

Judges were warned cuts would create problems; Despite a nine-per-cent trim in staff since 2008, court services branch is still over-budget, assistant deputy minister says

Sat Jul 2 2011
Byline: Kim Bolan
Source: Vancouver Sun

An official in the B.C. attorney-general's office warned senior judges a month ago that cuts to the number of sheriffs could lead to insufficient staffing levels and concerns within the judiciary.

Assistant deputy minister Rob Wood said in a May 31 letter that despite a nine-per-cent cut to the court services branch (CSB) since 2008 -amounting to 118 full-time positions -it was still over-budget this year.

"It is clear, based on CSB's analysis, that there may be occasions, this fiscal year at least, on which CSB will not be able to provide to the courts [the] level of service that CSB would wish to provide," Wood wrote. "On those occasions, we will do everything we can, in consultation with the judiciary, to ensure the most important matters go forward and that the safety and security of the courts and court users is maintained."

The letter to B.C. Court of Appeal Chief Justice Lance Finch, B.C. Supreme Court Chief Justice Robert Bauman and Chief Provincial Court Judge Thomas Crabtree was written as the government cut 34 deputy sheriff positions on top of the earlier staffing reductions.

As a result, several judges across B.C. have closed courtrooms in recent weeks and spoken out about the lack of sheriffs affecting security.

Attorney-General Barry Penner responded by promising to restore the hours of those hit in the most recent round of cuts.

But Dean Purdy, of the B.C. Government and Service Employees Union, said the sheriffs whose hours were reduced are only being scheduled on a week-by-week basis, without any permanent solution.

Purdy, who represents B.C. sheriffs, said the problem is only going to get worse with major organized crime trials set to start in Vancouver and New Westminster over the next year.

"There are too many high profile court cases and we think it is just a matter of time before there is a major incident."

He said the Wood letter shows the government knew the difficulties that would be created by the cuts, but went ahead with them anyway.

"It points out the kind of mess the government has got themselves into," Purdy said Friday. "Our court system is being starved by the government and eventually the justice system is going to suffer."

Even before the most recent cuts, judges in the Okanagan, Prince George and Victoria had been forced to close courtrooms and condemned the inadequate staffing levels.

In his May 31 letter, Wood said that "the safety of all court participants is of paramount concern. Sheriff Services will offer advice to individual judges regarding security risks associated with matters and discuss the advisability of sitting without a sheriff present. It is ultimately the decision of each judge, of course, whether he or she considers it appropriate to preside in court without a sheriff present, but CSB must work within the limits of its staffing levels and ensure that security resources are deployed for areas of highest risk."

Wood also said his branch was making changes to the way it does business by prioritizing work "based on importance and security risk in order to preserve its core functions."

Not only have sheriffs been cut, but court clerk positions have also been eliminated, Wood said. He said the branch has developed a "sophisticated threat assessment process" that allows resources to be allocated for situations that pose the greatest threat.

Penner was not available for an interview Friday, but provided a statement to The Vancouver Sun.

"I don't want to see trials be delayed or adjourned because a judge isn't comfortable proceeding in the absence of a sheriff being physically present in the courtroom," he said. "That's why we are working to find additional dollars in the budget to support staffing levels on an ongoing basis."