

The background is a dark blue gradient with stylized, lighter blue elements. On the left, a hand is shown holding a pen, with the pen nib pointing towards the center. On the right, a globe is visible, partially obscured by the hand and pen. A diagonal white line runs from the top right towards the center.

# British Columbia Law Institute & Canadian Centre for Elder Law

Annual Report 2014



# THE YEAR IN REVIEW



Jim Emmerton

EXECUTIVE DIRECTOR

## Report of the Executive Director

Since I am retiring on June 30, 2015, this will be my last annual executive director report for the British Columbia Law Institute (BCLI) and Canadian Centre for Elder Law (CCEL). I would like to take this opportunity to impart the secret of success for BCLI and CCEL, and for law reform generally — there are no such ‘secrets of success’, of course. The foundations of success are well-known and can be expressed in three concepts: great people working in teams, good strategic planning, and persistence.

### GREAT PEOPLE WORKING IN TEAMS

Based on our almost mystical dedication to great teamwork, the BCLI / CCEL people have established the foundation for a very successful future. A simple, but notable learning from my long career in different organizations and industries is the exceptional

added value that ensues from working effectively in teams. On several occasions I have been surprised by the exceptional results achieved through effective teamwork. For example, the unique contributions of experts in our Project Committee meetings regularly act as catalysts for the emergence of exceptional analyses and policy recommendations — the phenomenon that the

whole is greater than the sum of the parts is regularly evident.

As an organization, we have leveraged the added value of great teamwork in several ways:

- The members of our small, professional staff collaborate and support each other on all projects;
- Our Board of Directors is powered by a wide-range of expertise from practicing lawyers, legal academics, notaries and members of the general public;
- Scores of advisers on projects bring a wealth of divergent expertise and experience that, as noted above, support exceptional analyses and policy recommendations; and
- The BCLI / CCEL team has the great fortune of association with an almost unlimited number of friends and col-

laborators in government, the legal and other professions, funding stakeholders, peer organizations and in civil society generally. We constantly remind ourselves of the important strategic value of adding our next new friend, and remain ever grateful for, and can never sufficiently express our appreciation to, this large, informal team.

## GOOD STRATEGIC PLANNING

In 1980, I attended a speech given by Henry Kissinger to a meeting of business leaders. Critically commenting on the last year of the Carter Administration during which sixty-six Americans were being held hostage in Teheran, Kissinger's compelling theme was, "If you don't know where you're going, all directions will get you there." Appreciation of the critical importance of good strategic planning is a jumping-off point to a wide

universe of resources and the doorway to creating an excellent strategic plan. Jim Collins' book, *Good to Great*, as adapted for either the for-profit or not-for-profit world, remains a great resource for all organizations seeking to develop an excellent, realistic strategic plan that can provide a roadmap to success.

BCLI has consistently followed a good strategic plan that has provided a sound framework to develop consistently good work and an increasingly robust organization. Our Strategic Plan is based on a simple-to-communicate mission — striving to be a leader in the best in legal research and law reform work and the best in outreach relating to that work.

## PERSISTENCE

As with many useful imperatives in life, slavishly following a fixed course of action does not always lead to a good result. Indeed, in *Good to Great*, Jim Collins observed that the best chief exec-

utive officers follow the practice of identifying and accepting the harsh realities — if something is clearly not working, stop doing it.

However, when on the right track, it is critically important to energetically persist in completing the planned projects and to ensure you reach the targeted objectives, on time and on budget — unwavering persistence. ‘Staying the course’ is easy to espouse, often a challenge to achieve, and essential to long-term success.

How long should one persist in driving hard to achieve the organizations goals? Well, in my case, until June 30, 2015.

As I approach retirement, please allow me to express my profound thanks and appreciation to each and everyone who has shared any part of the BCLI / CCEL journey since March, 2007. I am satisfied that we have achieved excellent results in both BCLI and CCEL and am profoundly aware that every success has been

achieved through the combined efforts of the many who have supported BCLI/ CCEL along the way.

Many thanks to all, and my best wishes to BCLI and CCEL for continued and growing successes in future.



W. James Emmerton  
Executive Director



Joost Blom, Q.C.

CHAIR, BOARD OF DIRECTORS

## Report of the Chair

The British Columbia Law Institute (BCLI) has managed another productive and successful year. Although I have participated on the Board since 2007, this is my first report as Chair.

Success for BCLI, and its division, the Canadian Centre for Elder Law (CCEL) means making continuing progress on our mission — striving to be a leader in scholarly legal research and law reform and in outreach activities that relate to our work. We achieved these significant successes in 2014:

- During 2014, BCLI and CCEL completed ten projects, described in more detail with this Annual Report. They range from a law reform project recommending that British Columbia adopts franchise legislation to the development of a curriculum for use in university courses relating to understanding and preventing elder abuse.

- We continued work on several large, multi-year projects relating to strata property law, the ULCC model vital statistics legislation, development of a national knowledge network relating to elder abuse and the older women's dialogue initiative.
- During the same period, we have developed five new projects that have a range of purposes from a review of BC employment standards law to legal research on the 'family status' ground in human rights law.

BCLI's greatest impact comes with the implementation of our recommenda-

## Project Spotlight: The Canadian Conference on Elder Law

This year's Canadian Conference on Elder Law, to be held 12 November and 13 November 2015, unites practitioners from law, social work, health care, finance, non-profit, and other sectors to talk about issues involved in working with older adults. It also offers lawyers the opportunity to discuss challenging subjects that arise in representing older adults and their families.

tions in new legislation. During 2014, we were pleased to participate with CLEBC in educational programming relating to the new wills, estates and succession legislation (WESA) and the accompanying probate rules, which came into force as of March 31, 2014. The new WESA is based in substantive degree on the BCLI *Wills, Estates and Succession, Modern Legal Framework* in 2006 and subsequent *Probate Rules Report*. WESA provides updates and improvements to benefit all British Columbians.

While carrying out its core activities, BCLI and CCEL continue to contribute to legal research and law reform activities in the broader community in several ways:

- *Uniform Law Conference of Canada (ULCC)* – In addition to BCLI staff contributing as part of the BC delegation to the ULCC meetings, BCLI is leading the research and writing of the *ULCC Vital Statistics Act Project*;
- *International Women's Day* – CCEL participated in International Women's Day in March 2014 by presenting stories featuring older women's issues as part of the *CCEL Older Women's Dialogue Project*;
- *2014 FOLRAC Symposium* – With the Law Reform Commission of Saskatchewan, BCLI co-hosted, at the UBC Faculty of Law at Allard Hall, the 2014 FOLRAC Symposium of the Federation of Law Reform Agencies of Canada. Staff Lawyer, Kevin Zakreski is Secretary of FOLRAC; and
- *Elder Law Conference* – CCEL, in collaboration with CLEBC, is planning to co-host the next Elder Law Conference scheduled for November 12 and 13 in Vancouver.

## FUNDING CHALLENGES

As a small, not-for-profit, charitable agency, BCLI is continuously challenged to generate the revenues needed to carry out our various projects and activities while providing appropriate remuneration for staff. In 2014-2015, BCLI is most grateful for the ongoing core funding provided by our key supporters, the Law Foundation of British Columbia and Ministry of Justice, BC. As detailed later in this report, many other supporters have also generously supported BCLI and CCEL projects.

## LEADERSHIP TRANSITION

During late 2014 and early 2015, a Board Committee is carrying out a succession process to engage a new Executive Director to begin June 1, 2015. We have

received interest from a number of worthy candidates, and are confident that a good selection process is underway for an effective leadership transition.

Jim Emmerton's last annual Executive Director's report is included in this BCLI Annual Report. On behalf of the Board and staff of BCLI, I want to say how grateful we are for his outstanding service over the last seven years. Building on the work of his predecessor, Arthur Close, QC (who continues on the Board as an emeritus member), Jim Emmerton has managed the diverse responsibilities of the Executive Director's position with such skill and aplomb that BCLI is today a stronger institution than ever. We all look forward to continuing to work with Jim until he finishes his term in June.

## CONCLUSION

It is a privilege to Chair the BCLI Board. The Board continues to be grateful for

the great results achieved by the BCLI / CCEL staff in collaboration with all of our various volunteers and other supporters. I express my sincere appreciation for the support of our funders, government and our over one hundred dedicated and expert volunteers. Each of their contributions makes it possible for the vital work of BCLI and CCEL to continue.

A handwritten signature in black ink, appearing to read 'J. Blom', with a long horizontal line extending from the end of the signature.

Prof. Joost Blom, Q.C.

Chair



Krista James

NATIONAL DIRECTOR

## Report of the National Director

Over the last five years the CCEL has been on a journey toward working more extensively, and intensely, with community. We continue to strive to do work that is rigorous — thorough and grounded in good research — and to achieve this outcome we work with experts in the field from diverse areas of practice.

Advisory committee members continue to contribute enormously to our work. We have incorporated three ways of working on projects over the last few years that are helping us to do work that is more connected to community.

### WORKING COLLABORATIVELY

We are committed to working collaboratively in many aspects of our work. We think collaboration often creates higher quality work. Working together with one or more groups brings greater reflection and rigor to the practice. We become accountable to each other. We challenge

and support each other to do better work. We also bring our own relationships to bear on a project, and enhance our reach through collaboration.

The principle of collaboration is at the essence of the Older Women's Dialogue Project, which is focused on identifying, and taking action on, the pressing law and policy issues impacting older women. When we started this project in 2012, with the financial support of the United Way Lower Mainland, we contracted with the West Coast Women's Legal Education and Action Fund (West Coast LEAF) to assist us with consultation activities, to

help us reach older women from diverse communities. The collaboration seemed logical to us at the time. After all, the project was focused on older women — so bringing together two agencies with expertise in elder law and gender equality felt like the path to superior work. Yes, we could have moved this work forward alone. But we felt that we would do better work in collaboration.

Three years later this project continues and has expanded — now with the financial support of the Vancouver Foundation and the Government of Canada (New Horizons Program for Seniors) — and we are working with West Coast LEAF as full collaborators on all aspects of the project. The leadership is shared. And I am pleased to report that working together is indeed pushing us to do better work.

There are additional layers to the collaboration, because this phase of project work involves working with four different groups of older women to develop tools

to take action on law and policy issues of importance to them. This past year we have been meeting with groups of older women through the Downtown East-side Women's Centre and the Richmond Women's Resources Centre. The groups are identifying the law or policy issue they want to tackle, and we are working with them to move from personal challenges to shared system barriers to well-being—hopefully producing a tool to help communities and governments understand what social and legal changes are needed in order to improve quality of life for older women.

We think of ourselves and working with, and for, these communities of women. We are accountable to the host agencies and to the women.

Collaboration does not necessarily make the work easier. Sometimes the process slows us down. Sometimes it necessitates some teaching. It always requires humility. But it usually helps us

to identify challenges that are crucial. We hope it helps us to do work that matters.

## BEING MORE INCLUSIVE

We often use the terms senior, older adult, older person — but these umbrella terms, which have a kind of monolithic status, really refer to a very diverse group of people. So we are asking ourselves questions like: how can we make sure our research reflects the experiences of immigrant seniors, of women, of low income people, of Indigenous people, of people with disabilities?

There is a huge danger that law reform moves forward in a way that responds only to the experiences of some older populations, and especially to the needs of older people with greater social power and influence. When we hear statements like, “seniors are living longer”, “seniors are working longer and delaying retirement”, we try to ask ourselves, and en-

When we hear statements like, “seniors are living longer”, “seniors are working longer and delaying retirement”, we try to ask ourselves, and encourage others to ask, “which seniors?”

courage others to ask, “which seniors?” These statements are not true of all populations. And where the statements are true, they may be true for different reasons that matter.

For the first phase of work on the Older Women’s Dialogue Project in 2012-2013 we ran focus groups in 9 different languages. This allowed us to connect with women from many more communities than was previously possible for us. We were able to do this work because community agencies stepped forward and supported us by providing space, sometimes interpretation. This collaboration with local organizations meant that our report captured barriers experienced by immigrant women who are older. Since then we continue to reflect on: what voices are missing? How can we be more inclusive? Being more inclusive is

integral to our journey toward working more extensively with community.

### REFLECTING LIVED EXPERIENCE

Research is a big part of our work and there are a lot of ways to approach research. We look at court decisions and legislation, studies and statistics. We talk to the researchers and practitioners who are leaders in a field. But more and more we are talking to older people about how the law impacts them personally. We are talking to practitioners about what it is like on the ground. We think of these people as experiential experts. Is one activity consultation versus the other research? I think we are questioning whether these are really distinct categories of work.

In 2013 we were retained by Atira Women’s Resource Society to develop a promising practice tool on the topic of housing older women fleeing violence or abuse. The process of identifying promising practices has involved interviewing 45 front line responders from across the country who provide services to older women who have experience violence, including the transition house sector, health authorities and seniors services. In many communities women have experienced success in making transition houses more inclusive of older women, in shifting practice to support the unique needs of each older women. Atira’s process also involved a services evaluation that included many older women who have used transition house services. This promising practices document, which will be published in English and French

in 2015, will document strategies that are working, hopefully making space for more rich conversations and changes in practice to support the older women in our communities.

Although we are using some conventional research techniques, most of the information in the final tool will have been gleaned from the experience of people doing this work, as well as from older women using the services. This is a lived experience document backed by rigorous research.

Although I am talking about these ways of working as distinct orientations, that is maybe a little misleading. In practice I think they are complementary approaches, reinforcing ways of working. Working collaboratively helps us to be more inclusive; reflecting lived experience helps our work be more inclusive. Inclusive practice engages greater collaboration. Collaboration is both a means and an end. It's a bit of an ideological circle perhaps but I think it is worth highlighting that all three orientations to

practice are important.

Living these principles makes the work much more fulfilling, more interesting and more challenging. Here's to another year of learning.

A handwritten signature in black ink, appearing to read 'K. James', with a long horizontal flourish extending to the right.

Krista James  
National Director  
Canadian Centre for Elder Law



# OUR PEOPLE

# The Board of Directors

BCLI's Board of Directors consists of volunteers from across the legal profession. These practicing lawyers, notaries, and professors from BC's three law schools, in conjunction with one non-lawyer, provide BCLI with the perspective and guidance necessary to serve the law reform needs of the people of British Columbia.

## **Hon. Marion Allan**

The Hon. Marion Allan was a Deputy Judge of the Supreme Court of the Yukon Territory for 22 years. As an advocate for elder law reforms, she has greatly contributed her expertise in civil litigation, judicial interpretation, legal research, law reform and legal education to BCLI and CCEL. In both 2005 and 2012, she delivered the keynote speeches at the Canadian Conferences on Elder Law.

## **Prof. Joost Blom, Q.C.**

Prof. Joost Blom was awarded the designation of Queen's Counsel (for B.C.) in 1985. He served as Dean of the UBC Faculty of Law from 1997 to 2003 and is a former Bencher of the Law Society of BC. His research and writing has focused on the relationship between Contracts and Torts, on Conflicts of Laws, and on Comparative Law. He has brought his expertise in the

area of regulation, organizational leadership, finance and law reform to BCLI.

## **Roy Cammack**

Mr. Cammack was appointed by The Society of Notaries Public for BC, effective August 1, 2013, for a term of three years. Mr. Cammack is the owner of Cammack & Co., Notaries Public. He has been actively engaged as a Notary since 1982 and specializes in real estate documents such as restrictive covenants, easements, rights of way and building schemes, transfers, mortgages and leases and personal planning documents including wills, powers of attorney, affidavits and representation agreements.

## **Jan Christiansen**

Mr. Christiansen was called to the Bar of BC in 1981. Since

1981, he has practiced with Heather, Sadler Jenkins and is now Associate Counsel with the firm. His areas of practice include insolvency, commercial litigation, and general solicitor work. He has appeared as counsel in various Courts including the BC Court of Appeal, the BC Supreme Court, the BC Provincial Court, the Federal Court of Canada and the Tax Court of Canada.

### **R. C. (Tino) Di Bella**

Mr. Di Bella graduated from University of Victoria Law School and was called to the BC Bar in 1980. He practices in wills and estates, estate litigation, insolvency and creditors' remedies, residential and commercial tenancies, and condominium law. Mr. Di Bella served on both the Estate Administration sub-committee of BCLI's Succession Law Project and the Project Committee of BCLI's Probate Rules Project.

### **Oliver Fleck**

Mr. Fleck is a member of the Bars of British Columbia, Ontario, and Washington State. He serves as Administrative Crown Counsel with management responsibility for the Fort St. John Crown Counsel office. He is currently employed with the Criminal Justice Branch at BC Ministry of Justice and has worked with the Government of Canada in Ottawa, Ontario and Geneva, Switzerland from 1999 to 2012. Mr. Fleck has also volunteered with several organizations.

### **Prof. Bob Howell**

Prof. Howell joined UBC Law School in 1980. He was co-director of the International Intellectual Property Summer Program from 2002 to 2007 and currently teaches Property, Intellectual Property, Private International Law (Conflict of Laws), Managing Intellectual Property, Telecommunications, and Internet-related law. He has published extensively and has brought his expertise in the areas of intellectual property law, education, research, finance, and inter-disciplinary teams to BCLI.

### **Fiona Hunter**

Fiona Hunter is a partner at Horne Coupar in Victoria, BC. She practices exclusively in the area of estate planning with an emphasis on trusts and estate mediation. Fiona has been an Assistant Adjunct Professor at the University of Victoria and served as past chair of both the Wills and Trusts Section (Victoria) and the Elder Law Section (BC) of the Canadian Bar Association. She has been recognized by her peers as one of the Best Lawyers in Canada since 2008.

### **The Hon. Kenneth Mackenzie, Q.C.**

Kenneth C. Mackenzie Q.C., S.J.D., is a recently retired Justice of the Court of Appeal of British Columbia. He was an associate professor of UBC's Faculty of Law, a member of the B.C. Law Reform Commission, a Justice of the B.C Supreme Court from 1992 to 1998, and served on the B.C Court of Appeal from 1998 to 2011. Mr. Mackenzie was appointed to the BCLI Board in 2012.

## **Judith Mosoff**

Ms. Mosoff is an Associate Professor in the Faculty of Law, University of British Columbia. Ms. Mosoff joined the Faculty of Law in 1991, having taught in the School of Criminology at Simon Fraser University and the Department of Psychology at Ryerson Polytechnical University. Call to the Bar of BC in 1983, Prof. Mosoff has practiced as a mental health lawyer. She teaches in the areas of disability, criminal and children's law. Her research is in the area of disability, particularly mental disability. Currently, her research and community activities concern inclusive education for children and youth with intellectual disabilities.

## **Prof. Richard Oppong**

Dr. Richard Oppong is currently an Assistant Professor at Thompson Rivers University, Faculty of Law. One of his principal research interests is private international law (conflict of laws), with a special focus on Africa, and he has published several ground breaking works on the subject. Dr. Oppong's work has been cited frequently by courts and academic publications, and he is regularly consulted by law firms, international organizations, academics and academic institutions.

## **Lisa Peters**

Lisa Peters is a partner with the Vancouver law firm Lawson Lundell LLP, and is the head of that firm's legal research and opinions department. She is the author of numerous publications on

legal research and private law generally, and has served as chair of the Legislation and Law Reform Committee of the Canadian Bar Association (BC Branch). Ms. Peters has been a member of the BCLI board since October 2010.

## **D. Peter Ramsay, Q.C.**

Mr. Ramsay was called to the Bar of British Columbia in 1970 and was appointed Queen's Counsel in 1999. He primarily practices in estate matters, damages, land use, labour and employment. Mr. Ramsay has served as a Bencher of the Law Society of British Columbia. He chaired the Succession Law Reform Project for BCLI and a second project committee tasked with making recommendations for the reform to the court probate and administration rules. These projects resulted in the new Wills, Estates, and Succession Act and the new Probate Rule 25.

## **Andrea Rolls**

Ms. Rolls has worked at the Ministry of Public Safety & Solicitor-General for more than 25 years and has held several very senior positions. Being an active advocate, she has overseen implementation of legislation and policy relating to child abuse, aboriginal issues, court systems, and family violence. Recently, she has overseen Ministry funding relating to seniors issues such as developing fact sheets on senior abuse and arranging funding for a victim services worker at BC Centre for Elder Advocacy And Support.

## Stanley Rule

Stanley Rule is a partner with the Kelowna law firm Sabey Rule LLP, where his practice focusses on estate planning, probate, and estate administration. He is also a writer on legal issues and author of the "rule of law" blog. Mr. Rule has been a member at large on the BCLI board since October 2010.

## Thomas Spraggs

Thomas Spraggs is the owner and operator of Spraggs & Company Law Corporation. Mr. Spraggs specializes in personal injury law. He is a Youth instructor for Calvary Baptist Church a Pro Bono Lawyer with the Western Canadian Society to Access Justice, and he is an Organiser and Participant in the Relay of Hope for the Cross Cancer Institute. Mr. Spraggs holds his Bachelor and Master of Laws from Bond University in Australia and is currently working on his Master of Business Administration from Trinity Western University.

# Members Emeritus

## Arthur L. Close, Q.C.

Arthur Close, QC is a retired lawyer and expert in law reform. Mr. Close was a former Chair of the Law Reform Commission of BC. He has authored a number of reports that were implemented through legislation. Following the abolishment of the Law Reform Commission, Arthur, along with other members of the legal community, founded BCLI where he subsequently became Executive Director. In 2003 Arthur spearheaded the creation of CCEL, which is the only body in Canada devoted exclusively to legal research and law reform in the area of elder law.

## Gregory K. Steele, Q.C.

Gregory Steele, QC has been practicing law in British Columbia since 1980. He obtained his law degree from the University of British Columbia. He has experience in a broad range of practice, including insurance, commercial, wrongful dismissal, matrimonial, human rights and torts. He has represented individuals and corporations at all levels of court, including the Supreme Court of Canada. He was the President of the Uniform Law Conference of Canada and was a member of the Canadian Delegation to The Hague Conference on Private International Law matters. He was appointed Queen's Counsel in 2002.

# BCLI's Staff and Volunteers

Executive Director  
Jim Emmerton

Senior Staff Lawyer  
Greg Blue, Q.C.

Staff Lawyer  
Alexandre Blondin

Researcher  
Raissa Dickinson

Blogger and Communications Assistant  
Benedicte Schoepflin

National Director, CCEL / Staff Lawyer  
Krista James

Staff Lawyer and Secretary  
Kevin Zakreski

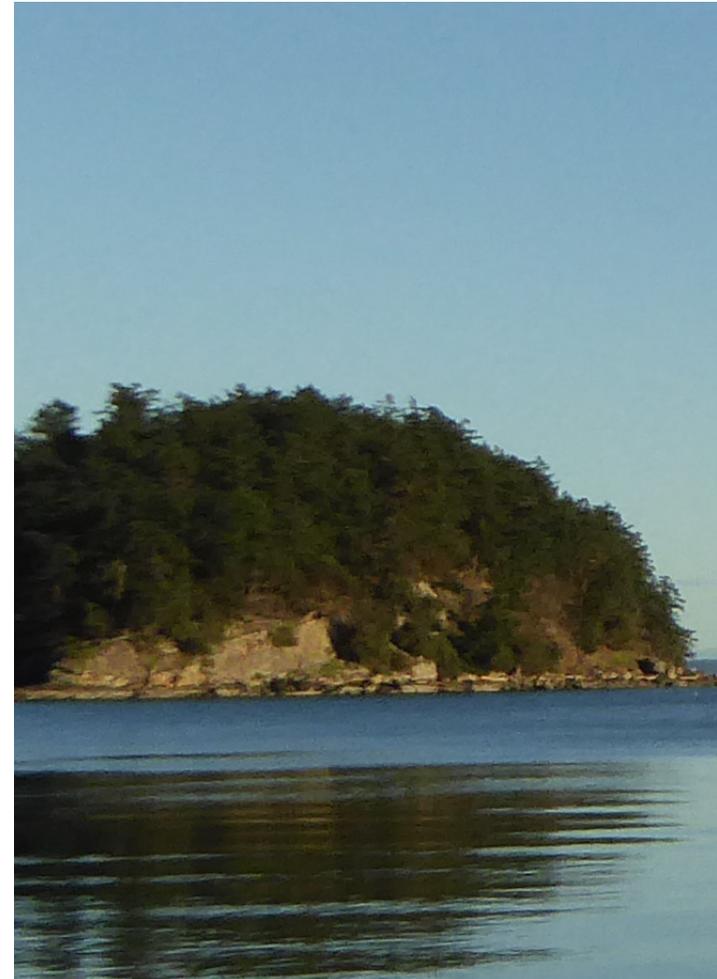
Office Manager  
Elizabeth Pinsent

Research Assistant (Part Time)  
Denise Beaton

In 2014, BCLI had three **Judicial Liaisons**:

- The Honourable Madam Justice Mary Newbury, Court of Appeal of BC
- The Honourable Justice Peter G. Voith, Supreme Court of BC
- The Honourable Judge Gurmail Gill, Provincial Court of BC

During the year, BCLI has benefited greatly from the substantial contributions of over 100 **volunteers** on the Board, on Project Committees, and through research and other assistance. We would like to offer a heartfelt thank you to all our volunteers.



# Board Committees

The volunteer members of BCLI's Board of Directors also serve on the board committees that direct BCLI's financial, administrative, and scholastic future.

**Executive Committee** — meets as required and has the full power of the Board of Directors, except for the approval of commitments over \$75,000 or matters delegated to another Committee of the board.

Members include the Hon. Marion J. Allan, Prof. Joost Blom, Q.C., R. C. (Tino) Di Bella, Thomas L. Spraggs, Jim Emmerton (*ex officio*).

**Audit, Finance & Risk Committee** — meets at least four times per year and assists the Board of Directors in fulfilling its oversight responsibility relating to financial, accounting, and risk matters.

Members include Roy Cammack, Jan Christiansen, Prof. Robert G. Howell, Lisa A. Peters, Andrea L. Rolls, and Thomas L. Spraggs.

**Program Committee** — meets at least twice per year and assists the Board of Directors in fulfilling its responsibilities relating to the development and approval of law reform projects and public education and outreach projects.

Members include the Hon. Marion J. Allan, Prof. Joost Blom, Q.C., Arthur L. Close, Q.C. (member emeritus), Prof. Robert G. Howell, the Hon. Kenneth C. Mackenzie, Q.C., Prof. Judith P. Mosoff, Dr. Richard F. Oppong, and Stanley T. Rule.

**Nominating Committee** — meets at least once per year and assists the Board of Directors relating to the appointment of members, officers, and committee members.

Members include Prof. Joost Blom, Q.C., R. C. (Tino) Di Bella, the Hon. Kenneth C. Mackenzie, Q.C., Lisa A. Peters and Stanley T. Rule.

**Strategic Plan and Succession Committee** — meets as needed and assists the Board of Directors in the review and update of the strategic plan. Currently, the committee is also tasked with succession planning and recruitment.

Members include Prof. Joost Blom, Q.C., R. C. (Tino) Di Bella, Lisa A. Peters, D. Peter Ramsay, Q.C., Andrea L. Rolls, Thomas L. Spraggs, Jim Emmerton (*ex officio*).



# OUR PROJECTS

# Project and Activity Reports

## BCLI

### COMPLETED PROJECTS AND ACTIVITIES

#### Family Councils of Ontario

**Project Manager:** Jim Emmerton

In contract with Self-Help Centres Society, the BCLI has provided administrative and strategic support to support the successful initiation of a provincial family councils organization in Ontario.

With BCLI support, a provincial family councils organization has been established in Ontario, (Family Councils of Ontario) that will provide practice supports and education to the various local family councils.

Through support from Family Councils of Ontario, the various family councils will be more effective in supporting families who have persons in long term care facilities.

### ONGOING PROJECTS AND ACTIVITIES

#### Builders Lien Act, BC Project

**Project Manager:** Greg Blue, Q.C.

In April 2014, BCLI began a two-year project with a Project Committee to review and develop law reform recommendations on a broad range of issues in the *Builders Lien Act*, BC, including obtaining funding by the Ministry of Justice, BC, developing a project plan, recruiting a Project Committee and beginning research and holding Project Committee meetings.

The project is well underway and proceeding on schedule to develop recommendations for a new *Builders Lien Act*, BC.

#### Employment Standards Act, BC Project

**Project Manager:** Greg Blue, Q.C.

Commencing October 1, 2014, BCLI has recruited a Project Committee, developed a project plan, begun legal research of several issues and the Project Committee has held three meetings.

The project is well underway and on schedule to develop a report that reviews the *BC Employment Standards Act* and make recommendations for reform.

When completed, the project's report will provide a roadmap for the next gen-

# PROJECT AND ACTIVITY REPORTS

eration of employment standards legislation in BC.

## Strata Property Law: Phase Two

**Project Manager:** Kevin Zakreski

The Project involves a review of seven major topics in strata property law. With a Project Committee, BCLI developed a consultation paper on the major issue of termination of a strata and has received public input. The project is continuing with legal research and writing and deliberations by the Project Committee to develop law reform recommendations on other topics.

BCLI has successfully engaged Government and key stakeholders in the Phase Two project. When completed the Phase Two Report will be directed to providing the framework for the next generation of BC strata property law.

## Technology, Remoteness, Disability, and Evidence Project

**Project Manager:** Greg Blue, Q.C.

This two-year LFBC-funded project was completed on schedule in September 2014. In 2014, informed by the project Advisory Committee, BCLI completed the study paper that provides detailed background and support for practitioners and others on the law and the range of currently available assistive technologies.

The study paper provides detailed information and recommendations relating to improvements that may be made to enhance the abilities of witnesses who are remote or constrained by disabilities to effectively provide evidence.

# Project and Activity Reports

## CCEL

### COMPLETED PROJECTS AND ACTIVITIES

#### Curriculum Development - Elder Abuse Prevention

**Project Manager:** Krista James

CCEL has developed a module of curricular content for the teaching of Elder Abuse Prevention and Response for SFU and BC Campus. CCEL carried out the research and collaborative work and drafted the curricular content in modular form.

The module provides a flexible module available for various instructors in di-

verse fields to provide instruction on Elder Abuse Prevention and Response.

#### Family Caregiving - Alzheimer's Society

**Project Manager:** Krista James

In contract with Alzheimer's Society, BC, the CCEL produced a research paper updating CCEL research on family caregiving, which was published in 2010, with funding from LFBC.

The updated report supports the work of the Alzheimer's Society in supporting people needing family caregiving support.

#### Family Caregiving - Alzheimer's Society

**Project Manager:** Krista James

Based on the Phase One report, CCEL is, in collaboration with West Coast LEAF, carrying out (a) consulting with a groups of older women who are especially marginalized, vulnerable or isolated, and (b) working with four groups of older women to develop tools that address law or policy issues they identify as pressing.

When completed, the Phase Two project will have identified specific tool or reform needs of specific groups of older woman in BC and will have developed the tools and/or law reform recommendations in support of those groups.

# Project and Activity Reports

## ONGOING PROJECTS AND ACTIVITIES

### Building on Promises Approaches Across Canada for Housing Senior Women Experiencing Violence

**Project Manager:** Krista James

In contract with Atira, CCEL has, through research, identified organizations across Canada with promising approaches to housing senior women experiencing violence. CCEL is carrying out interviews with stakeholders to describe and present the promising practices.

When completed the project will have a report that identifies promising approaches to housing senior women in Canada who are survivors of family violence for use by Atira and others.

### The Canadian Network for the Prevention of Elder Abuse Knowledge Sharing Project

**Project Manager:** Krista James

CCEL is providing management and other services for a multi-year project of CNPEA to develop a national knowledge sharing network on elder abuse prevention.

This multi-year project is continuing on schedule and when completed, will deliver a national knowledge network including on-line network and information sharing about elder abuse prevention and management.

# Appreciation

The British Columbia Law Institute and Canadian Centre for Elder Law acknowledge and thank our many supporters, partners, and collaborators who make our efforts so successful.

## Government

ESDC  
Finance BC  
Health BC  
Housing BC  
Jobs BC  
Justice BC  
Justice Canada  
Public Guardian & Trustee of BC  
Seniors Canada  
PHAC

## Foundations

Law Foundation of BC  
Notary Foundation of BC  
Real Estate Foundation of BC  
McConnell Foundation  
Law Foundation of Ontario  
Vancouver Foundation

## Universities

University of British Columbia  
University of Victoria  
Thompson Rivers University  
Simon Fraser University  
University of Toronto  
University of Saskatchewan  
Stetson University, Florida  
William Mitchell College of Law, Minnesota

## Professional Organizations

Association of BC Land Surveyors  
Canadian Bar Association, BC Branch  
BC Chamber of Commerce  
Condominium Home Owners' Association  
Continuing Legal Education Society of BC  
Law Society of BC

Real Estate Association of BC  
Real Estate Institute of BC  
Real Estate Council of BC  
Professional Association of Managing Agents  
Strata Property Agents of BC  
Urban Development Institute  
Vancouver Island Strata Owners Association

# Appreciation

## Law Reform Agencies

Alberta Law Reform Agency  
Law Reform Commission of Saskatchewan  
Manitoba Law Reform Commission  
Law Commission of Ontario  
Law Reform Commission of Nova Scotia  
Scottish Law Commission  
The Law Commission  
South Australia Law Reform Institute  
Australian Law Reform Commission  
Law Reform Commission of New South Wales  
Law Reform Commission of Victoria (Australia)  
Law Reform Commission of Trinidad & Tobago  
Hong Kong Law Reform Commission  
Uniform Law Conference of Canada  
Uniform Law Commission  
Federation of Law Reform Agencies of Canada

## Law Firms

Alexander Holburn Beaudin + Lang LLP  
Blake, Cassels & Graydon LLP  
Borden Ladner Gervais LLP  
Boughton Law Corporation LLP  
Bull, Housser & Tupper  
DLA Piper (Canada) LLP  
Farris, Vaughan, Wills & Murphy LLP  
Fasken Martineau DuMoulin  
Gowling Lafleur Henderson LLP  
Hammerberg Lawyers LLP  
Heather Sadler Jenkins  
Horne Coupar  
Lawson Lundell LLP  
Lindsay LLP  
Jawl & Bundon LLP  
McCarthy Tétrault  
Shapiro Hankinson & Knutson Law Corp  
Stikeman Elliott LLP

# Appreciation

## Social Justice

Atira Women's Resource Society  
Advocacy Centre for the Elderly  
Alzheimer's BC  
BC Adult Abuse and Neglect Prevention Collaborative  
BC Centre for Elder Advocacy and Support  
BC Association of Community Response Networks  
Canadian Association of Gerontology  
Canadian Human Rights Commission  
Community Legal Assistance Society  
Downtown Eastside Women's Centre  
FAJEF  
Parents Support Services Society of BC  
Financial Consumer Agency of Canada  
Gordon Neighbourhood House  
Granville Seniors Centre  
Immigrant Services Society  
International Federation on Aging  
John Braithwaite Community Centre  
Langley Seniors Resource Centre  
Minoru Activity Centre  
West End Seniors Network  
Law Students Legal Advice Program  
National Initiative for the Care of the Elderly  
National Justice Institute

UBC Centre for Feminist Legal Studies  
Vancouver and Lower Mainland Multicultural Family  
Support Services  
Richmond Women's Resource Centre  
S.U.C.C.E.S.S.  
South Burnaby Neighbourhood House South  
United Way of the Lower Mainland  
Volunteer Richmond Information Services  
West Coast LEAF

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