

**BRITISH COLUMBIA LAW INSTITUTE &  
CANADIAN CENTRE FOR ELDER LAW**



**annual report 2012**



# REPORT OF THE CHAIR

## LAW REFORM AND YOU

**T**he implementation of the new British Columbia Wills, Estates and Succession Act, commonly called “WESA”, along with new probate rules is now underway, and will come into effect on March, 31, 2014. This new Act and new probate rules represent the culmination of more than a decade of work by the British Columbia Law Institute (BCLI) and a host of volunteers, who created the BCLI report on *Wills, Estates and Succession: A Modern Legal Framework* (2006), the *Report on New Probate Rules*, (2010), and who supported the development of WESA and the new probate rules.

Relevant for all estate planning and estate administration in British Columbia, WESA and the new probate rules provide important changes and improvements for all British Columbians.

WESA represents a marquee example of the great value and relevance of independent law reform work. As societies and economies have developed and changed in recent years, the importance of independent law reform work has never been more important and relevant.

**“WESA represents a marquee example of the great value and relevance of more than a decade of independent law reform work.”**

*R.C. Tino di Bella*

Difficult economic conditions have placed great strains on governments. Government spending is greatly challenged to keep up with rapidly growing costs in health and education at a time when revenues have not kept pace with needs. Governments are challenged to find financial and personnel resources to

undertake the detailed research and policy work to review and reform outdated laws.

An independent law reform agency such as BCLI provides an invaluable resource to government and the public:

- BCLI is comprised of a dedicated team of experienced, professional law reformers who, at low cost, provide expert, professional, objective, non-partisan and non-political legal research and law reform work. Members of the public and governments enjoy the benefits of thorough research and law reform recommendations directed toward providing the best results for British Columbians and Canadians.
- BCLI projects are undertaken with the support and involvement of committees com-

prised of volunteers that have expertise and experience in the topic under review. BCLI estimates that this volunteer time represents over \$1 million annually, effectively making BCLI's output exceedingly efficient from a cost perspective.

- The expert volunteers provide unique contributions not otherwise available to government.

- » By gathering groups of experienced experts together for joint study and policy development, the BCLI volunteer project committees bring unique best-of-the-best of collective wisdom and innovation to law reform policy issues.

- » Additionally, volunteer project committee members provide a wealth of client-based real-life experiences with laws and legal processes that result in practice-confirmed law reform recommendations.

As I approach the completion of my first year as Chair of BCLI, I am encouraged and inspired by the significant challenges for new legal research and law reform work. New areas include work on:

- strata property law reform,
- revision of the builders lien legislation,
- support for older adults in such areas as abuse avoidance and financial literacy, and
- the broad topic of the future of law and justice system.

Please visit our website ([www.bcli.org](http://www.bcli.org)) and consider how you may wish to become involved.

On behalf of BCLI, I express my thanks and appreciation to all of our financial supporters, volunteers and others who have supported the good work of legal research and law reform and supported the continuing efforts of the British Columbia Law Institute.



R.C. (Tino) di Bella  
Chair



# REPORT OF THE EXECUTIVE DIRECTOR

## THE FUTURE OF LAW AND LAW REFORM

“It was the best of times, it  
was the worst of times.”

- Tale of Two Cities,  
*Charles Dickens*

Independent law reform agencies have been at work in Canada on law reform topics for over one-half century. And the need for, and the challenges facing law reform agencies have never been greater. Driven by the dramatic changes in communication technologies in recent years, profound changes are occurring in how law is practiced, in the courts and other dispute resolution systems and in the laws themselves:

- People are learning about law in new ways - using online services, often including short audio and video bites, compared to prior reliance on expert legal advice;
- New legal services and information are being provided from many non-traditional sources including:
  - » by firms that may be in a different province or continent than the client; and

- » by other professionals such as notaries and para-legals; and
- » increasing reliance on self-help as governments attempt to save costs by reducing or automating public services.
- With ever-increasing litigation costs, an alarming percentage of clients are self-represented in all court levels.
- Significant social and demographic changes are increasing the need for new and more responsive legislation.

Law reform agencies such as the British Columbia Law Institute are uniquely well-positioned and experienced to review the issues arising from these changes and to provide helpful and innovative policy and legislative recommendations. We have a well-established reputation of working with multi-discipline groups and ardently maintain professional, objective, non-partisan and non-political approaches.

It is clear that communications technologies will continue to develop at a rapid pace in new and unexpected ways providing exhilarating challenges for law reformers to create a future legal system that is responsive and just.

At the same time, funding available for law

## REPORT OF THE EXECUTIVE DIRECTOR

reform work continues to become more challenging as key stakeholders themselves face large financial issues:

- Governments confront ever-increasing costs, especially health and education costs, often in an economic environment where their revenues are declining; and
- While the low interest rates in Canada and other countries in recent years have served to support recovering economies, the same low rates have, as an unintended consequence, hollowed out the ability of private funders such as foundations to fund meritorious social programs and services including legal research and law reform projects.

In financial terms, BCLI is a small agency vulnerable to changes in funding availability from its various stakeholders. For this reason, we will continue to seek innovative alternatives such as establishing an endowment fund or social enterprise to assist in supporting our financial viability.

To paraphrase Dickens, it is the best of times, it is the worst of times.

The British Columbia Law Institute and Canadian Centre for Elder Law remain blessed to have the strong support of funders, our dedicated Board members, and the many expert project volunteers who are consistently providing wise and insightful views and advice for our operations and projects. Thank you to all of our supporters.

Internally, the members of our small, dedicated, professional, and experienced staff deliver very impressive results on a continuing

basis. It is a true pleasure to work with this team.

Through the great dedication and efforts of all of these people, we are truly, *'the little engine that does.'*

BCLI has a list of exciting projects that are either underway or under consideration. I look to another exemplary year in search of a better, more just society.



W. James Emmerton  
Executive Director



# REPORT OF THE NATIONAL DIRECTOR

## STORYTELLING ABOUT AGING AND OLDER WOMEN

**E**lder Law is fundamentally about people's stories. This year our work at the Canadian Centre for Elder Law has more than ever brought this message home.

Our most significant project during 2012, and continuing into 2013, has been the Older Women's Dialogue Project. Several aspects of this project set it apart from earlier CCEL work.

### *1. New Collaborations, New Relationships*

The Older Women's Dialogue Project has been our first opportunity to carry out a project in collaboration with the West Coast Women's Legal Education and Action Fund (West Coast LEAF). Given the focus on older women, it made good sense to bring together our two organizations, who possess complementary and overlapping expertise in gender equality and aging issues, respectively. This cross-fertilization of knowledge and experience has significantly enhanced our approach to issues.

The first phase of the project involved organizing consultation events throughout the Vancouver Lower Mainland. West Coast LEAF staff were instrumental in the project's success in reaching women from diverse ethno-

cultural communities. We are so pleased to have developed this working relationship with West Coast LEAF and look forward to further collaborative work focused on older women.

This project is the first CCEL project funded by the United Way of Lower Mainland (UWLM). The UWLM's focus on empowering seniors has supported us to develop a project focused on involving older women in law reform research and policy development. Both UWLM and CCEL regard this project as a big success, and are looking to further work we can undertake together.

As part of this project we co-hosted our first International Women's Day event, and we hosted this event in conjunction with the Simon Fraser University Gerontology Department and the UBC Centre for Feminist Legal Studies. This event is our first collaboration with the Centre and we hope to work together again.

The consultation work was only possible because 21 community organizations came forward to participate in the process. Organizations provided meeting space and staff provided invaluable assistance with registration and language interpretation. We are most grateful for this support and are currently exploring ways we can come back to the communities to continue these collaborations.

### 2. Working at the Community Level, Bridging Grassroots and Policy Players

One of the goals of the Older Women's Dialogue Project is to enhance our understanding of older women's experiences, such that CCEL work can be better informed by their lived experiences and struggles, and by their perception of law reform priorities. This project starts with the assumption that women are experts about how law and policy affects them, and so the first step in this project was to go out into the communities as ask older women the question: what are the barriers to your quality of life? Consultation is an important phase of almost any law reform and research project, but what is unique about this project is that consultation with people in the community was the starting place. Other law reform projects have started rather with engagement with professionals and experts.

As part of this project we co-hosted our first International Women's Day event. *Women and Aging: Stories about the Widening Gender Gap* featured storytelling about women's experiences and social policy commentary on where we go from here to enhance women's quality of life and address the barriers they have identified. The event was well-attended, attracting advocates, organizers, and activists who have not participated in CCEL events before, and generating inspiring discussions about how to address issues such as poverty, housing barriers, access to justice, and domestic violence. The feminist community

brought great wisdom to the table in exploring aging issues. It was exciting to host a forum where people who have worked around poverty and social equality issues could share their ideas on aging policy.

### 3. Next Steps for 2013

As this project draws to a close in early 2013, we are looking for expansion of the concept in a second project. Please keep following our website to learn what the second year of work

will bring. Our report on year one will be published online in September 2013.

The story of an elder rights movement in Canada is rather young, certainly younger than the feminist

movement. Our analysis of aging has much to gain through opportunities for older women to share their experiences, and by bringing feminist theory and social equality analysis to the discussion. We look forward to seeing where these conversations lead us in 2013 and beyond.

*Krista James*



Krista James  
National Director  
Canadian Centre for Elder Law

# CURRENT MEMBERS AND DIRECTORS OF BCLI

Name	Appointed By	Since	Most Recent	Term Expiry
Prof. Joost Blom, Q.C.	At large	12/05/2007	12/12/2012	12/03/2017
Mimi Chen	Canadian Bar Association, B.C. Branch	07/04/2012	07/04/2012	08/01/2013
Jan Christiansen	The Law Society of British Columbia	12/01/2012	12/01/2012	11/30/2015
R. C. ("Tino") Di Bella	Canadian Bar Association, B.C. Branch	04/01/2008	04/01/2011	03/31/2014
Richard H. W. Evans	Society of Notaries Public of B.C.	08/01/2010	08/01/2010	07/31/2013
Margaret Hall	TRU Faculty of Law	11/30/2012	11/30/2012	11/30/2017
Prof. Douglas C. Harris	University of British Columbia, Faculty of Law	04/01/2012	04/01/2012	03/31/2014
Prof. Robert G. Howell	University of Victoria, Faculty of Law	09/01/2008	09/01/2013	08/31/2018
Fiona Hunter	The Law Society of British Columbia	05/01/2009	05/01/2012	04/30/2015
Hon. Kenneth C. Mackenzie, Q.C.	At large	01/11/2012	01/11/2012	01/10/2015
Lisa A. Peters	At large	10/04/2010	10/04/2010	10/03/2013
Geoff Plant, Q.C.	Attorney General of British Columbia	02/07/2008	02/07/2011	02/07/2014
Peter Ramsay, Q.C.	At large	06/06/2002	09/19/2012	09/30/2015
Andrea L. Rolls	At large	04/01/2010	03/20/2013	03/19/2016
Stanley T. Rule	At large	10/04/2010	10/04/2010	10/03/2013
Thomas Spraggs	Attorney General	05/04/2012	05/04/2012	05/03/2014
Arthur L. Close, Q.C.	Member Emeritus	09/19/2012	09/19/2012	09/18/2017
Greg Steele, Q.C.	Member Emeritus	01/11/2012	01/11/2012	01/10/2015

The reference to "At large" in the above table indicates the 6 members/directors who are appointed by the 9 'institution-appointed' members. Traditionally, one "At large" member/director has been a non-lawyer, currently Andrea Rolls.

## CURRENT MEMBERS AND DIRECTORS

### BOARD OF DIRECTORS AND JUDICIAL LIAISONS

**D**uring the year we have had a number of changes in the Board of Directors and Judicial Liaisons. Thanks to Honourable Justice Lynn Smith who retired as Supreme Court judicial liaison. We welcome Honourable Justice Peter Willcock as the new Supreme Court liaison.

In September 2012, D. Peter Ramsay, Q.C. stepped down as Chair of BCLI. Special thanks to Peter for his excellent work as Chair and ongoing support as a Director. R.C. (“Tino”) Di Bella assumed the position of Chair in September 2012.

During the year, longtime Directors Greg Steele, Q.C. and Arthur L. Close, Q.C., moved from positions as Directors to become BCLI’s first two *directors emeriti*. Thank you to both Greg and Arthur for their great work over many years, and their continued valued counsel and advice.

During the year, we welcomed several new Directors to the volunteer Board, including Ms. Mimi Chen, Mr. Jan Christiansen, Ms. Margaret Hall, Prof. Douglas Harris, Hon. Kenneth Mackenzie, Q.C., and Thomas Spraggs. BCLI most appreciates the participation and support of the new Directors.

We are grateful for the valued counsel and support provided by Dean Mary Anne Bobinski, and Ms. Christine Elliott who also retired as Directors of BCLI during 2012.



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R.C. “Tino” di Bella, Chair

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## BOARD COMMITTEES AND STAFF

**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 Peter Ramsay, Q.C., Prof. Joost Blom, Q.C., R.C. (“Tino”) Di Bella (Chair), Lisa Peters, Geoff Plant, Q.C., and 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 Lisa Peters (Chair), R.C. (“Tino”) Di Bella, Mimi Chen, Thomas Spraggs, Fiona Hunter, Greg Steele, Q.C., and Stanley Rule.

**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 Prof. Joost Blom, Q.C. (Chair), Arthur Close, Q.C., Richard Evans, Prof. Doug Harris, Hon. Kenneth Mackenzie, Q.C., and Prof. Robert Howell.

**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, Fiona Hunter, D. Peter Ramsay (Chair), Q.C. and Andrea Rolls.

**Strategic Plan Committee** - was constituted to assist the Board of Directors recommending a new or revised strategic plan. Its mandate will terminate upon approval of a new or revised strategic plan.

Members include Geoff Plant, Q.C., R.C. (“Tino”) Di Bella, Thomas Spraggs, D. Peter Ramsay, Q.C., Andrea Rolls and Jim Emmerton (Chair - *ex officio*).

BCLI has three Judicial Liaisons:

- Honourable Madam Justice Mary Newbury, Court of Appeal for B.C.
- Honourable Madam Justice Lynn Smith, Supreme Court of B.C. (Jan. – Aug. 2012)
- Honourable Mr. Justice Peter Willcock, Supreme Court of B.C. (Sep. 2012 –)
- Honourable Judge Gurmail Gill, Provincial Court of B.C.

### Current BCLI/CCEL staff:

<b>Executive Director</b> Jim Emmerton	<b>National Director, CCEL / Staff Lawyer</b> Krista James
<b>Senior Staff Lawyer</b> Greg Blue, Q.C.	<b>Staff Lawyer &amp; Secretary</b> Kevin Zakreski
<b>Staff Lawyer</b> Emma J. Butt to May 2012	<b>Office Manager</b> Elizabeth Pinsent
<b>CCEL Senior Fellow</b> Laura Tamblyn Watts	<b>Research Lawyer</b> Deborah Cumberlandford
<b>Public Interest Articling Students</b> Kisa Macdonald to May 2012 Alexandre Blondin to May 2013 Rachel Kelly from April to September 2012	

In 2012 volunteers played an important role in a number of BCLI and CCEL projects. We would like to thank:

- Megan Coyle,
- Genevieve Hillsburg,
- David Wu,
- Kiran Brar,
- Joseph Manning,
- Cristina Mizoguchi and
- Ariadne Vanzela Cordeiro.

Special thanks to Esther Robson, who made a tremendous contribution to CCEL work in 2012 and continuing in 2013.



# PROJECTS AND ACTIVITIES REPORTS

## BCLI

### COMPLETED PROJECTS AND ACTIVITIES

#### BOUGHTON / BCLI GREAT DEBATE

**Project Manager:** Jim Emmerton

In 2012, the Debate was held Thursday, October 25<sup>th</sup>, 2012, at the Pan Pacific Hotel in Vancouver, Canada. The debate focused on the contentious issue of the Harmonized Sales Tax (HST) in British Columbia; though the tax's fate had already been decided, the resolution called on debaters to make the case whether the divisive tax should be retained.

This year's winners were Tony Wilson, Boughton Law, and Chris Thompson.

Once more the event showed itself as an exceptional opportunity for members of the bar and the judiciary to enjoy a social and educational evening among their peers.

#### REAL PROPERTY REFORM PROJECT - PHASE 2

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

**Project Committee:** A. J. ("Bertie") McClean, Q.C. (Chair), Ian Cassie, Christine Elliott, Prof.

Robert G. Howell, Ken Jacques, Ross Langford, Susan Mercer, Peter Mueller, Calvin Ross, Paul Scambler, Q.C., Prof. Tony Sheppard, Lisa Vogt

This project examined the following areas of real property law:

1. the effect of section 29 of the Land Title Act and notice of an unregistered interest;
2. section 35 of the Property Law Act and judicial extinguishment of incorporeal interests;
3. severance of joint tenancy and other issues of co-ownership, including the four unities rule, and the Partition of Property Act;
4. restrictive covenants; and,
5. the doctrine of implied grant.

The project was funded by the Law Foundation of BC, the Notary Foundation of BC and the Real Estate Foundation of BC. Its final reports were approved in early 2012.

#### ULCC UNIFORM TRUSTEE ACT

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

This project is a Uniform Law Conference of Canada (ULCC) initiative.

BCLI is represented in the Working Group and the smaller Drafting Group appointed by the ULCC to develop a report on a Uniform Trustee Act for presentation to the ULCC. The project stems from the 2004 BCLI report *A Modern Trustee Act for British Columbia*.

Former BCLI Project Committee chair Donovan W. M. Waters, Q.C., Arthur L. Close, Q.C. and Greg Blue, Q.C. are members of the ULCC Working Group. Arthur Close, Q.C. and Greg Blue, Q.C. are also members of the Drafting Group.

The ULCC approved the Uniform Trustee Act prepared by the Working and Drafting Groups at its 2012 Annual Meeting in August, 2012. Collaboration with the BC Ministry of Justice and Attorney General continues on the adaptation of the Uniform Trustee Act for enactment in British Columbia.

### FAMILY STATUS GROUND IN HUMAN RIGHTS IN BC

**Project Managers:** Krista James

**Advisory Committee:** Lauren Bates, Tom Beasley, Prof. Gillian Calder, Devyn Cousineau, Frances Kelly, Nitya Iyer, Susan O'Donnell

In face of recent confusing jurisprudence and the changing landscape of family law in BC, the BC Family Status Legal Research Project has been established to research and analyse the family status ground, and prepare a discussion paper that:

- Provides a thorough review of legislation and jurisprudence in relation to the family status ground in Canada;

- Describes the issues and problems with the family status ground in BC;
- Develops scholarly research and analysis of issues relating to the family status ground;
- Identifies further issues for exploration in relation to the family status ground; and
- If appropriate, identifies a further legal research, law reform or legal education project in this area.

The project's completion date was April 2012. It was generously funded by the Law Foundation of BC.

### STRATA PROPERTY LAW - PHASE ONE

**Project Manager:** Kevin Zakreski


This one-year legal-research and analysis project looked broadly at developments in strata-property law. Its goal was to consider the challenges facing this area of the law and to narrow them down to a group of leading issues for reform, which would then be used to form the basis for a (separate) phase two law-reform project.

The project's final report was published in November 2012 and is available for download on BCLI website.

This project was supported by the Notary Foundation of BC.

### QUESTIONS AND ANSWERS ABOUT PENSION DIVISION ON THE BREAKDOWN OF A RELATIONSHIP

**Project Manager:** Thomas G. Anderson, Q.C.



The advent of British Columbia's new Family Law Act will have far-reaching repercussions for decades to come. One of the areas that will be affected is the division of pensions on the breakdown of a relationship. For the first time, the legislation will apply equally to married and unmarried spouses. The legislation will also provide more nuanced rules on the division of a wider range of pension benefits.

This project was concerned with the creation of the third edition practical guide that explains the operation of the legislation and assists in its application. The guide was published in March 2013.

## ONGOING PROJECTS

### BC FRANCHISE ACT

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

This project is an initiative intended to analyze whether or not British Columbia needs a franchise legislation and, if so, to draft the legislation. An important component of this project is a review of the Uniform Franchises Act to determine if it's appropriate for enactment in British Columbia and what changes would need to be made to the Act and other laws to facilitate its implementation in the province.

This project is being carried out at the invitation of the Ministry of Justice for British Columbia and Attorney General. Its intended completion date is October 2013.

### CONTRIBUTION AFTER SETTLEMENT UNDER THE NEGLIGENCE ACT

**Project Manager:** Kevin Zakreski

This project's aim is examining how application of some of the general principles stated in the *Negligence Act* can hinder settlement agreements in multiparty litigation.

The project's intended completion date is fall 2013.

This project is being carried out at the invitation of the Ministry of Justice for British Columbia.

## TECHNOLOGY, REMOTENESS, DISABILITY AND EVIDENCE

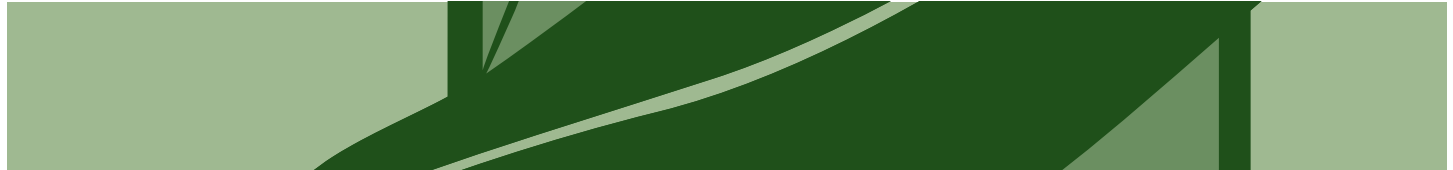
**Project Manager:** Greg Blue, Q.C.

**Advisory Committee (as of publication date):**

Thomas L. Spraggs (Chair), Master D. Baker, David Bilinsky, Brad Birt, Marla Gilsig, Jess Hadley, Dennis Hori, Prof. F. Lederer, Gord Lemire, Prof. R. Morgan, Margaret Ostrowski

While BC was one of the first jurisdictions to introduce videoconferencing and other technological innovations in its courts and tribunals, there is still a need to increase the level of knowledge on the part of counsel and other members of the legal community about technologies that can be employed to overcome difficulties that residents of remote areas and individuals with disabilities face as participants in legal processes.

This project is intended to address this need in two ways: by creating practice support materials for the use of the legal community about assistive technology and communications systems that can be used to overcome



existing barriers to full and effective participation in legal proceedings by persons in remote locations or who have disabilities, and by identifying and recommending ways to remove remaining legal barriers to the beneficial and effective use of those technologies in court and tribunal proceedings.

This project is supported by the Law Foundation of BC, and its intended completion date is autumn 2014.

### RATIONALIZING AND HARMONIZATION OF BC COMMON-LAW TESTS OF CAPACITY

**Project Manager:** Kevin Zakreski

**Project Committee:** Andrew MacKay (Chair), Russell Getz, R. C. (“Tino”) Di Bella, Roger Lee, Kimberly Kuntz, Barbara Lindsay, Catherine Romanko, Laurie Salvador, Jack Styan, Geoffrey White

The project examines the different standards of mental capacity that are currently applied in British Columbia and investigates the feasibility and desirability of eliminating inconsistencies and anomalies in tests of mental capacity.

The project is funded by the Law Foundation of BC and the Notary Foundation of BC. The expected completion date is October 2013.



### COMPLETED PROJECTS AND ACTIVITIES

### CANADIAN / INTERNATIONAL CONFERENCE ON ELDER LAW

**Activity Manager:** Krista James & Laura Tambllyn Watts

The 6<sup>th</sup> Canadian / International Conference on Elder Law is a conference on issues affecting older adults.

In 2012, the conference, including World Study Group, was held November 15<sup>th</sup>-17<sup>th</sup>, 2012 at the Sheraton Wall Centre in Vancouver, Canada.

The Conference’s theme “*Advocacy and Aging: From Storytelling to Systemic Change*” focused on issues of capacity, capability, support, public/private guardianship, monitoring, accreditation, inter-jurisdictional recognition, mobility, standards and law reform. The conference also featured a stream focused on women and aging, funded by the United Way Lower Mainland.

The major sponsors included The Law Foundation and Vancity, among other supporters.

### FINANCIAL LITERACY - BC CEAS SEDI PROJECT

**Project Manager:** Krista James

BC CEAS retained CCEL to review and assess the Financial Literacy 101 and 102 materials developed by CCEL in previous years, identifying areas where the materials can be improved.

The project was funded by SEDI and was completed in November 2012.



## ONGOING PROJECTS

### AGE-FRIENDLY BUSINESS – ELDER FINANCIAL ABUSE TRAINING WEBINAR FOR FINANCIAL SECTOR STAFF

**Project Manager:** Krista James

Age-Friendly Business (AFB) engaged the CCEL to develop content for a webinar on elder financial abuse awareness for financial sector staff, with the particular target audience of customer-facing staff with banks and credit unions. The project is to develop the core content for a workshop discussing key legal issues.

### ASSISTED LIVING, B.C. PROJECT

**Project Manager:** Jim Emmerton

**Advisory Committee:** Jim Emmerton (Chair), Joan Braun, Sandra Golightly, Fiona Hunter, Carly Hyman, Al Jina, Mike Krabbendam, Martha Jane Lewis, Linda Angus, Jane Purdie, Q.C., Marlene Williams

This project is intended to address issues relating to assisted living in British Columbia, specifically in the areas of housing and tenancy, consumer and residential rights, employment and labour, dispute resolution and health and safety.

The project was funded by The Notary Foundation of BC and The Law Foundation of BC. The expected completion date is autumn 2013.

### NICE NETWORK

**Project Manager:** Laura Tamblyn Watts

The National Initiative for Care of the Elderly's (NICE Network) has created the Elder Law Theme Team, a group that works to create elder law tools.

NICE is providing funding to update, reformat and translate CCEL's Counterpoint Tools, developed in previous years. NICE will distribute the tools through its network.

NICE has also asked CCEL to produce Consent and Capacity tools, replicating NICE's very popular Consent and Capacity Tool for Ontario.

### NATIONAL PREVALENCE STUDY REGARDING ELDER ABUSE AND NEGLECT IN CANADA PROJECT

**Project Manager:** Laura Tamblyn Watts

CCEL is supporting the National Initiative for Care of the Elderly's (NICE Network) multi-disciplinary research in preparation for a National Prevalence Study on elder abuse and neglect in Canada.

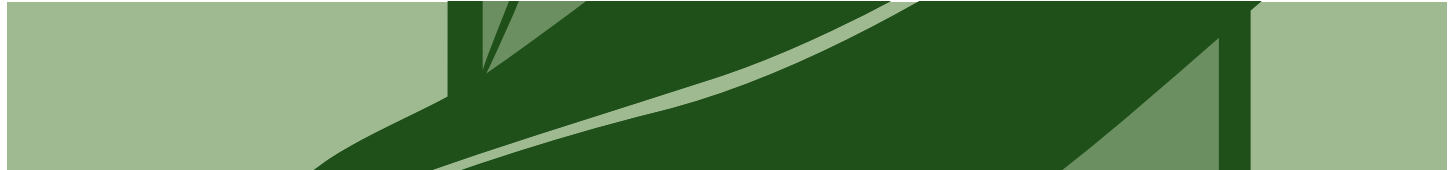
CCEL is contributing to this project throughout 2013.

This project is funded by Human Resources and Skills Development Canada (HRSDC).

### OLDER WOMEN'S DIALOGUE PROJECT

**Project Manager:** Krista James

**Advisory Committee:** Hon. Marion Allan, Penny Bain, Shashi Assanand, Anne Beveridge,



Elsie Dean, Susan Henry, Linda Light, Jill Hightower, Carol Ross, Andrea Rolls, Hon. Lynn Smith

This project main purposes are to:

- Engage older women in law reform and public policy development;
- Enhance the capacity of professionals and practitioners from diverse sectors to understand issues through a lens that considers the impact of aging, ageism, sex discrimination and the imbalance of power between men and women; and
- Raise awareness of the major law and policy issues that must be addressed to improve the circumstances of older women.

To accomplish the above goals, CCEL committed to a three-phase action:

- A series of consultation events to offer older women the opportunity to identify key issues requiring law reform, social change or public policy development;
- A stream of the 2012 Canadian Conference on Elder Law focused on women and aging; and
- An International Women's Day event focused on and celebrating older women.

CCEL collaborated with the West Coast Women's Legal Education and Action Fund on the consultation events. All three phases of this project are now complete.

The project is funded by the United Way Lower Mainland. The final project report is expected in September 2013.

## FRAUD EDUCATIONAL TOOLKIT FOR SENIORS PROJECT

**Project Manager:** Krista James

This project objective is to produce an educational toolkit for seniors on the subject of responding to and protecting themselves from fraud.

CCEL will develop tools appropriate and tailored to an audience of older adults, and legally accurate for the entire country, with English and French versions.

The project is sponsored by the Legal Resource Centre of Alberta with funds provided by the Human Resources and Skills Development Canada (HRSDC). Its expected completion date is December 2013.

### CCEL 10<sup>th</sup> ANNIVERSARY

2013 marks the Canadian Centre for Elder Law 10<sup>th</sup> anniversary!

We look forward to celebrate it on National Seniors Day, October 1<sup>st</sup>, 2013.

Watch our website for details.

# BCLI 15<sup>th</sup> ANNIVERSARY

During 2012 we celebrated the 15th anniversary of the British Columbia Law Institute. We held a special celebratory dinner on Friday November 16<sup>th</sup>, during the Elder Law Conference. The celebrations included Jay Chalke, Q.C. as Master of Ceremonies, a performance by the Raging Grannies and congratulatory speeches. Thank you to all who attended and contributed to a very successful event.



Jay Chalke, Q.C.



*From left to right: Former BCLI Chairs, Greg Steele, Q.C.; Ann McLean; and D. Peter Ramsay, Q.C.*



Raging Grannies, Vancouver



# STRATEGIC PLANNING

During 2012 a Strategic Plan Committee was established to review the Strategic Plan and make recommendations.

A new 2014-2016 Strategic Plan was adopted by the Board in February 2013.

## APPRECIATION

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

The volunteer Board and project committee members  
Advocacy Center for the Elderly (ACE)  
Age Friendly Business  
Alberta Law Reform Institute (ALRI)  
Atira Women's Resource Society  
BC Adult Abuse and Neglect Prevention Collaborative  
BC Arbitration and Mediation Institute  
BC Association of Community Response Networks  
BC Centre for Elder Advocacy and Support (BC CEAS)  
Boughton Law  
Canadian Association of Gerontology  
Canadian Bar Association, BC Branch (CBABC)  
Continuing Legal Education Society of BC  
Credit Financial Inc.  
Downtown Eastside Women's Centre  
Federation of Law Reform Agencies of Canada  
Gordon Neighbourhood House  
Housing Policy Branch of Minister of Energy, Mines and Natural Gas  
Human Resources and Skills Development Canada (HRSDC)  
Immigrant Services Society  
International Federation on Aging

John Braithwaite Community Centre  
Langley Seniors Resource Centre  
Law Commission of Ontario  
Law Foundation of Ontario  
Law Society of BC  
Lawson Lundell, LLP  
Ministry of Finance of BC  
Ministry of Justice of BC  
Ministry of Labour of BC  
Minoru Activity Centre  
National Association of Public Trustees and Guardians  
NICE Network  
Pacific Arbour Retirement Communities  
Parents Support Services Society of BC  
Public Guardian & Trustee of BC  
Public Health Agency of Canada (PHAC)  
Real Estate Foundation of BC  
Richmond Women's Resource Centre  
Royal Arch Monarch Apartments  
S.U.C.C.E.S.S.  
Simon Fraser Open Spaces Project  
Simon Fraser University Gerontology  
Social Enterprise and Innovations Development (SEDI)

South Burnaby Neighbourhood House  
South Granville Seniors Centre  
The Law Foundation of BC  
The Notary Foundation of BC  
UBC Centre for Feminist Legal Studies  
UBC Faculty of Law  
United Way Lower Mainland

UVic Faculty of Law  
Vancity Credit Union  
Vancouver and Lower Mainland Multicultural  
Family Support Services  
West Coast Legal Education and Action Fund  
West End Seniors Network



*Pictured: Allard Hall, UBC Law School building.*

### WE'VE MOVED!

The Law Foundation of BC generously supports BCLI's new home in Allard Hall, the new UBC Faculty of Law building.

We appreciate the support of the Law Foundation of BC and sharing ideas and work with the UBC Faculty of Law.

# **BRITISH COLUMBIA LAW INSTITUTE** **CANADIAN CENTRE FOR ELDER LAW**



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