

Alternate Chair Profile

About the Board and Mandate

The British Columbia Review Board is an adjudicative tribunal established under the *Criminal Code of Canada* to review the circumstances of, and make dispositions with respect to, individuals found unfit to stand trial or not criminally responsible on account of mental disorder.

The mandate of the Board is to safeguard public safety as well as the rights of mentally ill accused persons until they can be safely reintegrated into society. The Board holds hearings and exercises many authorities and obligations of a court.

The *Criminal Code* requires Review Boards to be appointed in every province and territory by the Lieutenant Governor in Council (the Cabinet) of each province. Each Review Board must consist of at least five persons. The Chair of the Review Board must be either a judge or a person qualified to be a judge (at least 10 years' call to the Bar). At least one member of the Review Board must be qualified to practice psychiatry. Each Review Board panel also includes other members, often referred to as "public members," whose qualifications are not specified in the *Criminal Code*. Typically, in BC these are individuals with experience in mental health, medicine, psychology, social work, or criminology. All members other than the Chair are part-time members.

A "quorum" (a panel of members designated to conduct a hearing) of the Review Board must consist of at least the Review Board Chair or a designated alternate chair, a psychiatrist, and any other member. The British Columbia Review Board generally sits in panels of three.

The Review Board is a paperless office, other than sending documents to accused persons. The Board holds hearings both in-person and by video. The majority of the in-person hearings are held at the Forensic Psychiatric Hospital in Coquitlam, but others are at locations around the province. Members are expected to have access to a computer and/or other device that will allow them to view, download and upload documents, view documents while at in-person hearings, attend video hearings from home, and submit invoices to the Board.

Alternate Chair

Alternate chairs are responsible for chairing Review Board hearings, consistent with the legal requirements in Part XX.1 of the *Criminal Code*, and the Review Board's procedure guidelines. They ensure that the panel has the relevant information it requires to discharge its inquisitorial function and that the parties have an opportunity to address the issues and evidence. They ensure that the other panel members have the opportunity to participate appropriately in the hearing.

Alternate chairs are responsible for the efficient management of disposition hearings toward resolution in a fair, competent, timely, and appropriate manner. They may also be required to participate in case management, pre-hearing procedures, and stakeholder engagement respecting the Board's responsibilities and processes. They must have the ability to listen to evidence, question witnesses, determine relevant information, and interpret and apply the law to reach a considered and reasoned decision.

They are responsible for writing timely reasons for disposition, consistent with the expectations set out by the *Supreme Court of Canada in Canada (Minister of Citizenship and Immigration) v. Vavilov*, 2019 SCC 65. Reasons must be written clearly and concisely, competently identify and canvas the relevant issues, evidence, and submissions, and provide analysis to support the conclusions.

Diversity and Inclusion

The British Columbia Review Board extends a standing invitation for expressions of interest in becoming a part-time member. Women, visible minorities, Indigenous Peoples, persons with disabilities, persons of diverse sexual orientation, gender identity or expression (LGBTQ2S+), and others are encouraged to apply.

Required Competencies for Alternate Chairs:

- 10 or more years' call to the bar of any province;
- Excellent ability to interpret legislation and policies;
- Demonstrated ability to effectively listen to, understand and critically analyze evidence and legal arguments;
- Excellent decision making, research and writing skills;
- Demonstrated decisiveness; and
- Ability to produce timely and high-quality reasons.

Desirable Attributes for Alternate Chairs:

- Understanding of governing legislation (*Criminal Code*) and the tribunal's mandate;
- Experience in conducting hearings;
- Understanding of and experience with issues related to mental health and the criminal justice system, and the delivery of mental health services; and
- Understanding of the forensic system, risk assessment, and risk management.

Required Attributes for All Review Board Members:

- No direct or indirect conflict of interest with the member's responsibility to the Tribunal;
- Compliance with the Board's Code of Conduct
- High ethical standards and integrity in professional and personal dealings;
- Commitment to respecting diversity;
- Appreciation of the responsibility to serve the public interest;
- Flexible, responsive and willing to consider others' opinions;
- Ability to listen and communicate effectively;
- Strong analytical, conceptual, problem-solving, and reasoning skills;
- Demonstrated ability to treat others with fairness;
- Able and willing to fulfill time commitment required to carry out responsibilities;
- Computer skills, including ability to conduct hearings via video conference, and ability to enter and retrieve information using web-based systems; and
- Commitment to continuous learning about the Tribunal, the administrative justice sector, and the forensic system.
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Time Commitment:

- 2-4 hearing days per month, with additional time for preparation and writing reasons.

Term:

- Members are appointed by Order in Council for a fixed term of two to five years.

Compensation:

- Tribunal compensation is governed by Treasury Board Directive 1/20. The Review Board is classified as a Level 4 tribunal.

To apply please submit:

- Current curriculum vitae
- Relevant experience, knowledge in areas of the Board's jurisdiction
- Maximum time commitment/availability/willingness to travel

Please send all expressions of interest to Theresa.Newport@gov.bc.ca.