Ministry of Attorney General

2023/24 Annual Service Plan Report

August 2024



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Minister's Accountability Statement



The Ministry of Attorney General 2023/24 Annual Service Plan Report compares the ministry's actual results to the expected results identified in the 2023/24 – 2025/26 Service Plan published in 2023. I am accountable for those results as reported.

Janaurahla Niki Sharma

Honourable Niki Sharma, K.C. Attorney General August 2, 2024

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Letter from the Minister

I am pleased to introduce the 2023/24 Annual Service Plan Report for the Ministry of Attorney General. This report outlines the significant progress we've made toward ensuring our justice system has the tools it needs to work for more people in British Columbia.

The ministry is making it easier for people to access the services they need, when and where they need them. We are continuing to work with the courts and are investing in critical infrastructure to modernize access to justice.

Building on last year's progress, the ministry continues to prioritize reforming bail practices, further expanding virtual bail and making important amendments to the Family Law Act. With the work done by the ministry in 2023/24 to develop a new Legal Professions Act, people in B.C. will soon have more affordable choices and increased access to support to solve their legal problems. Meanwhile, we continue to invest in sheriff recruitment, court technology, and online services.

In the past year, we have passed legislation to protect the health and well-being of people in our province, particularly young people. The Intimate Images Protection Act came into force in January 2024 with the launch of two new dedicated services to help people take back control over their intimate images. Addressing the harms of non-consensual sharing of intimate images is a critical part of our work to better protect people in B.C. In addition, the ministry completed work on the Safe Access to Schools Act, ready to be introduced in early 2024/25 to keep students and teachers safe by preventing disruptive, harmful behaviours on K-12 school grounds.

As part of our ongoing commitment to reconciliation, we continue to work closely with the BC First Nations Justice Council (BCFNJC) and Métis Nation BC to advance Indigenous-led justice strategies. The Province has made significant progress on its commitments outlined in the BC First Nations Justice Strategy. B.C. now has nine Indigenous Justice Centres (IJCs) and one virtual centre providing free, culturally appropriate legal advice, information, and representation for Indigenous Peoples. Six more centres will open in the coming year.

To further acknowledge the legacy of past discriminations enacted by the government against marginalized groups, the Province issued an official apology to the Sons of Freedom Doukhobor community in February 2024, for the historical persecution they were subjected to in B.C. until the 1960s. In addition, over 60 community organizations received funding through the B.C. Multiculturalism and Anti-Racism Grants program in 2024 to support their anti-racism initiatives. Since launching in 2015, the grant program has provided more than \$2 million to nearly 450 anti- racism and multiculturalism initiatives. This work builds on the many other programs and services offered throughout the province by member organizations of the Resilience BC Anti- Racism Network.

I want to thank the team at the Ministry of Attorney General and all our community partners for your hard work, as we build a stronger justice system for everyone.

Honourable Niki Sharma, K.C.

Attorney General August 2, 2024

Purpose of the Annual Service Plan Report

This annual service plan report has been developed to meet the requirements of the Budget Transparency and Accountability Act (BTAA), which sets out the legislative framework for planning, reporting and accountability for Government organizations. Under the BTAA, the Minister is required to report on the actual results of the ministry's performance related to the forecasted targets stated in the service plan for the reported year.

Strategic Direction

The strategic direction set by Government in 2020, the Attorney General's <u>2022 Mandate Letter</u> and the Parliamentary Secretary for Anti-Racism Initiatives <u>2022 Mandate Letter</u> shaped the goals, objectives, performance measures and financial plan outlined in the Ministry of Attorney General's <u>2023/24 – 2025/26 Service Plan</u> and the actual results reported on in this annual report.

Purpose of the Ministry

The Ministry of Attorney General and the Ministry of Public Safety and Solicitor General work together as the justice and public safety sector to advance a shared vision of a safe, secure, just, and resilient British Columbia. The ministry works to keep communities safe and provide certainty, proportionality and, above all, fairness when dealing with criminal, civil, and family law matters, while protecting people, especially those who are most vulnerable. The ministry, while dealing with these matters, is focused on promoting confidence in the integrity of the sector and ensuring continued public participation and support.

The ministry is responsible for sheriff and court administration services, legal aid, prosecution services, administrative tribunals, civil and family justice services, protection and promotion of human rights, providing legal advice to Government, and developing justice policy and justice reforms.

The ministry is also responsible for promoting multiculturalism and leading anti-racism initiatives through the Parliamentary Secretary for Anti-Racism Initiatives.

The Indigenous Justice Secretariat, housed in the Ministry of Attorney General, is a unique commitment between the Province and the BC First Nations Justice Council to cement their relationship and commitment to decreasing the overrepresentation of Indigenous Peoples in the criminal justice system along two tracks of change: (1) Reform of the existing justice system; (2) Transformation through the rebuilding of Indigenous justice systems. The Indigenous Justice Secretariat was designed and implemented to build capacity toward an Indigenous-based justice system.

Operating Environment

The Ministry of Attorney General continued to work towards the goal of reducing the over-representation of Indigenous Peoples, as accused, offenders, and victims, through supporting culturally responsive and relevant policies, programs and services that address the specific needs of Indigenous Peoples. Partnerships with Indigenous communities and organizations are essential in improving Indigenous Peoples experiences interacting with the justice and public safety sector. In December 2023, the Ministry of Indigenous Relations and Reconciliation released the <u>Distinctions-Based Approach Primer</u> which is intended to assist the Province in building an understanding of the legal basis for, and core elements of, a distinctions-based approach in all of the Province's relations with First Nations, Métis, and Inuit. This Distinctions-Based Approach will continue to inform the ministry's Indigenous justice work.

Addressing and responding to racism presented a serious challenge, as reports of hate crimes increased across the province and country, compounded by recent global events. The rise in such incidents, particularly those involving Islamophobia and antisemitism, highlighted the ongoing challenge of addressing long-held prejudices. These trends demonstrate the widespread impact of systemic racism, which permeates all aspects of society, including government programs and services, and underscored the importance of the work undertaken this past year in advancing key ministry initiatives such as the anti-racism legislation and the Racist Incident Helpline. These initiatives, combined with strong policy responses, community involvement, and ongoing educational programs, will be critical to fostering a more inclusive and compassionate society.

In the face of a challenging economic climate, increased demand for technological advancement, and the need to respond to ongoing social challenges, the Ministry of the Attorney General continued to modernize the justice system to increase timely access to justice, convenience to citizens, and streamlined processes. Modern, convenient and reliable service options make justice processes easier to navigate, complimenting expanded in-person and hybrid services, such as those offered in Family Justice Centres, Justice Access Centres, and Indigenous Justice Centres. Work also moved forward on an array of legislative reforms to make people in B.C. safer, better served and more capable of accessing justice services.

The ministry continued to explore ways to leverage innovations in technology to build, transform, and modernize court services while ensuring that service offerings meet the needs of citizens and court users. The use of generative artificial intelligence, where appropriate, may provide an opportunity to promote access to justice, while ensuring the security and safety of the information provided.

Community safety remained a key priority for the ministry in 2023/24, responding to the complex and overlapping issues that relate to repeat violent offending in the community. The Repeat Violent Offending Intervention Initiative (ReVOII) continued, operating with five dedicated regional prosecution teams comprised of 21 Crown Counsel and 21 professional

staff.¹ Crown Counsel continued working with dedicated probation officers and police agencies in cases involving prioritized individuals. Crown Counsel continued to provide criminal law advice and independent prosecution support to community representatives, police, and corrections personnel, while maintaining prosecutorial independence and an organizational commitment to addressing overrepresentation of Indigenous people in the criminal justice system.

Other issues and trends continued to shape the priorities of the justice and public safety sector, and affect the ministry's delivery of these responsibilities, including:

- The ongoing dialogue on the need to improve access to justice;
- The illicit drug crisis and public health emergency;
- Mental health and addiction challenges necessitating increased resources and enhanced coordination of services:
- Violence against women, girls and 2SLGBTQ+ community members especially Indigenous women, girls and 2SLGBTQ+ people;
- Gangs and gun violence;
- Increasing service delivery demands and costs;
- Court decisions impacting service delivery, including timeliness of service;
- Rapidly changing technology, increased demand for digitized services and the growing awareness of the prevalence and severity of harms facilitated by and through technology; and
- Constitutional and legislative requirements.

¹ ReVOII serves as an enhanced case management model that is focused on prioritizing public safety through the coordinated management of risk a person presents to the community. Dedicated Crown Counsel and BCPS Professional Staff provide independent prosecutorial services and criminal law advice to local police agencies and the BC Corrections led ReVOII Community Hubs. ReVOII involves early intervention in cases involving prioritized individuals, along with enhanced information sharing from investigative agencies and BC Corrections that, in turn, allows Crown Counsel to make better informed decisions on charge assessment and prosecutions, including bail and sentencing.

Report on Performance: Goals, Objectives, and Results

The following goals, objectives and performance measures have been restated from the 2023/24 – 2025/26 service plan. For forward-looking planning information, including current targets for 2024/25 – 2026/27, please see the latest service plan on the <u>BC Budget website</u>.

Goal 1: The Justice Sector is fair and accessible

Objective 1.1: Enhance the user experience and modernize the justice system

In ensuring the justice system is fair and accessible, the ministry will continually look to improve the experience of British Columbians interfacing with the justice system through service-design and offerings that are a part of the delivery of justice.

Key results

- The ministry advanced improvements to virtual bail processes to support timely and effective bail hearings that reduce the need for accused people to travel.
- The ministry finalized development of the Traffic Court Online system in anticipation of a Spring 2024 launch, which will provide an online channel to ensure that citizens can initiate a dispute for a violation ticket without the need to download forms, mail envelopes, or travel to a courthouse.
- The ministry launched an application for eFiling in the Court of Appeal, expanded the guided pathways in the Family Law Act application, provided access to court materials using modern authentication technology, and piloted virtual court registry services in the Northern and Fraser Valley regions of the province.
- Government passed the Money Judgment Enforcement Act on October 26, 2023.
- BC Prosecution Service (BCPS) launched the Digital Evidence and Disclosure
 Management System (DEMS). DEMS will be foundational in enhancing security and
 streamlining information sharing, providing benefits for BCPS, police, defense
 counsel, and accused.

Summary of progress made in 2023/24

In 2023–24, the ministry undertook an array of actions to modernize the justice system and enhance the experience of those accessing justice in British Columbia.

The ministry focused on the development of new secure options to access court information, enabling direct access for lawyers to court documents and audio. Through the Access to Court Materials service, authorized counsel can remotely access digital family court materials (related to the Family Law Act, the Child, Family and Community Service Act, and the Family

Maintenance Enforcement Act). As of March 31, 2024, there were over 1,200 lawyers using this service. Within the reporting period, there have been 6,252 audio downloads for criminal files by Law Society members and 46,085 counsel requests for provincial criminal and family court documents.

The ministry also continued to make investments in the court's technology infrastructure through installing public WiFi in courthouses across the province, upgrading networks for greater capacity and reliability, and enhancing network performance throughout the province to facilitate virtual appearances.

Following the success of the Northern Bail Pilot Project in 2021/22, the ministry has continued to modernize technology, further improve bail processes, and expand the availability of virtual bail. As of November 2023, virtual bail process was live across the province, alongside the after-hours Comprehensive Bail Program, known as Crown-led Bail. The new bail processes and modernized technology aim to reduce community displacement, improve communication and information sharing, increase the efficiency of the justice sector, and enhance the resiliency of the justice system during extreme events such as wildfires, flooding, and pandemics. These initiatives have benefited the user experience by improving efficiency and convenience, and have worked in tandem with other technological modernization efforts, such as those undertaken in the tribunal sector. Efforts in the tribunal sector have included improvements to case management systems, significant focus on website development and new forms, as well as the installation of equipment to seamlessly integrate technology for use in hybrid and virtual meetings. This work has advanced the goal of transforming existing processes to better meet the needs of users.

As a legislative reform, the ministry finalized development of the Money Judgement Enforcement Act, which was passed on October 26, 2023. When brought into force, the Money Judgment Enforcement Act will significantly impact the way people interact with B.C.'s justice system, through modernizing the procedures for enforcing a judgment, reducing the frustration of judgment creditors, and improving their user experience.

The BCPS recently launched the Digital Evidence and Disclosure Management Solution (DEMS) following a 24-month user engagement, development, configuration and deployment timeline. Beginning with a 6-month pilot to a limited user base, the solution quickly scaled province wide in the second half of Fiscal Year 2023/24. BCPS users now have access to additional capabilities and functionality which reduces manual effort, provides workflow automation and produces more consistent outputs. As more prosecutions are processed through DEMS, the benefits to the BCPS will increase.

Integration between the BCPS Case Management System (JUSTIN) and DEMS were enabled in Fiscal Year 2023/24, automatically creating related cases and records in the DEMS system, to expedite workflows and reduce downloads and uploads. Architecture planning for additional integrations to Corrections systems and Police systems were also completed, and design and development has begun. Workflow development and service design activities for external users to access the Disclosure Portal were completed in Fiscal Year 2023/24, enabling a pilot in

mid- 2024. The Disclosure Portal will support fair and efficient access to disclosure packages for defence and duty counsel, followed by accused.

Improved business intelligence and management reporting began in Fiscal Year 2023/24, beginning with case volume analysis, evidence volume tracking and DEMS adoption rates. The BCPS has created monthly operational reports from DEMS data, made possible by the integration to JUSTIN and new DEMS capabilities. This information will be incorporated into work management, resource planning and budgeting

Objective 1.2: Increase access to justice

The ministry will continue to advance systemic regulatory and policy initiatives that will serve to enhance the public's access to justice.

Key results

- The ministry advanced the Legal Professions Act reform initiative throughout the 23/24 year, releasing a "What We Heard" Report on May 31, 2023, which contained feedback received from key stakeholders and partners during previous engagement.
- Amendments to the Interjurisdictional Support Orders Act and Interjurisdictional Support Orders Regulation implemented the 2007 Hague Child Support Convention in B.C.
- The Province, Legal Aid BC, and the Centre for Family Equity have worked together to create changes that will expand access to fast and free family legal aid services.
- The Independent Rights Advice Service for people who are involuntarily admitted under the Mental Health Act began to roll out at select mental health facilities.
- The ministry supported the BC Human Rights Tribunal in reducing their backlog of cases, assisting in funding, recruitment, process reform, and strategy, leading to the BCHRT closing 2,063 cases in 2023/24, compared to 1,357 in 2022/23.

Summary of progress made in 2023/24

In 2023/24, the ministry moved forward an array of initiatives to improve access to justice. This included advancing the Legal Professions Act reform initiative, launching the Independent Rights Advice Service, and expanding support to Legal Aid BC and the Human Rights Tribunal.

Access to legal assistance through a professional is one component of a broader access to justice issue. For those seeking assistance in navigating a legal matter, the updated Legal Professions Act will create an additional option for access to legal services in the form of regulated paralegals, providing people with additional avenues to receiving legal assistance. For those involuntarily detained under the Mental Health Act, the Rights Advice Service employs specially trained Rights Advisors who meet with patients to explain their legal rights under the Act and support them in exercising these rights. To date, there have been more than 100 Rights Advice meetings, and the service is currently available at 34 mental health facilities.

The Province, Legal Aid BC, and the Centre for Family Equity have worked together to increase timeliness and availability of free legal assistance. As a result of this collaboration, in February 2024, B.C. announced \$29.1M in additional funding over three years to support Legal Aid BC. The funding will expand financial eligibility and improve intake capacity, ensuring more people have timely access to family legal aid services. The funding will also enable the creation of a new multidisciplinary trauma-informed family law clinic to serve clients both in-person and virtually.

Government's ongoing public commitment to protecting human rights and the establishment of the Office of the Human Rights Commissioner has raised the profile of issues such as accessibility, reconciliation, and racism in the province. Over recent years, this had led to an increased caseload in human rights complaints, leading to a backlog of cases at the BC Human Rights Tribunal. To address this backlog, the ministry worked to secure \$1.5M in increased funding for the BC Human Rights Tribunal (BCHRT) in 2023/24. The ministry facilitated recruitment efforts for the appointments of 7 additional BCHRT members, along with additional support staff to help refine processes and implement a strategy to reduce the backlog of cases.

The Ministry of Attorney General also began implementation of the first phase of amendments made as part of the modernization of the Family Law Act. For the next phase, the ministry has conducted intensive policy research, analysis, and completed engagement activities to seek a diverse range of input and experiences to inform further analysis and recommendations

Performance measure(s) and related discussion

Performance Measure	2019/20 Baseline	2022/23 Actual	2023/24 Target	2023/24 Actual
[1a] Percentage of respondents who agreed that the Parenting After Separation program gave them a better understanding of the family justice system including its relevant laws and services ^{1,2}	74%	91%	85%	93%
[1b] Percentage of respondents who agreed that the program gave them a better understanding of alternatives to court ²	75%	89%	85%	93%
[1c] Percentage of respondents who agreed that the program gave them a better understanding of making decisions in the best interests of the children ²	77%	94%	85%	93%

Data source: <u>Parenting After Separation</u> and <u>Parenting After Separation for Indigenous Families</u> participant evaluation surveys, conducted by Family Justice Services Division, with results compiled by Business Research and Diagnostics Group, Ministry of Attorney General

¹PM 1a, 1b, and 1c targets for 2024/25 and 2025/26 were stated in the 2023/24 service plan as 85%.

²All information is presented in aggregate form to ensure respondent anonymity pursuant to provincial and federal legislation and research ethical guidelines. All data for this survey was collected and managed under PIA PSSG19023 and is consistent with the Tri Council Policy Statement on the Ethical Conduct of Research.

The Parenting After Separation programs are free online courses for B.C. parents and other family members who are dealing with separation or divorce and facing decisions about guardianship, parenting arrangements, contact, child support and spousal support. The courses assist parents to make informed decisions regarding separation that are in the best interests of their children. The courses also improve access to justice for participants by providing them with information about the justice system and alternatives to court. Most parents complete one of the courses as an early step in a provincial court matter. The online Parenting After Separation program was introduced in 2011 and revised in 2021. Online Parenting After Separation for Indigenous Families began in 2019. As of January 4, 2022, the Provincial Court Family Rules require that parties to Family Law Matter applications complete a Parenting After Separation course before a family management conference with a judge can be scheduled.²

These performance measures reflect how the Parenting After Separation programs facilitate user understanding of navigating the justice system. Parents who complete the online course are invited to complete an anonymous online course evaluation form and results are compiled quarterly by the Business Research and Diagnostics Group of the Ministry of Attorney General. The baseline and targets are based on historical results. These targets reflect the expectation that there will be some fluctuation in results from year to year, but results should not fall below the stated targets.

For 2023/24, results exceeded targets for all performance measures. 93% of respondents agreed that the Parenting After Separation program gave them a better understanding of the family justice system, including its relevant laws and services. 93% of respondents agreed the program them a better understanding of alternatives to court, and 93% agree the program gave them a better understanding of making decisions in the best interests of the children. Results for each performance measure were similar or higher than the 2022/23 year, with the difference in the third measure appearing as 1% (94% down to 93%) due to rounding, but the difference was only 0.01%.

Performance Measure	2019/20	2022/23	2023/24	2023/24
	Baseline	Actual	Target	Actual
[1d] Percentage of eFiled Court Documents ^{1,2,3}	35.7%	43.7%	40.6%	46.4%

Data source: Strategic Information and Business Applications, Court Services Branch.

¹Data are preliminary and subject to change - small fluctuations in previously reported totals and percentages are expected due to continuing improvements in data quality.

²PM 1d targets for 2024/25 and 2025/26 were stated in the 2023/24 service plan as 46% and 47%, respectively. Targets are presented as baselines, taking into account the re-normalisation of eFile percentages after the large spike caused by the COVID-19 pandemic.

³ Documents in scope are those that are eligible for electronic filing (eFile) through Court Services Online. Supreme Motor Vehicle, Probate, and Caveat classes and Provincial Family class documents are excluded.

² In Early Resolution Registries (currently Victoria and Surrey Provincial Court Family Registries) completion of a Parenting After Separation course is required prior to filing an Application About a Family Law Matter (or Reply).

There are 89 court locations across the province, 43 of which are permanently staffed, while the other 46 are Circuit Courts. Court Services Branch and the three levels of Courts provide additional virtual mechanisms for users to interact with the Courts. This includes provisions for users to electronically file court documents through Court Services Online (CSO). The Percentage of eFiled Court Documents metric reflects the proportion of documents that are eligible for electronic filing that are eFiled through CSO.

This performance measure demonstrates clear progress in the ministry's focus on modernizing processes or court forms to enhance user experience when interfacing with the justice system. An uptake in the use of eFiling demonstrates that citizens are utilizing alternative means offered by the ministry for advancing their court proceedings. The development or modernization of SmartForms, filing assistants, online applications, guided pathways, plain language, authentication methods, and document size capacity have assisted in making court processes more accessible and navigable for British Columbians. The ministry recognizes, however, the role in-person filing will continue to play for some British Columbians, for those with different abilities, limited access to technology, or with the desire to access in-person services.

The percentage of in-scope documents that were eFiled have experienced increases across all court classes at both the Provincial and Supreme Court levels from FY 2022/23 to FY 2023/24. The result is an overall increase in the percentage of in-scope documents that were eFiled of 2.7%. The pre-baseline trend of this performance measure shows an increase of approximately 1% per year. Nearly 50% of Supreme Court in-scope documents are eFiled while nearly 30% of Provincial Court in-scope documents are eFiled.

Several factors may affect the number of eFiled documents in the coming years. eFiling rates are expected to increase as more court forms are connected to eFiling and modernization of the CSO is carried out, including expanding the pathways in which counsel can eFile, increasing payment options for self-represented litigants, and re-designing landing pages for ease of use, conforming to modern accessibility standards.

Goal 2: British Columbian communities are protected and resilient

Objective 2.1: Improved community and public safety for all British Columbians

The ministry will contribute to a multi-faceted and cross-sectoral approach to protecting communities and individuals throughout the province. This includes addressing concerns about repeat violent offending, advancing legislation that protects vulnerable British Columbians, and implementing safe supports for family justice.

Key results

- The Repeat Violent Offending Intervention Initiative (ReVOII) was successfully implemented in 23/24.
- The Intimate Images Protection Act came into force on January 29, 2024. The legislation is intended to provide civil legal redress to victims and survivors of the non-consensual distribution of intimate images, a devastating form of sexualized, gender-based violence.
- The ministry led collaborative development, implementation, and evaluation of federally funded temporary pilot projects to support survivors of intimate partner violence who need to access the family justice system.
- The Ministry of Attorney General, alongside the Ministry of Education and Child Care, worked to develop the Safe Access to Schools Act, for introduction in early 2024/25.

Summary of progress made in 2023/24

On May 1, 2023, the Province launched ReVOII, a multi-agency case management program designed to prioritize public safety in cases involving repeat violent offending, through coordination and enhanced information sharing. Since launch, nearly 400 individuals have been prioritized into the program and, where active prosecutions exist, dedicated prosecutors and BCPS professional staff are assigned to manage those cases through the courts. The BCPS continues to be engaged in cross-government talks aimed at strengthening the supports and resources available to intervening in repeat violent offending cases and, where possible, assist in connecting individuals with necessary resources and supports.

Despite coordinating, and at times collaborating with other justice agencies, the BCPS maintains prosecutorial independence. The BCPS also maintains its organizational commitment to addressing overrepresentation of Indigenous people in the criminal justice system by ensuring that decisions made in cases involving ReVOII prioritized individuals are done so independently, free from external influence, and in accordance with the law, BCPS policy and the BCPS Indigenous Justice Strategy.

Beyond addressing repeat offending, the Ministry of Attorney General continued to respond to other key challenges impacting the safety of people in British Columbia. The landmark Intimate Images Protection Act, which came into force on January 29, 2024, creates an accessible mechanism to stop or prevent distribution of intimate images without consent. This provides a statutory, victim-focused basis to seek monetary damages. The Civil Resolution Tribunal received additional funding to help implement this new jurisdiction.

The ministry also developed the Safe Access to Schools Act, which addresses threats and disruptions to the safety of those involved in education and extracurricular school activities, particularly children. The legislation will protect access to schools by authorizing the Lieutenant Governor in Council to establish access zones around schools and prohibit protests and other conduct in those zones that impedes access, disrupts the provision of educational programs or extracurricular school activities, or causes concern for a person's physical or mental safety.

In supporting survivors of intimate partner violence, the ministry led federally funded pilot projects. This included having family court support workers assist survivors with their legal and non-legal needs, including accompanying people to court and helping them navigate the process; as well as assisting survivors in accessing and understanding their information related to court matters. Programs are operating in three rural and remote locations, as well as in the Indigenous Justice Centres in Prince George and Nanaimo.

Objective 2.2: Address systemic racism and support Indigenous and other racialized communities to respond to public incidents of racism and hate

Advancing equity and social justice is the cornerstone of new strategies to combat racism, reduce systemic barriers, and build understanding and respect for one another across British Columbia's diverse society.

Key results

- Government's public apology to the Sons of Freedom Doukhobor in February 2024 helped to foster restoration, honour, and forgiveness among the Doukhobor community, strengthening ongoing efforts to improve trust in government and demonstrating the Province's commitment to justice and inclusion.
- The ministry provided \$840,000 for the Multiculturalism and Anti-Racism Grants and Resilience BC anti-racism network that supported 98 organizations, enabling communities to advance diversity initiatives and address racism.
- The 2024 B.C. Multiculturalism and Anti-Racism Awards were held in Vancouver with more than 100 people in attendance, including the Attorney General, Parliamentary Secretary for Anti-Racism Initiatives, Multicultural Advisory Council members, and community leaders and organization representatives.
- The ministry provided over \$300,000 in grants in Summer 2023 to 68 community organizations to support them in engaging their community members on the

development of the anti-racism legislation. Between July and September 2023, more than 225 in-person and virtual sessions were held, reaching over 5,000 people.

• The ministry conducted an online questionnaire from June to October 2023, receiving 2,179 responses from the public on how Government should address systemic racism.

Summary of progress made in 2023/24

The ministry is actively working to make B.C. a more equitable, inclusive, and welcoming province for everyone. A key component of this effort is the Anti-Racism Data Act, which facilitates the collection of race-based data to identify disparities in access to government programs and services. In June 2023, the Province launched the BC Demographic Survey as a first step in better understanding where systemic racism exists in programs and services. Information from the BC Demographic Survey is being used to carry out anti-racism research priorities, which were announced in May 2023. With this information, the ministry can start to identify barriers and gaps in our programs and services. This will help government in making informed changes to better serve everyone in British Columbia.

Working throughout the course of the 2023/24 fiscal year to co-develop ground-breaking antiracism legislation, the ministry collaborated with First Nations and Métis partners (including the First Nations Leadership Council, Alliance of BC Modern Treaty Nations, BC Association of Aboriginal Friendship Centres and Métis Nation British Columbia) using a distinctions-based approach.

The ministry also provided grants to community organizations across the province to lead discussions with racialized communities, promote intercultural understanding, strengthen community relations, and increase engagement with marginalized populations. These organizations operated as a bridge between government and the communities engaged. This approach ensured that diverse perspectives were heard and represented in the decision-making process around the creation of this legislation.

A collection of What We Heard reports on the anti-racism legislation – including from the First Nations Leadership Council, Alliance of BC Modern Treaty Nations and Métis Nation British Columbia – were published online in March 2024. Additionally, reports summarizing findings from the anti-racism online public questionnaire (which ran from June to October 2023) and the community-led engagement sessions (which ran from July to September 2023) were also published. This extensive engagement positioned the ministry to be prepared to introduce the anti-racism legislation in the 2024/25 fiscal year.

Performance measure(s) and related discussion

Performance Measure	2017/18	2022/23	2023/24	2023/24
	Baseline	Actual	Target	Actual
[2a] Number of B.C. communities engaged in projects that build intercultural trust and understanding and reduce racism and systemic barriers ¹	45	60	50	98

Data source: Internally compiled data from the BC Multiculturalism and Anti-Racism Grants Program, and the Resilience BC Anti-Racism Network

This performance measure highlights provincial support for collaborative initiatives led by communities impacted by racism. These community-led engagements build intercultural trust and understanding, combat racism, and promote diversity and inclusion across B.C. This is a core component of supporting Indigenous and racialized communities throughout the province.

The ministry administered the Multiculturalism and Anti-Racism Grants program, provided funding for the Resilience BC Anti-Racism Network and led numerous anti-racism engagement sessions with communities across B.C. The ministry exceeded the target number of communities engaged in 2023/24, by undertaking an extensive consultation process for the anti-racism legislation, co-developing it with the people that the legislation is designed to serve.

¹PM 2a targets for 2024/25 and 2025/26 were stated in the 2023/24 service plan as 50.

Goal 3: The justice sector is safe and responsive to Indigenous peoples

Objective 3.1: Facilitate self-determination and restoration of traditional Indigenous justice systems in partnerships with Indigenous leadership and communities

Government has made commitments to reconciliation through the Declaration Act Action Plan and annual reporting processes. The ministry's actions in that plan aim to make the justice system safer and more responsive to Indigenous peoples. This includes advancing the B.C. First Nations Justice Strategy, which aims to reduce the overincarceration of Indigenous peoples and restore and revitalize First Nations legal institutions, as well as advancing the Métis Justice Strategy, which will make the justice system safer and more culturally relevant for Métis people in B.C. These goals can only be achieved in strong partnership with BC First Nations Justice Council, Métis Nation BC, and other Indigenous partner organizations.

Government also continues to advance commitments to Modern Treaty First Nations (Nisga'a Lisims Government, Tsawwassen First Nation, Maa-nulth First Nations, and Tla'amin Nation) to implement their treaties, and is working together with First Nations who are asserting jurisdiction over child and family services to implement their laws.

Key results

- In partnership with the Ministry of Public Safety and Solicitor General, the Federal Government and Indigenous communities, the ministry continued work with the BC First Nations Justice Council (BCFNJC) to advance the BC First Nations Justice Strategy and work with the Métis Nation BC to develop, endorse and advance the Métis Justice Strategy. Advancement of both strategies aligns with the Province's commitments under the Declaration Act Action Plan.
- In partnership with the BC First Nations Justice Council, the ministry opened six new
 physical Indigenous Justice Centres in 2023/24 that provide culturally appropriate
 information, advice, support, and representation directly to Indigenous people at
 the community level. This brings the total number of physical Indigenous Justice
 Centres in the province to nine, complemented by a Virtual Indigenous Justice
 Centre.
- Advanced design of a legal aid model for Indigenous peoples and developed a work plan to transfer control of legal aid services to the BC First Nations Justice Council.
- As part of the ministry's Virtual Bail Initiative, the Native Courtworker & Counselling Association of B.C. launched a yearlong pilot project to support the virtual bail project in the North, Interior and Vancouver Island regions. This project provides support to Indigenous individuals who are involved in the bail hearing process by acting as a liaison with justice sector agencies such as crown and defense counsel, police agencies, B.C. Corrections, sheriffs, and other court staff.

• In September 2023, following years of collaboration between local First Nations and Indigenous service providers, the judiciary, the ministry, and other interested parties, an Indigenous Court was opened in Lillooet. This is the ninth Indigenous criminal sentencing court in the province.

Summary of progress made in 2023/24

Through partnership with the BC First Nations Justice Council, the ministry continues to advance the BC First Nations Justice Strategy, which aims to reform the current justice system to be safer and more responsive to First Nations people and to restore First Nations legal traditions and justice systems. This work has included policy development for the eventual transition of Indigenous Legal Aid services to the BC First Nations Justice Council, participation in the development of the Draft Indigenous Women's Justice Plan, and funding to support a Community Based Justice Fund operated by BC First Nations Justice Council.

The Ministry of Attorney General also continues to work in close partnership with Indigenous leadership and communities to advance self-determination and the restoration of Indigenous justice systems through reforms which fulfill commitments to Modern Treaty First Nations and support the implementation of their treaties, as well as supporting Indigenous jurisdiction over child and family services.

The Ministry of Attorney General is working together with the Modern Treaty Nations to implement a commitment in their treaties to ensure that violation tickets issued by a Nation can be disputed in the Provincial Court. Tsawwassen First Nation, the Maa-nulth First Nations and Tla'amin Nation have opted in to this framework. Work is underway to operationalize this commitment.

The Ministry of Attorney General, Ministry of Children and Family Development and members of Cowichan Tribes have been working together to develop a new set of Provincial Court Rules for matters under Snuw'uy'ulhtst tu Quw'utsun Mustimuhw u' tu Shhwa'a'luqwa'a' i' Smun'eem [Laws of the Cowichan People for Families and Children]. Cowichan Tribes are asserting jurisdiction over child and family services, including child protection, for Cowichan Smun'eem [children] and are working to bring their law into force.

Objective 3.2: Advance reconciliation through use of the Directives on Civil Litigation involving Indigenous peoples

While Indigenous claims can be pursued through litigation, negotiation is a preferrable way of reconciling the complex and competing interests at stake. The core objectives are to prioritize and promote resolution, innovation and negotiated settlement, in efforts to reduce the potential for litigation.

Key results

• Through the application of the Directives, Legal Services Branch (LSB) counsel have become increasingly knowledgeable about all aspects of the Directives and are adept in their implementation in all litigation matters.

- The Directives are considered and applied in all new and ongoing litigation matters and inform legal instructions in every matter. They are applied throughout the litigation process, including pleadings, procedural issues, court submissions, and inter-party communications.
- Consistent with the Directives, LSB counsel regularly support negotiated outcomes
 in the context of active litigation. Legal counsel are engaging proactively with the
 Ministry of Indigenous Relations and Reconciliation and with client ministries, in
 accordance with the Directives, to explore various ways to promote reconciliation in
 responses to litigation and to pursue avenues for resolution of all or part of
 potential or filed legal proceedings.
- Ministry leadership continues to engage with the First Nation Leadership Council regarding the implementation of the Directives.

Summary of progress made in 2023/24

Legal Services Branch counsel have been focused on the core objectives of the Directives, which are to prioritize and promote resolution, innovation, and negotiated settlement, in efforts to reduce the potential for litigation. The Ministry of Indigenous Relations and Reconciliation has been engaged in all active litigation with the aim of identifying potential avenues for negotiation. Within the Ministry of Attorney General and with client ministries, counsel have discussed the potential detrimental impacts of litigation on the objective of reconciliation and have sought to identify collaborative approaches to resolve all or part of the potential or newly filed legal proceedings. Counsel supported negotiations towards resolving claims in multiple cases. Where litigation remains active, the Directives have informed instructions at each stage of the litigation.

Performance measure and related discussion

Performance Measure	2020/21	2022/23	2023/24	2023/24
	Baseline	Actual	Target	Actual
[3a] Number of Indigenous Clients supported at Indigenous Justice Centres ¹	254	256	655	281

Data source: BC First Nations Justice Council data from Indigenous Justice Centres.

This performance measure was developed during the 2021/22 fiscal year and was first included in the 2022/23 Service Plan. The baseline was established based on three Indigenous Justice Centres opened in Merritt, Prince George, and Prince Rupert. Six centres opened in 2023/24: Chilliwack, in May 2023, and Kelowna, Nanaimo, Surrey, Vancouver and Victoria opening in Q4 of 2023/24. The number of clients served in 2023/24 did not grow significantly throughout the year, which has resulted in a change to BCFNJC's eligibility criteria for Indigenous Justice Centre services. As of March 1, 2024, services are now available to individuals who are otherwise eligible for Legal Aid services, which previously was not the case. Six additional centres are planned to open in 2024/25.

¹PM 3a targets for 2024/25 and 2025/26 were stated in the 2023/24 service plan as 655.

Each physical centre offers unique supports tailored to the local Indigenous community, and individuals are able to access a number of services from each centre, including legal advice and representation for criminal and child protection matters; advocacy and support in dealing with agencies such as the police and Ministry of Children and Family Development; referrals to relevant agencies and services such as counselling or employment support; information towards better transitions from custody and integration into the community; and restorative justice options to better support and address the needs of those impacted by a crime. This measure reflects government's work with Indigenous leadership and communities to increase access to justice for Indigenous Peoples through delivery of local and culturally relevant services.

Financial Report

Discussion of Results

The Estimates operating expense budget of the ministry for 2023/24 was \$773.322 million. The ministry received a budget increase of \$65.091 million compared to the 2022/23 fiscal plan for the following initiatives: After Hours Bail, Facilities, Human Rights Tribunal, Independent Investigations Office, Indigenous Justice Centres, Shared Recovery Mandate, Virtual Bail, and prior year decisions.

The Public Accounts shows Other Authorizations of (\$296.341) million and includes:

• \$89.914 million in Contingencies Vote access for: Shared Recovery Mandate, Addressing Japanese Canadian Historical Wrongs Monument and Japanese Gardens, Digital Evidence Storage, Repeat Offending Program Implementation, Sheriff Retention and Recruitment Incentive, Doukhobor Apology and Recognition Package, Amortization and Asset Retirement (Building Operations), Triennial Review of Remuneration Guidelines for Appointees, Court Services Pressures - Superior Court Judiciary Support, Anti-Racism Legislation Implementation, Mental Health Act Advisory Services, Legal Services Branch pressures, Virtual Bail Hearing Expansion, Office of the Legislative Counsel Resources, Cannabis Operations: Legal Services, Non-consensual Disclosure of Intimate Images, Port Coquitlam Courthouse Renovations, Racist Incident Helpline Program Implementation, Independent Investigations Office Compensation Adjustments, Human Rights Tribunal, Long Term Disability for Judges, and the Nanaimo Correctional Centre Replacement Project.

Spending under the statutory appropriations was \$206.815 million for the Crown Proceeding Act, reflecting the cost of settlements or judgments, as well as adjustments to accrued liabilities for civil litigation against the province.

Including the Other Authorizations, the ministry's total estimated budget was \$1,069.664 million compared to actual expenditures of \$1,069.451 million, prior to the adjustment for Prior Year's Accruals.

Capital spending was \$5.579 million for: Specialized Equipment, Office Furniture & Equipment, Vehicles and Information Systems.

Financial Summary

		Other Authoriz-	Total		
	Estimated (\$000)	ations ¹ (\$000)	Estimated (\$000)	Actual (\$000)	Variance (\$000)
Operating Expenses					
Justice Services	200,577	5,954	206,531	206,130	(401)
Prosecution Services	173,671	8,269	181,940	185,343	3,403
Court Services	148,684	11,632	160,316	168,993	8,677
Legal Services	32,267	9,176	41,443	42,109	666
Agencies, Boards, Commissions, and Other Tribunals	48,279	2,980	51,259	51,237	(22)
Multiculturalism and Anti-Racism	1,987	25,865	27,852	27,929	77
Executive and Support Services	38,176	23,195	61,371	48,970	(12,401)
Sub-total: Ministry Operations	643,641	87,071	730,712	730,712	(0)
Judiciary	93,617	1,926	95,543	95,543	(0)
Crown Proceeding Act	24,500	206,815	231,315	231,315	0
Independent Investigations Office	11,564	917	12,481	12,481	(0)
Public Guardian and Trustee Operating Account	11,530		11,530	11,318	(212)
Transfer from General account to PGT Operating Account	(11,530)	(387)	(11,917)	(11,917)	0
Sub-Total	773,322	296,342	1,069,664	1,069,451	(212)
Adjustment of Prior Year Accrual ²	0	0	0	(994)	(994)
Total	773,322	296,342	1,069,664	1,068,457	(1,206)
Ministry Capital Expenditures					
Prosecution Services	0	0	0	266	266
Court Services	0	0	0	2,682	2,682
Agencies, Boards, Commissions, and other Tribunals	10	0	10	0	(10)
Executive and Support Services	5,768	0	5,768	1,631	(4,137)
Judiciary	770	0	770	578	(192)
Independent Investigations Office	0	0	0	386	386
Public Guardian and Trustee Operating Account	363	0	363	37	(326)

		Other			
		Authoriz-	Total		
	Estimated	ations¹	Estimated	Actual	Variance
	(\$000)	(\$000)	(\$000)	(\$000)	(\$000)
Total	6,911	0	6,911	5,579	(1,332)

¹ "Other Authorizations" include Supplementary Estimates, Statutory Appropriations and Contingencies. Amounts in this column are not related to the "estimated amount" under sections 5(1) and 6(1) of the *Balanced Budget and Ministerial Accountability Act* for ministerial accountability for operating expenses under the Act.

²The Adjustment of Prior Year Accrual of \$0.994 million is a reversal of accruals in the previous year.

Appendix A: Public Sector Organizations

As of August 2, 2024, the Ministry of Attorney General is responsible and accountable for the following organizations:

- Applied Science Technologists and Technicians of BC
- Association of BC Forest Professionals
- British Columbia Ferry Commission
- BC Family Maintenance Agency
- BC Human Rights Tribunal
- British Columbia Institute of Agrologists
- British Columbia Review Board
- British Columbia Utilities Commission
- Building Code Appeal Board
- Civil Resolution Tribunal
- College of Applied Biology
- Community Care and Assisted Living Appeal Board
- Employment Standards Tribunal
- Energy Resource Appeal Tribunal
- Engineers and Geoscientists BC
- Environmental Appeal Board
- Financial Services Tribunal
- Forest Appeals Commission
- Health Professions Review Board
- Hospital Appeal Board
- Independent Investigations Office of BC
- Investigation and Standards Office
- <u>Judicial Council of the Provincial Court of BC</u>
- Labour Relations Board
- Legal Aid BC
- Mental Health Review Board

- Notaries Public Board of Examiners
- Passenger Transportation Board
- Property Assessment Appeal Board
- Public Guardian and Trustee of British Columbia
- <u>Safety Standards Appeal Board</u>
- <u>Skilled Trades BC Appeal Board</u>
- Surface Rights Board
- Workers' Compensation Appeal Tribunal

Appendix B: Electoral Boundaries Commission

While Electoral Boundaries Commissions operate independently from the Ministry of Attorney General, their expenditures report out as the responsibility of the ministry. Therefore, they are not considered one of the core business areas accountable to the Attorney General, but they are included in the Annual Report.

Purpose of Electoral Boundaries Commissions

Electoral Boundaries Commissions are independent and non-partisan commissions appointed to review provincial electoral district boundaries. The commissions make proposals to the Legislative Assembly on the area, boundaries, and names of electoral districts to be used in the next two provincial general elections. This ensures that each part of B.C. has effective representation.

Governance Structure

Under the Electoral Boundaries Commission Act, the Lieutenant Governor in Council must appoint the BC Electoral Boundaries Commission, consisting of:

- A judge or retired judge of the Supreme Court or the Court of Appeal who is nominated by the Lieutenant Governor in Council,
- A person who is not a member of the Legislative Assembly or an employee of the government and who is nominated by the Speaker of the Legislative Assembly, after consultation with the Premier and the Leader of the Official Opposition, and
- The Chief Electoral Officer appointed under the *Election Act*.

The last Electoral Boundaries Commission was established in October 2021, reported to the Legislative Assembly in April 2023, and is now concluded.

Key Results

- The Legislative Assembly voted to adopt the Electoral Boundaries Commission's final report proposals on April 6, 2023.
- The Electoral Districts Act was repealed and replaced to reflect the recommendations of the Electoral Boundaries Commission and received Royal Assent on May 11, 2023.
- The amendments establish 93 electoral districts, their boundaries and names. This is an increase of six districts, in response to the province's estimated population growth of 500,000 people since 2015 and projected population growth in urban areas.

Financial Summary

Operating Expenses	Estimated (\$000)	Other Authoriz- ations ¹ (\$000)	Total Estimated (\$000)	Actual (\$000)	Variance (\$000)
Electoral Boundaries Commission	147	0	147	73	(74)
Total	147	0	147	73	(74)

¹ "Other Authorizations" include Supplementary Estimates, Statutory Appropriations and Contingencies. Amounts in this column are not related to the "estimated amount" under sections 5(1) and 6(1) of the Balanced Budget and Ministerial Accountability Act for ministerial accountability for operating expenses under the Act.

Appendix C: Progress on Mandate Letter Priorities

The following is a summary of progress made on priorities as stated in the Minister of Attorney General's 2022 Mandate Letter.

2022 Mandate Letter Priority	Status as of March 31, 2024				
	In progress – The BC First Nations Justice Strategy contains 25 strategies. There has been significant progress on:				
	 Strategy 4: Establishing a Network of Indigenous Justice Centres (IJCs): 9 physical and 1 virtual IJC are now operating in the Province, with a further 6 rural IJCs to open in 2024/2025. 				
Continue to work	 Strategy 5: Indigenous Legal Aid Services: BCFNJC and the ministry conducted engagements through 2023/24 which will continue into 2024/2025 regarding the transition of Indigenous Legal Aid Services. 				
with the Minister of Public Safety and Solicitor General, Indigenous	 Strategy 6: Implement a Gladue Strategy supported by a First Nations controlled Gladue implementation agency: BCFNJC continues to provide Gladue services for the Province. 				
communities and the BC First Nations	• Strategy 9: Implementing the Indigenous Justice Secretariat (IJS): The IJS was created on March 6, 2023.				
Justice Council to advance the First	 Strategy 10: Developing an Indigenous Youth Justice and Prevention Plan. 				
Nations Justice Strategy.	 Strategy 11: Developing an Indigenous Women's Justice Plan: The Indigenous Women's Justice Plan was set to be released on April 8, 2024, and aims to address the disproportionate impacts of the justice system on Indigenous women, girls, and 2SLGBTQIA+ people. 				
	 Strategy 16: Establish an Annual Justice Summit on First Nations Issues: The 3rd annual BC First Nations Justice Forum was scheduled to be held on April 8-10, 2024. 				
	 Strategy 17: Engaging the Government of Canada in the work of the BC First Nations Justice Strategy. 				

2022 Mandate Letter Priority	Status as of March 31, 2024
Continue to move forward to support the judiciary in the modernization of B.C.'s courts and legal processes to make it easier for the public to navigate our justice system and to better support victims and families.	In progress - Please refer to the content within Goal 1 of this Annual Service Plan Report for an overview of ministry accomplishments on modernizing the justice system.
Work with community partners, including	In progress – The ministry worked closely with BC's Office of the Human Rights Commissioner in 2023/24, with the Commissioner informing all drafts submitted to Cabinet. The team continued the consultation and cooperation process with Indigenous partners, including providing funds to BC First Nations, Métis Nation of BC, Alliance of BC Modern Treaty Nations and BC Association of Friendship Centres, to conduct distinct consultation and cooperation sessions with their membership.
B.C.'s Human Rights Commissioner, to develop and pass an Anti-Racism Act to better serve everyone in B.C.	The ministry also engaged community members by providing funds to non-profit organizations to conduct community-led engagement sessions on the anti-racism legislation.
	The ministry launched a public engagement questionnaire, available in 15 languages, which ran from June to October 2023, and received input from more than 2,000 respondents.
	What We Heard reports summarizing interests and findings from Indigenous partners, online questionnaire and the community-led engagement process were publicly released in March 2024.

2022 Mandate Letter Priority	Status as of March 31, 2024
In collaboration with the Parliamentary Secretary for Gender Equity, take steps to address non-consensual disclosure of intimate images.	In progress – The <i>Intimate Images Protection Act</i> came into force January 29 th , 2024. In partnership with the Ministry of Public Safety & Solicitor General, the ministry now has a program where people who have had their intimate images or video shared without consent have new supports to get those images off the internet, stop their distribution, and seek monetary compensation. These services will help people who have had their intimate images shared without their consent quickly access self-help tools to assess their legal options, get information on their rights and be connected to supports.
Support the Minister of Public Safety and Solicitor General and the work of the Minister of Mental Health and Addictions to build safe and healthy communities through implementation of the Safer Communities Action Plan.	In progress – BCPS executive representatives are engaged in an executive level working group and through ReVOII, the BCPS assists in advancing the implementation of the Safer Communities Action Plan. For more information, please see Objective 2.1 of this report.

2022 Mandate Letter Priority	Status as of March 31, 2024
Support all ministries to deliver initiatives listed in the Action Plan required by the Declaration on the Rights of Indigenous Peoples Act, to keep building strong relations based on recognition and implementation of the inherent rights of Indigenous Peoples protected in Canada's constitution.	Complete – Action 2.3: In April 2022, the ministry released the Directives on Civil Litigation Involving Indigenous Peoples to guide the Province's legal counsel in court cases involving Indigenous people. Since their release, counsel have become increasingly knowledgeable in all aspects of the Directives and counsel are regularly encouraging and supporting negotiated outcomes in active litigation. In progress – Action 3.06: The ministry has continued to advance the introduction of broad anti-racism legislation, building on the Anti-Racism Data Act from June 2022. Continued engagements occurred throughout 2023/24 to develop the proposed legislation and on April 11, 2024, the Anti-Racism Act was introduced. With this legislation, government will take action on systemic racism uncovered through race-based data collection and the lived experiences of Indigenous and racialized communities.
	In progress – Action 3.10: The ministry is working with public safety oversight bodies and complaint processes to implement improvements to those systems. Public reporting on this action will occur as part of the 2025/26 Declaration Act Action Plan Annual Report.
	In progress – Action 3.12: Prioritize implementation of the First Nations Justice Strategy. The BC First Nations Justice Strategy (the Strategy) was signed on March 6, 2020, and an implementation workplan was approved by Cabinet in July 2021. This fiscal year there has been significant progress made on the Strategy. See above for an overview of specific progress.
	In progress – Action 3.13: Prioritize endorsement and implementation of the Métis Justice Strategy. The ministry is working to obtain Provincial endorsement of the strategy.