

**ADMINISTRATIVE JUSTICE PROJECT
ADVISORY COMMITTEE
Minutes – March 22, 2002**

In Attendance:

Committee Members

Gillian Wallace (Chair)
Phillip Bryden (by telephone)
Susan Christie (Secretary)
Lisa Cowan
Margaret Eckenfelder
Diane Flood
Wendi Mackay
Anne McFarlane
Michael Wyeth

Project Staff

Bruce McKinnon

1. WELCOME and INTRODUCTIONS

Michael Wyeth, Forest Practices Board replaced Fern Jeffries at the meeting.

2. MINUTES of November 23, 2001 - Approved

3. CORE SERVICES REVIEW: UPDATE - Wendi Mackay

Results of Phase One of the Core Services Reviews being facilitated by the Administrative Justice Project were publicly announced on February 7, 2002. Responsible ministries and agencies are proceeding to implement the changes. Phase Two for these agencies will be complete by the end of March.

Outstanding Phase One results are anticipated by the end of June.

4. ADMINISTRATIVE JUSTICE PROJECT – STATUS REPORT

a) Human Rights Review – Wendi Mackay

Responses to the background paper by Angela Westmacott and Debbie Lovett were due by February 15. A list of submissions received by the project will be posted on the website.

The government plans to table a draft bill containing proposed changes to the structure of the province's human rights system in May. Consultation on the new model will take place over the summer. Passage of a revised bill is anticipated in the Fall. The issue of any overlap with other workplace tribunals will be addressed at a later date.

b) Standards of Review and Charter – Bruce McKinnon

4 submissions have been received in response to the background paper. The CBA has indicated that they intend to make a combined submission addressing all background papers.

c) Statutory Powers and Procedures

Submissions due by April 15, 2002

d) **Workplace Dispute Resolution**

The paper was distributed at the meeting. Comments of the Advisory Committee will be sought before the paper is posted.

e) **Appointment Policy – Wendi Mackay**

This paper should be available in two weeks. Due to time constraints, the intent is to circulate for comment to this committee, BCCAT and the Circle of Chairs, incorporate any input received and integrate the discussion directly into the White Paper.

f) **White Paper – Wendi Mackay**

The outline for this paper was distributed at the meeting. Members were requested to send comments to Wendi.

The project intends to have a draft of the white paper to the committee in May with a planned release date before the end of June.

g) **MOU Project**

The AJP would like to re-initiate this project which has been on hold pending completion of the Core Services Review. The Circle of Chairs will be consulted regarding next steps. BCCAT will be kept in the loop.

It was suggested that consideration be given to integrating appointment issues into this project to reduce demands on people's time.

5. PRESENTATION - “Reviewing Original Decisions” Bruce McKinnon

Members provided Bruce with detailed comments on his background paper. Suggestions included: a more detailed executive summary, a clear statement of the intent and scope of the paper; a more comprehensive analysis of what is meant by “original decisions” and the ways in which they can be problematic; and, the inherent structural tension between decision-makers and the appeal boards who review those decisions.

It was clarified that the paper is intended to address issues which arise when appeal boards review decisions made by government not tribunals which resolve disputes between two non-government parties.

Bruce agreed to revise the paper before posting.

6. OTHER ISSUES

Publication of Papers – deferred

7. NEXT MEETING - to be scheduled