

More criminal trials delayed by lack of sheriffs

Sheriffs provide security and ensure decorum in court rooms and escort prisoners who are being held in custody.

By Jeff Nagel –
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A North Vancouver home invasion case is the latest trial to be delayed due to a shortage of sheriffs that has intensified after cutbacks took effect this month.

The case against Duck Yoon was suspended June 8 by B.C. Supreme Court Justice Elizabeth Arnold-Bailey, who ruled the trial in the downtown Vancouver law courts won't proceed until sheriffs are available to ensure security.

Richard Fowler, one of the lawyers in the case and a spokesman for the Trial Lawyers Association of B.C., called it further evidence courthouse budget cuts are rippling throughout the justice system.

"This is a desperate and devastating situation," he said. "Things have to change immediately. Justice and the people of the province are suffering severe harm by this sad state of affairs."

The provincial government cut the hours of 52 auxiliary and part-time sheriffs this month, equivalent to eliminating 34 full-time positions. That's on top of the loss of nearly 100 sheriffs – almost 20 per cent of the workforce – by attrition over a four-year hiring freeze.

Because of the backlog in B.C.'s court system, suspending and rescheduling a trial can mean a delay of several months to a year – potentially putting cases at risk of being thrown out if the eventual wait is found to violate the accused's right to be tried in a reasonable time.

Other cases have been postponed in recent months in Richmond, Victoria, Nanaimo and the Okanagan, according to the union representing sheriffs.

Four additional criminal cases were postponed Wednesday in Vancouver Provincial Court at 222 Main Street, said Dean Purdy of the B.C. Government and Service Employees Union.

"Deputy sheriffs couldn't be provided for security, so the judges have put all those trials off as well," he said.

"We're pleased to see judges are stepping up and refusing to run their court rooms in that manner because it's unsafe."

The Attorney General's ministry has said courthouse safety and security is a top priority but the deployment of sheriffs is subject to budget restraints.

February's provincial budget approved cuts totalling \$14.5 million for court services, prosecution services and the judiciary, despite a 2010 report from provincial court judges warning more than 2,000 criminal cases are at risk of being quashed due to excessive delays.

B.C. has 12 per cent fewer provincial court judges than in 2005 despite rising caseloads and complexities.