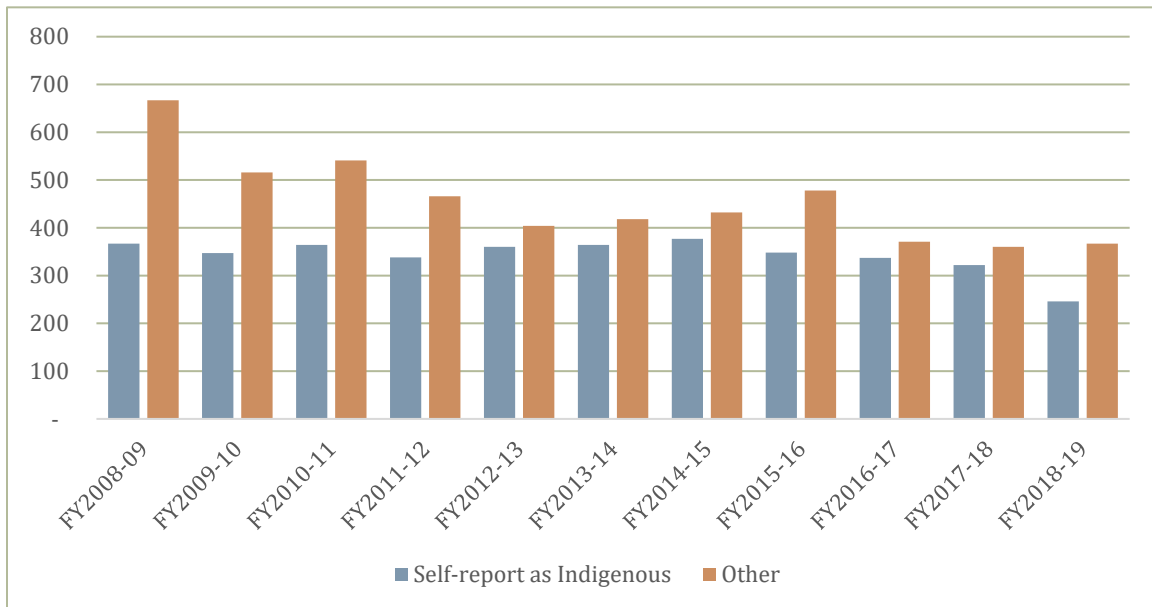


does not include a status change from remand to sentenced or sentenced to remand; however, it does include individuals released from custody to probation.

⁵ Source: For Figures 2 and 3, Government of British Columbia; BC Corrections Operations Network (CORNET), extracted through the Cognos business intelligence system. The measure of remand admissions (Fig 2) and releases of individuals from sentenced custody (Fig 3) who self-report as female and as “Aboriginal”, “First Nations”, “Metis” or “Inuit” status in

JUSTICE AND PUBLIC SAFETY PLAN 2020-23

Figure 3: Female inmates released from sentenced custody, BC Corrections, 2008-09 to 2018-19, by self-reported ethnicity (Indigenous vs. non-Indigenous)



The adult remand population

In recent years, BC has seen steep year-over-year increases in the average number of adults remanded to custody awaiting trial. This pattern, which is visible in Figure 4 below starting in 2014-15, reveals the remanded population has become a clear majority of those held in custody. Over the last two years, BC is beginning to see a stabilization in these numbers; however, the proportion of those remanded to custody remains high relative to the sentenced population.

Over the period of 2013-14 to 2016-17, the absolute number of individuals on remand increased by 42 per cent, from 1,173 to 1,668. Meanwhile, the absolute number of individuals in sentenced custody decreased by 15 per cent, from 1,228 to 1,043. At the 2016-17 peak, remanded individuals represented 62 per cent of the overall adult custody population (Figure 5).

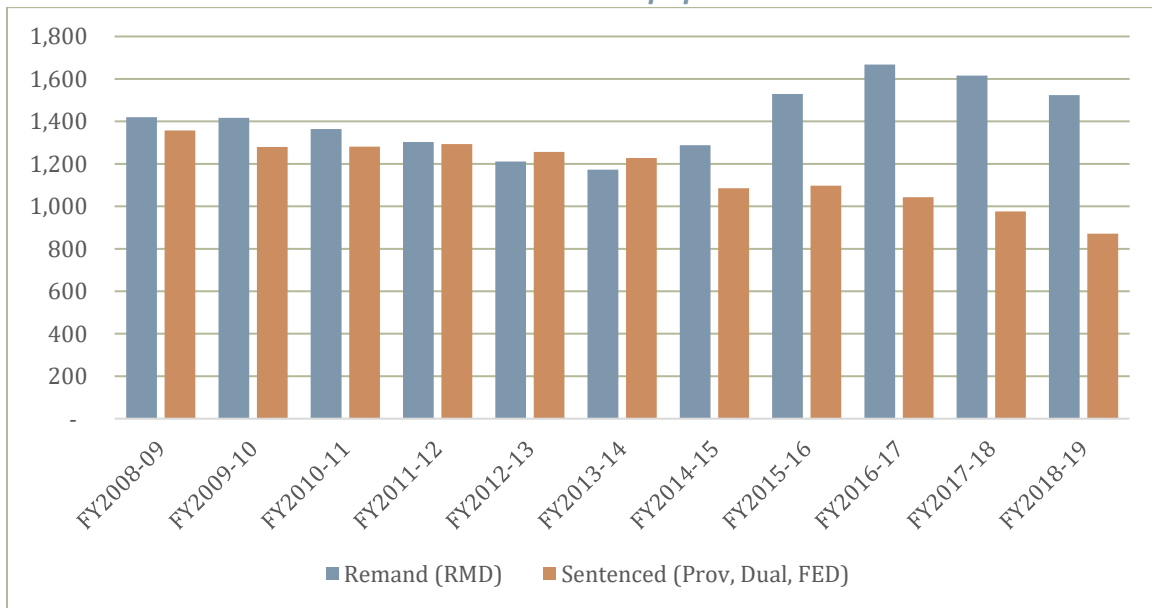
comparison to those who self-report other categories. Sentenced custody (Fig 3) includes provincially sentenced, federally sentenced, dual, immigration, and not stated.

JUSTICE AND PUBLIC SAFETY PLAN 2020-23

The above trend has shown signs of improvement in more recent years; however, remand populations continue to substantially outweigh those who are sentenced, and the imbalance is worsening. Over the last two years, the absolute number of adults in remand has decreased by nine per cent, from 1,668 to 1,524. However, over the same time the number of sentenced adults has decreased by 16 per cent, from 1,043 to 871. The remanded population currently represents 64 per cent of the overall custody population.

The Justice and Public Safety Council views the relative growth of the remand population as being a high priority issue that requires additional research and strategizing to accurately identify root causes and apply appropriate remedies.

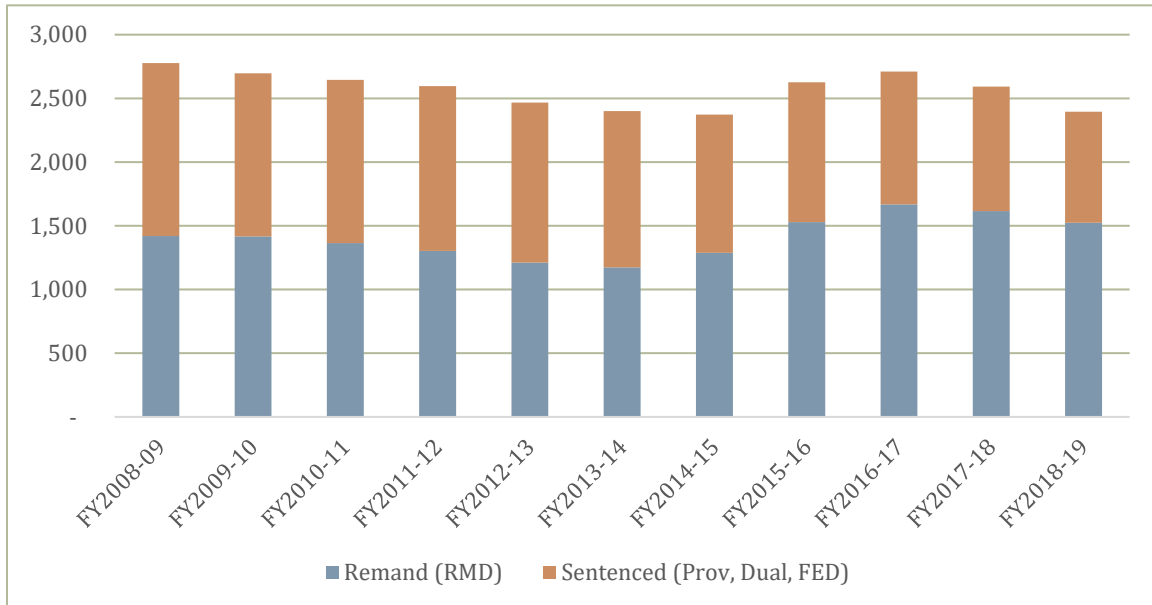
Figure 4: Adults in custody, BC Corrections, annual daily average 2008-09 to 2018-19: remand vs. sentenced populations⁶



⁶ Government of British Columbia; BC Corrections Operations Network (CORNET), extracted through the Cognos business intelligence system.

JUSTICE AND PUBLIC SAFETY PLAN 2020-23

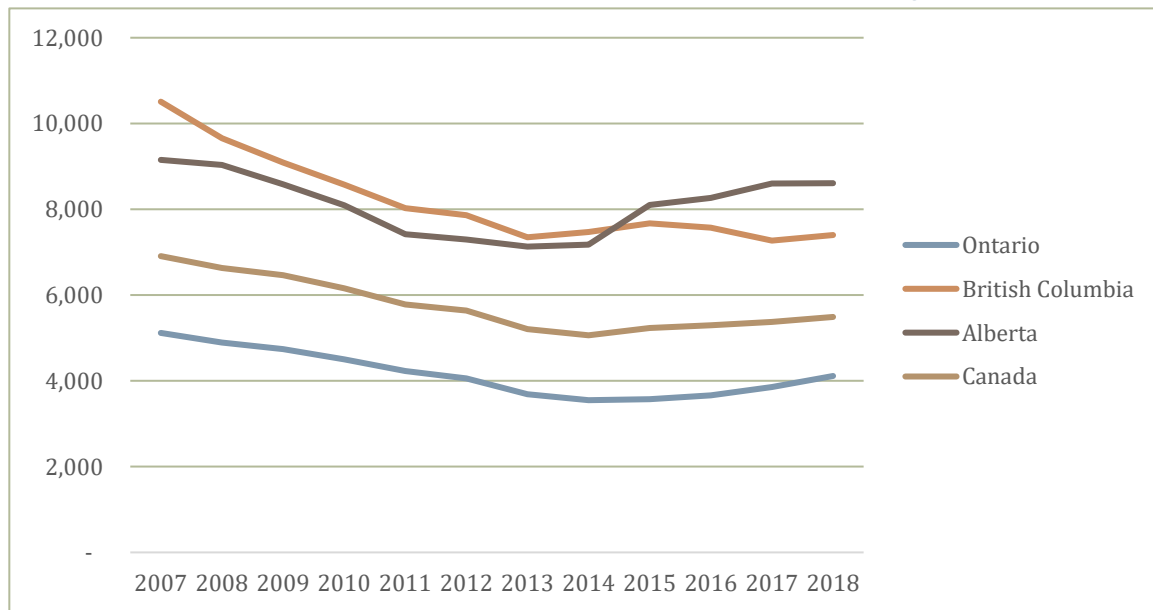
Figure 5: Adults in custody, BC Corrections: annual daily average 2008-09 to 2018-19: total population, remand and sentenced



Crime rates (reported)

The most recent crime data available through Statistics Canada are for the calendar year 2018. British Columbia has experienced a 19 per cent drop in the crime rate per 100,000 people over the last 10 years. However, much of this cumulative reduction occurred in the years leading up to 2014, where annual decreases in crime rates were more consistent and pronounced. Since 2014, annual crime rates per 100,000 population in BC have hovered between approximately 7,300-7,700. The crime rate increased by 1.8 per cent between 2017 and 2018, from 7,269 to 7,400. For additional context, the rates recorded in this recent period are the lowest annual rates since the early 1970s.

Figure 6: Reported crime incidents per 100,000 population (excluding traffic), BC 2007-2018 (Canada, Ontario, and Alberta included as comparators)



When comparing against similar provinces, the rate of reported crime in British Columbia remains substantially higher than the rate in Ontario. For the fourth consecutive year, BC's crime rate is lower than that of neighbouring Alberta.⁷

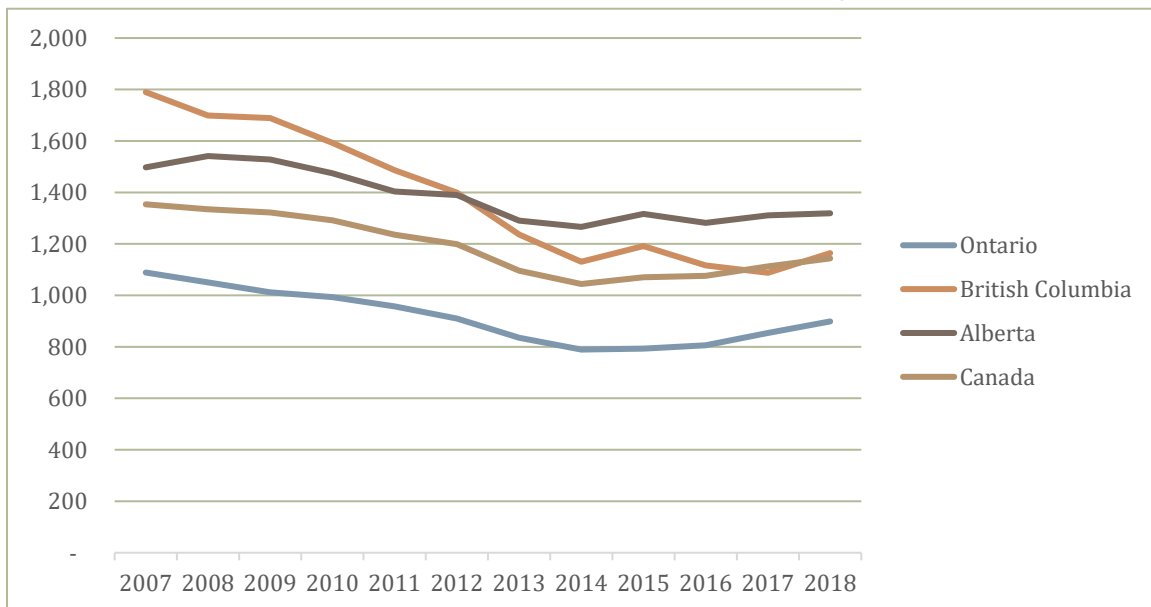
⁷ Source: *Statistics Canada. Table 35-10-0177-01 Incident-based crime statistics, by detailed violations.* These figures reflect reported crimes. They do not reflect crimes which are for one reason or another unreported to police, and they are therefore necessarily an incomplete picture of criminal occurrences. The rate of victimization, typically determined by population survey, is considered a more accurate picture of total criminal activity. However, victimization rates are currently measured nationally every five years – too infrequently to serve as a useful policy tool – and are not included here. The reader should also note that the crime rate is at best an incomplete measure of police workload, as it does not capture the

Violent crime

The overall rate of violent crime reported to police has declined significantly in British Columbia over the last decade. During that time, BC’s rate of violent crime incidents per 100,000 population declined by 31 per cent. However, in 2018 the violent crime rate in BC has increased by seven per cent.

One of the most significant developments in the BC crime picture in recent years has been the narrowing of the gap between the rate of violent crime in our province and the national average – a gap now effectively closed. In 2007, BC’s violent crime rate was 32 percent higher than the rate across Canada. By 2017, BC’s violent crime rate had dropped to 2.2 percent below the national average and over the last year it has risen slightly to 1.7% above than the national average.⁸

Figure 7: Reported violent crime incidents per 100,000 population, BC 2007-2018 – Canada, Ontario, and Alberta included as comparators



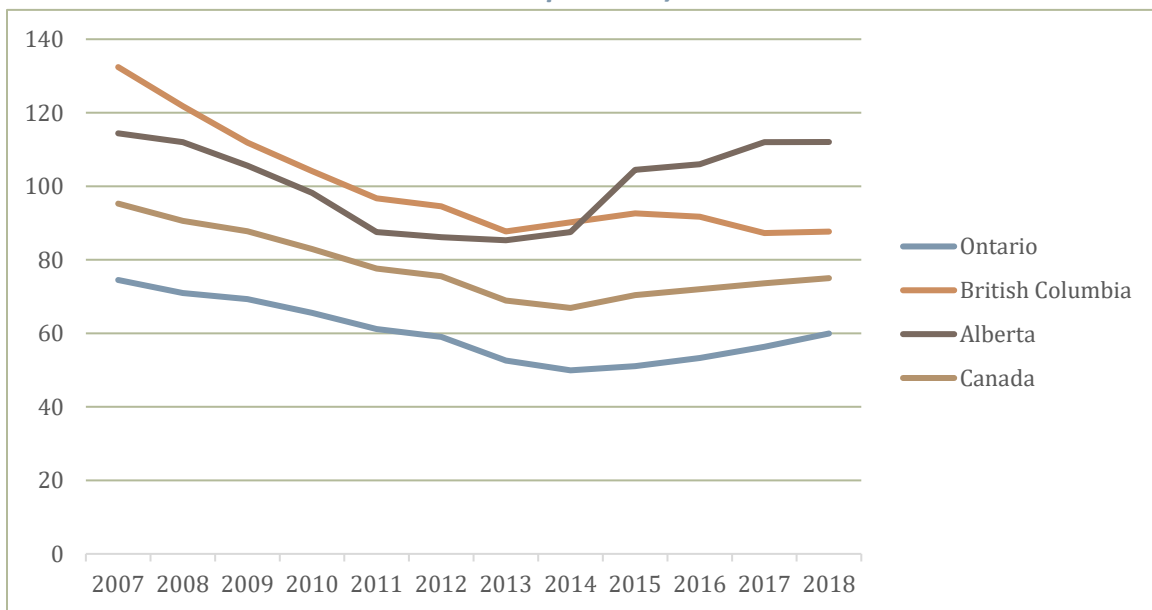
range of proactive community or public order activity required of police agencies, enforcement of non-criminal statutes (e.g. *Motor Vehicle Act*) or non-criminal requests for service from the public.

⁸ Source: *Statistics Canada. Table 35-10-0177-01 Incident-based crime statistics, by detailed violations.* Most recent data year is calendar 2018.

Crime severity

Along with the crime rate, the relative severity of crime has generally fallen in BC over the last 10 years by 22 per cent. The crime severity index is a measure of the seriousness of criminal offences being committed, which addresses some limitations of the traditional “crime rate” measure, specifically its lack of capacity to distinguish differences between serious crimes such as homicide and other crimes (such as mischief). In 2018, BC’s crime severity index remained essentially flat from the prior year. The pattern in British Columbia over the past decade is generally consistent with national trends, with the exception of provinces like Alberta, which have seen recent increases in their crime severity index.⁹

Figure 8: Crime severity index BC 2007-2018 (Canada, Ontario, and Alberta included as comparators)



⁹ Source: Statistics Canada. Table 35-10-0026-01 Crime severity index and weighted clearance rates. Most recent data year is calendar 2018. The Police Reported Crime Severity Index (PRCSI) measures changes in the level of severity of crime in Canada from year to year. In the index, all crimes are assigned a weight based on their seriousness. The level of seriousness is based on actual sentences handed down by the courts in all provinces and territories. More serious crimes are assigned higher weights, less serious offences lower weights. As a result, more serious offences have a greater impact on changes in the index.

Sector expenditures (provincial): rate of change

In this section, information on sector expenditures within the province are presented in terms of the rate of change over the last 12 years, rather than as an absolute dollar amount. In addition, two other variables are factored-in for the purposes of meaningful comparison: changes in provincial population and inflation as expressed through the Consumer Price Index (CPI). The chart below establishes the baseline year as 2007-08 and all subsequent annual growth/contraction rates are measured in relation to this baseline year. The two rates presented are:

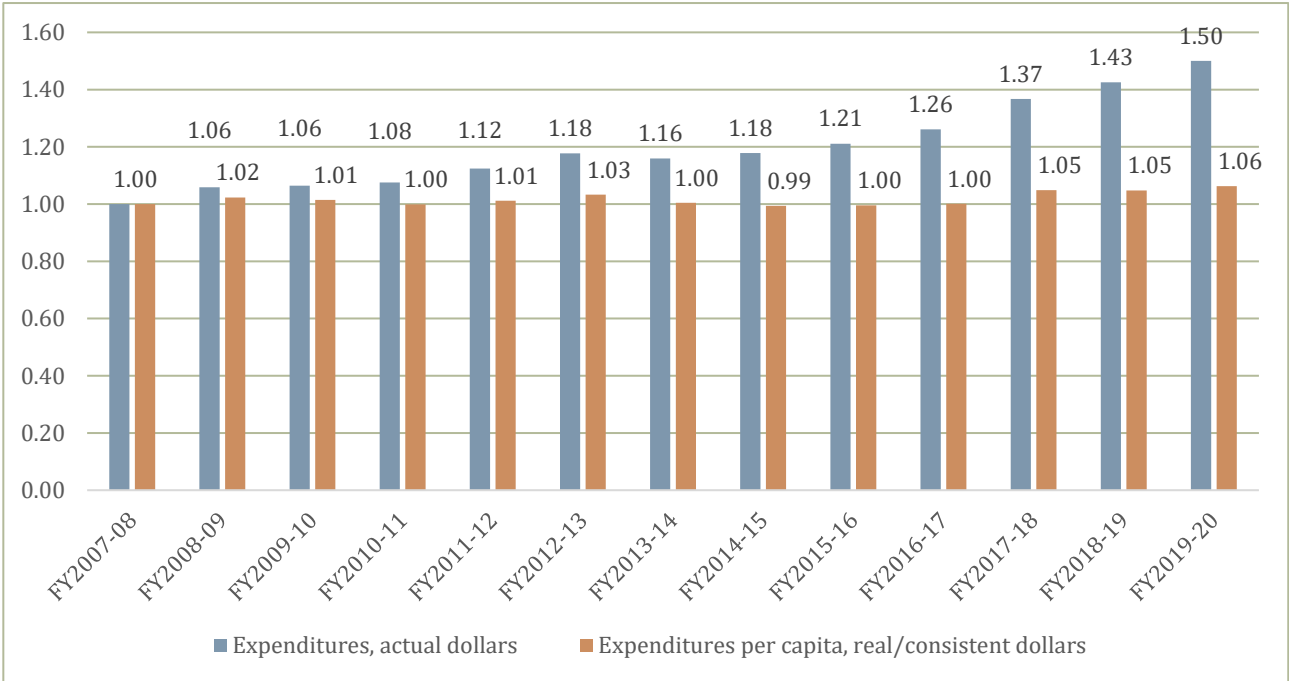
1. change in actual dollars spent; and
2. change in actual dollars spent per capita, adjusted by CPI (i.e. controlling for population growth and inflation).

In terms of actual (unadjusted) dollars, the total 2019-20 provincial government expenditure on major functions spanning the justice and public safety sector was measured at \$1.2 billion, an increase of 5.3 per cent from 2018-19. This follows an absolute increase of 4.2 per cent the previous year. Overall, actual-dollar expenditures have increased by 50 per cent since 2007-08.

However, as Figure 9 illustrates, when expenditure increases are controlled for population and inflation growth, the annual expenditure by the Province on the sector was effectively unchanged for the 10 years between 2007-08 and 2016-17 (inclusive). Since this point, expenditure per capita has risen by approximately six per cent in real terms. With this context factored in, the most substantial change in sector expenditure occurs between 2016-17 and 2017-18, with an increase of roughly five per cent in real terms (i.e. controlled for population growth and inflation). The sector's expenditure levels have remained relatively stable since then.

JUSTICE AND PUBLIC SAFETY PLAN 2020-23

Figure 9: Rate of change in provincial government justice and public safety sector expenditures, 2007-08 to 2019-20: actual expenditures vs. actual expenditures per capita, CPI-adjusted (baseline year = 2007-08)¹⁰



New case volumes (provincial)

Over the last 10 years, there has been a decreasing trend in the annual number of new Provincial Court cases entering the system. New cases have fallen by 24 per cent over the last decade. While the decrease in new adult criminal cases contributed to almost half of the total reduction in new Provincial Court cases over the last 10 years, youth criminal

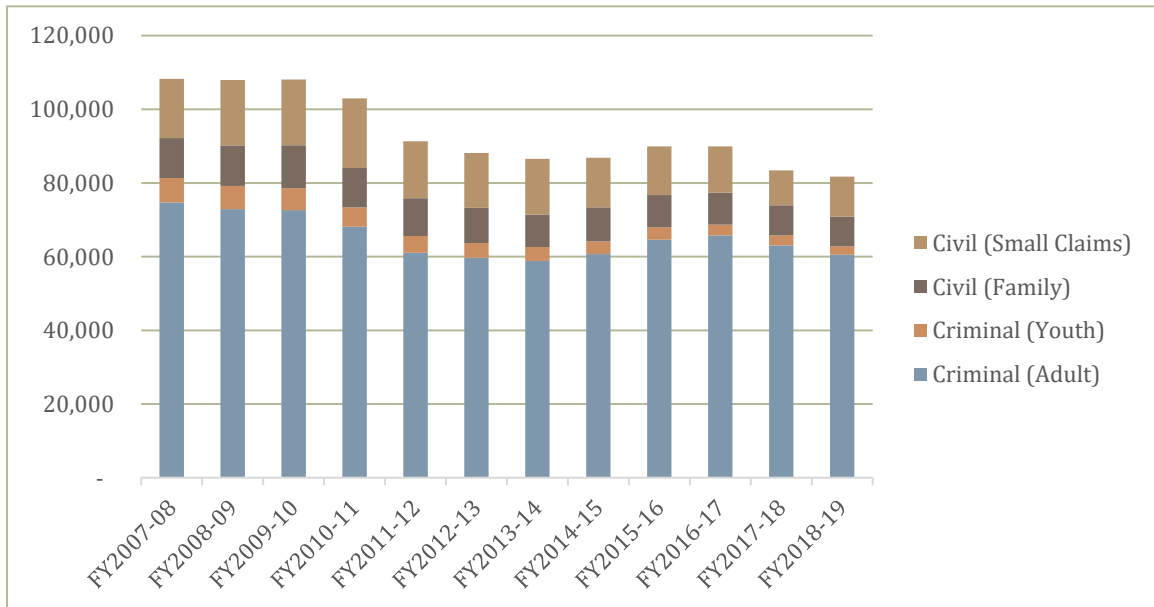
¹⁰ **Data source and considerations:** BC Government Justice and Public Safety Sector, Corporate Management Services Branch (sector actual expenditures); Statistics Canada. Table 17-10-0005-01 Population estimates on July 1st, by age and sex; Statistics Canada. Table 18-10-0005-01 Consumer Price Index (CPI), annual average, not seasonally adjusted. Population and “all-items” CPI data are aligned to the calendar year, rather than to the fiscal year. This chart incorporates budget figures from the Ministry of Attorney General and Ministry of Public Safety and Solicitor General, and combines salary and operating costs, for core sector functions. Figures include amounts for Corrections, the Corrections work program, policing and security programs, victim services and crime prevention, RoadSafetyBC, justice transformation, justice services, prosecution services, and court services. Figures exclude amounts for corporate government shared services (i.e. corporate infrastructure and facilities costs) and some programs (e.g. emergency management, liquor and cannabis regulation, and gaming policy and enforcement). The chart also excludes funds for the judiciary, and federal and municipal budget figures for justice and public safety (including policing costs). Standard Object of Expenditures (STOB) for building occupancy charges (STOB 75) and centralized management support services (STOB 59) are also excluded, except for legal services. Note that the justice and public safety sector ministries were split in FY2015-16.

JUSTICE AND PUBLIC SAFETY PLAN 2020-23

cases and small claims civil cases saw substantial in-category percentage decreases, at 64 per cent and 39 per cent respectively. It should be noted in interpreting these figures that the substantial decline in criminal cases which drove the steep overall reductions after 2009 is commonly associated with changes in process for impaired driving, and thus may mask patterns related to other crime types.

The number of new Provincial Court cases declined by 2.1 per cent over the last year. The total number of new cases (81,703) is the lowest of any year reported in the Council’s plan document stretching back to 1998-99.¹¹

Figure 10: New Provincial Court cases by type (excluding traffic) 2007-08 to 2018-19¹²



¹¹ In 1998-99 the total number of new Provincial Court cases was 179,838. See Justice and Public Safety Council, *Strategic Plan for the Justice and Public Safety Sector 2014-15*, p. 32. The 2018-19 total of 81,703 represents a decline of 55 per cent in volume of new cases over 19 years. Data provided by Court Services Branch.

¹² Source: BC Ministry of Attorney General, Court Services Branch – CMIS tables, CSB Criminal BI. Extracted on March 2, 2020. Data does not include Provincial Ticket class cases.

Youth justice

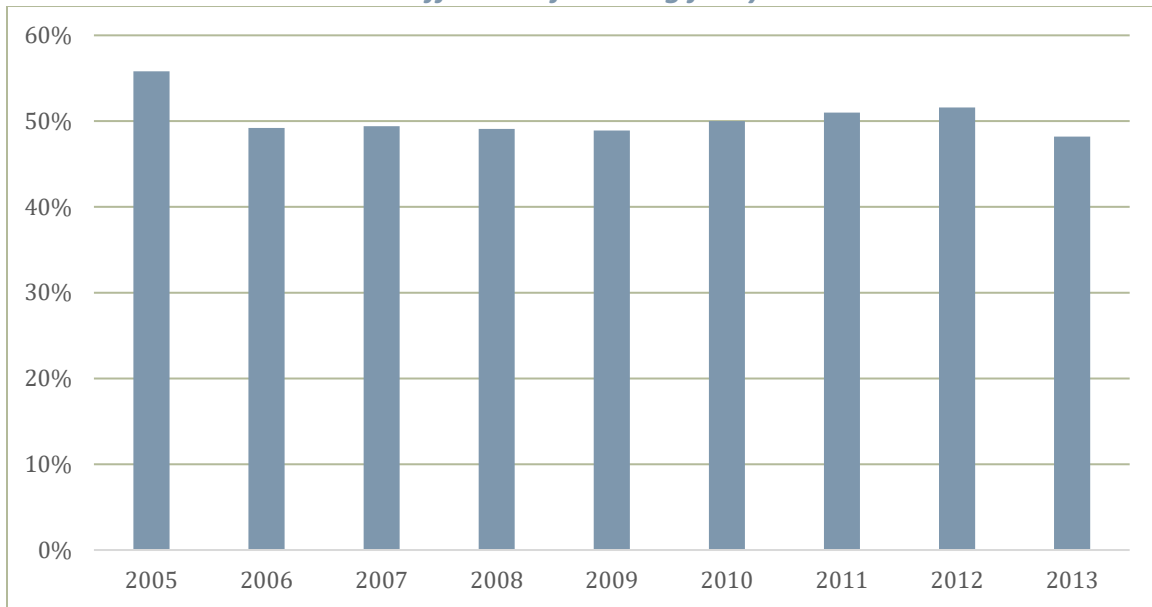
Youth justice in recent years represents a continuing success story in British Columbia. Youth crime continues to decline, and the number of youth in provincial custody remains well below 100; so low that annual fluctuations in those numbers have little statistical meaning. However, this decline has not benefited Indigenous youth to the same extent as the general population. While self-identified Indigenous people made up just under 10 per cent of the provincial population aged 12 to 17, Indigenous youth made up approximately 50 per cent of incarcerated youth (remanded and sentenced)¹³. Additionally, as in the adult population, Indigenous youth are also overrepresented in terms of community sentencing.

In recent years, the rate of youth reoffending has been relatively stable. In 2018, the most recent year for which five-year data are available (i.e., the period which commenced in 2013), the percentage of youth not reoffending within five years of a first community sentence decreased from 52 per cent to 48 per cent.¹⁴

¹³ Self-identified Indigenous population aged 12 to 17 was 9.8 per cent from the 2016 Census. Of the daily average youth incarceration rates for 2016-17 (remand and sentenced), 49.1 per cent were reported as being Indigenous; Government of British Columbia, BC Corrections Operations Network (CORNET) and reported via <https://mcfcd.gov.bc.ca/reporting/services/youth-justice/case-data-and-trends>.

¹⁴ **Data source and considerations:** Government of British Columbia; Ministry of Children and Family Development - Youth Justice. Percentage of Youth Justice clients (ages 12-17) receiving a first community sentence who are not convicted of a new offence within the following five years (includes offences in adulthood). A five-year follow-up period is used for this metric. The metric counts recidivism of individual clients; therefore, individuals who are admitted more than once in a calendar year will only be counted once.

Figure 11: Percentage of youth receiving first community sentence in given year with no new offence in following five years



Performance measurement update 2019-20

The following statistics reflect the suite of sector performance measures adopted by the Council in 2014-15 further to the recommendations of the External Review Committee (noted above). In 2015-16 and 2016-17, this section was published as a separate document entitled *Performance Measurement Update*. Since then, these measures have been incorporated into the *Strategic Plan for the Justice and Public Safety Sector*.

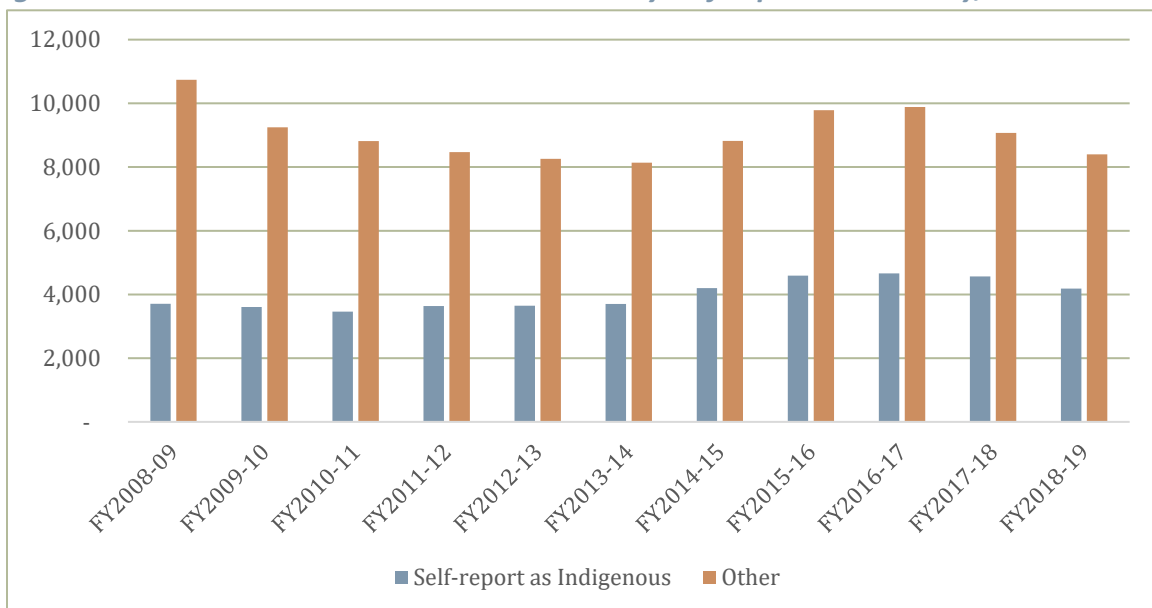
JUSTICE AND PUBLIC SAFETY PLAN 2020-23

Indicator 1: Rate of Indigenous incarceration (remand)

Definition: Admissions to a provincial custody centre for remand of individuals who self-report “Aboriginal” or “Metis” status in comparison to those who do not.¹⁵

Why this indicator matters: When there is a higher proportion of Indigenous people remanded in custody than one would expect in relation to the proportion of the overall provincial population that is Indigenous, it is an indicator of the extent to which Indigenous peoples are overrepresented within criminal justice system.

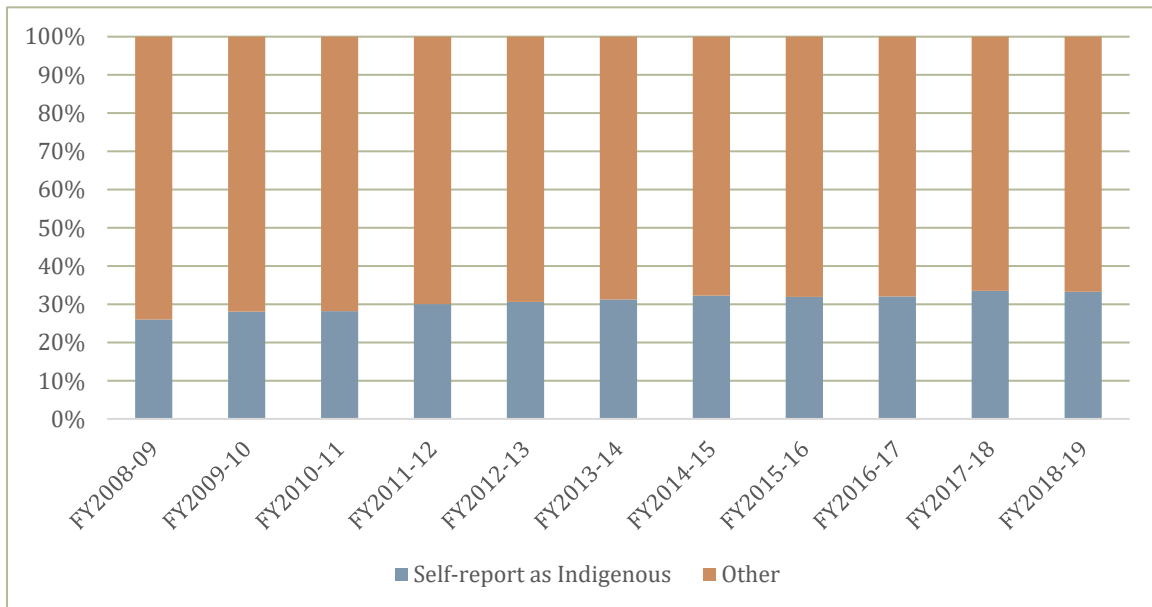
Figure 12: Individuals admitted under remand by self-reported ethnicity, annual totals



¹⁵ **Data source and considerations:** Government of British Columbia; BC Corrections Operations Network (CORNET), extracted through the Cognos business intelligence system. This measure is comprised of all admissions, not unique admissions. This means that individuals who are admitted more than once in a given year will be counted more than once. The definition of admission does not include a status change from remand to sentenced.

JUSTICE AND PUBLIC SAFETY PLAN 2020-23

Figure 13: Individuals admitted under remand by self-reported ethnicity, as % of overall total



Indicator 2: Rate of Indigenous incarceration (sentenced)

Definition: This Indicator is the rate of sentenced custody releases of individuals from a custody centre who self-report “Aboriginal” or “Metis” status in comparison to those who do not.¹⁶

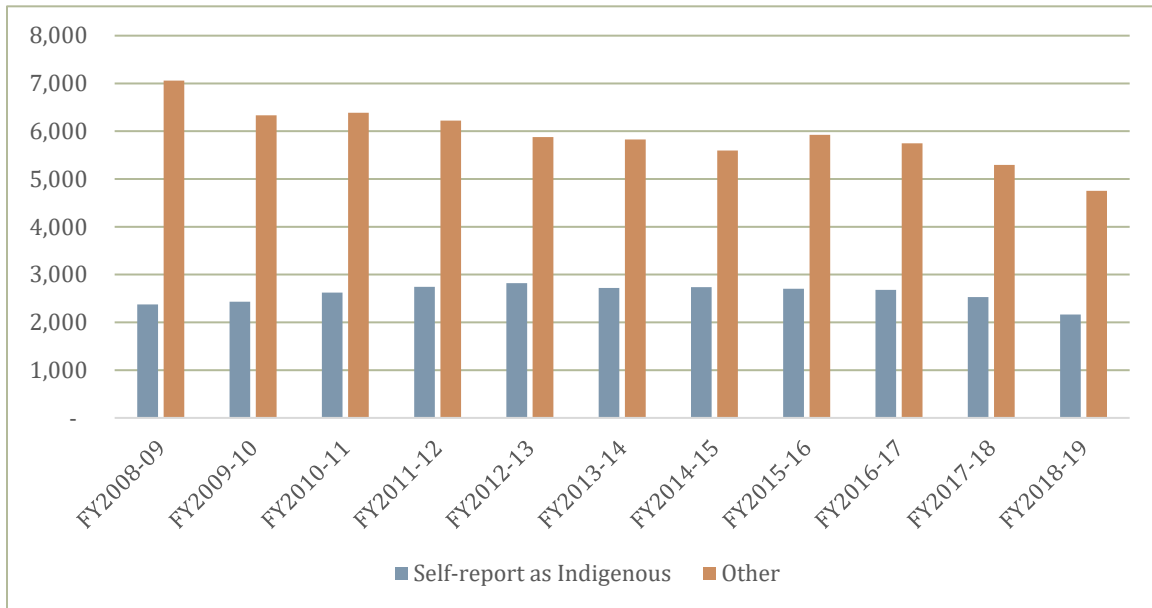
Why this indicator matters: When there is a higher proportion of Indigenous people in sentenced custody than one would expect in relation to the proportion of the overall provincial population that is Indigenous, it is an indicator of the extent to which Indigenous peoples are overrepresented within criminal justice system. It is also an

¹⁶ **Data source and considerations:** Government of British Columbia; BC Corrections Operations Network (CORNET), extracted through the Cognos business intelligence system. This measure is comprised of all releases, not unique releases. This means that individuals who are released more than once in a given year will be counted more than once. The definition of release does not include a status change from remand to sentenced or sentenced to remand; however, it does include individuals released from custody to probation.

JUSTICE AND PUBLIC SAFETY PLAN 2020-23

indicator of the degree of success of the justice system in remediating the absolute fact of overrepresentation per capita, all other things being equal.¹⁷

Figure 14: Persons released from custody by self-reported ethnicity, annual totals, 2008-09 to 2018-19¹⁸

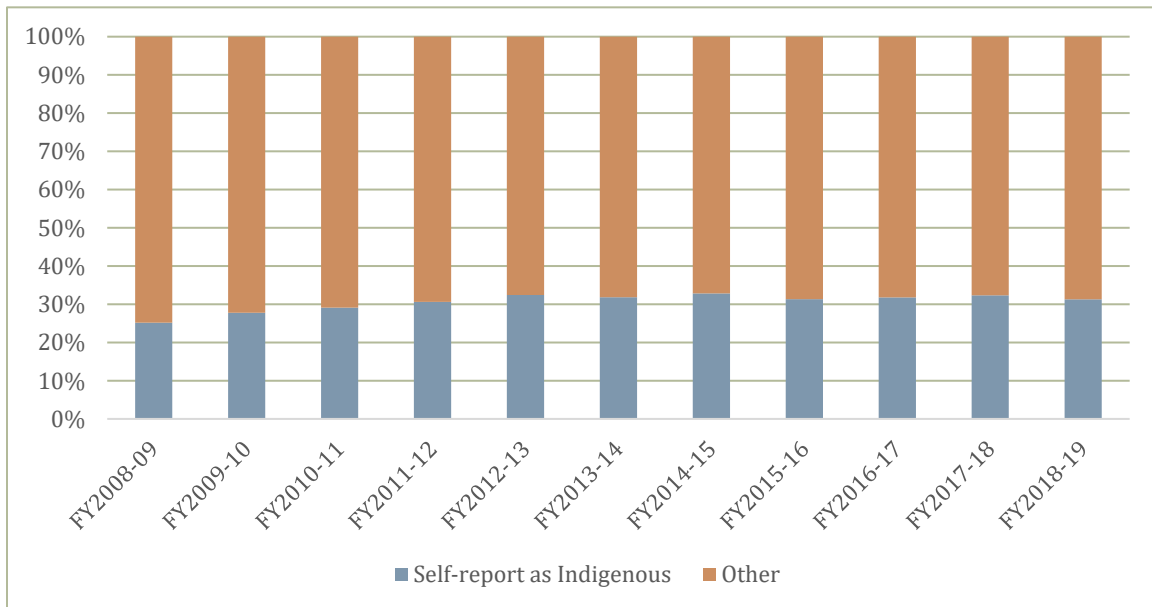


¹⁷ In 1996, Parliament enacted s.718.29(e) of the *Criminal Code*, which places a statutory duty on sentencing judges to consider an offender’s Indigenous circumstances in the determination of what constitutes a fit sentence. The leading authority on interpretation of this provision is *R. v. Gladue*, [1999] 1 S.C.R. 688.

¹⁸ Sentenced includes provincially sentenced, federally sentenced, dual, immigration, and not stated.

JUSTICE AND PUBLIC SAFETY PLAN 2020-23

Figure 15: Persons released from custody by self-reported ethnicity, proportion of total, 2008-09 to 2018-19



Indicator 3: Accused representation at Provincial Criminal Court appearances

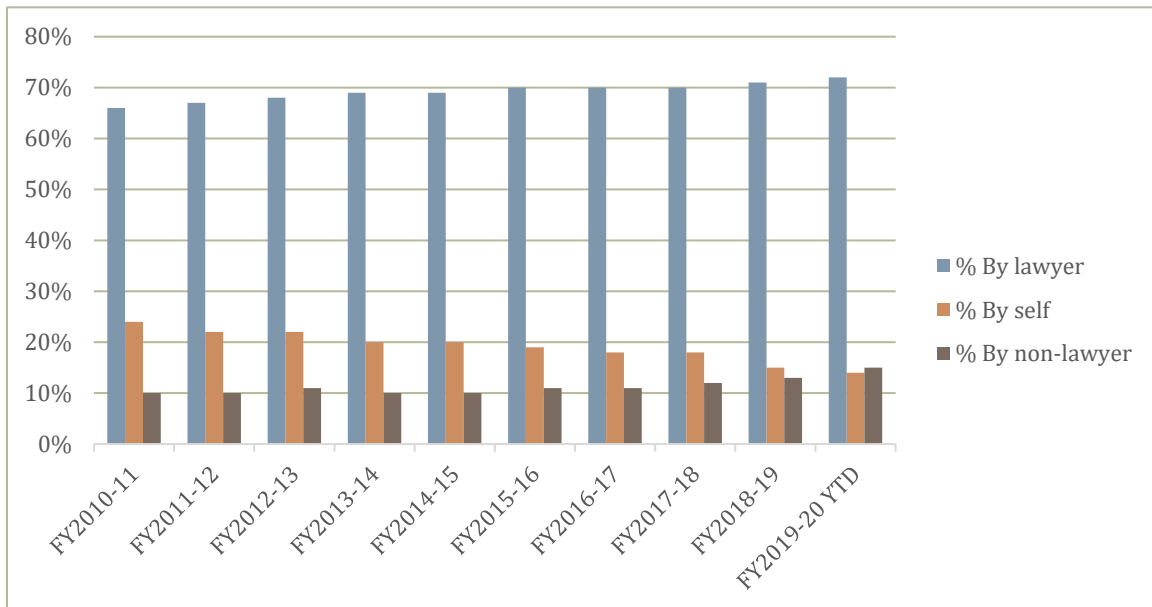
Definition: The number of Provincial Court adult and youth criminal case appearances where the defence attendance indicated that an accused appeared in court represented by legal counsel, by themselves, or by a non-lawyer agent, expressed as a proportion of total appearances.¹⁹

Why this indicator matters: Competent and informed representation in a court of law is significant in considering whether an accused person can be said to have had appropriate “access to justice,” where such access is defined as a person having the knowledge, resources and services to deal effectively with legal matters.

¹⁹ **Data source and considerations:** Court Services Branch Criminal BI. Extracted on March 2, 2020. Data does not include Provincial Ticket class cases. "Lawyer" indicates a represented appearance where any counsel (designated counsel, duty counsel, counsel) is recorded in JUSTIN as appearing in court regardless of whether the accused is present, or an agent is present in the accused absence. "Self-Represented" indicates self-representation appearance where the accused is recorded as appearing in court with no counsel or agent present. "Non-lawyer" indicates an agent appearance where the accused is represented by an agent other than legal counsel. Fiscal 2019/20 data includes the representation status known/available as of November 30, 2019.

JUSTICE AND PUBLIC SAFETY PLAN 2020-23

Figure 16: Accused representation at Provincial Criminal Court appearances (adult & youth), as a % of total where representation status known/available



Indicator 4: Number of criminal cases judicially stayed due to systemic delay

Definition: Number of Provincial and Supreme Court, adult and youth criminal cases judicially stayed due to systemic delay.²⁰

Why this indicator matters: This and the following two measures are indicators of court timeliness and, more broadly, the accessibility of the justice system. To effectively uphold the rule of law, and to fulfill its legal obligations to the public, the Courts must process cases within a reasonable time.

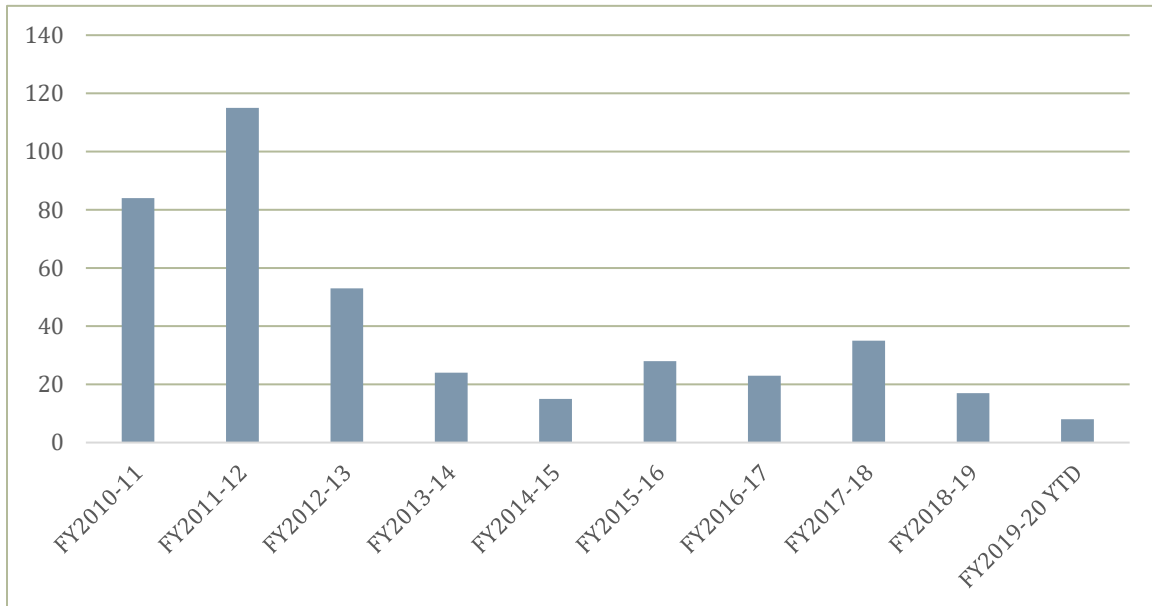
This first indicator displays the annual number of Judicial Stays of Proceedings in Provincial and Supreme Court. This measure reflects the Supreme Court of Canada's decisions in *R. v. Askov* (1990) and *R. v. Jordan* (2016), which first established then made

²⁰ **Data source and considerations:** Justice Information Network (JUSTIN); Court Services Branch Criminal BI. Extracted on March 2, 2020. Selection criteria based on any case where the most serious count on the case resulted in a Judicial Stay of Proceedings and there were no other significant findings (e.g. "guilty") on other less serious counts against the case. These are assumed to be Judicially stayed as a result of an *Askov* argument. Cases with a Judicial stay on one charge, and a different significant finding on one or more other charges on the same case are excluded from this dataset under the presumption the JSP was as a result of a *Kienapple* argument. Data does not include Provincial Ticket class cases. Fiscal 2019/20 data includes the information as of November 30, 2019. Constitutionally unacceptable delay is case specific, but generally cases run a real risk of judicial stay of proceedings between 12 to 14 months.

JUSTICE AND PUBLIC SAFETY PLAN 2020-23

more stringent, the criteria and standards by which Canadian courts judge whether an accused's right under the Canadian Charter of Rights and Freedoms, Section 11(b) "to be tried within a reasonable time" has been infringed.

Figure 17: Provincial Court (adult/youth criminal) and Supreme Court Criminal Judicial Stays of Proceedings per R. v. Askov and R. v. Jordan (right to trial within a reasonable time)



Indicator 5: Time to trial in Provincial Court

Definition: The Provincial Court determines available hearing dates through published semi-annual surveys of the “time to trial.”²¹ The surveys are conducted at every Provincial Court location and reflect the time to schedule a trial for each area of the Court’s jurisdiction. Location-based survey data are used to generate average provincial wait times (weighted by caseload), in months, from the time a ‘first available date’ request is made for various types of proceedings. The Office of the Chief Judge has established standards for wait times for various categories of trial.

Why this indicator matters: This is an indicator of court timeliness and, more broadly, the accessibility of the justice system.

Important Note: With longer hearings becoming more common, the Provincial Court determined in 2016 that additional data collection was needed with respect to estimated trial length. This led to revised reporting categories and associated standards of the semi-annual “Time to Trial” report. As a result, data before and after this change are no longer comparable. See footnotes for details.

²¹ **Data source and considerations:** Provincial Court’s “Time to Trial” published semi-annual survey results. The survey provides trend data by comparing the current quarter’s results with previous quarters, as well as with the Office of the Chief Judge (OCJ) Delay Standard. A link to the Provincial Court’s reports is provided here: <http://www.provincialcourt.bc.ca/news-reports/court-reports>. Adult Criminal Trials - wait time represents the number of months between an Arraignment Hearing/Fix Date and the first available court date for typical adult criminal trials of various lengths. Family Hearings - wait time represents the number of months between when a judge directs a conference to be set and the first available court date for a case conference PLUS the number of months between the case conference and the first available court date for a typical family (FLA) trial of various lengths. It no longer takes into account the time between a first appearance and case conference. Child Protection Hearings - wait time represents the number of months between when a judge directs a conference to be set and the first available court date for a case conference PLUS the number of months between the case conference and the first available court date for a typical CFCSA trial of various lengths. It no longer takes into account the time between a first appearance and case conference. Small Claims Trials - wait time represents the number of months between the final document filing and the first available court date that a typical settlement conference can be scheduled PLUS the number of months between a settlement conference and the first available court date for a typical small claims trial of various lengths.

JUSTICE AND PUBLIC SAFETY PLAN 2020-23

Figure 18: Weighted Provincial Time for Summary Proceedings Court (in months)

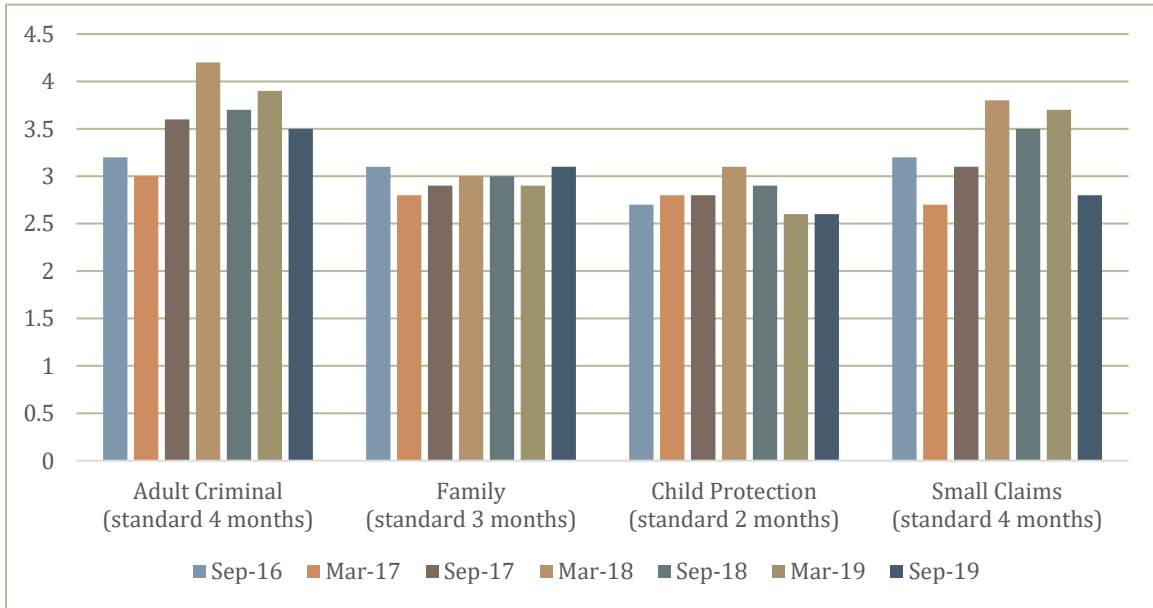


Figure 19: Weighted Provincial Time to Adult Criminal Trials (in months)

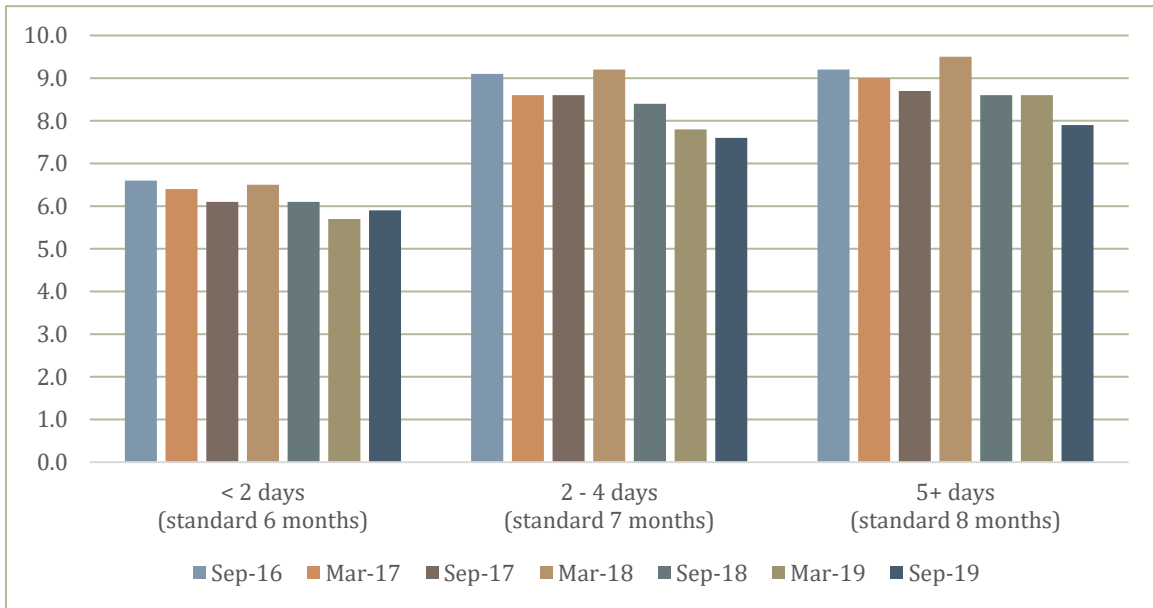
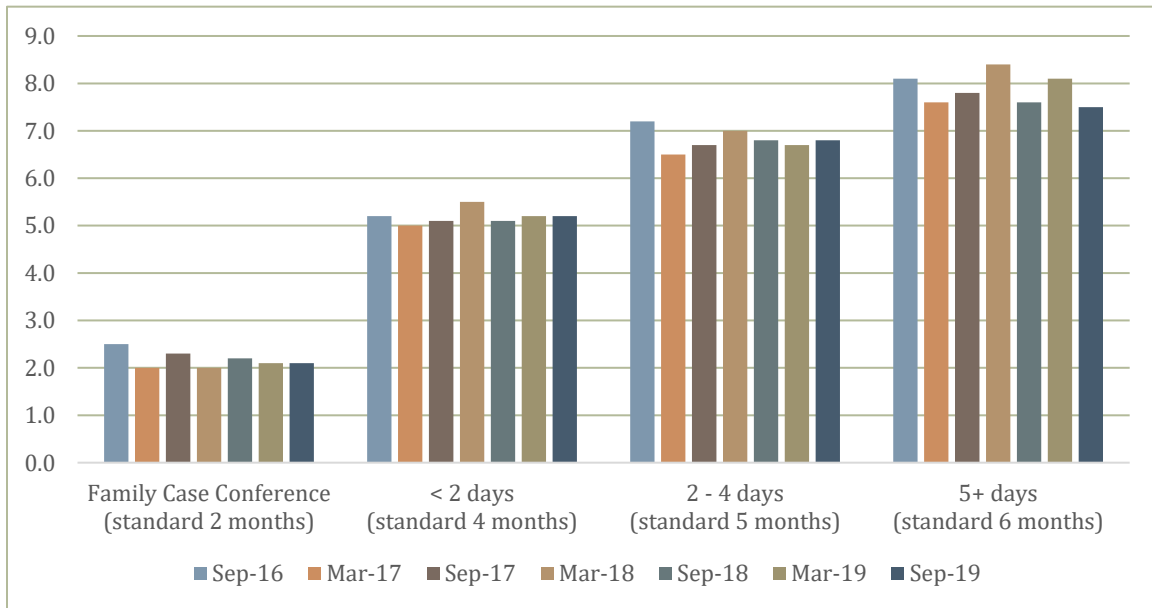


Figure 20: Weighted Provincial Time to Family Trials (in months)



Indicator 6: Percentage of Provincial Court criminal cases concluded within 90, 180, and 365 days

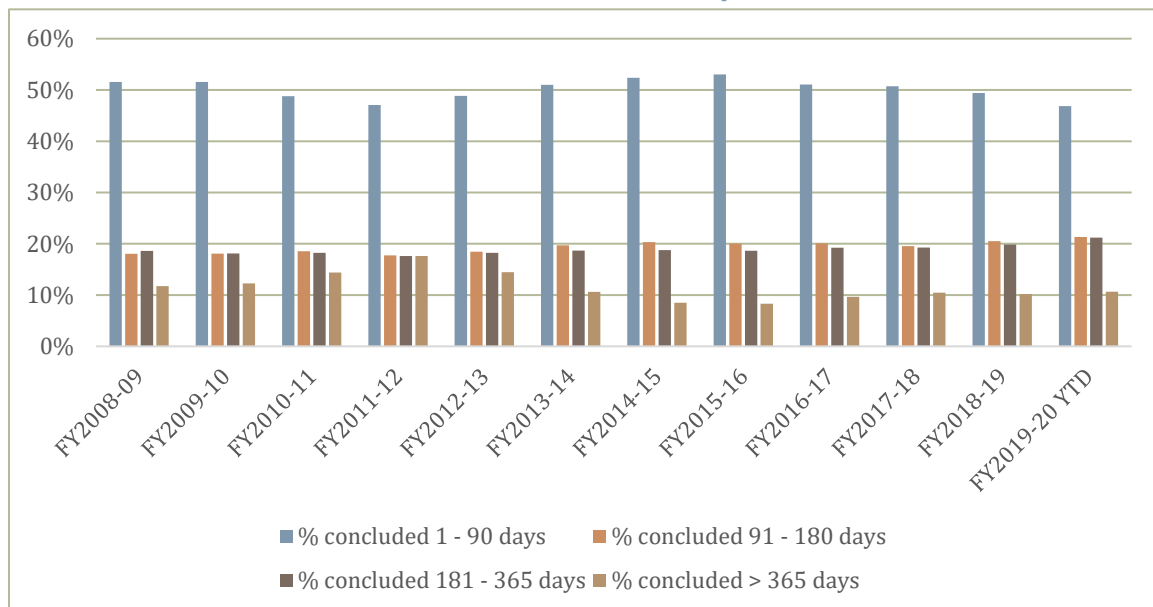
Definition: The proportion of all Provincial Court adult and youth criminal cases concluded where the number of days between their sworn date and case conclusion date is within 90, 180, and 365 days.²²

Why this indicator matters: This is an indicator of court timeliness and, more broadly, the accessibility of the justice system. Many factors contribute to the time it takes to conclude a criminal case – delays in scheduling cases for trial and increasing case complexity are seen as two key factors.

²² **Data source and considerations:** Provincial Court of British Columbia; Court Services Branch Criminal BI. Extracted on March 2, 2020. Fiscal 2019/20 data includes the concluded cases as of November 30, 2019. Court Services Branch defines a concluded case as one that has had a disposition entered against all charges on the case.

JUSTICE AND PUBLIC SAFETY PLAN 2020-23

Figure 21: Percentage of criminal cases concluded in Provincial Adult and Youth Court within 90/180/365 days



Indicator 7: Percentage of adult offenders who are not reconvicted in BC within two years of release

The Council has been advised by BC Corrections that:

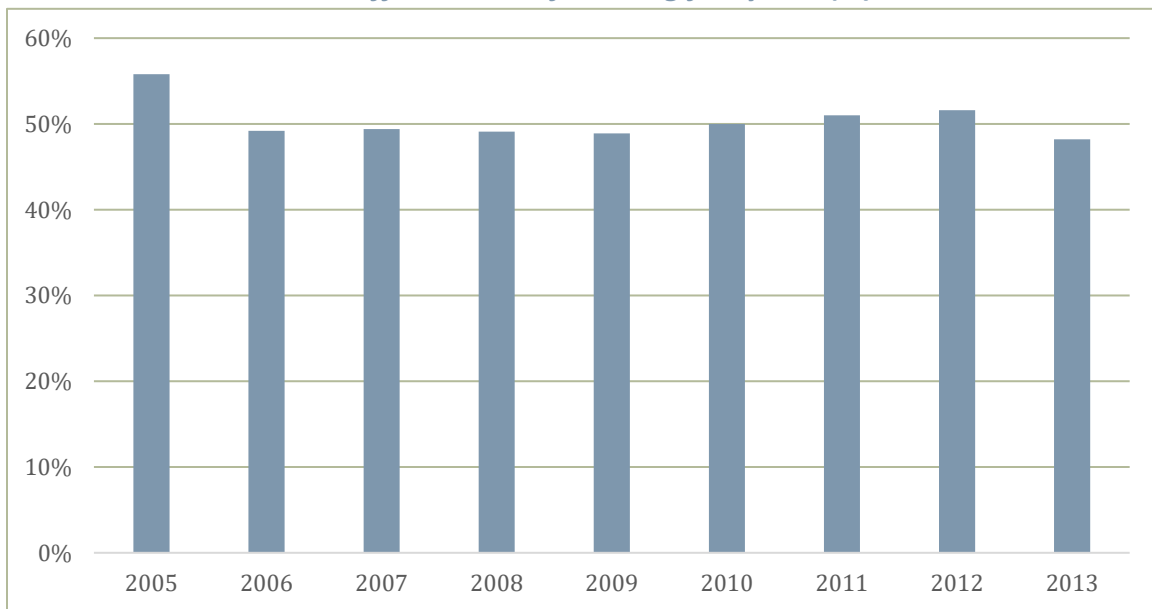
- 1. in August 2017, a problem was identified in the justice and public safety sector business intelligence application that is used to generate rates of non-reoffending.*
- 2. It has been determined that the problem may have materialized several years ago and may have impacted rates of non-reoffending previously published.*
- 3. This issue has yet to be rectified; however, updated rates will be made available as soon as the integrity of the data has been re-established and validated.*
- 4. Steps are also being taken to further strengthen the sector's data quality control procedures to prevent a similar situation from occurring in the future.*

Indicator 8: Percentage of Youth Justice clients receiving their first community sentence who are not reconvicted in BC within the following five years

Definition: The percentage of Youth Justice clients (ages 12-17) receiving their first community sentence who are not convicted of a new offence within the following five years (includes offences in adulthood).

Why this Indicator matters: Non-recidivism by adult offenders and Youth Justice clients is indicative of the success of the justice system in deterring and rehabilitating offenders. That said, criminal behaviour is a highly complex phenomenon involving a variety of individual and societal factors, many of which are outside of the control of the justice system.

Figure 22: Youth Justice clients receiving first community sentence who did not commit a new offence in the following five years (%)



Indicator 9: Percentage of Youth Justice clients receiving their first custodial sentence who are not reconvicted in BC within the following five years

Definition: The percentage of Youth Justice clients (ages 12-17) receiving their first custodial sentence who are not convicted of a new offence within the following five years (includes offences in adulthood).²³

Why this Indicator matters: Non-recidivism by adult offenders and Youth Justice clients is indicative of the success of the justice system in deterring and rehabilitating offenders.

²³ **Data source and considerations:** Government of British Columbia; Ministry of Children and Family Development - Youth Justice. A five-year follow-up period is used for this metric. The metric counts recidivism of individual clients; therefore, individuals who are admitted more than once in a calendar year will only be counted once.

That said, criminal behaviour is a highly complex phenomenon involving a variety of individual and societal factors, many of which are outside of the control of the justice system.

Figure 23: Youth Justice clients receiving first custodial sentence who did not commit a new offence in the following five years (%)



Indicator 10: Number of traffic casualties involving high-risk driving behaviors per 100,000 population

Definition: The number per 100,000 population in British Columbia of serious injuries and fatalities resulting from a motor vehicle incident where police assess that one or more of the following were a factor: alcohol or drugs; speeding; and distraction.²⁴

Why this Indicator matters: This is an indicator of success in protecting the public from these high-risk driving behaviours that are the focus of RoadSafetyBC programs. Drivers

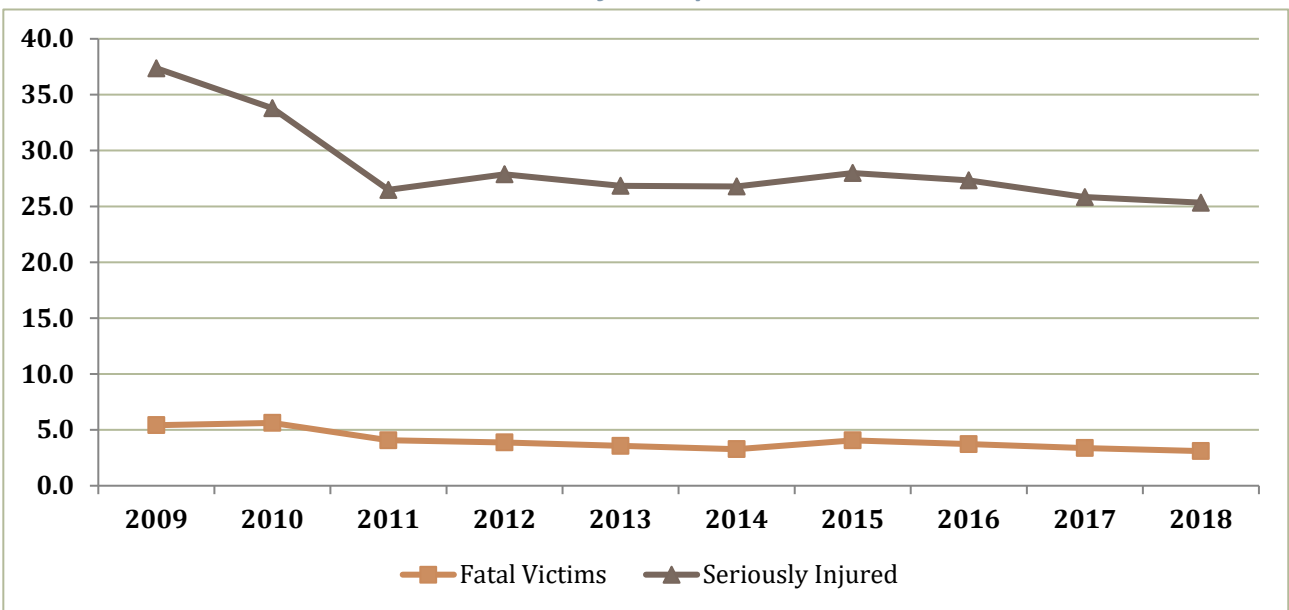
²⁴ **Data source and considerations:** Fatal victim counts were extracted from the Traffic Accident System (TAS) tables on April 1, 2020. Contributing factors are suspected by police attending the scene of the crash. This measure encompasses a unique count of fatal victims, so if an incident included more than one of these factors the victim is counted only once. Seriously Injured victim counts are from the TAS Quarterly Summary, 2019 Q4. This measure does NOT involve a unique count of seriously injured victims, so if an incident involved more than one of these factors the victim is counted once for each.

BC Population estimates are from BC Stats. <https://www2.gov.bc.ca/gov/content/data/statistics/people-population-community/population/population-estimates>

JUSTICE AND PUBLIC SAFETY PLAN 2020-23

who have received sanctions for these driving behaviours may receive interventions from RoadSafetyBC's Driver Improvement Program or Remedial Driver Program and will be charged a Driver Risk Premium by ICBC. Although other driving behaviours, like not wearing a seatbelt or running red lights, increase casualty risk, these behaviours do not cause as many casualties as the factors listed above. Medical conditions are also not included in this indicator as there are considerable differences with drivers who choose high-risk driving behaviour.

Figure 24: Traffic casualties resulting from crashes where alcohol, drugs, speeding, or distraction/inattention was a factor, per 100,000 BC residents



PLAN FEEDBACK

Comments are encouraged and may be emailed to justicereform@gov.bc.ca. Written communication may be sent to:

The Chair

British Columbia Justice and Public Safety Council

c/o Coordinator, Justice and Public Safety Council and BC Justice Summits

11th floor, 1001 Douglas Street

Victoria, BC V8W 3V3

APPENDIX 1: JUSTICE AND PUBLIC SAFETY COUNCIL

Under provisions of the *Justice Reform and Transparency Act*, Council members are appointed by Ministerial order and may include: an individual who is in a senior leadership role in the government and who has responsibility for matters relating to the administration of justice in British Columbia or matters relating to public safety, and includes any other individual the minister considers to be qualified to assist in improving the performance of the justice and public safety sector. The current membership includes:

Richard Fyfe, Q.C. (Chair)	Deputy Attorney General, Ministry of Attorney General
Mark Sieben (Vice-Chair)	Deputy Solicitor General, Ministry of Public Safety and Solicitor General
Lisa Anderson	Assistant Deputy Minister, Community Safety and Crime Prevention, Ministry of Public Safety and Solicitor General
Elenore Arend	Assistant Deputy Minister, BC Corrections, Ministry of Public Safety and Solicitor General
Allison Bond	Deputy Minister, Ministry of Children and Family Development
Brenda Butterworth-Carr	Assistant Deputy Minister, Policing and Security Branch Ministry of Public Safety and Solicitor General
Lynda Cavanaugh	Assistant Deputy Minister, Court Services, Ministry of Attorney General
Peter Juk, Q.C.	Assistant Deputy Attorney General, British Columbia Prosecution Service, Ministry of Attorney General
Kurt Sandstrom, Q.C.	Assistant Deputy Attorney General, Justice Services, Ministry of Attorney General
Taryn Walsh	Assistant Deputy Minister, Strategic Priorities and Initiatives, Ministry of Mental Health and Addictions

APPENDIX 2: VALUES OF OUR SECTOR

In a free and democratic society, the rule of law and principles of fundamental justice must guide the behaviour of the justice and public safety sector. Based on this foundation, the following values apply to work across the justice and public safety sector:

Fair and equitable

Acting without discrimination with regard to ethnicity, age, religion, gender, gender identification, sexual orientation, belief or socio-economic status

Open and responsive to change

Thinking critically about existing practice, considering information that challenges convention and responding actively to environmental changes

Outcome-focused

Setting achievable objectives, evaluating our efforts according to results and working together to ensure our activities do not have unintended adverse consequences

Accountable

Engaging the public on the effectiveness of our work, and reporting regularly on meaningful aspects of our performance

Evidence-based

Managing operations and innovating through shared collection and analysis of data about what works, and by enabling rigorous research through partnership

Proportionate

Allocating resources in ways that are necessary and reasonable, according to agreed-upon risks, and taking action in consideration of the sector's goals as a whole

Transparent

Making information broadly available about the sector's functions, enabling constructive democratic dialogue about goals, outcomes, services and performance