



Select Standing Committee on Finance and
Government Services

INTERIM REPORT ON STATUTORY OFFICES

June 2022



LEGISLATIVE ASSEMBLY
of BRITISH COLUMBIA

First Report
Third Session, 42nd Parliament



June 2, 2022

To the Honourable
Legislative Assembly of the
Province of British Columbia

Honourable Members:

I have the honour to present herewith the First Report of the Select Standing Committee on Finance and Government Services for the Third Session of the 42nd Parliament titled, *Interim Report on Statutory Offices*.

Respectfully submitted on behalf of the Committee,

Janet Routledge, MLA
Chair

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COMPOSITION OF THE COMMITTEE

Members

Janet Routledge, MLA, Chair

Burnaby North

Karin Kirkpatrick, MLA, Deputy Chair

West Vancouver-Capilano

Pam Alexis, MLA

Abbotsford-Mission (To May 19, 2022)

Brenda Bailey, MLA

Vancouver-False Creek (From March 9, 2022)

Lorne Doerkson, MLA

Cariboo-Chilcotin (To May 4, 2022)

Megan Dykeman, MLA

Langley East

Grace Lore, MLA

Victoria-Beacon Hill (To March 9, 2022)

Renee Merrifield, MLA

Kelowna-Mission (From May 4, 2022)

Harwinder Sandhu, MLA

Vernon-Monashee

Mike Starchuk, MLA

Surrey-Cloverdale

Ben Stewart, MLA

Kelowna West

Henry Yao, MLA

Richmond South Centre (From May 19, 2022)

Committee Staff

Jennifer Arril, Clerk of Committees

Ron Wall, Manager, Committee Research Services

Natalie Beaton, Committee Researcher

Mary Newell, Administrative Coordinator

Emma Curtis, Committees Assistant

TERMS OF REFERENCE

On February 17, 2022, the Legislative Assembly agreed that the Select Standing Committee on Finance and Government Services be empowered to:

1. Examine, inquire into and make recommendations with respect to the budget consultation paper prepared by the Minister of Finance in accordance with section 2 of the *Budget Transparency and Accountability Act* (S.B.C. 2000, c. 23) and, in particular, to:
 - a. conduct public consultations across British Columbia on proposals and recommendations regarding the provincial budget and fiscal policy for the coming fiscal year by any means the Committee considers appropriate; and
 - b. prepare a report no later than November 15, 2022, on the results of those consultations.
2. Consider and make recommendations on the annual reports, rolling three-year service plans and budgets of the statutory officers, namely, the:
 - i. Auditor General
 - ii. Chief Electoral Officer
 - iii. Conflict of Interest Commissioner
 - iv. Human Rights Commissioner
 - v. Information and Privacy Commissioner
 - vi. Merit Commissioner
 - vii. Ombudsperson
 - viii. Police Complaint Commissioner
 - ix. Representative for Children and Youth
3. Inquire into and make recommendations with respect to other matters brought to the Committee's attention by any of the aforementioned statutory officers.

That the Committee be designated as the Committee referred to in sections 19, 20, 21 and 23 of the *Auditor General Act* (S.B.C. 2003, c. 2) and that the report in section 22 of the *Auditor General Act* (S.B.C. 2003, c. 2) be referred to the Committee.

That the Committee be designated as the Committee referred to in sections 47.02 and 47.03 of the *Human Rights Code* (R.S.B.C. 1996, c. 210).

That, in addition to the powers previously conferred upon the Select Standing Committees of the House, the Select Standing Committee on Finance and Government Services be empowered to:

- a. appoint one or more subcommittees and to refer to such subcommittees any of the matters referred to the Committee and to delegate to the subcommittees all or any of its powers except the power to report directly to the House;
- b. sit during a period in which the House is adjourned, during the recess after prorogation until the next following Session and during any sitting of the House;
- c. adjourn from place to place as may be convenient; and
- d. retain personnel as required to assist the Committee;

That the Committee report to the House as soon as possible; and that during a period of adjournment, the Committee deposit its reports with the Clerk of the Legislative Assembly, and upon resumption of the sittings of the House, or in the next following Session, as the case may be, the Chair present all reports to the House.

INTRODUCTION

The Legislative Assembly has assigned the Select Standing Committee on Finance and Government Services (the “Committee”) to consider the annual reports, service plans and budgets of the province’s nine statutory officers. The Committee meets with each statutory officer in the fall to review budgetary proposals and in the spring to receive financial and operational updates. This interim report provides a summary of the updates and discussion from the spring 2022 meetings.

The Committee considers supplementary funding proposals on an as-needed basis throughout the year. During the spring 2022 meetings, the Committee received supplementary funding requests from the Office of the Auditor General and Elections BC. The detailed consideration of supplementary funding requests will be included in the Committee’s next Annual Report of the Budgets of Statutory Offices which is expected to be released in fall 2022.

Spring Updates

The Committee appreciated the detailed updates provided by all statutory officers and acknowledged the important contributions each office makes to promoting accountability and transparency, and public trust. As noted in the Committee’s *Annual Review of the Budgets of Statutory Offices* released in December 2021, Committee Members welcomed the efforts of statutory offices to be creative, and find operational efficiencies and internal savings at a time of unprecedented financial pressures on the provincial public sector. As many of the statutory offices highlighted the challenges of competing in the current labour market, the Committee appreciated the offices’ efforts to improve recruitment and retention through flexible work arrangements and other employee supports. The Committee was grateful to

hear about the lessons learned by statutory offices from the COVID-19 pandemic and how they are being applied to make business operations, work arrangements, and the provision of services more effective, efficient and responsive to the needs of clients and employees.

Meetings Schedule

The Committee’s consideration of statutory office financial and operational updates took place at the following meetings:

April 27, 2022

- Office of the Information and Privacy Commissioner and Registrar of Lobbyists
- Office of the Representative for Children and Youth
- Office of the Auditor General
- Deliberations

May 2, 2022

- Office of the Ombudsperson
- Office of the Human Rights Commissioner

May 3, 2022

- Office of the Police Complaint Commissioner
- Deliberations

May 5, 2022

- Elections BC
- Deliberations

May 18, 2022

- Office of the Conflict of Interest Commissioner
- Office of the Merit Commissioner

May 31, 2022

- Deliberations
- Review and Adoption of Interim Report

OFFICE OF THE AUDITOR GENERAL

The Office of the Auditor General presented its financial and operational update on April 27, 2022. In attendance were Michael Pickup, Auditor General; Sheila Dodds, Deputy Auditor General; John McNeill, Manager, Finance and Administration; Elaine Hepburn, Director, Executive Accountabilities; and Dave Murray, Director, Corporate Planning, Policy and Legal Issues.

The Auditor General informed the Committee that he anticipates that the office will report a surplus of \$900,000 for the 2021-22 fiscal year, reflective of an underspend on salaries due to staff vacancies as well as reduced travel and professional services. The Auditor General noted that there are currently 23 vacant positions in the office. With respect to vacancies, the Auditor General outlined the difficulties of competing in the current labor market. The office is experiencing retention and recruitment challenges, especially for performance auditors, and noted that the office is investing in improving its work environment, including governance, strategic, corporate and audit planning, and workplace culture. The office has also been reviewing its human resource policies to leverage the tools and lessons that have emerged from the pandemic. The Auditor General highlighted the use of remote work and other flexible work arrangements, which have enabled the office to be more effective and foster a healthy workplace environment.

Despite vacancies, the Auditor General shared that the office released a total of 12 reports in the 2021-22 fiscal year, during the COVID-19 pandemic, which put a strain on staff. For the 2022-23 fiscal year, the office has a more sustainable goal of eight reports, of which two will be large, complex audits. Committee Members inquired if the office's plan for eight audits will create a backlog. The Auditor General noted

that the office's goal of eight audit reports is a minimum not a maximum.

The Auditor General outlined the key objectives in the office's service plan for the next three years. The office will improve the clarity and consistency of processes and information used for corporate governance planning and reporting; strengthen employee engagement through a safe, welcoming and inclusive workplace; develop a sustainable workforce plan to build organizational capacity and maintain high quality audit services; and deliver audits on time and within approved budgets.

In response to questions about the challenge of providing competitive salaries, the Auditor General explained that the office had been able to address salary gaps for certain junior auditor positions. For other positions, the office is reviewing its use of the Public Service Agency's compensation framework, and ways to provide more attractive remuneration arrangements. In addition, the Auditor General noted that increasing salaries of one employee or position could create imbalances across the organization. In addition, such changes would result in inconsistencies with the Public Service Agency's compensation framework as it limits the percentage a salary can be increased at one time. The Auditor General advised that an in-depth review of compensation issues will be undertaken, which could result in a proposal to increase the office's salary budget.

The Committee inquired about other factors causing difficulties for recruitment and retention. The Auditor General highlighted that the office's workforce environment survey has showed improved results with respect to the office being a better place to work and staff engagement, and noted that

compensation has been the major challenge for the office. The Manager, Finance and Administration, noted that the office's supplementary funding request to support an office space redesign is a part of the office's strategy of addressing these challenges by creating a more appealing work environment.

In the context of lessons learned from the COVID-19 pandemic regarding flexible work arrangements and their importance in attracting knowledge workers such as audit professionals, the Auditor General submitted a supplementary funding proposal for additional operating expenses for the 2022-23 fiscal year, including capital costs of \$1,570,000 and operating costs of \$410,000 for office space redesign. This proposal followed a request presented to the Committee in fall 2021 and addressed comments by Committee Members about the need for a stronger business case and additional information to support the rationale for such a significant financial proposal. The Committee considered this request, and agreed to recommend that the Office of the Auditor General be provided access to the proposed supplementary funding. Committee Members encouraged the office to consider extending the office lease by five years to increase total savings of the office space redesign by a further \$1.6 million as outlined in the supplementary funding request.

OFFICE OF THE CONFLICT OF INTEREST COMMISSIONER

The Conflict of Interest Commissioner, Victoria Gray, Q.C., presented the office's financial and operational update on May 18, 2022.

To begin, the Commissioner provided an overview of the office. The Commissioner highlighted the office's three areas of focus: helping Members understand and comply with rules of the *Members' Conflict of Interest Act*; helping Members to navigate the process of financial disclosures; and responding to complaints or requests from Members or the public about potential conflicts of interest. The Commissioner noted that in her tenure as Commissioner, no requests have warranted an investigation. The office is staffed by four employees, two of whom work full-time while the Commissioner and the administrative assistant work part-time.

The Commissioner noted that the *Members' Conflict of Interest Act* informs the office's work, and despite a review of the Act in 2012, there have been no recent changes to the Act. In response to questions from Committee Members, the Commissioner explained that she did not see an urgent need for changes to the Act, although there were areas where provisions could be revised to reflect good practices in other jurisdictions. For example, she pointed to the need to revise the definition of married and common law spouse, and the greater ability of other jurisdictions to review inappropriate behavior of Members rather than just conflicts between Members' private interests and their public role. She also noted that the office's mandate does not extend to senior public sector officials, whereas a number of other jurisdictions have assigned this responsibility to her counterparts. The Commissioner noted that if the office's jurisdiction were to expand to include senior officials, the office's budget would

likely need to be at least doubled. With respect to Members' questions regarding the impact of changing technology, the Commissioner explained that she has interpreted the legislation to allow for virtual meetings and electronic signatures as necessary and this would not be a priority area for legislative change.

Due to an underspend on travel and professional fees, the office had a surplus of \$100,000 for the 2020-21 fiscal year. The office received 76 requests for advice in 2020 and 12 requests for an opinion pursuant to section 19 of the Act. Most of these requests were from the public and not in the office's scope so no investigations were required.

For the 2021-22 fiscal year, the office was \$122,000 under budget due to reduced travel, a staffing vacancy and the lack of major inquiries. The office received 127 requests for advice in 2021, nearly double of the previous year, which the Commissioner attributed to the significant number of new Members following the 2020 provincial general election.

For the current year, the Commissioner stated that the office has received 31 requests. In addition, the Commissioner has completed annual meetings with Members and will be meeting the new Members elected in the two by-elections.

ELECTIONS BC

On May 5, 2022, Anton Boegman, Chief Electoral Officer, and Yvonne Koehn, Deputy Chief Electoral Officer, Corporate Services, appeared before the Committee to present Elections BC's financial and operational update.

The Chief Electoral Officer briefed the Committee on the Vancouver-Quilchena by-election following the resignation of former Member Andrew Wilkinson. This was the first election administered under the changes enacted through the *Election Amendment Act, 2019*, including the implementation of a first-come, first-served model for election day voting. This model is a more efficient voter service model and provides quicker service to voters with fewer election officials required. The use of tabulators in the by-election to automatically count voter-marked paper ballots allowed for faster reporting of results and the later closing time of general registration allowed more voters to register or update their records prior to voting.

Elections BC sought supplementary funding for the by-election in the amount of \$817,000 for the 2022-23 fiscal year which was approved by the Committee. Details on this request and the Committee's decision will be provided in the Committee's fall 2022 annual report. Following the resignation of former Member Stephanie Cadieux, the Chief Electoral Officer noted that an additional by-election in South Surrey must be called by October 28, 2022, and the office will submit a further supplementary funding proposal at that time.

The office is working on its report on the 2020 provincial general election which is expected to highlight recommendations to improve the electoral process, including the accessibility, efficiency and integrity of the vote-by-

mail process as well as the adjudication of write-in ballots, particularly situations when a voter writes the name of a party leader rather than a candidate on a ballot.

The Chief Electoral Officer outlined Elections BC's strategic priorities, including the delivery of electoral events, modernizing electoral service, improving accessibility to electoral processes, building organizational capacity and protecting electoral integrity. He also highlighted work to expand the list of future voters, which was enacted as part of the *Election Amendment Act, 2019*.

The Chief Electoral Officer noted that Elections BC undertook a comprehensive organizational review, including electoral operations, voter services, campaign finance, electoral geography and information technology. The review resulted in a reorganization of program areas and targeted investments to strengthen employee productivity.

The Committee asked how the office is adapting the vote-by-mail process following the Vancouver-Quilchena by-election and the 2022 provincial general election. The Chief Electoral Officer anticipates that the use of high-speed tabulators will enable the vote-by-mail ballots to be completed at a much faster rate. With improved processes, the office will be able to finish the counting of vote-by-mail packages in a timelier fashion.

OFFICE OF THE HUMAN RIGHTS COMMISSIONER

The Human Rights Commissioner, Kasari Govender, appeared before the Committee on May 2, 2022, accompanied by Stephanie Garrett, Deputy Human Rights Commissioner.

The Commissioner outlined the office's five strategic priorities: the rise of hate and white supremacy; poverty as a cause and effect of inequality; the rights of those held in detention; decolonization and Indigenous rights; and discrimination in the context of employment, housing and services.

The Commissioner highlighted the office's report, *Disaggregated Demographic Data Collection in B.C.: The Grandmother Perspective*, which discusses how to collect disaggregated demographic data to support better government decision-making. She noted that legislation to support the collection of race-based and disaggregated data, the *Anti-Racism Data Act*, had been introduced in the Legislative Assembly, and aligns with the report's recommendations. The Commissioner also pointed to recent legislative amendments adopted by the Legislative Assembly to the BC Human Rights Code, which added Indigenous identity as a prohibited ground of discrimination. This change had been advocated for by the Office of the Human Rights Commissioner and the Human Rights Tribunal.

With respect to recent initiatives, the Commissioner indicated that the office recently made submissions to the provincial government with respect to the agreement between the Canadian Border Services Agency and BC Corrections regarding migrant detention. The office is developing accessible educational materials on human rights issues, such as a three-part video about the provincial human rights system and the work of the Human Rights Tribunal. Additionally, the Commissioner shared that the office's

submission to the Special Committee on Reforming the Police Act was highlighted within that Committee's report.

In the 2021-22 fiscal year, the office fielded nearly 21,000 calls and emails, including a significant number related to the COVID-19 pandemic. The office has worked closely with the Public Health Officer to ensure that human rights considerations are incorporated in public health policy decisions. During the pandemic, there was an increase of hate incidents and the office plans to issue a report on this issue in early 2023.

The Commissioner stated that the office is working to ensure an effective and respectful workplace culture and policies. After the onset of the COVID-19 pandemic, the office developed a flexible workspace with a decentralized work model. Going forward, the Commissioner anticipates a mixed model of work arrangements including remote work in the Prince George and Kelowna offices. The office and the Office of the Representative for Children and Youth are working together on a shared services arrangement to identify areas for collaboration, resource sharing and possible efficiencies.

OFFICE OF THE INFORMATION AND PRIVACY COMMISSIONER AND REGISTRAR OF LOBBYISTS

On April 27, 2022, the Information and Privacy Commissioner and Registrar of Lobbyists, Michael McEvoy, appeared before the Committee to provide the office's spring update, accompanied by oline Twiss, Deputy Commissioner; Jeanette Van Den Bulk, Deputy Commissioner; and Dave Van Swieten, Executive Director, Corporate Shared Services.

The Commissioner highlighted the office's handling of 10,000 files in the 2021-22 fiscal year, representing a significant increase in access to information and privacy complaints and requests to review public body decisions regarding the processing of access to information requests. The office is hiring additional adjudicators to address the increased demand, as detailed in its fall 2021 budget submission. Recent amendments to the *Freedom of Information and Protection of Privacy Act* will impact the work of the office and additional resources may be sought for this purpose in the office's fall 2022 budget proposal.

In December 2021, the office released a report on the impact of the COVID-19 pandemic on government access to information systems. The report showed that, despite an increase in the number and complexity of requests, access to information systems were resilient during the first year of the pandemic. In addition, the office published guidance documents for employers to help them understand what conditions must be present before conducting random searches for drugs and alcohol in the workplace, privacy guidance for strata corporations and strata agents, and a document on the responsibilities of public bodies which store or allow access to British Columbians' personal information outside Canada's borders. The office, working with Elections BC, issued a campaign code of practice for political parties,

which was agreed to by all political parties represented in the Legislative Assembly. The code balances political parties' interest in information on voters with the need for protection of voters' privacy.

Turning to his role as the Registrar of Lobbyists, the Commissioner shared that the office had added new functionality to improve the user experience of the lobbyists registry and is continuing its work on educating lobbyists and the public on changes to the *Lobbyist Transparency Act* and the lobbyists registry. This work includes guidance on the term "provincial entities" in the Act and gift-giving prohibitions, including sponsored travel. Guidance documents will be available shortly to enable the public to understand the type of information they can find in the lobbyists registry and to help public office holders understand what they are required to do under the Act.

The office has established a diversity and inclusion group to recommend actions for enhancing inclusiveness into workplace policies, procedures and services. The office is also incorporating Indigenous behavioral competencies into hiring practices, using gender-neutral language in communications and interactions, updating harassment, discrimination and bullying policies, and providing related training.

In response to Committee questions about the office's return to the workplace as pandemic restrictions are easing, the Commissioner noted that the leadership team is engaging employees on the future of the office workplace. Staff are gradually returning to the office and a blended workplace is anticipated, noting that flexible and remote work arrangements expand the pool of candidates for office positions.

OFFICE OF THE MERIT COMMISSIONER

On May 18, 2022, Maureen Baird, Q.C., Merit Commissioner, presented the Office of the Merit Commissioner's financial and operational update. She was joined by Dave Van Swieten, Executive Director, Corporate Shared Services.

To begin her presentation, the Commissioner shared that in 2021 the office found 71 percent of audited appointments were the result of a merit-based process with no error. Two percent were determined to not have merit applied due to an error in the competition outcome. The remaining 27 percent of the audited appointments were based on merit but had errors in the design or application of the process, which had a mitigated or unknown impact on the competition outcome. The Commissioner further noted that in all but one audit, the office found the individuals whose appointments were selected for audit had the qualifications specified as required for the position.

The office received 22 requests from applicants who had not been successful in a competition to complete a staffing review of a hiring process in 2021-22. Of these, the office issued 18 review reports, including 15 which upheld the organization's appointment decision and three in which the Commissioner recommended a reconsideration. She explained that the area of most frequent concern involved the design and application of the interview and testing stage. In response to Committee questions, the Commissioner shared that following a review, she can request a reconsideration, but that is the end of the office's jurisdiction. Therefore, the office does not report the outcome of a reconsideration. The Commissioner shared that the office now has a formal agreement with the Deputy Attorney General concerning

the sharing of relevant information for the office's dismissal process reviews.

The Commissioner provided Committee Members with a staffing update for the office, which has four full-time and two part-time staff as well as six contractors who conduct audits of hiring processes year-round. There was some recent staff turnover and the office has now recruited new team members who are learning their responsibilities. The office provided flexible work arrangements prior to the pandemic and the practice has continued. She is currently reviewing options which allow for flexibility while ensuring that high quality and timely work continues.

Regarding upcoming work, the Commissioner noted that the office will be producing a special study this year on the challenges of lessened qualifications—when the qualifications of a job posting are changed after it has been posted. Additionally, the office will soon begin its transition to the new Case Tracker System replacement. The office expects to report on the progress of implementation of the software during the fall 2022 meeting with the Committee. The office has also recently completed a redesign of the office's website which features increased accessibility including plain language.

OFFICE OF THE OMBUDSPERSON

The Ombudsperson, Jay Chalke, Q.C., appeared before the Committee on May 2, 2022. He was accompanied by Rachel Warren, Executive Director, Intake and Investigation; and Dave Van Swieten, Executive Director, Corporate Shared Services.

The Ombudsperson provided a summary of recent initiatives and noted that the office is developing performance measurements focused on outcomes rather than outputs, with input to come from a survey of the public, complainants, and public sector organizations. Additionally, he highlighted the work that the office and its counterparts across the world are doing to support the protection of public sector administrative services in Ukraine.

The Ombudsperson gave an update on the office's development of an Indigenous community plan. The office has contracted five regional engagement specialists, called Ombudspersons pathfinders, to work in Indigenous communities across the province to raise awareness of the office, build trust with communities, and assist Indigenous peoples in accessing the office's services. In addition, the pathfinders will be gathering information to support the office's broader work on Indigenous reconciliation.

The office's public interest disclosure team along with the public authorities consultation and training team are supporting the implementation of the *Public Interest Disclosure Act*, which is British Columbia's whistleblower protection legislation. The office has developed an online course for employees on how to bring a disclosure of wrongdoing forward internally or to the Office of the Ombudsperson directly. Over 30 new public bodies have been supported by the office as part of the phased-in implementation of the Act.

The Committee inquired about the impact of the introduction of no fault insurance by ICBC as this has the potential of resulting in complaints to the office, instead of the courts. The office had secured funding for an additional employee for the 2022-23 fiscal year to address this pressure, and the impact on future years was unclear. The Ombudsperson noted that ICBC falls under the *Ombudsperson Act*, covering administrative complaints, while coverage under the *Public Interest Disclosure Act* will be implemented later this year.

The Ombudsperson provided an update on the Case Tracker System replacement project for the office, the Office of the Police Complaint Commissioner, Office of the Merit Commissioner, and the Office of the Conflict of Interest Commissioner. The Office of the Ombudsperson was the first office to implement the project and is currently doing testing. The Office of the Police Complaint Commissioner project is underway, and the other two offices will follow. The Committee heard that the project is on time and on budget.

OFFICE OF THE POLICE COMPLAINT COMMISSIONER

The Office of the Police Complaint Commissioner (OPCC) met with the Committee on May 3, 2022. In attendance were Clayton Pecknold, Police Complaint Commissioner; Andrea Spindler, Deputy Commissioner; and Dave Van Swieten, Executive Director, Corporate Shared Services.

The Commissioner explained that following the Committee's approval of additional resources in fall 2021, the office is hiring a senior research position to expand the office's data capacity and support the examination of race-based data to understand how bias and racism may be present in police operations. Staff are also being hired to address increased demands including pressures related to the establishment of the Surrey municipal police force.

With respect to office space, the office is working with the Ministry of Citizens' Services and the BC Public Service Agency to develop internal business processes and examine space requirements considering anticipated needs and flexible workforce arrangements. The Commissioner anticipated that the office will have hybrid and remote working arrangements which will increase the pool of applicants for recruitment. Given the impact of the creation of the Surrey municipal police force, the office is expected to need additional space to hold hearings and is discussing the possible use of space occupied by the Office of the Auditor General.

In response to questions about the current backlog of investigations, the office has hired additional staff, set better performance standards regarding turnaround time for decisions and has implemented a triaging system to identify and fast-track admissible complaints. The Commissioner also highlighted an internal classification system for investigations involving a top-tier classification for the significant use of force, serious injury or death, sexual harassment misconduct,

potential criminal investigations, or other serious misconduct, such as allegations of racism or discrimination and lower-tier classification for minor complaints.

The Commissioner added that in 2019 the Special Committee to Review the Police Complaint Process made recommendations regarding the need to increase capacity at the OPCC to provide access to the complaints process for Indigenous and newcomer communities. The Commissioner explained that the office is committed to increasing cultural competency, safety and resourcing to better serve these communities. Further, he explained that the civilian oversight of police must be responsive to the experiences of those who access the complaints process, and the office needs to work collaboratively and in partnership with Indigenous communities to improve accessibility and design a service that provides Indigenous peoples a culturally relevant and safe pathway at the OPCC. Therefore, the office is developing an Indigenous accessibility strategy, updating external communication materials including the OPCC website, brochures, and the complaints form, and developing a support agency framework of community-based groups and organizations who have expertise in providing supports to specific clientele, such as language or interpretation services, trauma-informed supports or legal assistance.

OFFICE OF THE REPRESENTATIVE FOR CHILDREN AND YOUTH

The Representative for Children and Youth, Dr. Jennifer Charlesworth, met with the Committee on April 27, 2022, accompanied by Pippa Rowcliffe, Deputy Representative.

With respect to the office's workload, the Representative shared that in the 2021-22 fiscal year, 1,811 children, youth and young adults were served either directly or indirectly by advocacy services provided through the office. Although the number of cases was similar to previous years, the number of hours that the office's advocacy time is spent in case meetings has doubled, reflecting the increased complexity of cases. In addition, the *Representative Children and Youth Act* was recently amended to expand the office's advocacy to include young adults up to the age of 27, increased from 23. The Representative expects that this expansion will impact the office's future workload. In relation to review and investigation work, the office has seen a significant increase with an average of 440 critical injury and death reports per month in 2022, partly due to increased reporting from health authorities as more health authorities begin to report this information as they are mandated to do.

The Representative stated the top priority for the office at this time is addressing the over-involvement of the child welfare system in the lives of First Nations, Métis, Inuit and urban Indigenous children and families. Other priority areas include children and youth substance use and mental health concerns; children and youth with support needs, especially those that are experiencing multiple complex challenges; critical prevention strategy; residential services; and youth who are transitioning into adulthood.

Due to decreased travel during the COVID-19 pandemic, the office had a surplus of \$440,000 in its operating budget for the 2021-22 fiscal year. As the office resumes travel to communities and to support its advocacy work, increased travel expenditures will eliminate the surplus. In addition, the office is completing an internal review of policies and the office's budget to ensure that expenditures are focused and efficient. A review of the office's corporate shared agreement with the Office of the Human Rights Commissioner found that services have been under resourced, and the office is seeking to identify resources within existing budget allocations to address this. The office recently commissioned an external review of its administration support services and plans to implement the review's recommendations within the office's existing budget.

The Representative noted that federal legislation adopted in 2019 (An Act Respecting First Nations, Inuit And Métis Children and Families) affirms the rights of First Nations, Inuit and Metis peoples to self-government, which includes jurisdiction over child and family services. Several Indigenous Nations in British Columbia are now restoring and designing child well-being laws and systems of support and establishing Indigenous Governing Bodies. Once an Indigenous Governing Body establishes full jurisdiction, the office will no longer have jurisdiction over their services. A number of Indigenous governing bodies have reached out to the office to discuss the future of their relationships with the office and possible interim support from the office in building capacity for reviews and investigations, audits, quality assurance and advocacy.

The Representative advised that due to COVID-19 health restrictions, much of the office's work moved online including its work with the public. The office is now returning to working in community, while continuing online outreach and advocacy work. She also indicated that remote work arrangements and a decentralized work model had expanded the recruitment pool for the office and improved the retention of existing staff.

