



**SELECT STANDING COMMITTEE ON FINANCE  
AND GOVERNMENT SERVICES**

**ANNUAL REVIEW OF THE  
BUDGETS OF  
STATUTORY OFFICES**



**DECEMBER 2021**

**SECOND SESSION, 42ND PARLIAMENT**



December 16, 2021

To the Honourable  
Legislative Assembly of the  
Province of British Columbia

Honourable Members:

I have the honour to present herewith the Third Report of the Select Standing Committee on Finance and Government Services for the Second Session of the 42nd Parliament. This report covers the Committee's review of the budgets of statutory offices, as approved by the Committee.

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*

Ben Stewart, MLA, Deputy Chair  
*Kelowna West*

Pam Alexis, MLA  
*Abbotsford-Mission*  
(to September 24, 2021; from November 4, 2021)

Jagrup Brar, MLA  
*Surrey-Fleetwood*  
(from September 24, 2021 to November 4, 2021)

Lorne Doerkson, MLA  
*Cariboo-Chilcotin*

Megan Dykeman, MLA  
*Langley East*

Greg Kylo, MLA  
*Shuswap*

Grace Lore, MLA  
*Victoria-Beacon Hill*

Harwinder Sandhu, MLA  
*Vernon-Monashee*

Mike Starchuk, MLA  
*Surrey-Cloverdale*

## Committee Staff

Jennifer Arril, Clerk of Committees

Karan Riarh, Committee Clerk

Ron Wall, Manager, Committee Research Services

Jonathon Hamilton, Committee Research Assistant (Co-op)

Mary Newell, Administrative Coordinator



# TERMS OF REFERENCE

On April 15, 2021, 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, 2021, 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 of its number 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.

# OVERSIGHT OF STATUTORY OFFICE BUDGETS

The Legislative Assembly empowers the Select Standing Committee on Finance and Government Services (the “Committee”) to consider and make recommendations with respect to the budgets, service plans and annual reports of statutory offices. The Committee meets with each statutory officer in the fall to review budget proposals and in the spring to receive financial and operational updates; supplementary funding requests are also considered on an as-needed basis throughout the year. This process supports legislative oversight and accountability, and provides for ongoing dialogue between legislators and statutory officers on the work of each office.

BC’s statutory officers are: the Auditor General; the Chief Electoral Officer; the Conflict of Interest Commissioner; the Human Rights Commissioner; the Information and Privacy Commissioner and Registrar of Lobbyists; the Merit Commissioner; the Ombudsperson; the Police Complaint Commissioner; and the Representative for Children and Youth. Each of these independent officers report to the Legislative Assembly.

## Budget 2022 Review

The Committee expressed its continued appreciation and gratitude to all statutory officers for the important work they do in service of British Columbians. Committee Members particularly appreciated how officers and their staff continue to adapt within the context of the COVID-19 pandemic, including examining potential permanent changes to how each office works and functions based on lessons learned from the pandemic.

Committee Members closely reviewed each budget submission. They noted that requests for funding lifts generally arose from inflationary pressures related to salary and building costs, and

operational pressures related to increasing caseloads and expanded legislated mandates. The Committee emphasized the importance of tracking information related to caseloads and indicated a strong interest in seeing clear metrics as part of the budget review process. They also highlighted a desire to see renewed efforts to be creative, streamline operations, and find efficiencies and internal savings, particularly during a time when the province is under financial pressure resulting from the pandemic and devastating wildfires and floods. Committee Members further encouraged all officers to ensure that their full three-year budget proposals appropriately forecast and incorporate inflationary costs and anticipated needs.

The Committee looks forward to continuing to engage with all statutory officers on this process and receiving detailed updates in the spring, particularly on areas where additional resourcing was supported.

## Meetings Schedule

The Committee’s review of budget submissions for the 2022-23 to 2024-25 fiscal years took place during the following meetings:

### Second Session, 42<sup>nd</sup> Parliament

November 15, 2021

- 2022-23 Budget Requests: Office of the Ombudsperson; Office of the Police Complaint Commissioner; and Elections BC
- Deliberations

November 16, 2021

- 2022-23 Budget Requests: Office of the Merit Commissioner
- Deliberations

November 18, 2021

- 2022-23 Budget Requests: Office of the Information and Privacy Commissioner and Registrar of Lobbyists
- Deliberations

November 22, 2021

- 2022-23 Budget Requests: Office of the Representative for Children and Youth; Office the Human Rights Commissioner; Office of the Auditor General
- Deliberations

November 23, 2021

- 2022-23 Budget Requests: Office of the Conflict of Interest Commissioner
- Deliberations

November 24, 2021

- 2022-23 Budget Requests – Follow-Up: Office of the Police Complaint Commissioner
- Deliberations

November 29, 2021

- 2022-23 Budget Requests – Follow-Up: Office of the Ombudsperson
- Deliberations

December 1, 2021

- Deliberations

December 6, 2021

- Deliberations
- Adoption of Report

# OFFICE OF THE AUDITOR GENERAL

The *Auditor General Act* establishes the position of Auditor General as an officer of the Legislature with a mandate to: undertake audits of the financial statements of the government reporting entity; carry out performance audits on the efficiency, economy and effectiveness of government programs and services; and issue other information reports. The office's audit reports are tabled in the Legislative Assembly and referred to the Select Standing Committee on Public Accounts, except for reports on the administration and management of the Legislative Assembly, which are referred to the Legislative Assembly Management Committee. Vote 2 of the annual provincial *Estimates* provides for the office's operating expenses and capital expenditures.

## Budget Submission for 2022-23 to 2024-25

The Committee considered the Office of the Auditor General's budget proposal for 2022-23 to 2024-25 on November 22, 2021. In attendance were: Michael Pickup, Auditor General; Sheila Dodds, Deputy Auditor General; John McNeill, Chief Financial Officer; and Nick Johnson, Manager, Communications.

The Auditor General shared that the main request in their budget proposal is with respect to a workplace re-design, which was developed following the Committee's February 2021 request for the office to examine building requirements and find opportunities for savings and alternative arrangements. Other key requests included a \$200,000 increase for CPA student salaries in order to remain competitive, with the office noting that their CPA trainees were among the lowest paid in Canada, and \$190,000 in capital spending on IT equipment for network servers and laptops.

With respect to the workplace re-design, the Chief Financial Officer indicated that the office was contemplating a transition to a hybrid office accommodation reflecting the shift to remote work arrangements for some staff due to the COVID-19 pandemic. The office worked with the Ministry of Citizens' Services to develop three workplace re-design options. The first option involved "a lighter touch" of limited tenant improvements and furniture purchases to support a hybrid work approach, involving \$410,000 in operating costs and \$1.570 million in capital costs, with an estimated net accommodation savings of \$1.590 million due to the subletting or space sharing of unneeded building space over the life of the lease through to 2034. A second option, called "start from scratch" would be more expensive, involving customized renovation and furniture expenses, which would reduce the expected net lease savings to \$520,000. A third option, "do nothing," would have no up-front costs and no net savings over the life of the lease. The office concluded that the first option would be the most effective use of office space and leasing resources.

Overall, the Auditor General requested operational funding of \$21.207 million for 2022-23, \$20.975 million for 2023-24, and \$21.400 million for 2024-25. With respect to capital funding, the Auditor General proposed \$1.870 million for 2022-23, \$155,000 for 2024-25, and \$263,000 for 2024-25.

## Committee Inquiry

The Auditor General provided further clarity on the Committee's questions about the management of office accommodation costs, information technology expenses, and the implementation of audit report recommendations by audited government organizations.



## Office Accommodation

Committee Members had several questions related to building occupancy and office requirements, noting that the office had moved into new accommodations in 2014 which had been approved by the Committee in order to meet the accommodation requirements identified by the office at that time.

The Auditor General explained that the forecasted reduction in the office's accommodation requirement was based on "hoteling" and sharing space between staff working in the office and those working remotely since the COVID-19 pandemic. Without a change in traditional accommodation practices, the office could face a tight space situation in the new year. The Chief Financial Officer indicated that the details of office requirements and staff coordination were still being figured out.

The Committee also asked about the expected reductions in greenhouse gas emissions noted in the submission. The Chief Financial Officer advised that the expected reduction was based on a one-third decrease in the use of building space by office staff working on site. The building itself would not reduce carbon usage, but another tenant would be using one-third of the building currently occupied by the office.

In a written response to additional questions from Committee Members about the workspace re-design, the office provided more detail about the process by which the business case was developed and how the project would move forward with assistance from the Real Property Division at the Ministry of Citizens' Services. The office also noted that should the proposed budget not be approved, other modifications will need to be made to the space to accommodate the increasing staff complement and to facilitate hybrid meetings, and further, that it may be difficult to provide the Office of the Human Rights Commissioner with additional space. As such, the office would still require \$115,000 in capital funding to cover furniture and equipment for these modifications.

## Information Technology Expenses

The Committee inquired about the proposed increase for information technology and whether, like government, the office had an overall plan to refresh information technology. The Auditor General noted the importance of reliable information technology equipment for productivity and security. The Chief Financial Officer explained that the office did not follow government practices for a detailed refresh plan; rather, the office sought the Committee's approval for incremental asks on a piece-by-piece basis which included the replacement of aging core infrastructure and the purchase of equipment for additional staff previously approved by the Committee.

## Implementation of Audit Report Recommendations

Committee Members asked about the impact of the implementation of audit report recommendations on the effectiveness of government administration. The Auditor General reported on the work supporting the Select Standing Committee on Public Accounts with the review of progress by audited government organizations on the implementation of audit report recommendations. He noted that during his role as Auditor General of Nova Scotia, the share of audit report recommendations completed within two years had risen from 50 percent when he arrived to 75 percent when he left. He observed that a robust level of implementation was important for the effectiveness of government administration and for the sense of job satisfaction by staff in the offices of legislative auditors who prepare audit reports.

## Recommendations

The Committee appreciated how the office responded to the Committee's direction with respect to office accommodations, and for initiating planning and developing options for a potential workspace re-design. Committee Members expressed interest in seeing more details and information about the feasibility of the 'lighter touch' approach. As such, they agreed to support a small increase of \$18,000 in the operational budget for more detailed planning, including the development of a feasibility plan, for the Committee's consideration at the next annual review of budget submissions, along with \$115,000 in capital expenditures to cover modifications to

accommodate the increased staff complement and hybrid meetings. The Committee encouraged the office to modify space and purchase furniture and equipment in the interim such that the office is well-positioned for a potential full-scale re-design. The Committee also supported increased funding for CPA salaries and IT equipment.

As such, the Committee recommended operating expenditures of \$20.815 million in 2022-23, \$20.975 million in 2023-24, and \$21.400 million in 2024-25, and capital expenditures of \$415,000 in 2022-23, \$155,000 in 2023-24, and \$263,000 in 2024-25.

## RECOMMENDATIONS

The Committee recommends to the Legislative Assembly that:

1. The appropriation for the operating expenditures of the Office of the Auditor General be \$20.815 million in 2022-23; \$20.975 million in 2023-24; and \$21.400 million in 2024-25.
2. The appropriation for the capital expenditures of the Office of the Auditor General be \$415,000 in 2022-23; \$155,000 in 2023-24, and \$263,000 in 2024-25.

### Office of the Auditor General Operating Budget



# OFFICE OF THE CONFLICT OF INTEREST COMMISSIONER

An Officer of the Legislative Assembly, the Conflict of Interest Commissioner provides advice to Members of the Legislative Assembly on the standards and conduct with regard to conflicts of interest. It is also a function of the Commissioner to meet annually with all Members regarding conflicts of interest and assist with financial disclosure requirements set out in the *Members' Conflict Interest Act*. The Commissioner also responds to complaints and initiates investigations and inquiries into matters of potential conflicts of interest. Vote 3 of the annual provincial *Estimates* provides for the office's operating and capital expenditures.

## Budget Submission for 2022-23 to 2024-25

The Committee reviewed the 2022-23 to 2024-25 budget submission for the Office of the Conflict of Interest Commissioner on November 23, 2021. In attendance were: Victoria Gray, Q.C., Conflict of Interest Commissioner; and Carol Hoyer, Executive Coordinator.

The Commissioner, who has been in the position for nearly two years, began her presentation with a brief overview of the office and its functions. The Commissioner shared that she has completed annual meetings with all 87 Members for the year, and that as of October 2021, the office has received 190 requests for advice, many from Members. The Commissioner attributed this significant increase in advice requests over previous years to the 26 new Members who were elected in the October 2020 provincial general election.

The Commissioner shared that her office is staffed by two full-time staff, and one additional staff person who works 60 percent full-time, with the Commissioner herself working 75

percent full-time. While she requested a status quo budget incorporating inflationary increases, the Commissioner also highlighted potential risks should a conflict-of-interest complaint warrant judicial investigation and inquiry. Such investigations or inquiries require the office to retain additional legal counsel and therefore incur additional expenses. The Commissioner shared that historically, the office has averaged one per year, though there have been no investigations in the last two years, and noted that costs of previous investigations varied widely.

Overall, the Commissioner proposed an operational budget of \$754,000 for 2022-23, \$767,000 for 2023-24, and \$775,000 for 2024-25, and a capital budget of \$25,000 for each of the next three fiscal years.

## Committee Inquiry

The Committee inquired about any provisions in the *Members' Conflict of Interest Act* with regard to the spending required to complete an investigation. The Commissioner explained that the Act requires the Commissioner to undertake certain work, and that the practice has been to return to the Committee for supplementary funding when additional resources are required.

The Committee also inquired about the hybrid work model of the office and its relation to the current budget. The Commissioner explained that staff work both remotely and at the Menzies Street office and this shift to a hybrid work model and its expenses are reflected in the current budget. The Commissioner went on to explain that the office utilizes IT services of the Legislative Assembly, incurring no additional costs with the new hybrid work model. The Commissioner noted the importance of the physical office in their hybrid

model, particularly for the need to securely store confidential documents.

Assembly and for ensuring public confidence in Members. The Committee acknowledged that the Commissioner presented another status quo budget that incorporates minor inflationary increases and agreed to recommend the proposed operating and capital budgets.

## Recommendations

The Committee thanked the Commissioner and her staff for the service they provide to Members of the Legislative

### RECOMMENDATIONS

The Committee recommends to the Legislative Assembly that:

3. The appropriation for the operating expenditures of the Office of the Conflict of Interest Commissioner be \$754,000 in 2022-23; \$767,000 in 2023-24; and \$775,000 in 2024-25.
4. The appropriation for the capital expenditures of the Office of the Conflict of Interest Commissioner be \$25,000 for each of the next three fiscal years.

### Office of the Conflict of Interest Commissioner Operating Budget



\*Increase attributed to a life insurance benefit payment to the estate of late Commissioner, Paul D.K. Fraser, Q.C.

# ELECTIONS BC

Led by the Chief Electoral Officer, Elections BC is responsible for administering electoral events, including provincial general elections, by-elections, referenda, recall initiatives, and initiative petitions, as provided by the *Election Act*, the *Recall and Initiative Act*, and the *Referendum Act*. The office also oversees local election campaign financing and advertising requirements, pursuant to the *Local Elections Campaign Financing Act*. Vote 4 of the annual provincial *Estimates* provides for the office's operating and capital expenditures.

## Budget Submission for 2022-23 to 2024-25

The Committee reviewed the 2022-23 to 2024-25 budget submission for Elections BC on November 15, 2021. In attendance were: Anton Boegman, Chief Electoral Officer; Charles Porter, Deputy Chief Electoral Officer, Electoral Finance and Operations; and Tanya Ackinclose, Director, Finance and Facilities Administration.

The Chief Electoral Officer opened the office's budget presentation with an overview of strategic priorities and key activities over the past year. The Chief Electoral Officer indicated that the primary focus for 2022-23 will be administering campaign finance rules for the October 15, 2022 general local elections. The office will also continue work on modernizing election administration, including technology for voting and counting processes and a candidate nominations application system to enable online filing of nomination packages, as well as outreach and education programs to improve accessibility of and participation in elections.

The office identified four parts to their budget submission request: core operating expenditures; event spending

requirements; capital expenditures; and the annual allowance for political parties.

## Core Operating Expenditures

For 2022-23, Elections BC proposed a core operating budget of \$12.016 million, followed by \$12.422 million and \$12.502 million in 2023-24 and 2024-25, respectively. The Chief Electoral Officer highlighted that Elections BC started an organizational review which is expected to continue into the next fiscal year. This review has so far resulted in a reorganization of some areas and identified a need for additional investments to support modernization, particularly with respect to the increased reliance on technology and information systems. Accordingly, the Chief Electoral Officer noted that his budget proposal reflects a two percent increase to core operating expenditures in support of the review. He also noted that the budget does not include funding for the Electoral Boundaries Commissioner; Elections BC will be providing secretariat support using existing resources and assets.

The Director, Finance and Facilities Administration, further shared that the line items for Elections BC's core operating budget typically look very similar year to year; however, this year, there are some changes stemming from the aforementioned organizational review. She explained that one of the outcomes of the review was to bring IT business analysis, infrastructure services, and some development capacity in-house. She highlighted that critical functions that had previously been contracted out were contributing to ongoing resourcing and quality control issues, and as such, presented a risk to key event systems and the ability to support election technology infrastructure.



As a result, the budget submission proposes seven new FTEs, which represents the majority of the requested increase in salaries and benefits; the salaries and benefits line item also assumes a two percent wage increase for staff. The Director, Finance and Facilities Administration, explained that the cost of the new FTEs is largely offset by a corresponding reduction in the corporate information systems line item which also includes costs to upgrade licenses to key desktop tools and to deploy improved collaboration tools like MS Teams.

She also noted that the political entity reporting business line has been reduced to reflect a reduction in the budget for legal services to better align with actual spending over the last few years. Other changes to the business line budgets are modest and reflect minor fluctuations between the separate line items as the office adjusts to changing circumstances and projects each year.

### Event Spending Requirements

With respect to event spending requirements, the office noted this budget is presented for one year only as the budget for each electoral event is developed from the ground up and is based on known and scheduled events. For 2022-23, Elections BC proposed a total of \$3.152 million for three areas. One is \$2.580 million for the administration of campaign financing and advertising rules for the October 2022 general local elections. The Deputy Chief Electoral Officer, Electoral Finance and Operations, shared that this funding will cover temporary staffing costs, and education and outreach to ensure participants in general local elections comply with the financing, advertising, and disclosure rules under the *Local Elections Campaign Financing Act*. He noted that preparatory work began this past summer and that this will be the first general local election with ongoing elector organization registration requirements, sponsorship contribution limits, and a 60-day pre-campaign period per legislative amendments adopted earlier this year.

The two other items in the event expenses budget are \$360,000 for the operationalization of changes mandated by the *Election Amendment Act, 2019*, and \$212,000 for the recruitment of district electoral officers and their deputies in the lead-up to

the next provincial general election scheduled for 2024. The Deputy Chief Electoral Officer advised that funding for district electoral officers and their deputies is being requested earlier in the election cycle than in the past due to the shift to a fall general election as well as the significant training and testing requirements arising from voting modernization efforts under the *Election Amendment Act, 2019*.

### Capital Expenditures

As it relates to the capital budget, Elections BC requested \$650,000 in 2022-23, \$800,000 in 2023-24 and \$500,000 in 2024-25. The Director, Finance and Facilities Administration, stated that the 2022-23 request is all related to information technology. This includes projects to improve tools and support for district electoral officers and tools to improve services to voters. She noted that in last year's submission, the office had originally requested \$700,000 for fiscal 2022-23; however, as the provincial general election was called early, the office reset their capital plans.

### Annual Allowance for Political Parties

The office requested a total of \$3.248 million in each of fiscal 2022-23 and 2023-24 to fund the annual allowance to political parties. While the allowance was originally set to end in 2022, the Legislative Assembly adopted amendments to the *Election Act* in November 2021 which made this allowance permanent following a review by a parliamentary committee which recommended payments continue into the future. The allowance is based on an allocation of \$1.75 per vote for eligible political parties with annual adjustments beginning in 2024 based on the Consumer Price Index.

### Committee Inquiry

The Committee inquired about a number of different areas, including performance, education and outreach, engagement, and integrity in the vote-by-mail process.

### Performance Measurement

In response to questions from Committee Members regarding measuring success, the Chief Electoral Officer advised that the

office is always looking for ways to improve. He pointed to the performance measurement structure and framework in their annual report which is used to examine different activities, surveys with voters on experiences and expectations, and metrics such as voter participation numbers, as ways the office assesses its activities and success.

### **Voter Education and Outreach**

The Committee asked for more information regarding funding for education and outreach, and how Elections BC communicates information about electoral boundary changes. The Chief Electoral Officer clarified that funding for education and outreach is in different parts of the budget to reflect where voters may get their information. For example, previously there was a greater focus on sharing information through print media whereas now digital media is more effective. With respect to electoral boundaries, the Chief Electoral Officer shared that recommendations on changes are available in a final report that is discussed and debated by the Legislative Assembly, and if changes are adopted, Elections BC will incorporate the changes into systems and maps and communicate them to voters.

### **Engagement and Knowledge Sharing**

Committee Members inquired about how Elections BC engages other jurisdictions with respect to knowledge sharing, including opportunities for modernization, efficiency, and cost savings. The Chief Electoral Officer advised that his office does extensive engagement with other electoral jurisdictions in

Canada and that the learning goes both ways. As examples, he noted that recent modernization efforts in BC are based on changes implemented by Elections Ontario, and that Saskatchewan is interested in BC's assisted telephone voting model. The Chief Electoral Officer highlighted that there are limitations as to what can be shared as each jurisdiction has different legislation with BC having the most accessible electoral legislation in Canada.

### **Vote-by-Mail**

In response to questions regarding the integrity of vote-by-mail, the Chief Electoral Officer described how Elections BC conducts checks at various stages of the process from receiving a request for a vote-by-mail package to screening packages when they are received. The Deputy Chief Electoral Officer further noted that the office investigates and follows up on complaints, and has not found a record or pattern of abuse and has significant experience and confidence in the process.

## **Recommendations**

The Committee expressed their appreciation to the Chief Electoral Officer and Elections BC for the work they do in support of democracy in BC and recognized the learning the office undertakes to improve processes and ensure voting is accessible. Committee Members agreed to recommend the requested appropriations for core operating expenditures, event-related expenditures, and capital expenditures, along with the annual allowance for political parties.

## **RECOMMENDATIONS**

The Committee recommends to the Legislative Assembly that:

5. The appropriation for the operating expenditures of Elections BC be \$12.016 million in 2022-23; \$12.422 million in 2023-24; and \$12.502 million in 2024-25.
6. The appropriation for event-related operating expenditures for Elections BC be \$3.152 million in 2022-23.
7. Elections BC be granted \$3.248 million in 2022-23 and 2023-24 to fund the annual allowance for political parties.

8. The appropriation for the capital expenditures of Elections BC be \$650,000 in 2022-23; \$800,000 in 2023-24; and \$500,000 in 2024-25.

## Elections BC Operating Budget\*



\*Core operating expenses only

# OFFICE OF THE HUMAN RIGHTS COMMISSIONER

The *Human Rights Code* provides for the Human Rights Commissioner as an officer of the Legislature with a mandate to promote and protect human rights, including by promoting the elimination of discriminatory practices, policies, and programs. The Commissioner is also responsible for: developing and delivering public information and education about human rights; undertaking and supporting research respecting human rights; examining the human rights implications of any policy, program, or legislation; and promoting compliance with international human rights obligations. The office's operating expenses and capital expenditures are provided for in Vote 5 of the annual provincial *Estimates*.

## Budget Submission for 2022-23 to 2024-25

On November 22, 2021, the Committee met with Kasari Govender, Human Rights Commissioner, to review the office's budget proposal for 2022-23 to 2024-25. Also present were Stephanie Garrett, Deputy Commissioner, and Dianne Buljat, Chief Financial Officer, Office of the Representative for Children and Youth (Shared Services).

In her presentation, the Commissioner detailed the office's evaluation framework and five key deliverables by which the office is measuring its work. She discussed initiatives the office has underway with respect to engagement with Indigenous communities and organizations, engagement with British Columbians more broadly, and educational resources and workshops. She further noted progress on the implementation of recommendations from her office with respect to disaggregated data and with respect to explicitly including Indigenous identity as a protected ground in the *Human Rights*

*Code*, for which amendments were adopted by the Legislative Assembly in November 2021. The office is also intervening in two legal cases.

The Commissioner highlighted two areas of work for the Committee. One was her office's COVID-19 pandemic response, which included issuing policy guidance on human rights protections with respect to public health priorities such as mask-wearing and mandatory vaccine orders. Another is her office's first inquiry which will examine the rise of hate during the pandemic which is expected to take place over the next year with a report to be released in fall 2022. The Commissioner indicated that the office chose this area as a result of the increase in hate-related incidents reported since the start of the pandemic and that the intent of the inquiry is to examine all forms of hate.

The Commissioner also provided an update on staffing. She shared that the office is committed to hiring a diverse group of qualified staff and is close to reaching the full staff complement. She noted the office has faced some delays in hiring due to the pandemic, similar to challenges experienced by other employers, and that gaps have been filled with contracted supports. She advised that the office has staff in Vancouver, Victoria, Kelowna and Prince George, and is now occupying their head office in Vancouver with a hybrid work model.

With respect to her budget submission, the Commissioner requested \$6.809 million in operating expenditures for 2022-23, which incorporates an increase of \$106,000 from what was presented in February, for an anticipated two percent salary increase for staff and a minor increase in building occupancy charges. This is followed by \$6.826 million and \$6.839 million in 2023-24 and 2024-25, respectively. She indicated that, while

the office experienced some savings in the prior and current fiscal year due to the pandemic, the budget assumes a return to normal operations moving forward. With respect to capital expenditures, the Commissioner requested \$35,000 in each of the next three fiscal years.

## Committee Inquiry

Committee Members had several questions related to education and outreach, measuring progress, and the Commissioner's intervention powers.

### Outreach and Education

The Committee expressed interest in outreach efforts to children and youth. The Commissioner advised that all of the office's materials are designed to be accessible and are promoted to educators. The office is also developing a plan for youth engagement and a film on how children perceive human rights. She noted that education for children and youth goes hand in hand with education for their caregivers and parents.

In response to questions about resourcing for outreach and education, the Commissioner shared that there is a dedicated team doing this work, including developing materials, workshops, curricula, and visuals, and building relationships within communities. She also discussed the value of earned media in facilitating outreach.

### Measurement

Committee Members asked how progress and success with respect to human rights can be measured. The Commissioner

referenced her office's baseline project which will determine the current state of human rights and enable the office to measure progress over time. The Deputy Commissioner further described the importance of representation from across the province and building stakeholder management systems to enable information and data collection that will link into evaluation work and help track and trend issues over time.

### Intervention Powers

The Committee sought more information about the Commissioner's ability to intervene in court cases. The Commissioner shared that her office monitors all Human Rights Tribunal decisions to identify cases that meet criteria for potential intervention, including whether a case fits within strategic priorities and has possible systemic implications. She noted that cases will proceed without her office's intervention and that her role is to support the court in understanding broader implications beyond the parties involved.

## Recommendations

Committee Members recognized the challenges the Commissioner faced in scaling up an office during the pandemic, and thanked the Commissioner and her staff for their work in operationalizing their mandate. They acknowledged that the Commissioner's budget proposal incorporates modest inflationary increases for salary increases and building costs, and is otherwise a status quo budget. The Committee agreed to recommend the proposed operating and capital budgets.

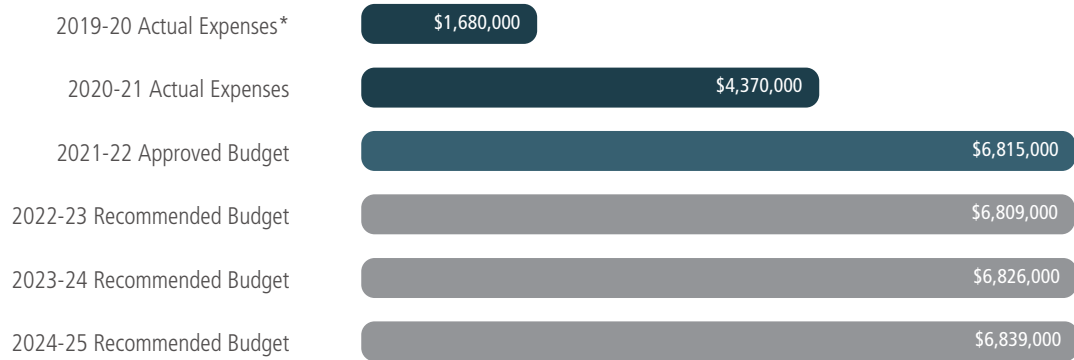
## RECOMMENDATIONS

The Committee recommends to the Legislative Assembly that:

9. The appropriation for the operating expenditures of the Office of the Human Rights Commissioner be \$6.809 million in 2022-23; \$6.826 million in 2023-24; and \$6.839 million in 2024-25.
10. The appropriation for the capital expenditures of the Office of the Human Rights Commissioner be \$35,000 in each of the next three fiscal years.



## Office of the Human Rights Commissioner Operating Budget



\*Transition funding for start-up of office.

# OFFICE OF THE INFORMATION AND PRIVACY COMMISSIONER AND REGISTRAR OF LOBBYISTS

An officer of the Legislature, the Information and Privacy Commissioner is responsible for enforcing compliance with the *Freedom of Information and Protection of Privacy Act* by public bodies in BC and compliance with the *Personal Information Protection Act* by private sector and not-for-profit organizations in BC. This includes conducting reviews of access to information requests, investigating complaints, initiating investigations or audits in the public interest, commenting on the access and privacy implications of proposed legislation or policy, and promoting freedom of information and protection of privacy principles through public education and outreach. The Commissioner is also designated as the Registrar of Lobbyists with responsibility for enforcing the *Lobbyists Transparency Act* and overseeing BC's Registry of Lobbyists. The office's operating and capital expenditures are provided for in Vote 6 of the annual provincial *Estimates*.

## Budget Submission for 2022-23 to 2024-25

The Committee reviewed the Information and Privacy Commissioner's budget proposal on November 18, 2021. The Commissioner, Michael McEvoy, was joined by Deputy Commissioners Oline Twiss and Jeannette Van Den Bulk, along with Dave Van Swieten, the Executive Director of Corporate Shared Services.

The Commissioner opened his presentation by providing an overview of his office's pandemic safety plan, noting that a staff-wide return to the office is anticipated for January 31,

2022 and that the senior leadership team is working on a plan with respect to working arrangements moving forward. He also described work the office has undertaken to provide pandemic-related guidance and information, including for issues such as privacy protection for the proof of vaccination cards.

With respect to recent reports and investigations, the Commissioner noted that the office released a compliance report on liquor and cannabis retailers and their privacy management programs earlier this year, and that an investigation into the Liberal Party of Canada's use of facial recognition technology to confirm identities in virtual nomination meetings in BC is ongoing. He additionally shared that the office has experienced an increase in general information queries as well as case files involving complaints and requests for reviews and privacy breaches. The Commissioner indicated that of the almost 1,000 files logged to date in the current fiscal year, 89 percent of complaints and requests for reviews have been initiated by individuals. He highlighted that there has also been an increase in the number of files going to formal adjudication which is placing operational pressure on the office.

The Commissioner briefly touched on the recent amendments to the *Freedom of Information and Protection of Privacy Act*, which at the time of his presentation had not been adopted (the amendments were subsequently adopted by the Legislative Assembly on November 25, 2021). He explained that some of the amendments would have a direct impact on staffing and resources. The Commissioner also discussed his office's leadership role as secretariat to the Asia Pacific Privacy Authorities. He expressed his appreciation for the Committee's

previous support and funding for the secretariat role and requested funding to continue this role for an additional three years.

As it relates to his role as Registrar of Lobbyists, the Commissioner advised the work on educating lobbyists and the public about the *Lobbyists Transparency Act* and the Registry is ongoing. The office has updated guidance documents and user guides, and will be ramping up public education over the coming year as new positions provided for in the current year's budget are fully integrated.

With respect to his budget proposal, the Commissioner advised that he was seeking additional resources to address pressures related to formal adjudicative processes. He shared that his office has been tracking and monitoring trends for these files, as well as examining opportunities to streamline and reallocate resources to address demand; however, the number of files keep increasing. He highlighted that the office has reached a backlog of 216 files and that parties may have to wait up to 18 months from the time a case goes to adjudication until a decision is made. The Commissioner was of the view that the office now faces a structural issue driven by increased demand that requires additional resources for the adjudication team.

Accordingly, he requested funding to add five permanent adjudicator positions and two temporary, three-year adjudicator positions to address the demand and backlog and decrease wait times. In addition to these staff resources, the Commissioner sought an increase of \$202,000 for inflationary costs related to salary increases, shared services and information system costs, and \$363,000 in operating costs and \$275,000 in capital costs for the office's share of the previously approved Case Tracker System replacement project which is expected to conclude in 2022-23.

Overall, the Commissioner requested a total operating budget of \$9.096 million in 2022-23, \$8.811 million in 2023-24 and \$8.761 million in 2024-25, and a total capital budget of \$360,000 in 2022-23, \$67,000 in 2023-24 and \$55,000 in 2024-25.

## Committee Inquiry

Committee Members had several questions regarding adjudication and the corresponding pressures on the office. The Commissioner emphasized his office's approach of continuously examining opportunities to streamline and improve processes and efficiency; however, the office is no longer able to keep up with the volume of cases coming in. He explained that the vast majority of cases are resolved by staff and are mediated and investigated; in other cases, the applicability of the law may be unclear or the matter is of a particular importance and formal adjudication is required. The Commissioner also noted that many of these requests now have more records involved which can make a case more time-consuming for adjudicators.

As it relates to how the determination was made for seven FTEs, the Commissioner shared that the office examined the number of orders an adjudicator would produce in a year on average and if that number can exceed the number of cases coming in, the backlog can be reduced. He noted that five FTEs would enable the office to keep pace and that the two temporary FTEs would help to make progress on reducing the backlog.

The Committee also sought more information about potential pressures that amendments to the *Freedom of Information and Protection of Privacy Act* may have on the office. The Commissioner cited how public bodies will be required to report breaches and the requirement for privacy management programs as examples. He explained that this would place additional demands on the office due to an expected increase in notifications and requests for assistance on developing programs.

## Recommendations

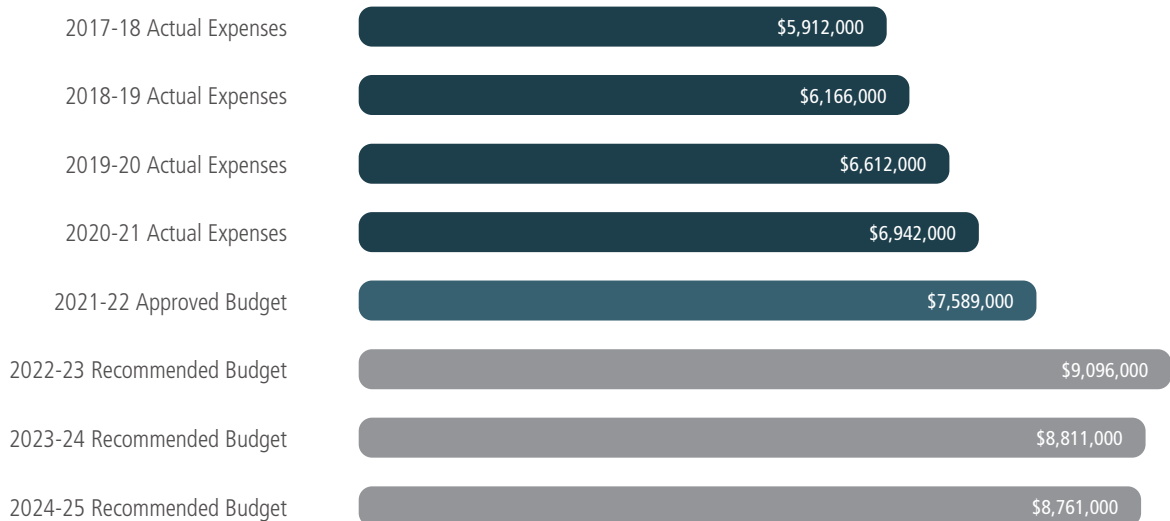
The Committee expressed their appreciation for the Commissioner's thorough and clear presentation. Committee Members were impressed by the diligence and detail in documenting and tracking trends, the efforts to streamline process and find efficiencies, and the prudent approach proposed by the Commissioner to address increasing caseloads. They agreed that his office faces an immediate, pressing need and supported the Commissioner's proposed operating and capital budgets.

## RECOMMENDATIONS

The Committee recommends to the Legislative Assembly that:

11. The appropriation for the operating expenditures of the Office of the Information and Privacy Commissioner and Registrar of Lobbyists be \$9.096 million in 2022-23; \$8.811 million in 2023-24; and \$8.761 million in 2024-25.
12. The appropriation for the capital expenditures of the Office of the Information and Privacy Commissioner and Registrar of Lobbyists be \$360,000 in 2022-23; \$67,000 in 2023-24; and \$55,000 in 2024-25.

### Office of the Information and Privacy Commissioner and Registrar of Lobbyists Operating Budget



# OFFICE OF THE MERIT COMMISSIONER

The Merit Commissioner is an officer of the Legislature mandated to provide independent oversight of merit-based hiring in the BC public service, pursuant to the *Public Service Act*. The Commissioner also monitors and reviews government practices, policies, and standards of just cause dismissals. Vote 7 of the annual *Estimates* provides for the office's operating and capital expenditures.

## Budget Submission for 2022-23 to 2024-25

On November 16, 2021, the Committee reviewed the 2022-23 to 2024-25 budget proposal for the Office of the Merit Commissioner. In attendance were Maureen Baird, Q.C., Merit Commissioner, and Dave Van Swieten, Executive Director of Corporate Shared Services.

The Commissioner shared that her position is a part-time appointment, and that the office consists of an additional four full-time and two part-time staff who are supplemented by external contractors and auditors as needed. The Commissioner provided background and context regarding the work of her office, highlighting the main lines of business: conducting audits of appointments to monitor the application of the merit principle; conducting requested reviews of appointment decisions; and monitoring the processes of eligible just cause dismissals.

With respect to activity in 2020-2021, the Commissioner shared that the office considered 11 staffing review requests. Of these reviews, two resulted in a directed reconsideration of the appointment and the remaining appointment decisions were upheld. For the current fiscal year, as of October 2021, the Commissioner has considered 20 staffing review requests,

noting that demand for these requests fluctuates year-to-year. With respect to dismissal processes, the office has received three for review so far this year. The Commissioner noted that her office has taken the approach of reviewing all just cause dismissals that have been eligible for review even though this is not required by legislation, and anticipates doing so again this year.

For her 2022-23 to 2024-25 budget submission, the Commissioner sought an operating budget of \$1.641 million in 2022-23 and \$1.422 million in each of 2023-24 and 2024-25. With respect to the capital budget, the Commissioner requested a budget of \$235,000 in 2022-23, \$30,000 in 2023-24, and \$12,000 in 2024-25. The Commissioner explained that the requested increase for both operational and capital expenditures in 2022-23 is largely related to the replacement of the Case Tracker System, for which her office is being converted in the upcoming fiscal year and funding for which was recommended by the Committee last year. The Commissioner noted an additional component of the increase is the planned hiring of an additional full-time employee, replacing a retiring part-time employee.

## Committee Inquiry

The Committee inquired about the process of appointment reviews that lead to appointment reconsideration. The Commissioner explained that unsuccessful candidates who believe there was an error in the hiring process can request a review to redress those concerns. The Commissioner went on to explain the process of a review, starting with the unsuccessful candidate requesting feedback from the hiring manager. Should feedback be unsatisfactory, the candidate can request an internal review conducted by the deputy minister. As the



candidate’s final course of action, they can request a review by the Merit Commissioner, at which point the Commissioner will review the appointment and either uphold or reconsider the appointment.

Another area of interest for the Committee was the quality of applicants who have applied for positions within the BC public service, noting the competitive nature of the labour market and the demand for skilled staff. The Commissioner explained that she has a limited ability to comment on this as the office only reviews the qualifications of candidates when conducting merit performance audits. She did note that of the audits they

have conducted, historically, high numbers of appointments met the required qualifications of the position.

## Recommendations

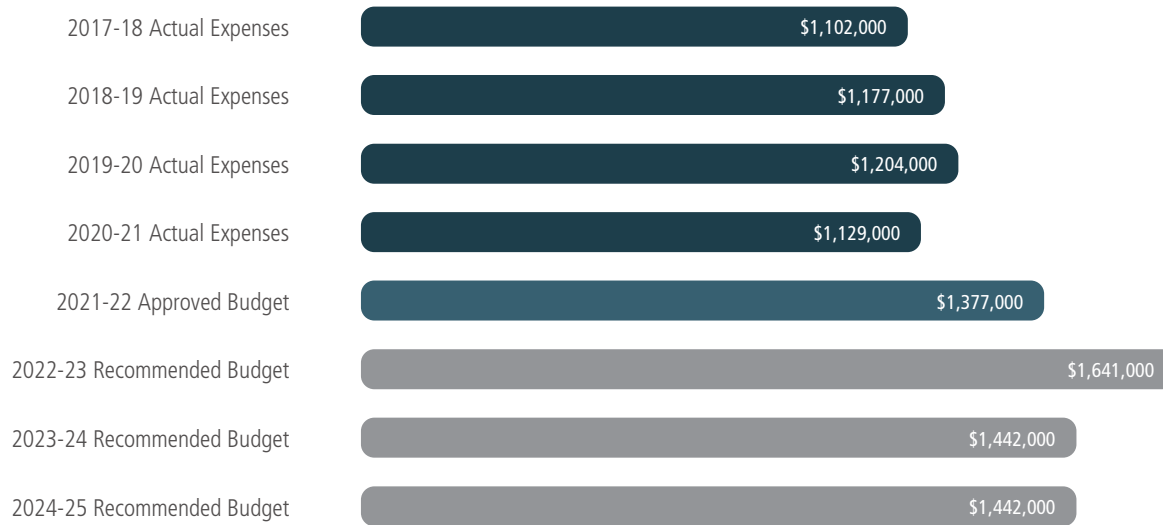
The Committee thanked the Merit Commissioner for her submission and recognized the important role the office has in ensuring confidence in the merit principle in the public service. Committee Members noted that her proposal was in alignment with last year’s submission, and includes funding for the previously approved Case Tracker System Replacement project. As such, they agreed to recommend the budget as proposed.

## RECOMMENDATIONS

The Committee recommends to the Legislative Assembly that:

13. The appropriation for the operating expenditures of the Office of the Merit Commissioner be \$1.641 million in 2022-23; \$1.442 million in 2023-24; and \$1.422 million in 2024-25.
14. The appropriation for the capital expenditures of the Office of the Merit Commissioner be \$235,000 in 2022-23; \$30,000 in 2023-24; and \$12,000 in 2024-25.

## Office of the Merit Commissioner Operating Budget



# OFFICE OF THE OMBUDSPERSON

The Ombudsperson is established by the *Ombudsperson Act* as an independent officer of the Legislature responsible for responding to individual concerns and complaints about administrative unfairness with respect to BC's provincial and local public authorities. Under the *Public Interest Disclosure Act* (PIDA), the Ombudsperson also provides advice, and receives and investigates disclosures and allegations of reprisals. Vote 8 of the annual provincial *Estimates* specifies the office's operating expenses and capital expenditures.

## Budget Submission for 2022-23 to 2024-25

The Office of the Ombudsperson presented their 2022-23 to 2024-25 budget submission on November 15, 2021. In attendance were: Jay Chalke, Ombudsperson; John Greschner, Deputy Ombudsperson; and Dave Van Swieten, Executive Director of Corporate Shared Services. The Committee held a follow-up meeting with the Ombudsperson on November 29, 2021 to ask additional questions about the budget proposal.

The Ombudsperson outlined the continuing impact of the COVID-19 pandemic on the work of his office. The office has established workplace protocols and strategies to manage a high level of complaints, particularly from individuals seeking services from public bodies such as health authorities. He also updated the Committee on activity and reports in recent months, including the release of a new five-year strategic plan. He further advised that the Case Tracker System replacement project is proceeding well and is currently on time and on budget.

With respect to his budget submission, the Ombudsperson proposed a 2022-23 operating budget increase of \$778,000,

or approximately 7.2 percent above 2021-22. Of this, \$188,000 was sought to cover inflation, \$329,000 was requested for anticipated increased workload related to the expansion of PIDA's coverage to the broader public sector, and \$201,000 was proposed for the first phase of an Indigenous communities services plan. Finally, \$60,000 was sought to establish a new performance measurement program, including surveys of the general public and public sector authorities about usage of the office's services. Overall, the Ombudsperson proposed an operating budget of \$11.580 million in 2022-23, \$11.384 million in 2023-24 and \$11.263 million in 2024-25, and a capital budget of \$102,000 for 2022-23, \$53,000 for 2023-24 and \$65,000 for 2024-25.

With respect to PIDA, the Ombudsperson shared that government announced a detailed schedule and scope of the expansion earlier this year, and that 63 public bodies will be added next fiscal year in two phases. The office proposed adding one additional investigator in April and three in December to align with this expansion.

With respect to the Indigenous communities services plan, the Ombudsperson noted that two years ago, the Committee supported funding for a temporary two-year position to carry out initial planning work and that last year, the Committee supported one-time funding for non-salary resources to conduct consultations on an Indigenous community service plan, all with the aim of returning to the Committee with a full plan. The Ombudsperson advised that work on the plan had been delayed by the COVID-19 pandemic and the tragic confirmation of graves of children on former residential school sites. He expected a completed plan to be available for the Committee's consideration in fall 2022. In the meantime, he proposed funding for a first phase of the anticipated plan

involving a one-year extension of the Indigenous liaison officer, honoraria for consultations into 2022, and five part-time contracted regional liaison officers. The regional liaison officers would be responsible for building connections between the office and Indigenous communities across the province, holding open houses and other information sessions, and helping Indigenous peoples with bringing forward and navigating the complaints process.

## Committee Inquiry

Committee Members requested further information on the Ombudsperson's proposals for a performance measurement program, an office report on a WorkSafeBC case, workloads related to PIDA, and building occupancy requirements.

### Performance Measurement Program

In response to questions from Committee Members, the Ombudsperson explained that the request for \$60,000 for performance measurement would establish a permanent program involving the development of surveys and indicators to assess public usage of office programs and perceptions about the effectiveness of these programs.

### Workload Related to PIDA

The Committee asked about anticipated workload resulting from the expansion of PIDA's coverage to the broader public sector, the need for additional staff, and the total cost of this program in the long-term. The Ombudsperson outlined the office's role in providing information and training to public sector organizations and employees, receiving, and assessing complaints, and investigating disclosures of wrongdoing and allegations of reprisal. The proposed increase in operating expenses reflected the need to provide services to a wide range of small public sector organizations and their employees and was based on previous approvals by the Committee for the office's implementation of responsibilities related to PIDA and the initial roll-out to the core public sector. For the longer term, the Ombudsperson indicated that the office had made changes to its organizational structure to streamline work processes and he would be further considering organizational design and structures to deliver the program in the next year.

At the follow-up meeting, the Ombudsperson provided more information on the role of the requested investigator positions, which includes providing advice, assessing, and screening disclosures for potential investigations, and conducting investigations. The Ombudsperson further noted that PIDA will be expanded to more public bodies, including health authorities and school districts, in 2023-24, for which the office will be monitoring and assessing workload. In response to questions about certainty about the estimated workload and forecasting, the Ombudsperson shared that the projections are best estimates based on a number of factors, including the number of public bodies, the number of employees, and the size of the public bodies. He also confirmed that the current proposal does not include potential resourcing requirements for the expansion of PIDA to additional public bodies in 2023-24 and 2024-25 as the office has taken the approach of assessing and determining need one year at time in order to provide more reliable estimates.

### Office Report on WorkSafeBC Case

The Committee sought additional information on the Ombudsperson's report, *Severed Trust: Enabling WorkSafeBC to Do the Right Thing When Its Mistakes Hurt Injured Workers*. The Ombudsperson indicated that the office had recommended WorkSafeBC provide restitution to a worker for the impact of administrative errors, and that in general, where WorkSafeBC itself acknowledges an error has been made, it should voluntarily be able to make things right. In this case, WorkSafeBC had made administrative changes and apologized to the worker; however, WorkSafeBC stated that it was not legally allowed to provide financial restitution. The office subsequently suggested government do so, but this had not been done to date.

### Building Occupancy

Committee Members inquired about the net impact of remote work arrangements and increased staffing proposed by the Ombudsperson on building occupancy and space utilization. The Ombudsperson advised that he had not requested any incremental capital costs related to additional staff and that the office was examining the impact of remote work arrangements and overall space requirements for the years

ahead. The Executive Director of Shared Corporate Services indicated that there could be a need for incremental space in the next four years.

## Recommendations

The Committee thanked the Ombudsperson for his submission and for his flexibility in returning to the Committee to provide

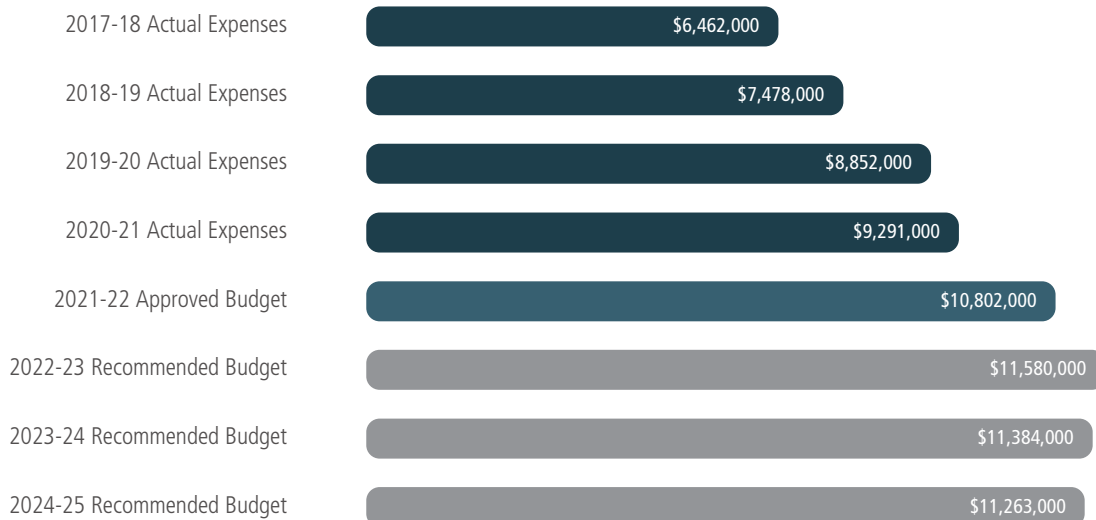
more details about his budget proposal. Committee Members recognized the uncertainty and challenges the office continues to face with respect to the expansion of PIDA. They also appreciated his efforts and work to improve engagement with Indigenous peoples and communities. The Committee therefore agreed to support the budget as proposed.

## RECOMMENDATIONS

The Committee recommends to the Legislative Assembly that:

15. The appropriation for the operating expenditures of the Office of the Ombudsperson be \$11.580 million in 2022-23; \$11.384 million in 2023-24; and \$11.263 million in 2024-25.
16. The appropriation for the capital expenditures of the Office of the Ombudsperson be \$102,000 in 2022-23; \$53,000 in 2023-24; and \$65,000 in 2024-25.

### Office of the Ombudsperson Operating Budget



# OFFICE OF THE POLICE COMPLAINT COMMISSIONER

The *Police Act* establishes the Police Complaint Commissioner as an officer of the Legislature responsible for providing civilian oversight and monitoring of complaints and investigations involving municipal police in British Columbia, as well as the administration of discipline and proceedings. The office's operating expenses and capital expenditures are provided for in Vote 9 of the annual provincial *Estimates*.

## Budget Submission for 2022-23 to 2024-25

On November 15, 2021, the Committee reviewed the 2022-23 to 2024-25 budget submission for the Office of the Police Complaint Commissioner. Present at the meeting were: Clayton Pecknold, Police Complaint Commissioner; Andrea Spindler, Deputy Commissioner; and Dave Van Swieten, Executive Director of Corporate Shared Services. The Committee also held a follow-up meeting with the office on November 24, 2021.

In presenting his budget submission, the Commissioner highlighted the following pressures on his office: inflationary costs; general workload and core service pressures along with the City of Surrey's transition to a municipal police service under his jurisdiction; and implementation of the new case tracker system. The Commissioner requested a total operating budget of \$6.984 million for 2022-23, an increase of \$1.524 million or 27.9 percent above the \$5.460 million recommended by the Committee for 2021-22, followed by \$6.740 million in 2023-24, and \$6.733 million in 2024-25. In addition to funding to address the aforementioned pressures, he also requested supplementary funding of \$600,000 for 2021-22 for adjudicative expenses and noted that the budget for the upcoming three fiscal years includes a lift of \$200,000 for the

office's annual adjudicative funding envelope moving forward to address obligations under the *Police Act* with respect to adjudicative reviews.

In providing more detail on the 2022-23 operating budget proposal, the Commissioner advised the Committee that the statutory mandate for his office is highly prescriptive and is intended to ensure a municipal police complaint process with a low bar of admissibility. He noted that the proposed funding will support ongoing efforts to solidify program and transformation efforts, particularly with respect to dedicated training and staff development, increased admissibility and intake capacity, increased alternative dispute resolution capacity, a multi-year Indigenous accessibility project, and more general outreach and communications programs consistent with the 2019 recommendations from the Special Committee to Review the Police Complaint Process. With respect to the request for funding for the case tracker system, the Commissioner noted a minor adjustment to the timeline with his office now expected to go live in the second quarter of 2022-23, rather than the last quarter of 2021-22.

With respect to capital expenditures, the Commissioner requested \$224,000 in 2022-23, \$69,000 in 2023-24, and \$44,000 in 2024-25.

## Committee Inquiry

The Committee sought additional information on the Commissioner's proposed budget requests related to jurisdiction and workload, salary costs, the office's training programs, and professional services funding for adjudicative reviews.



## Workload and Resourcing

In response to questions about resourcing and metrics, and the forecasted pressures, the Deputy Commissioner advised that the office has experienced a significant increase in the number of registered complaints and investigations in recent years. At the follow-up meeting, the Commissioner clarified that the operational pressure facing the office is not solely attributed to the Surrey municipal police service, but also a function of a general increase in workload and a need to develop internal capacity for training, data analytics, and organizational management. In response to questions about why complaints may be increasing, the Commissioner referenced improved outreach by the office and increased public awareness and reporting of police accountability.

The Commissioner also provided more details at the follow-up meeting about how not receiving the requested resourcing would impact the office's ability to fulfil its mandate. He explained how section 177 of the *Police Act* sets out both mandatory and discretionary requirements and that current resourcing does not provide for much capacity to do discretionary, preventative work. He also noted that should the office not adhere to the timelines set out in the Act, the office loses jurisdiction, and further, that even though extensions may be authorized, completing investigations in a timely manner is critical as evidence may deteriorate or individuals may disengage from the process.

## Jurisdiction

Committee Members inquired about the office's plans to address the Surrey municipal police service transition, including plans to handle legislative gaps in the office's ability to seek cooperation from RCMP officers. The Commissioner cited the office's experience in dealing with integrated policing units elsewhere in the province which include RCMP and non-RCMP officers. He noted that as an organization the RCMP is very cooperative, while acknowledging that his office has no legislative authority to require RCMP officers to give statements. The Commissioner indicated that legislative amendments had been proposed by a number of experts and inquiries.

## Salary Costs

In response to questions about the budget request for salary increases, the Executive Director of Corporate Shared Services advised that the operating budget proposal included the annualization of staff salaries which had been funded on a part-year basis in 2021-22 as well as inflation.

## Training Programs

The Committee inquired about the office's training programs for new employees and work responsibilities. The Deputy Commissioner explained that the office was developing comprehensive in-house training for investigative analysts coming from non-police backgrounds as well as responsibilities for administrative processes and legal issues. The office was also supporting government's development of a training program for police boards.

## Professional Services

Committee Members requested details on the office's request for professional services funding. The Commissioner noted the office's request for supplementary funding for the 2021-22 fiscal year for adjudicative reviews. He also indicated that the 2022-23 budget would support a multi-year Indigenous accessibility program and would cover the engagement of the Public Service Agency for a review of ways the office could transform its programs, including the use of a fee-for-service approach.

## Recommendations

The Committee expressed their appreciation to the Commissioner for his continued engagement in meeting and providing additional information. Committee Members recognized the importance of ensuring the office is appropriately resourced to support police oversight and to do so in a timely manner. They also recognized that the office faces a number of known challenges with respect to caseloads and continued uncertainty with respect to the impact of the Surrey municipal police force. The Committee agreed that the Commissioner's proposed lifts are needed to address these challenges, while emphasizing the need for ongoing monitoring, measurement,



and tracking of various factors that may contribute to increased workloads, including Surrey. They also recognized that the request for supplementary funding for the current fiscal year is a non-discretionary expense. Accordingly, Committee Members

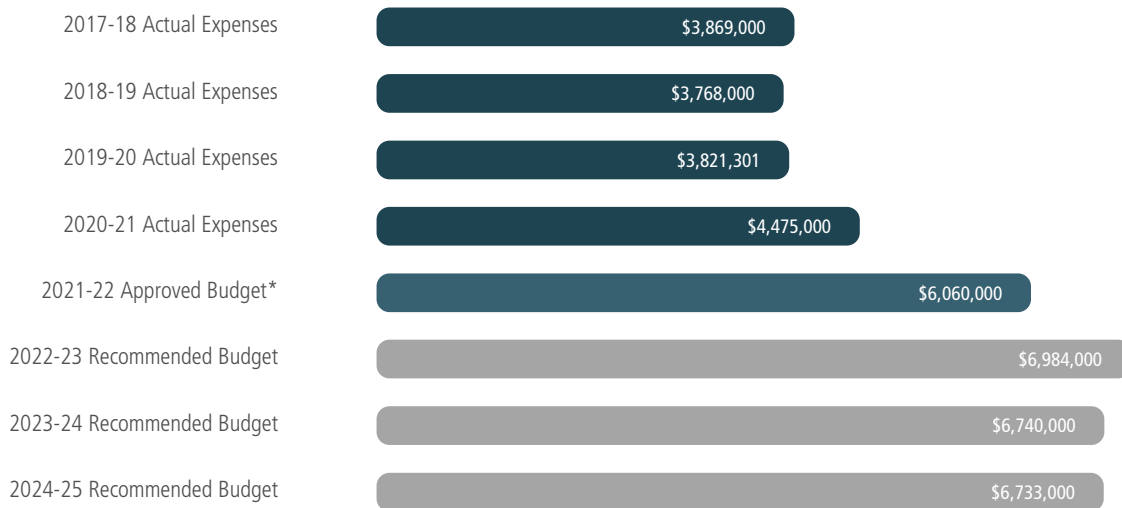
agreed to recommend the proposed operating and capital budgets, including access to supplementary funding for 2021-22.

## RECOMMENDATIONS

The Committee recommends to the Legislative Assembly that:

17. The Office of the Police Complaint Commissioner be granted supplementary funding up to \$600,000 for operating expenditures in 2021-22 for adjudicative expenses.
18. The appropriation for the operating expenditures of the Office of the Police Complaint Commissioner be \$6.984 million in 2022-23; \$6.740 million in 2023-24; and \$6.733 million in 2024-25.
19. The appropriation for the capital expenditures of the Office of the Police Complaint Commissioner be \$224,000 in 2022-23; \$69,000 in 2023-24; and \$44,000 in 2024-25.

### Police Complaint Commissioner Operating Budget



\*Includes \$600,000 in supplementary funding recommended for 2021-22.

# OFFICE OF THE REPRESENTATIVE FOR CHILDREN AND YOUTH

The Representative for Children and Youth is appointed under the *Representative for Children and Youth Act*. An officer of the Legislature, the Representative is responsible for: providing advocacy services on behalf of children, youth, and young adults; reviewing, investigating, and reporting on the critical injuries and deaths of children and youth; and monitoring, reviewing, and auditing the effectiveness of designated services. The office's operating expenses and capital expenditures are provided for in Vote 10 of the annual provincial *Estimates*.

## Budget Submission for 2022-23 to 2024-25

Dr. Jennifer Charlesworth, Representative for Children and Youth, appeared before the Committee on November 22, 2021 to present her office's budget submission. She was joined by: Pippa Rowcliffe, Deputy Representative, Investigations, Monitoring and Corporate Services; Samantha Cocker, Deputy Representative, Advocacy and First Nations, Metis and Inuit Relations; Alan Markwart, Acting Deputy Representative, Operations; and Dianne Buljat, Chief Financial Officer.

The Representative sought an operating budget of \$10.982 million for 2022-23, a net increase of \$333,000 or 3.1 percent over the previously approved operating budget for 2022-23, \$11.002 million in 2023-24 and \$11.022 million in 2024-25. The requested increase includes funding for one additional FTE, an investigations analyst, to address caseload increases, and inflationary costs related to salaries and building occupancy. The capital budget is proposed to remain at \$50,000 in each of the next three fiscal years.

During her presentation, the Representative advised the Committee that the office has undertaken a modest

restructuring of functions and reporting relationships to better address priority areas for action, to improve alignment and coordination, to better balance the scope and responsibilities of the deputy representatives, and to make the office more effective. One deputy is now responsible for individual and systemic advocacy and First Nations, Métis and Inuit engagement and research, and one is now responsible for reviews and investigations and corporate shared services. In addition, the Executive Director of Communications and Knowledge Mobilization reports directly to the Representative.

With respect to the work of the office, the Representative reported a trend of consistent and significant increases in the number of in-mandate critical injuries, which have tripled since 2016-17. She attributed the increase to better reporting as well as factors such as the opioid crisis and toxic drug supply, the impacts of the pandemic on mental health, increased sexual exploitation and violence, and gang-related activity. With the Committee's support last year, the office used savings from the closure of the Burnaby office to fund the addition of an investigations analyst to ease workload; however, additional resources are needed to address continued increases in volume. The office has added another investigations analyst using temporary pandemic-related savings and included a request in the current budget submission to make this a permanent position.

As it relates to advocacy work, the Representative reported that the total number of individual cases declined by 14 percent during the last fiscal year due to the pandemic and that the office has been experiencing a slow recovery since then. Projections based on the first half of the current fiscal year indicate that the total number of new advocacy cases will approach previous yearly levels of around 1,500. The

Representative also indicated that a decline in number of individual cases has not translated into an equivalent reduction in workload due to the complexity of some files. For example, cases may involve multiple service lines or require multiple engagements with service providers or may involve multiple children. She also highlighted the influence of federal legislation, *An Act Respecting First Nations, Inuit and Métis children, youth and families*, which recognizes Indigenous peoples' jurisdiction over child and family services. To support staff with undertaking complex advocacy work, the office has hired a knowledge-keeper, Yux'wey'lupton, who among other things is developing a roster of Elders and matriarchs who may be called in to assist advocates in community decision-making and planning processes.

With respect to staffing and work arrangements, the Representative highlighted how the pandemic accelerated plans towards decentralization and remote work arrangements, and that the office will extend flexible work arrangements to any community where there is a Service BC or local ministry office. This is expected to help the office with recruitment and diversity, particularly with respect to Indigenous peoples who may not want to leave their community, as well as enable staff to move to smaller, more affordable communities. She noted that while remote and decentralized arrangements may result in some office cost savings, there are also offsetting costs to enable online engagement and travel costs for team meetings. The office will also be maintaining their Prince George office as most staff have chosen to work on-site and that office welcomes walk-ins from the community.

## Committee Inquiry

Committee Members had several questions related to measuring success, increasing caseloads, and federal legislation.

### Measuring Success

In response to questions regarding how to measure success, the Representative noted that some recommendations are easily measured (e.g., decreasing wait times for a certain service). She also noted that these kinds of recommendations may not be addressing deeper issues and that measuring systemic

change is more difficult. To that end, the office is conducting comprehensive reviews with children and youth to ask about the supports and services they are receiving.

### Caseload Increase

The Committee sought more detail about increasing caseloads and the link to better reporting. The Representative shared that the office has been working with the Ministry of Children and Family Development to provide clarity and build trust on what constitutes a critical injury and the importance of this information to understanding patterns and trends in the child- and youth-serving system. She also attributed the increase to the addition of emotional harm as an area of critical injury; emotional harm pertains to life-altering loss or harm and is primarily associated with caregiver mistreatment or the loss of a loved one due to the toxic drug supply.

### Federal Legislation

Committee Members asked the Representative to expand on the issues she referenced with respect to the federal *An Act Respecting First Nations, Inuit and Métis children, youth and families*. She clarified that the legislation has enabling provisions to allow communities to create Indigenous governing bodies and to restore their traditional laws for child well-being and has meant a shift in approach to many situations. She cited examples of children who may have multiple identities and cultural connections, or children who were raised in care in an urban environment and who may not want to return to a rural community. The Representative explained that these circumstances are complex and require sensitivity and creativity to bring people together in a way that keeps the child at the centre and recognizes the importance of belonging to culture and community.

## Recommendations

The Committee thanked Alan Markwart, Acting Deputy Representative, Operations, for his service and congratulated him on his retirement. Committee Members acknowledged the Representative's enthusiasm and approach to her work, particularly with respect to building trust, and the creativity

and flexibility of her office with respect to her budget and work arrangements. Committee Members recognized that the Representative’s budget proposal was prudent with a modest

lift to address caseload pressures. They agreed to recommend the proposed operating and capital budgets.

## RECOMMENDATIONS

The Committee recommends to the Legislative Assembly that:

- 20. The appropriation for the operating expenditures of the Office of the Representative for Children and Youth be \$10.982 million in 2022-23; \$11.002 million in 2023-24; and \$11.022 million in 2024-25.
- 21. The appropriation for the capital expenditures of the Office of the Representative for Children and Youth be \$50,000 in each of the next three fiscal years.

### Representative for Children and Youth Operating Budget



# APPENDIX A: DOCUMENTS SUBMITTED

## Office of the Auditor General

*2022/23 Estimate of Resources*

*Budget Submission Supplementary Tables*

*Annual Report 2020/21*

*Service Plan 2021/22 - 2023/24*

## Office of the Conflict of Interest Commissioner

*Budget Proposal Fiscal Years 2022/23 - 2024/25*

*Budget Submission Supplementary Tables*

*2020 Annual Report*

*Members' Conflict of Interest Act [RSBC 1996] Chapter 287*

## Elections BC

*Elections BC, Budget Proposal 2022/23 – 2024/25*

*Elections BC, Budget Submission Supplementary Tables*

## Office of the Human Rights Commissioner

*Budget Submission 2022/23-2024/25*

*Statutory Officer Cover Memo to Summary Annual Incremental or Supplementary Funding Requests for Statutory Officers*

*Budget Submission Supplementary Tables*

*Building a Culture of Human Rights in B.C. (presentation)*

*Annual Report 2020/21 and Service Plan 2021/22-2023/24*

## Office of the Information and Privacy Commissioner and Registrar of Lobbyists

*Budget Submission Fiscal Years 2022/23-2024/25*

*Statutory Officer Cover Memo to Summarize Annual Incremental or Supplementary Funding Requests for Statutory Officers*

*Budget Submission Supplementary Tables*

## Office of the Merit Commissioner

*Budget Submission Fiscal Years 2022/23 - 2024/25*

*Statutory Officer Cover Memo to Summary Annual Incremental or Supplementary Funding Requests for Statutory Officers*

*Budget Submission Supplementary Tables*

*Service Plan Fiscal Years 2022/23 - 2024/25*

*2020-2021 Annual Report*

## Office of the Ombudsperson

*2022/23-2024/25 Budget Submission*

*Statutory Officer Cover Memo to Summary Annual Incremental or Supplementary Funding Requests for Statutory Officers*

*Budget Submission Supplementary Tables*

*2022/23-2024/25 Service Plan*

*Annual Report 2020-2021*

*2021-2016 Strategic Plan*

*Indigenous Communities Services Plan, Phase 1, 2022-2023*

## **Office of the Police Complaint Commissioner**

*Budget Submission 2022/2023 to 2024/2025*

*Statutory Officer Cover Memo to Summary Annual  
Incremental or Supplementary Funding Requests for  
Statutory Officers*

*Budget Submission Supplementary Tables*

*2020/21-2022/23 Service Plan*

*Annual Report 2020/2021*

*2021-2016 Service Plan*

*Appendix: 2021/2022 Q1 – Q2 OPCC Statistics*

## **Office of the Representative for Children and Youth**

*Budget Submission Fiscal Years 2022/23 to 2024/25*

*Statutory Officer Cover Memo to Summary Annual  
Incremental or Supplementary Funding Requests for  
Statutory Officers*

*Budget Submission Supplementary Tables*

*Annual Report 2020/21 and Service Plan 2021/22 to  
2023/24*



