JUDICIAL COUNCIL OF BRITISH COLUMBIA

ANNUAL REPORT 2014

June 5, 2015

The Honourable Suzanne Anton, QC
Minister of Justice and Attorney General
Parliament Buildings
P.O. Box 9044, Stn Prov Govt
Victoria, BC V8W 9E2

Dear Attorney General:

I am pleased to send you the 2014 Annual Report of the Judicial Council of British Columbia.

The Council's first responsibility is to recommend candidates of the highest qualifications for judicial office, and to ensure the ongoing education and ethical standards of judicial officers. The work of the Judicial Council during the past year includes the review of applications and interviewing of applicants seeking an appointment to the Provincial Court. This includes the review of 56 applications for appointment as Provincial Court Judge, as well as applications for appointment as Judicial Justice and as Justice of the Peace. In the review process, the Council interviewed 34 applicants for the position of Provincial Court Judge.

The Judicial Council also strives to make the application process as transparent as possible and encourages applications from candidates of diverse backgrounds. In 2014, 15 applicants provided information pertaining to diversity in their applications. The Council's efforts in this regard, recognized by the Canadian Bar Association in 2013, will continue to be a priority.

This report is published in keeping with the Council's tradition of accountability, transparency and public access to information. It is accessible on the Provincial Court website at *www.provincialcourt.bc.ca*.

I wish to express my appreciation to the members of the Judicial Council for their dedication and many contributions to the work of the Council during their terms of office. The members of the Council are listed in the full report. To the departing members, I offer my particular thanks.

Sincerely,

The Honourable Thomas J. Crabtree
Chief Judge of the Provincial Court and
Presiding Member of Judicial Council of British Columbia

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2014 JUDICIAL COUNCIL ANNUAL REPORT: SUMMARY

The Judicial Council of British Columbia was created by the provincial government to improve the quality of services provided by the judiciary in the Provincial Court of British Columbia. The judiciary includes Judges of the Provincial Court and other judicial officers with specific responsibilities. (The types of judicial officers and their roles are described on page 6.)

The main functions of the Judicial Council are to advise the Lieutenant Governor in Council (that is, the Cabinet) on the appointment of Provincial Court Judges and other judicial officers, to organize education for Judges and other judicial officers, and to undertake inquiries respecting Judges and Justices when necessary.

Each year, the Judicial Council reports to the Attorney General on its activities. This report summarizes the membership and activities of the Council for 2014.

MEMBERS OF THE JUDICIAL COUNCIL

Composed of Judges, lawyers and lay persons, the Judicial Council represents opinions from within and outside of the judiciary. Four of its nine members may be appointed by the Lieutenant Governor in Council. The others are the Chief Judge and Associate Chief Judge and the presidents (or their nominees) of the Provincial Court Judges Association of British Columbia, the Law Society of British Columbia and the BC Branch of the Canadian Bar Association.

JUDICIAL APPOINTMENTS

In Canada, the provincial governments, acting as the Lieutenant Governor in Council, appoint judges to their provincial courts. In British Columbia, as in some other provinces, the Judicial Council recommends candidates for the judiciary, and the Attorney General selects from among those recommended. The Judicial Council has established criteria for judicial appointments, including a wide range of specific competencies. These competencies help to ensure that candidates appointed to the Bench are exceptional individuals who unquestionably demonstrate the highest professional qualifications, temperament, ability and community standing. In order to ensure this high standard, the Judicial Council receives detailed applications and investigates all applicants with the assistance of the B.C. Branch of the Canadian Bar Association. The Council interviews successful applicants and recommends the most capable to the Attorney General.

The Judicial Council attempts to ensure that the Provincial Court bench reflects the diversity of B.C.'s population. It analyzes factors such as applicants' gender, age, region and type of practice. In 2014, all regions of the province

In 2014, the Judicial Council received **50** applications for recommendation as a Provincial Court Judge, interviewed **34** applicants, and recommended **21**. Due to the large number of recent appointments, no applicants for Judicial Justice were interviewed.

were represented in applications to the Bench. The Council made recommendations for appointment of 15 men and six women from all regions of the province.

In 2013, the Council revised the judicial application forms to include, on a voluntary basis, information relating to the applicant's ethnic or cultural background. In 2014, 15 applicants included their ethnic and cultural information. Two of those indicated Aboriginal heritage and four identified themselves as belonging to a diverse group.

JUDICIAL EDUCATION

The Judicial Council supports Judges, Judicial Justices and other judicial officers in ongoing judicial education. For Provincial Court Judges, this includes new Judges programs, fall and spring conferences, mentorship by experienced Judges, Court observations and travel to various districts in the Province. At present, judicial education is organized on behalf of the Judicial Council primarily by the Office of the Chief Judge, the education committee of the Provincial Court Judges Association, the education committee of the Judicial Justices Association and by volunteer Judges and Judicial Justices. The *annual report* of the Provincial Court lists the education opportunities available to the judicial officers.

In addition, the Judicial Council supports the training and education of other judicial officers through conferences, courses and on-the-job training.

OTHER MATTERS

The Judicial Council has responsibilities for certain inquiries respecting Judges and Justices, for improving judicial services and for preparing a judicial code of ethics. In 2014, after consultation with the Judges and Judicial Justices of the Court, the Judicial Council adopted the Ethical Principles for Judges published by the Canadian Judicial Council (CJC) in 1998 to guide judicial behaviour in and out of Court.

The full text of the Ethical Principles is located on the *CJC website*.

For details on the operation of the Provincial Court of British Columbia, please refer to the Court's *website* and the *annual reports* of the Provincial Court.

1. INTRODUCTION AND MEMBERSHIP OF THE JUDICIAL COUNCIL

ROLE OF THE JUDICIAL COUNCIL

The Judicial Council of British Columbia ("Judicial Council" or "Council") is a statutory body with the stated object of improving the quality of services provided by the judiciary to the Provincial Court of British Columbia. Created by the *Provincial Court Act*, R.S.B.C. 1996, c. 379 (the "Act"), s. 21, the Judicial Council's functions include:

- Considering applications and making recommendations for appointment by the Lieutenant Governor in Council (LGIC, known more commonly as the Cabinet) of Judges, Judicial Justices (JJs) and Justices of the Peace (JPs)
- Undertaking Inquiries into the conduct of Judges, Judicial Justices and Justices of the Peace
- Considering proposals for improving the judicial services of the Provincial Court of British Columbia
- Continuing the education of Judges and organizing educational conferences for Judges
- Preparing and revising, in consultation with Judges, a code of ethics for the judiciary
- Reporting to the Attorney General on matters the Attorney General considers necessary

The Judicial Council is not directly involved in the management or administration of courts or cases in the Provincial Court. For details on the operation of the Provincial Court of British Columbia, please refer to the Court's *website* and the *annual reports* of the Provincial Court.

JUDICIAL OFFICERS

The Judicial Council has responsibilities regarding various judicial officers.

These include:

- **Judges** – officers appointed to hear cases in the Provincial Court of British Columbia
- **Judicial Justices** – officers appointed to hear limited matters, including traffic and other ticketable offences, some municipal bylaw matters, payment hearings in Small Claims Court, applications for bail and search warrants and, in Victoria's Integrated Court, managing cases, hearing preliminary matters and issuing warrants for failure to attend court
- **Justice of the Peace Adjudicators** – lawyers holding a Justice of the Peace commission who adjudicate civil claims under $5,000 in the Vancouver and Richmond Provincial Court registries
- **Judicial Case Managers** – officers who manage cases or schedule judicial hearings, who are required to hold a Justice of the Peace commission as part of their qualifications for the position
- **Court Services Justices of the Peace** – Justices of the Peace with various administrative positions such as Court Manager, Administrator and Court Clerk

Left to right
front row: Mr. L. MacLean, QC, Associate Chief Judge G. Gill, Chief Judge T. Crabtree, Judge L. Mrozinski
back row: Mr. D. Crawford, QC, Administrative Judicial Justice P. Schwartz, Ms. J. Lindsay, QC, Mr. R. Rolls (Ms. K. Kirkpatrick missing from photo)

MEMBERSHIP OF THE JUDICIAL COUNCIL

The members of the Judicial Council, as prescribed by the *Act*, are:

- The Chief Judge as Presiding Member
- An Associate Chief Judge as Alternate Presiding Member
- The President of the Provincial Court Judges Association of British Columbia or her or his designate
- The President of the Law Society of British Columbia or her or his designate
- The President of the British Columbia Branch of the Canadian Bar Association ("CBABC") or her or his designate
- Not more than four other persons (by convention, this has included a Judicial Justice and at least two laypersons)

The members of the Judicial Council in 2014 were as follows:

The Honourable Chief Judge Thomas J. Crabtree, Presiding Member

The Honourable Associate Chief Judge Gurmail S. Gill, Alternate Presiding Member

Administrative Judicial Justice Patricia Schwartz

Ms. Karin Kirkpatrick

Mr. Lorne N. MacLean, QC

The Honourable Judge Lisa Mrozinski,
President, Provincial Court Judges Association (2014)

Mr. Dean A. Crawford, QC
President, Canadian Bar Association, BC Branch (2014)

Ms. Jan Lindsay, QC
President, Law Society of BC

Mr. Robert D. Rolls

MEMBERS OF THE JUDICIAL COUNCIL

The Honourable Chief Judge Thomas J. Crabtree, Presiding Member

Appointed Chief Judge April 8, 2010

Chief Judge Thomas (Tom) Crabtree was born in London, England, in 1955, raised in the Fraser Valley of British Columbia, and received a BA from the University of British Columbia in 1978. He received a bachelor of law degree from the University of Victoria in 1983 and was called to the British Columbia bar in 1984. He practised criminal and civil litigation in the upper Fraser Valley and became a partner in the law firm of Patten Crabtree. He is married with two adult children.

Chief Judge Crabtree was appointed to the Provincial Court in February 1999 and served in the North and South Fraser Districts. He was appointed Chief Judge of the Provincial Court of British Columbia on April 8, 2010.

While on the bench, Chief Judge Crabtree has contributed to a number of committees of the Court, including the BC Judges Association's education committee, acting as chair and a member of the executive from 2004 to 2008. He chaired the 2007 joint education conference of the Canadian Association of Provincial Court Judges, the American Judges Association and the B.C. Provincial Court Judges Association. He also chairs of the Provincial Court's education review committee and represents the Court on the B.C. Continuing Legal Education board. In addition, Chief Judge Crabtree participates in the Provincial Court Students' Journalism Program; sits on the Canadian Council of Chief Judges, where he chairs the education committee and is a member of the access to justice committee; and sits on the justice access committee of British Columbia and the board of governors of the National Judicial Institute.

Chief Judge Crabtree has spoken at and participated on a number of panels at judicial education conferences including University of British Columbia Law School; University of Victoria Law School; Thompson Rivers University Law School; the New Judges Program at Lac Carling; the International Conference on Training the Judiciary; Continuing Legal Education and Canadian Bar Association programs; and the National Judicial Institute. He has also been involved at the Elder College at the University of the Fraser Valley; Moot Court programs at the UBC Law School and the Chilliwack Court House, in addition to speaking to various community organizations throughout the province.

The Honourable Associate Chief Judge Gurmail S. Gill, Alternate Presiding Member

Appointed to the Judicial Council June 24, 2010

Associate Chief Judge Gill was appointed as a Judge of the Court in 1994. From October 1996 until January 1999, Judge Gill chaired the fourth Royal Commission on Workers Compensation in B.C. which produced a number of comprehensive recommendations for reform to the system, including designing a new legislative framework for occupational health and safety.

In August 2007, he was appointed as the Administrative Judge for the South Fraser Judicial District. In February 2009, he was appointed Associate Chief Judge, in which capacity he has continued to serve until the present time, and is responsible for judicial administration of the Court.

Judge Gill has served on the Court's strategic planning committee and on a number of committees mandated to improve access to justice through the use of court technology, including as the representative of the Canadian Council of Chief Judges on the board of directors of the Canadian Centre for Court Technology. Judge Gill currently serves as a member of the Canadian Association of Provincial Court Judges committee on the law and he is the Provincial Court Judicial Liaison to the British Columbia Law Institute.

Administrative Judicial Justice Patricia Schwartz

Appointed to the Judicial Council December 31, 2010

Administrative Judicial Justice Schwartz is currently assigned to the Violation Ticket Centre, Provincial Court of British Columbia (Traffic Division). In 2001, she was appointed as Judicial Justice and assigned to the Justice Centre.

She has extensive experience in the Provincial Court, serving as the acting operations manager at the Office of the Chief Judge and as a judicial case manager.

She has served on the board of directors for City Hall Daycare, the École Pauline Johnson After School Care program and the Vancouver Skating Club. Judicial Justice Schwartz attended Capilano University, has completed government management courses and attends biannual Judicial Justice seminars.

She was originally appointed to the Judicial Council on January 1, 2011 for a three-year term. In January 2014, her appointment to the Judicial Council was extended for an additional three-year term.

Ms. Karin Kirkpatrick

Appointed to the Judicial Council July 8, 2011

Karin Kirkpatrick is the principal of Capercaillie, a governance consulting company, and adjunct faculty in the Sauder School of Business at the University of British Columbia.

Previously, she was chief executive officer of the Private Career Training Institutions Agency, a provincial Crown corporation regulating private training institutions; the chief executive officer of the Real Estate Foundation of British Columbia; and, from 2002 to 2008, assistant dean in the Sauder School of Business.

From 1994 to 2002, she was president of Kirkpatrick Staffing Group, a recruitment company she founded. Ms. Kirkpatrick is a chartered professional accountant and certified management accountant, and holds a Master of Business Administration in human resources.

She is currently completing a master's degree in international law at the University of Edinburgh. In 2013, she received the Queen Elizabeth II Diamond Jubilee Medal.

Mr. Lorne N. MacLean, QC

Appointed to the Judicial Council March 8, 2012

Lorne MacLean, QC, is the founding partner of MacLean Family Law Group, which has been operating since 1983, and has offices in Vancouver, Surrey, Kelowna and Fort St. John.

Mr. MacLean has published on numerous topics relating to B.C. divorce and family law. He is also a frequent guest on radio and television as an expert in his field. Active in his community, he has been a guest lecturer at the University of British Columbia Law School.

He holds a bachelor of science from the University of British Columbia and a Juris Doctorate from Osgoode Hall.

The Honourable Judge Lisa Mrozinski, President, Provincial Court Judges Association

Appointed to the Judicial Council January 1, 2014

Judge Lisa Mrozinski was appointed to the Provincial Court of British Columbia in March 2009. In November 2009, Judge Mrozinski was elected as a member-at-large to the British Columbia Provincial Court Judge's Association.

Since then, Judge Mrozinski has served as a member of the executive of the Association, becoming its president in 2013. As president of the Association, Judge Mrozinski became a member of Judicial Council for the year 2014. Judge Mrozinski also chairs the Association's complaints committee which examines and advises the Association on procedural matters related to disciplinary actions involving the judiciary and ethical guidelines.

Judge Mrozinski has also recently joined the Canadian Association of Provincial Court Judges' judicial ethics sub-committee.

Mr. Dean A. Crawford, QC, President, Canadian Bar Association, B.C. Branch

Appointed to the Judicial Council January 1, 2014

Dean Crawford is a partner at Coutts Pulver LLP in Vancouver. He practises in the area of labour and employment law, including employment litigation, human rights proceedings, labour relations, workers compensation and employment standards.

In 2013-2014, he was the president of the Canadian Bar Association, BC Branch. In his work with the CBA, he has chaired or sat as a member of several committees, including the legislation and law reform, government relations and legal aid advisory committees.

He has previously taught employment law at the University of Victoria law school and has addressed conferences on employment law.

Mr. Crawford is a former political assistant to Canada's Minister of Justice and Minister of Health. He obtained his law degree from the University of Victoria in 1994 and an honours bachelor of arts degree from the University of British Columbia. He was called to the bar in British Columbia in 1995. He was appointed Queen's Counsel in 2014.

Ms. Jan Lindsay, QC, President, Law Society of BC

Appointed to the Judicial Council January 1, 2014

Born in Vancouver, Ms. Lindsay obtained a bachelor of laws in 1980 at the University of British Columbia and began practising in 1981.

She has worked in civil litigation since that time, with an emphasis on insurance matters and personal injury claims. She was appointed Queen's Counsel in 2009.

Ms. Lindsay has also been involved in Law Society activities since 2000. She has served on a number of committees including the executive committee, complainants review, discipline, practice standards and credentials committees, the rule of law and lawyer independence advisory committee, and the retention of women in the legal profession task force. From 2006 to 2014, she was one of three benchers representing Westminster County.

Ms. Lindsay was elected as second vice-president of the Law Society in 2011 and served as president of the Law Society of British Columbia in 2014.

Mr. Robert D. Rolls

Appointed to the Judicial Council April 17, 2014

Robert (Bob) Rolls was a member of the Vancouver Police Department from 1977 to 2010. He held various positions including deputy chief constable, District Two commander, District One inspector, director of human resources and sergeant in charge of the recruiting unit.

His career included more than 10 years working in the Downtown Eastside of Vancouver. Active in his community, Mr. Rolls is currently on the board of directors of E-Comm Corporation and vice-chair of the board of directors of EasyPark Corporation. His past civic activities include being the president of Odd Squad Productions and participation on advisory boards at Langara College and Kwantlen University.

His memberships on professional associations have included the International Association of Chiefs of Police, the Canadian Association of Chiefs of Police, the BC Association of Municipal Chiefs of Police and the Vancouver Police Officers Association.

Mr. Rolls has been accredited for extensive in-service training by the Justice Institute of British Columbia and the Vancouver Police Department.

He holds his bachelor of arts from the University of British Columbia. In 2009, Mr. Rolls was awarded Member of the Order of Merit of the Police Forces by the Governor General of Canada for exceptional service or performance of duty over an extended period of time.

2. MEETING SCHEDULE AND BUSINESS CONDUCTED

The Judicial Council meets approximately once monthly. At most meetings, the Council reviews applications for appointment as Provincial Court Judge and, when required, reviews applications for appointment as Judicial Justice and Justice of the Peace. The Council also interviews applicants for the position of Provincial Court Judge.

The 2014 meetings were held on January 10, February 14, March 21, April 25, May 23, June 20, July 18, August 28, September 26, October 17, November 21 and December 12. In addition to the regular scheduled meetings, two teleconference meetings were held on June 17 and December 23.

In its ongoing business, the Council considered ways to encourage applicants from diverse backgrounds to apply for judicial office, reporting to the public on such efforts, formulating a submission to the Judicial Compensation Commission and attending to minor amendments to the Judicial Council's *Procedural Bylaw*.

In 2014, the Council received **50** applications for Provincial Court judgeships and reviewed **56** (including some from 2013). The Council approved **31** applications for interview, interviewed **34** and recommended **21** for appointment. The Council received **1** application for appointment as a Judicial Justice and recommended **3** applicants. It received and recommended **24** applications for appointment as Justice of the Peace.

(The figures reflect the Council's activities in the year, but may include reviews, interviews or appointments of candidates who applied in a previous year. Details are included in the following sections and in Appendix A)

Guests of the Judicial Council included the Honourable Suzanne Anton, QC, Attorney General. Topics discussed included:

- Improvements to the judicial application process
- Ethical principles for the judiciary
- The number of Provincial Court Judges
- Continuing education and special skills required by Judges

Members of the Judicial Council also met with the Canadian Bar Association judicial advisory committee to review the Council's role in the appointment process and the preparation of reports on the suitability of an applicant to the judiciary of the Provincial Court, as described in the next section.

3. APPOINTMENT PROCESS FOR PROVINCIAL COURT JUDGES

Judges are appointed to the Provincial Court by the Lieutenant Governor in Council (LGIC) on the recommendation of the Judicial Council, pursuant to section 6 of the *Provincial Court Act*. The process of making a recommendation begins with an application to the Judicial Council, and includes a rigorous examination of an applicant's professional standing, abilities and other relevant factors.

The *Act* gives the Council the objective of improving the quality of judicial service. The approval process, therefore, must ensure that only exceptional applicants who are unquestionably capable of meeting these increasing demands be recommended for appointment. The Council sets certain criteria and competencies for an applicant seeking appointment as a Provincial Court Judge, including:

CRITERIA:

- At least 10 years in the practice of law (Those with less legal practice experience are considered if they have a range of related experience.)
- Superb legal reputation and a professional record review from the Law Society of British Columbia
- Experience in mediation or alternative dispute resolution
- Respect in the community
- Good health
- Appreciation of and experience with diversity
- Willingness to travel and to sit in all subject areas

COMPETENCIES:

- Knowledge and technical skills
  Conscientiousness, commitment to high standards
- Decision-making
  Decisiveness, confidence, courage, independence, impartiality
- Communication and authority
  Firmness without arrogance, courtesy, patience, tolerance, fairness, sensitivity, compassion, self-discipline
- Professionalism and temperament
  Capacity to handle stress and isolation of judicial role, sense of ethics, patience, honesty, tolerance, consideration of others, personal responsibility
- Effectiveness
  Commitment to public service, commitment to efficient administration, self-discipline
- Leadership and management for Judges holding administrative positions
  Responsibility, imagination, commitment to efficient administration

APPLICATION AND APPROVAL PROCESS

Application

Applicants for judicial appointment submit a Judicial Candidate Application form, which they can download from the Provincial Court *website* (download *Doc file*). A Judicial Candidate Process Summary, also available online (download *PDF*), outlines the entire process from application through interview to appointment. An extensive investigation follows an application, so the Council strives to ensure that applicants understand and consent to this fact.

Inquiries

Upon receipt of an application, the Chief Judge requests a report on the applicant from the judicial advisory committee of the Canadian Bar Association – BC Branch (CBABC). Committee members make inquiries of members of the profession and others regarding an applicant's reputation and suitability for judicial office, a process that may take several months. The Council is indebted to the CBABC committee for the diligence it brings to this task.

In addition to the CBA report, the Council receives reports on the applicant from relevant credit, driving and criminal record databases. The Law Society of BC also details any history of complaints against the applicant.

The Chief Judge may also solicit comments from Judges and Judicial Justices who may be familiar with the applicant. Persons identified as references by the applicant, and others not so identified including current colleagues, may be contacted, unless the applicant specifically requests that they not be contacted and provides reasons for that request. Inquiries are conducted discreetly, but strict confidentiality cannot be guaranteed.

Review

Once the inquiries are complete and the above reports are received, the Judicial Council reviews the information and determines whether to interview the applicant. If three or more members vote in favour, the applicant is approved for an interview. The timing of the interview depends on the number of applicants recommended for an interview, but generally occurs within a year of receipt of the application package. Applicants not approved for an interview are not notified.

Interview

Interviews are conducted at the Office of the Chief Judge. At least five members of the Judicial Council must be present, although all nine members usually participate. Applicants are asked a series of questions designed to assess their suitability for judicial appointment and to address any issues raised as a result of the inquiries made concerning the application.

Recommendation

Following the interview, the Council decides whether to recommend the candidate for appointment by the Lieutenant Governor in Council (LGIC). If two or more members vote against an applicant, the application is not recommended.

The names of recommended applicants are added to a roster for consideration by the Attorney General when appointing a Provincial Court Judge. The name remains on the roster for three years from the date of the interview. When a vacancy arises, or when the LGIC otherwise determines that an appointment is necessary, the Attorney General may select a candidate from the roster and submit the name to the LGIC for appointment. In 2014, the LGIC appointed six candidates from the roster.

Reapplication

An applicant who has been interviewed but who is not appointed within 2.5 years of the date of an interview may reapply for appointment. Many applicants reapply at least once before being appointed by the LGIC. Interviewed applicants must advise the Council if at any time they wish to remove themselves from consideration for appointment.

APPLICATIONS AND OUTCOMES

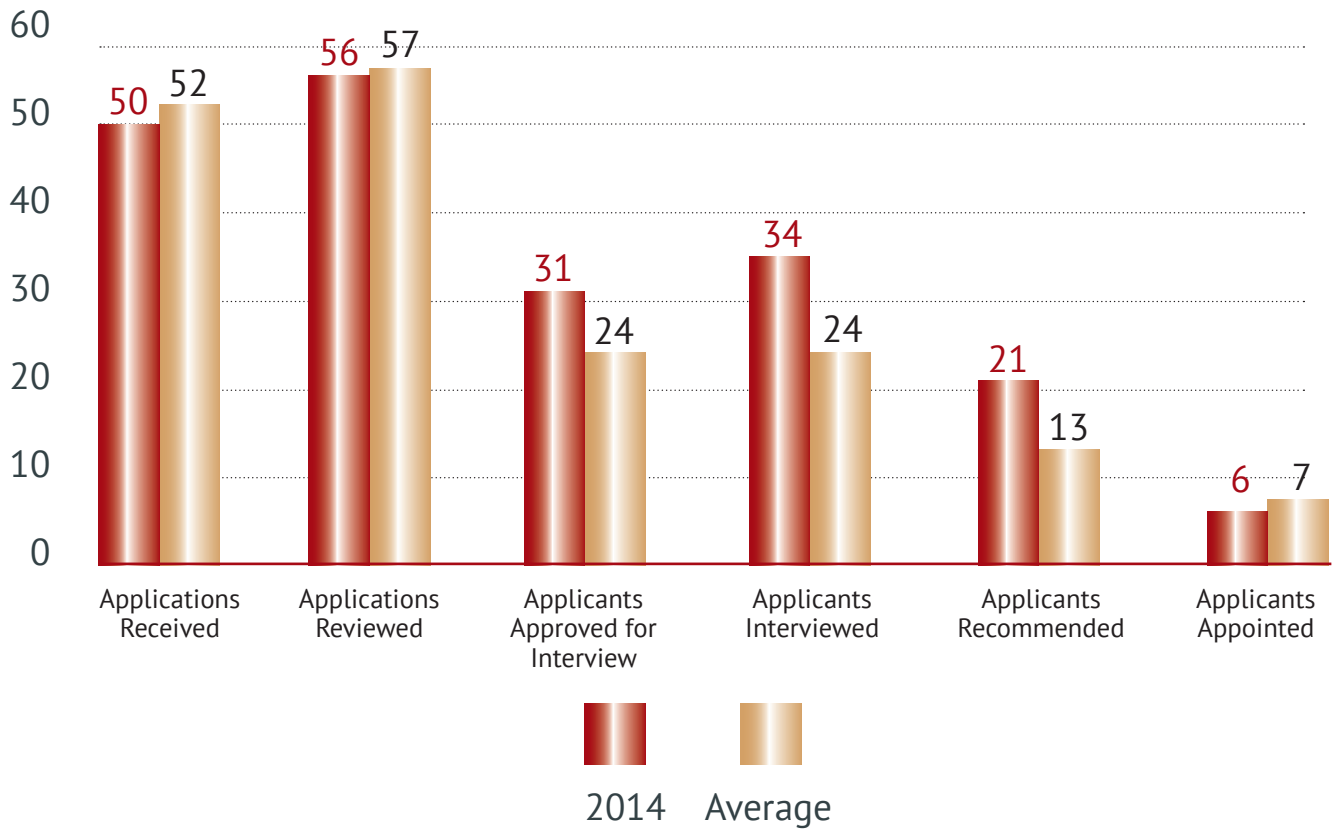
Over the period from 2005 to 2014, the Judicial Council received an average of 52 applications per year for recommendation for appointment as a Provincial Court Judge. The Council interviewed an average of 24 per year and recommended an average of 13 per year.

In 2014, it received 50 applications, reviewed 56 and approved 31 for an interview. The Council interviewed 34 applicants and recommended 21. The number of applicants interviewed and recommended in 2014 rose significantly above the average because the Council wished to reduce the overall length of time the process takes. Having increased the number of applicants interviewed in 2014, the Council will likely return to an average number of interviews in future years.

Appendix A, Analysis of Applications to the Judicial Council, details the number of applicants, the progression through the review process and various demographic factors. Figure 1 summarizes the number of applicants at key stages in 2014 compared to the average for 2005 to 2014.

Of the 10-year average of 52 applications received, an average of 24 are interviewed each year. Of these, on average, 13 were recommended for appointment. Thus, an average of 46 per cent of applicants receive an interview, and 23 per cent are recommended for appointment. An average of seven Provincial Court Judges have been appointed each year over the last 10 years, approximately 13 per cent of the original number of applicants.

Figure 1: Applications for Appointment as Provincial Court Judge (2014 and 10-Year Average)



In 2014, the Council interviewed 34 candidates, 10 more than the average number of applicants interviewed per year, and recommended eight more than the average number of applicants. The Lieutenant Governor in Council appointed one fewer judge than its 10-year average.

NEW AND RENEWED APPLICATIONS

Applicants who are interviewed, but not appointed, may reapply 2.5 years from the date of their interview. On average, the Judicial Council has received 18 renewed applications in each of the past 10 years, compared with 34 new applications.

In 2014, 16 applicants renewed their applications to the Judicial Council after previously being unsuccessful. ("Unsuccessful" applicants include those not granted an interview, as well as those interviewed but not recommended or appointed.) On average over the 2005 to 2014 period, the Council has recommended 25 per cent of new applications compared to 22 per cent of renewed applications.

Bob Rolls

Lay appointee to the Judicial Council – Appointed to the Judicial Council April 17, 2014

I was a member of the Vancouver Police Department for 33 years and for the last four years I have been on the board of directors at E-Comm 911 Corporation. My volunteer experience has included working with at-risk youth and I'm currently working with crime and other issues faced by an historic Vancouver community.

I have many years of experience in police recruiting and promotion. Recently, I've been involved in hiring and assessment at senior levels in two private corporations. While I bring a different perspective in discussions at the Judicial Council, what has been most noteworthy for me is how well we come together. We all have exactly the same goal, the identification of only the very best candidates for the judiciary.

The Judicial Council of British Columbia has an exceptional selection process that is not paralleled in either policing or private sectors. While the work of the courts is often difficult and sometimes controversial, the Judicial Council should provide confidence to our citizens in the quality and integrity of our judicial service.

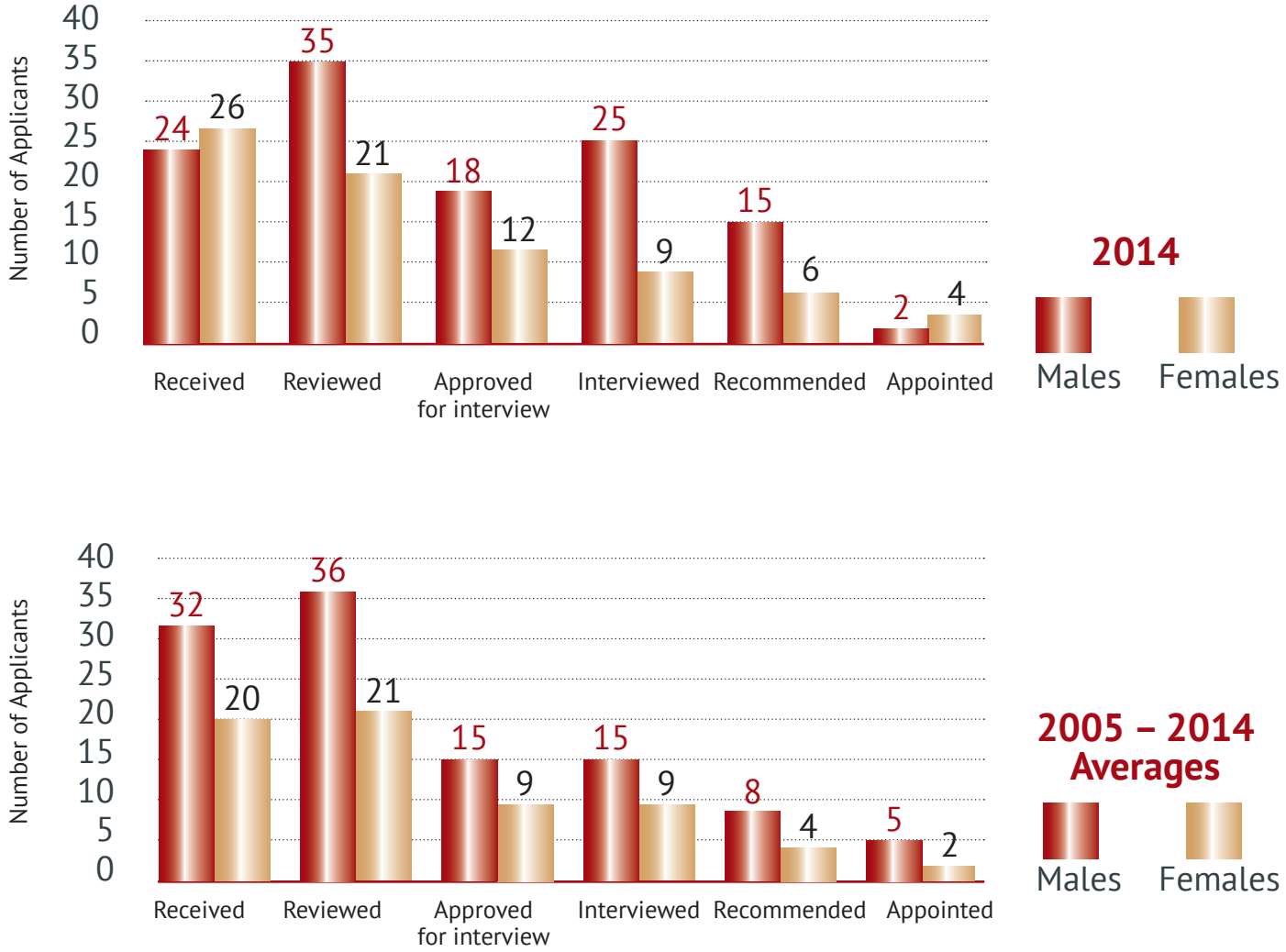
DEMOGRAPHICS

In 2014, the Judicial Council had an average of 20 candidates each month on the roster of those recommended for appointment. As of December 31, 2014, there were 28 candidates on the roster; 17 were men and 11 were women.

Gender

In 2014, the number of female applicants increased significantly from the previous 10-year average, while the number of male applicants decreased. A greater-than-average number of female applicants was approved for interviews, although a greater number of male applicants was interviewed. The number of male and female applicants recommended for appointment was higher than the 10-year average. Notably, 2014 was the first year since 2006 that more female applicants were appointed than males (see Figure A.1 of the Appendix for yearly data).

Figure 2: Male and Female Applicants, 2014 and 10-Year Averages



Age and Years of Practice

The average age of applicants to the Court in 2014 was 48.9, with an average of 21.5 years in practice.

The average age of male applicants was 52.3 years, while the average age of women was 46 years.

From 2011 to 2014, applicants have had an average of 22 years of practice. Male applicants had an average of 24 years of practice, while female applicants had 20.5.

Applicants and Appointments by Region

In April 2014, the Provincial Court reorganized its 12 districts to form five regions. The table of applicants for the past three years in Figure 3 indicates that the Judicial Council receives applications from each of the five regions.

In 2014, six applicants recommended for appointment were appointed to the Court: two to the Fraser Region, one to the Vancouver Island Region, one to the Vancouver Region, one to the Northern Region and one to the OCJ Region.

Dean Crawford, QC

President, Canadian Bar Association, BC Branch – Appointed to the Judicial Council January 1, 2014

I've travelled extensively across B.C. in my role as president of the Canadian Bar Association (BC Branch) and I've listened to a lot of lawyers about the challenges people face when it comes to the judicial system in various parts of the province. I tried to put myself in the shoes of someone who lives in the community where an appointment was to be made.

I was really interested in the perspectives that lawyers and other community members shared confidentially when being interviewed about potential Judges. You get a sense of what people really value in lawyers and what character traits people believe will make a good Judge.

People rely on Provincial Court Judges to solve their real-world problems. By and large, most of the cases resolved in the Provincial Court involve actual people as opposed to large organizations. It is really important to appoint Judges who, in addition to knowing the law, have good people skills and will give people confidence that they have not only "had their day in court" but been dealt with fairly. The Judicial Council has a very important role in the selection process.

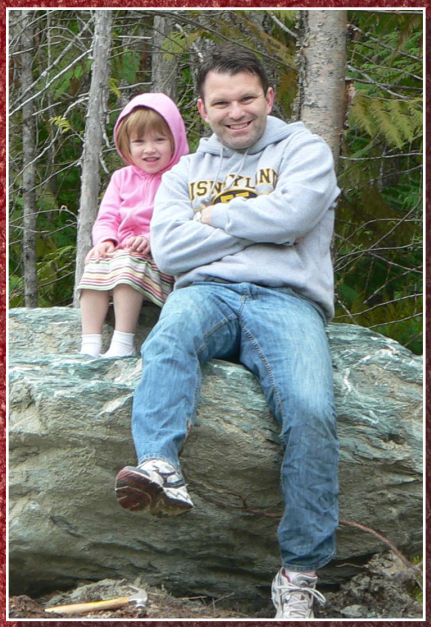


Figure 3: Applicants and Appointments by Region

	2012		2013		2014	
	Applicants	Appointments	Applicants	Appointments	Applicants	Appointments
Vancouver Island						
#	9	2	8	0	11	1
%	26%	18%	17%	0%	22%	16.6%
Vancouver						
#	12	0	19	2	17	1
%	35%	0%	41%	20%	34%	16.6%
Fraser						
#	3	5	6	5	6	2
%	9%	46%	13%	50%	12%	33.3%
Interior						
#	4	2	8	3	9	0
%	12%	18%	17%	30%	18%	0
Northern						
#	5	2	5	0	5	1
%	15%	18%	12%	0%	10%	16.6%
OCJ						
#	0	0	0	0	0	1
%	0%	0%	0%	0%	0%	16.6%
Outside B.C.						
#	1	n/a	0	n/a	2	n/a
%	3%	n/a	0%	n/a	4%	n/a
TOTAL	34	11	46	10	50	6

Applicants by Area of Practice

Applications to the Court come from various fields of private practice, as well as from Crown Counsel and other areas of practice.

Private practice formed **54%** of the total applications in 2014. Crown Counsel formed **38%** and applications from other areas formed **8%**.

Diversity

The Judicial Council recognizes the need for the judiciary to reflect the diverse makeup of British Columbia. Not only does diversity on the bench eliminate an implicit barrier to under-represented groups applying for a recommendation to a judicial appointment, but it strengthens the bench itself and enhances public confidence in the administration of justice. The Council believes that appropriate communication and working relationships among diverse cultures on the bench encourages mutual respect, sensitivity and understanding to the individuals who will appear before judicial officers.

In 2012, the Chief Judge, as Presiding Member of the Judicial Council, requested the assistance of the Canadian Bar Association – BC Branch and the Law Society of British Columbia in encouraging a broad range of applicants for judicial office on the Provincial Court of British Columbia. The Judicial Council's goal was to strengthen the Court by ensuring that there is a diverse pool of highly qualified applicants, reflective of the general population in the Province, from which the LGIC appoints Judges to the Court. To this end, the Judicial Council acknowledges the work of the Law Society of British Columbia and, in particular, the June 2012 report of the equality and diversity committee, *Towards a More Diverse Legal Profession: Better practices, better workplaces, better results.*

At its 2013 annual meeting, the Canadian Bar Association noted as a model of transparency the fact that the Judicial Council of British Columbia publishes yearly statistics on applications for appointment to the Provincial Court. The *CBA resolution* calls for Canada's Minister of Justice to make appointments to judicial advisory committees and to the judiciary that reflect the diverse nature of the Canadian population by including persons of different genders and ethnicities, as well as Aboriginal and visible minority applicants.

The Council's first step in encouraging a diverse range of applicants was to be as transparent and open as possible about the process while preserving needed confidentiality. Its second step was to invite the CBA and the Law Society to promote those from among their ranks to apply. In support, the Chief Judge addressed information sessions for the B.C. bar in 2013 and 2014 on building diversity on the bench, and other Judges have also made presentations on the importance of diversity. The Council's third step, which is ongoing, is to highlight the results in terms of the gender and background of the applicants.

In June 2013, the Judicial Council of British Columbia amended its judicial application forms to include, on a voluntary basis, the applicant's ethnic or cultural information. In 2014, the collection of this information commenced, and 15 applicants answered the three questions on the application. Of these, five were male and 10 were female. Two out of the 15 identified themselves as Aboriginal, 12 as part of an ethnic or minority group, and four as belonging to another "diverse group."

The Judicial Council will continue to review and revise its processes to encourage a diverse range of applicants and to make merit-based recommendations that reflect the diversity of British Columbia's population.

Figure 4: Diversity Responses in Judicial Applications

Applicants		Aboriginal	Ethnic/Minority	Other
2014	Total*	2	12	4
	Male	0	4	1
	Female	2	8	3

* Three of the 15 applicants identified themselves as belonging to more than one group, so the number of applicants totals 18 not 15.

4. APPOINTMENT PROCESS FOR JUDICIAL JUSTICES

In addition to Judges, Judicial Justices are appointed by the Lieutenant Governor in Council on the recommendation of the Judicial Council. Judicial Justices are assigned by the Chief Judge to preside over matters within their statutory jurisdiction, including traffic and other ticketable offences, some municipal bylaw matters, payment hearings in Small Claims Court, applications for bail and search warrants and, in Victoria's Integrated Court, managing cases, hearing preliminary matters and issuing warrants for failure to attend court.

APPLICATIONS AND APPOINTMENT CRITERIA

Applications for the office of Judicial Justice may be submitted at any time or may be solicited by a recruitment campaign for a specific vacancy.

Applicants for appointment as a Judicial Justice must meet the following:

Criteria:

- ❍ At least five years in the practice of law (Those with less legal practice experience are considered if they have a range of related experience.)
- ❍ Superb legal reputation and a professional record review from the Law Society of British Columbia
- ❍ Experience in mediation or alternative dispute resolution
- ❍ Respect in the community
- ❍ Good health
- ❍ Appreciation of and experience with diversity
- ❍ Willingness to travel and to sit in all subject areas

Competencies:

- ❍ Knowledge and technical skills
  Conscientiousness, commitment to high standards
- ❍ Decision-making
  Decisiveness, confidence, courage, independence, impartiality
- ❍ Communication and authority
  Firmness without arrogance, courtesy, patience, tolerance, fairness, sensitivity, compassion, self-discipline
- ❍ Professionalism and temperament
  Capacity to handle stress and isolation of judicial role, sense of ethics, patience, honesty, tolerance, consideration of others, personal responsibility
- ❍ Effectiveness
  Commitment to public service, commitment to efficient administration, self-discipline
- ❍ Leadership and management for Judicial Justices holding administrative positions
  Responsibility, imagination, commitment to efficient administration

ROLE OF THE JUDICIAL COUNCIL IN THE APPOINTMENT OF JUDICIAL JUSTICES

Applicants for judicial appointment as a Judicial Justice submit a Judicial Candidate Information Summary, which they can download from the Provincial Court *website* (download *Doc file*).

In a process similar to that for Judges described earlier in this report, the Council reviews applications, conducts interviews and recommends Judicial Justice candidates for appointment.

When received, applications are initially investigated in a process similar to that for Judges. The application and the investigation results are reviewed by the Council, or a select committee of the Council, to decide whether the applicant will be interviewed. The Council invites successful candidates to attend an interview.

Candidates who are interviewed are not advised whether they have been recommended for appointment. Names of applicants recommended for appointment remain on a roster for three years. Applicants may reapply after three years from the date of their previous application, or the date of their interview, if any.

Due to the large number of appointments in 2007 and 2008, no interviews were conducted from 2010 to 2012. In 2013, three applicants were interviewed. In 2014, no applicant was interviewed.

In 2014, three applicants were appointed as Judicial Justices from the roster of those recommended.

Due to the large number of appointments in 2007 to 2008, no interviews were conducted from 2010 to 2012. In 2013, **3** applicants were interviewed. In 2014, **no** JJ applicants were interviewed.

5. APPOINTMENT PROCESS FOR JUSTICES OF THE PEACE

Justices of the Peace fill several important functions within the British Columbia justice system, ranging from adjudicating some types of cases to managing and scheduling courts. More than 300 Justices of the Peace serve communities of every size throughout the province. Recently, their roles have undergone significant revision due to case law on the issue of judicial independence, and some Justices of the Peace, like Judges, are now considered independent judicial officers. All are subject to the supervisory authority of the Chief Judge, and are appointed by the Lieutenant Governor in Council on the recommendation of the Judicial

There are three kinds of Justices of the Peace, each with different assignments:

- **Justice of the Peace Adjudicators** preside in courts, hearing cases involving up to $5,000 at the Vancouver and Richmond Court Registries. Justice of the Peace Adjudicators are senior members of the legal profession. They are required to hold a JP commission as part of their qualifications for the position.
- **Judicial Case Managers** (JCMs) are officers of the judiciary who manage cases, schedule judicial and initial hearings, and are assigned responsibilities by the Chief Judge. JCMs are required to hold a JP commission as part of their qualifications for the position. When an applicant becomes a potential candidate for employment as a JCM through a government posting process, the applicant must be eligible to apply for a JP commission. The application proceeds through the Judicial Council approval process for Justices of the Peace described below.
- **Court Services Justices of the Peace** work in the court registries throughout the province. In addition to their JP duties assigned by the Chief Judge, they hold various administrative positions in the Court Services Branch of the Ministry of Justice, such as Court Manager, Administrator and Court Clerk. Court Services JPs perform such functions as:
    - Swearing informations and arranging to bring accused persons to Court to answer new charges
    - Attending to the execution of Court orders made by Judges and Judicial Justicess
    - Determining whether a person qualifies to be a “surety” to guarantee an accused person’s bail
    - Generally, performing other duties required of a “justice” under the Criminal Code that are primarily administrative in nature and do not require the exercise of material judicial discretion

THE PROCESS FOR APPOINTMENT OF A JUSTICE OF THE PEACE

A Court Manager (or his or her designate) in the relevant Court location contacts the JP Administrator at the Office of the Chief Judge (preferably in writing) when the Court requires a JP appointment.

The candidate submits an application to the Judicial Council for appointment as a JP. When the application is received, the JP Administrator at the Office of the Chief Judge reviews it and obtains reference letters, a police record check, a credit history and a driving record.

The Regional Administrative Judge in the relevant region interviews the candidate. The applicant must successfully complete the JP basic training course and the final examination. The Judicial Council then considers the complete application and forwards the names of recommended applicants to the Attorney General for consideration for appointment by the Lieutenant Governor in Council.

In 2014, the Judicial Council received 24 applications for appointment as a Court Services Justice of the Peace. Of these, one was for appointment as an Auxiliary Judicial Case Manager (requiring appointment as a JP), 15 were for appointment as a Court Services Justice of the Peace and eight were for appointment as a Back-up Judicial Case Manager. The council reviewed and recommended all 24 applications to the Attorney General.

Judge Lisa Mrozinski

President, Provincial Court Judges Association (2014) – Appointed to the Judicial Council January 1, 2014

I really enjoy participating in the interview process. It's interesting to see a diverse array of people applying for an appointment. When you read an application for the position, you get a certain sense of the individual but all of that can change in an instant during the interview – which is intense. Communication skills are among the most important qualifications for our court, so this process is crucial to ensuring the right people are eligible for an appointment opportunity.

As a sitting judge, I have a sense of the skills and abilities most needed to take on this role. I also have experience outside of the Lower Mainland. I sat in the West Kootenay for five years. Rural judging requires a unique set of personal skills and I think my experience assisted Council.

Judicial Council is composed of a diverse group, representing any number of community groups. The concern of Judicial Council is that there are opportunities for appointments to our court for qualified women and men representing all of British Columbia's diverse population, regardless of political, religious or social views.

6. JUDICIAL EDUCATION

The Judicial Council has the responsibility for the education of judicial officers. It mandates a wide range of programs for Judges, including new Judges' education, spring and fall education conferences, mentoring, travel and observations. It also mandates conferences, workshops and on-the-job training for Judicial Justices, Judicial Case Managers and Justices of the Peace.

The Council delegates the authority to manage these education programs to committees for each type of judicial officer. The Office of the Chief Judge provides administrative and support services. The annual report of the Provincial Court of British Columbia contains a yearly report on the Court's education plan for Judges, Judicial Justices and the remaining judicial officers of the Court. For details, please see the most recent ***annual report*** of the Provincial Court of British Columbia.

7. ETHICAL PRINCIPLES

The Judicial Council has the responsibility of preparing and revising a judicial code of ethics. Judicial ethics reflect the context in which they were created, and must respond to changing circumstances.

Provincial Court Judges in B.C. have been guided by a Code of Judicial Ethics. This document was prepared by the Judges of the Court and adopted by the Judicial Council. The Code was last amended in 1994. Recently both the Judicial Council and the Judges and Judicial Justices of the Court felt that the principles guiding judicial behaviour should be reviewed. Following discussion with the Judges and the Judicial Justices, the Judicial Council considered whether to revise the Code or adopt the *Ethical Principles for Judges*, published in 1998 by the Canadian Judicial Council.

The original purpose of the Principles was to provide ethical guidance for federally appointed judges. Over the past several years, a number of courts created by provincial and territorial governments have adopted the Principles. After considering the comments of the Judges and Judicial Justices, the Judicial Council in December 2014 adopted the Ethical Principles for Judges as guiding principles for the judicial officers of the Provincial Court.

Administrative Judicial Justice Patricia Schwartz

Appointed to the Judicial Council December 31, 2010

I am a Judicial Justice in traffic court. I have a strong commitment to our justice system and am interested in ensuring that it continues to be the best it can be. To do that, we need exceptional candidates for judicial office. Judicial Council strives to ensure that we have an independent judiciary of the highest professional calibre and reflecting the diversity of our population.

Every day, decisions are made by judicial officers that impact the liberty, privacy and family interests of the people of British Columbia. The Council's work ensures that these decisions are made by an independent and impartial judiciary whose appointments are based on merit.

In recent years, every level of court has seen an increase in the number of people representing themselves. Recognizing this, Judicial Council seeks to recommend applicants for judicial office who have the necessary legal qualifications and who demonstrate fairness, sensitivity, courtesy, patience and compassion.

It is important that our judiciary resembles the population it serves. While there is still work to be done to ensure more diversity on the bench, I am proud that the Judicial Council of British Columbia has been described by the Canadian Bar Association as a "model of transparency" for publishing annual statistics about applicants to the provincial court bench.

8. COMPLAINTS

Under the *Provincial Court Act*, the Chief Judge has the power and the duty to supervise Judges, Judicial Justices and Justices of the Peace of the Court, and is required under section 22.1(1) to examine all complaints respecting judicial officers. The Chief Judge must report, in writing, to the complainant and the judicial officer following an examination.

The *Act* also requires, under section 22.1(2), that the Chief Judge conduct an investigation respecting the fitness of a judicial officer to perform his or her duties if the Chief Judge considers that an investigation is required, or if directed to do so by the Attorney General. The result of an investigation may include corrective action or an order for an inquiry to determine whether the judicial officer is fit to perform his or her duties.

In the event that the Chief Judge or the Attorney General orders an inquiry into the fitness for office of a judicial officer, the judicial officer may elect, under section 24 of the *Act*, to have the Judicial Council act as the tribunal for that inquiry. The alternative tribunal is a Justice of the Supreme Court, designated by the Chief Justice of the Supreme Court.

The Judicial Council's role with respect to public complaints involving judicial officers also includes the statutory object of improving the quality of judicial service. As Presiding Member of the Judicial Council, the Chief Judge reports to the Council as needed regarding certain complaints as they bear upon the Council's interest in the overall quality of judicial service.

In 2014, no formal inquiries into the fitness for office of a judicial officer came before the Judicial Council.

Complaints must be addressed to the Chief Judge and submitted in writing by one of the following:

Email: *info@provincialcourt.bc.ca*

Mail:
The Chief Judge of the Provincial Court of British Columbia
Suite 337 - 800 Hornby Street
Vancouver, British Columbia, Canada
V6Z 2C5

Fax: (604) 660-1108

The correspondence must include the complainant's name and mailing address, the name of the judicial officer being complained of, the court location, the court file number (if known), the date of the incident, and a description of the alleged misconduct in as much detail as possible. Anonymous complaints, or complaints without a return address, will not be accepted.

More information is available at the *Complaints and Appeals* section of the Provincial Court *website*.

9. FINANCIAL EXPENSES INCURRED BY THE JUDICIAL COUNCIL OF BRITISH COLUMBIA

Support services, boardroom and catering expenses are provided to the Judicial Council by the Office of the Chief Judge, Provincial Court of British Columbia.

For the year 2014, honorariums were paid to non-judicial members of the Judicial Council. The following table details all meeting honoraria paid to members of the Judicial Council in 2014.

Name	Allowable Honorarium Per Meeting	Meetings Attended	Total Remuneration
The Honourable Chief Judge T. Crabtree	$0	12	$0
The Honourable Associate Chief Judge G.S. Gill	$0	11	$0
The Honourable Judge L. Mrozinski (Provincial	$0	12	$0
Administrative Judicial Justice P. Schwartz	$0	10	$0
Ms. J. Lindsay* (Law Society of BC President, 2014)	$250	10	$2,500
Mr. D. Crawford* (CBA BC Branch President, 2014)	$250	12	$3,000
Ms. K. Kirkpatrick*	$250	7	$1,750
Mr. R. Rolls*	$250	8	$2,000
Mr. L. MacLean, QC*	$250	11	$2,750
The Honourable Judge S. Wishart † (Provincial Court Judges Association of B.C. President, 2015)	$0	1	$0
Mr. A. Shorten* † (CBA BC Branch President, 2015)	$250	1	$250

* Non-judicial members of the Judicial Council

† Judge Wishart and Mr. Shorten attended the Judicial Council as incoming members for 2015.

10. OTHER MATTERS

The Council is responsible for reporting to the Attorney General on matters the Attorney General considers necessary. No such matters were raised for action in 2014.

11. PUBLIC ACCESS TO THE JUDICIAL COUNCIL

Any members of the public who have a question that they wish to direct to the Chief Judge as Presiding Member of the Judicial Council, or to the Judicial Council as a whole, whether arising from this Report or for any other reason, may do so in writing to:

info@provincialcourt.bc.ca

Or addressed to:

Judicial Council of British Columbia
337 – 800 Hornby Street
Vancouver, British Columbia V6Z 2C5

Acknowledgements

- Judge Clifford MacArthur (retired) (Judicial Council photo, p. 7)
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APPENDICES

APPENDIX A: ANALYSIS OF APPLICATIONS TO THE JUDICIAL COUNCIL

APPLICATIONS AND OUTCOMES

Figure A.1 shows the history of applications, interviews and recommendations for appointment by the Judicial Council of British Columbia over a 10-year period. It indicates trends in application rates and a comparison of candidate approval rates. (These figures reflect the Council's activities in the year specified, which include reviews and interviews of applicants from the prior year. They do not reflect the results of applications made in a particular year.)

Figure A.1 shows that, while the number and gender distribution of applicants has remained generally constant, a greater proportion of women applicants has been recommended for appointment in recent years.

In 2014, the Judicial Council received 50 applications, reviewed 56 and approved 31 for an interview. The Council interviewed 34 applicants and recommended 21.

The number of applicants interviewed and recommended in 2014 rose significantly above the average because the Council wished to reduce the overall length of time the process takes. Having increased the number of applicants interviewed in 2014, the Council will likely return to an average number of interviews in future years.

The average annual number of applications received per year for the last 10 years was 51.9. The three years with the highest number of applications received were 2007, with an all-time high of 89 applications; 2009, with 59 applications; and 2006, with 55 applications.

The average annual number of applications reviewed for interview over the last 10 years was 57.1. On average, 42 per cent, or 24 applicants per year, were approved for an interview.

Figure A.1: Applications for Appointment as a Provincial Court Judge (2005 – 2014)

	Applications Received			Applications Reviewed			Applicants Approved for Interview			Applicants Interviewed			Applicants Recommended			Applicants Appointed		
Year	**Total**	**M**	**F**	**Total**	**M**	**F**	**Total**	**M**	**F**	**Total**	**M**	**F**	**Total**	**M**	**F**	**Total**	**M**	**F**
2014	50	24	26	56	35	21	31	18	13	34	25	9	21	15	6	6	2	4
2013	46	33	13	48	33	15	28	17	11	24	11	13	11	4	7	10	5	5
2012	34	18	16	46	23	23	22	9	13	21	9	12	12	7	5	11	8	3
2011	44	26	18	52	35	17	24	16	8	21	17	4	12	9	3	6	5	1
2010	47	31	16	48	31	17	15	13	2	28	19	9	17	13	4	8	6	2
2009	59	39	20	86	52	34	27	16	11	21	13	8	7	5	2	4	2	2
2008	54	31	23	67	39	28	28	14	14	21	13	8	13	8	5	5	3	2
2007	89	57	32	80	48	32	27	19	8	25	16	9	11	8	3	7	5	2
2006	55	35	20	47	34	13	19	16	3	15	12	3	7	5	2	3	0	3
2005	41	29	12	41	30	11	20	13	7	28	17	11	16	10	6	12	10	2
Avg.	**51.9**	**32.3**	**19.6**	**57.1**	**36**	**21.1**	**24.1**	**15.1**	**9**	**23.8**	**15.2**	**8.6**	**12.7**	**8.4**	**4.3**	**7.2**	**4.6**	**2.6**

GENDER

According to the Law Society of British Columbia's 2013 Report on Performance, the legal profession comprises 38 per cent women. ("Profession" is defined as lawyers registered with the Law Society and practising.) According to the *2013-2014 Annual Report of the Provincial Court*, as of March 31, 2014, 38 per cent of full-time Judges were female. The proportion of female judges appointed to the Courts has increased in the past two years.

In 2014, the Judicial Council received 26 applications from females, and 24 from males. Twenty-one applicants were recommended for appointment in 2014, six female and fifteen male. These recommendations represent 67 per cent of females interviewed and 60 per cent of males interviewed.

Six candidates out of the 21 recommended were appointed by the Lieutenant Governor in Council, two male and four female.

AGE AND GENDER

The average age of applicants to the Court in 2014 was 48.9. The average age of male applicants 52.3 years, while the average age of women was 46 years.

Figure A.2: Applicants by Age and Gender (2005 – 2014)

Year	Total	Male	%	Average Age	Female	%	Average Age
2014	50	24	48%	52	26	52%	46
2013	46	33	72%	53	13	28%	51
2012	34	18	53%	55	16	47%	51
2011	44	26	59%	52	18	41%	51
2010	47	31	65%	52	16	35%	50
2009	59	39	66%	51	20	34%	47
2008	54	31	57%	51	23	43%	52
2007	89	57	64%	51	32	36%	48
2006	55	35	64%	52	20	36%	45
2005	41	29	71%	54	12	29%	47

YEARS OF PRACTICE

From 2011 to 2014, applicants have had an average of 22 years of practice. Male applicants had an average of 24 years of practice, while female applicants had 20.

Of those who applied in 2014, female applicants had, on average, three years less practice experience (20 years) than their male counterparts (23 years).

Figure A.3: Applicants by Gender and Years of Experience (2011 – 2014)

Year	Gender	Applicants	Years of Practice
2014	Male	24	23
	Female	26	20
2013	Male	23	24
	Female	13	20
2012	Male	18	26
	Female	16	23
2011	Male	26	23
	Female	18	19
Average	Male	25	24
	Female	18	20
Average	Combined	22	22

AREA OF PRACTICE

Applications to the Court come from various fields, such as private practice, public practice, Crown counsel and other judicial appointments.

While applications from private practice tend to form about two-thirds of the total number, in 2014 they formed 54 per cent, down from 74 per cent in 2013. Crown Counsel formed 38 per cent and applications from other areas formed eight per cent of the total number in 2014.

Figure A.4: Applicants by Gender and Area of Practice (2009 – 2014)

Type of Practice		Private	Crown Counsel	Other Areas
2014	Total	28	18	4
	Female	12	11	1
	Male	16	7	3
2013	Total	34	8	4
	Male	28	1	4
	Female	6	7	0
2012	Total	19	10	5
	Male	10	4	4
	Female	9	6	1
2011	Total	27	12	5
	Male	16	6	4
	Female	11	6	1
2010	Total	30	10	7
	Male	22	5	4
	Female	8	5	3
2009	Total	32	10	17
	Male	24	6	9
	Female	8	4	8
Average Number	**46.7**	**28.3**	**11.3**	**7**
% of Average Total	**100**	**56**	**22**	**14**

NEW AND RENEWED APPLICATIONS

Figure A.5 compares the number of new and renewed applicants.

The annual number of new applicants has been relatively stable with the exception of a significant spike in 2007, following which the applications returned to the pre-2007 levels. In 2014, following several below-average years, the number of new applicants returned to the 10-year average.

In 2014, there was a decrease in the number of applicants renewing their applications to the Judicial Council after previously being unsuccessful. ("Unsuccessful" applicants include those not granted an interview, as well as those interviewed but not recommended or appointed.)

Figure A.5: New and Renewed Applications by Year (2005 – 2014)

	New Applications		Renewed Applications	
	Total Received	Recommended After Interview	Total Received	Recommended After Interview
2014	34	10	16	10
2013	22	9	24	2
2012	21	8	13	4
2011	28	8	16	4
2010	29	9	18	8
2009	35	6	24	1
2008	33	10	21	3
2007	59	8	30	3
2006	43	6	12	1
2005	34	12	9	4
Average Number	**33.8**	**8.6**	**18.3**	**4**
% of Average		**25%**		**22%**

Not all persons applying in any given year had been interviewed by the end of the year.

Any members of the public who have a question that they wish to direct to the Chief Judge as Presiding Member of the Judicial Council, or to the Judicial Council as a whole, whether arising from this report or for any other reason, may do so in writing to:

info@provincialcourt.bc.ca

Or addressed to:
Judicial Council of British Columbia
337 – 800 Hornby Street
Vancouver, British Columbia V6Z 2C5