



Office of the
Auditor General
of British Columbia

April 2025

Ensuring the Quality of Legal Aid Representation Services



An independent audit report



Office of the
Auditor General
of British Columbia

623 Fort Street
Victoria, British Columbia
V8W 1G1

P: 250.419.6100
F: 250.387.1230
oag.bc.ca

The Honourable Raj Chouhan
Speaker of the Legislative Assembly
Province of British Columbia
Parliament Buildings
Victoria, British Columbia
V8V 1X4

Dear Mr. Speaker:

I have the honour to transmit to the Speaker of the Legislative Assembly of British Columbia the report *Ensuring the Quality of Legal Aid Representation Services*.

We conducted this audit under the authority of section 11(8) of the *Auditor General Act*. All work in this audit was performed to a reasonable level of assurance in accordance with the Canadian Standard on Assurance Engagements (CSAE) 3001 – Direct Engagements, set out by the Chartered Professional Accountants of Canada (CPA Canada) in the *CPA Canada Handbook – Assurance*.

Sheila Dodds, CPA, CA, CIA
Acting Auditor General of British Columbia
Victoria, B.C.

April 2025



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Source: Getty Images

Ensuring the Quality of Legal Aid Representation Services

Audit at a glance

Why we did this audit

- Legal aid promotes fair and equitable access to justice for people living on a low income. Timely legal aid can reduce time in custody, resolve cases faster, or give protection sooner (through a restraining order, for example).
- Legal Aid BC (LABC) is the Crown corporation responsible for administering the legal aid system. It offers legal information, advice, and representation in criminal, family, child protection, and immigration and refugee law.
- Demand for legal aid representation services, which LABC uses contracted lawyers to provide, has increased nearly 28 per cent since 2021/22.
- Effective oversight by LABC is necessary to ensure some of the province's most vulnerable people receive timely, high-quality legal representation services.

Objective

To determine whether LABC had processes and information to help ensure eligible individuals received timely and high-quality legal representation services.

Audit period:

April 1, 2023 – August 31, 2024

Conclusion

LABC didn't have processes and information to help ensure that eligible individuals received timely and high-quality legal representation services.

LABC has accepted all seven recommendations to update its long-term forecasting and enhance processes and information to ensure intake and eligibility reviews, as well as complaints, are addressed in a timely manner that is consistent with policy.

What we found

LABC determined short-term funding needs but long-term funding forecasts assumed demand would stay the same

- LABC forecasted and managed the funding required to meet demand for the current fiscal year.
- LABC's long-term budget forecast assumed the number of contracts with lawyers would remain the same for the next three years despite consistent annual increases in demand.
- LABC's approach may affect the province's ability to properly plan and fund legal representation services.

Recommendation 1

Audit at a glance *(continued)*

LABC didn't determine the number of lawyers needed to meet demand

- LABC didn't forecast how many lawyers it needed to meet short-term or long-term demand for legal representation services.
- It collected data on its current roster of lawyers and client demand but didn't use the data to forecast demand or identify gaps in availability.
- LABC took steps to expand its lawyer roster through recruitment initiatives and financial incentives but the steps weren't informed by the data it had collected.

Recommendation 2

LABC didn't have processes to ensure staff appropriately applied intake and eligibility review policies in a timely manner

- LABC had intake and eligibility review policies and procedures but didn't ensure staff applied them.
- LABC had timelines for intake and eligibility review processes but didn't ensure staff met the timelines.
- The length of time to issue a contract with a lawyer improved almost 20 per cent since 2022/23, but timelines still exceeded targets, particularly for immigration and refugee cases and family law.
- LABC set a 21-day target to complete applicant eligibility reviews but only completed 65 per cent within the targeted timeframe.

Recommendations 3 and 4

LABC didn't have measures or processes necessary to monitor the quality of legal representation services

- LABC didn't have performance measures for the quality of its legal representation services.
- It also didn't have the processes necessary to monitor the quality of legal representation services it provided.

Recommendation 5

LABC didn't address complaints according to its policy and didn't set timelines to address complaints

- LABC's process for responding to complaints about legal representation services was inconsistent with its policy.
- Complaints were only considered if complainants responded to an acknowledgement letter from LABC (which asked for information they may have already provided in the initial complaint).
- During the audit period, LABC deemed 117 of 206 complaints (56.8 per cent) abandoned because the complainant didn't respond to the acknowledgement letter.
- There were no timelines for addressing complaints, but it took an average of 40 days for LABC to send an acknowledgment letter after it received a complaint.

Recommendations 6 and 7

Background

Legal Aid BC (LABC) is the Crown corporation established under the *Legal Services Society Act* to provide legal information, advice, or representation for people living on a low-income who can't afford a lawyer. LABC provides help in the areas of criminal, family, child protection and immigration and refugee law.

LABC operates according to the act and a memorandum of understanding with the Ministry of Attorney General. It's funded primarily by the Province of B.C., with additional funding from the federal government, the Law Foundation of British Columbia, and other sources. In 2023/24, LABC's budget was \$142.1 million, with \$122.4 million (86 per cent) coming from the ministry.

Applicants can apply for legal aid by phone, in person (at some locations), or as of November 2024, through its website. Most applications are processed by staff at LABC's Vancouver regional office and call centre. LABC also contracts with lawyers at other locations – known as local agent offices – in the province. Local agent offices employ their own intake staff who process legal aid applications.

To qualify for legal aid representation, an individual must be financially eligible and have an issue in either criminal, family, child protection, or immigration and refugee law. Financial eligibility is determined by an applicant's income and disposable assets.

In 2023/24, an individual must have had a net monthly income below \$2,320 for standard cases, or below \$3,320 for other cases (such as child protection, criminal early resolution, and limited family representation), and disposable assets below the applicable guidelines.

LABC received close to 39,000 applications for legal representation services in 2023/24 and approved 81 per cent (see table below).

Legal representation approved applications in 2023/24, per area of law

Area of law	Applications	Number approved	Percentage approved
Criminal	22,021	19,114	86.8%
Family	9,087	5,943	65.4%
Child protection	2,317	1,731	74.7%
Immigration and refugee	5,448	4,653	85.4%
Appeals of administrative tribunal decisions	96	26	27.1%
Total	38,969	31,467	80.7%

Source: Legal Aid BC

Most of LABC's legal representation services are provided by contracted lawyers who are registered with LABC. As of March 31, 2024, LABC had 1,359 active contracted lawyers, of whom 1,063 accepted a contract during 2023/24.

It's important for LABC to ensure clients receive high-quality legal representation services as demand grows.



Objective

Scope

The objective of the audit was to determine whether LABC had processes and information to help ensure eligible individuals received timely and high-quality legal representation services. This included looking at whether LABC:

- determined the funding and number of lawyers it needed to meet the demand for legal representation services;
- monitored how staff processed legal aid applications and eligibility reviews;
- measured and monitored the quality of its legal representation services; and
- acted according to its policies to address complaints about legal representation services.

We audited processes and information for the provision of legal representation services. We did not examine other services provided by LABC, including the provision of information, legal advice, duty counsel, or services through Parent Legal Centres. Additionally, we did not look at individual case files to determine whether clients were eligible for legal representation services or received high-quality services.

The audit period was from April 1, 2023, to August 31, 2024.

[Learn more about the audit criteria on page 25.](#)

[Learn more about how we did this audit on page 22.](#)



Source: Getty Images



Conclusion

LABC didn't have processes and information to help ensure that eligible individuals received timely and high-quality legal representation services. Specifically:

- LABC determined short-term and long-term funding based on current demand, but long-term funding forecasts didn't consider past demand trends.
- LABC didn't determine the number of lawyers needed to meet demand.
- LABC didn't ensure staff applied intake and eligibility review processes according to policy or in a timely manner.
- LABC didn't have measures or processes necessary to monitor the quality of its legal representation services.
- LABC didn't address complaints according to its policy and didn't set timelines to address complaints.



Source: Getty Images



Findings and recommendations

Determining funding and lawyers

Organizations often set budgets by forecasting demand for services and then determining the resources they need to meet demand. For LABC, a Crown corporation that receives funding from government, forecasts can inform decision makers about the funding needed to meet demand and ensure continued standards of service.

LABC determined short-term funding needs but long-term funding forecasts assumed demand would stay the same

What we looked for

We looked at whether LABC determined the short-term funding (within the current fiscal year) and long-term funding (for the next fiscal year) needed to meet demand for legal representation services.

[Learn more about the audit criteria on page 25.](#)

What we found

We found that LABC determined the short-term and long-term funding to meet demand, but long-term funding forecasts didn't consider trends in past demand.

Short-term funding determined

LABC determined the short-term funding needed to meet current demand through its budget planning process and monthly budget updates to the Ministry of Attorney General.

LABC prepared its 2023/24 budget using a forecasting model that assumed the number of legal representation contracts would remain the same as the previous 12 months. It used this assumption for two reasons:

1. The ministry provided instructions to LABC that noted its funding contribution would remain mostly the same as the prior year.
2. The *Legal Services Society Act* states that LABC can't run at a deficit. If additional funding is needed during a fiscal year, LABC must request and obtain approval from the attorney general and the minister of finance.

When its short-term funding was insufficient, we found that LABC advised the ministry in monthly meetings, supplemented by budget updates that included forecasted demand trends. We also found that LABC's budget planning included risk mitigation strategies to prevent service disruptions if funding didn't meet the demand for legal representation services.

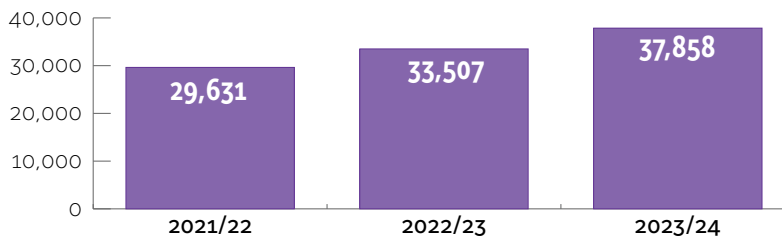
LABC received additional funding through the year so that it could continue to approve applications.



Long-term funding forecasts assumed demand would stay the same

When we looked at long-term funding, we found that LABC provided long-term projections of demand and funding to the ministry, but those projections assumed that the number of contracts would remain the same each year for the next three years. Although this assumption may be appropriate for the short-term funding forecast, this makes less sense in the context of long-term funding given that LABC has seen a consistent increase in contracts for the past three years (see chart below).

Contracts for legal representation services



Source: Legal Aid BC

Note: The annual contract figure consists of all contracts issued in a fiscal year which may include multiple contracts for one legal problem such as a change in counsel.

We also found that LABC requested and received additional funding (exceeding its forecasted budgets) in each of the previous three years to meet the increase in demand for service:

- 2021/22: \$200,000 additional funding (0.2 per cent of overall budget)
- 2022/23: \$2.2 million additional funding (1.8 per cent of overall budget)
- 2023/24: \$6.3 million additional funding (4.6 per cent of overall budget)

LABC's assumption that the number of contracts would remain the same each year didn't consider demand trends, or the resources needed to meet that demand.

Why this matters

By determining the short-term funding needed to meet demand, LABC was able to maintain service delivery needs throughout the 2023/24 fiscal year.

However, without accurate information from LABC on the long-term funding needed to meet demand, the ministry may be limited in its ability to properly plan for and fund legal representation services for low-income individuals in B.C.

Recommendation

We recommend that Legal Aid BC:

1. Prepare a long-term funding forecast for the Ministry of Attorney General that incorporates past demand and other factors that may increase demand for services.

[See the response from the auditee on page 23.](#)



LABC didn't determine the number of lawyers needed to meet demand

What we looked for

We looked at whether LABC determined how many lawyers it needed to meet demand for legal representation services in the short-term and long-term. We also looked to see whether LABC's projections considered geographic area, area of law, client preferences for a lawyer (e.g., Indigenous or gender) and unique needs (e.g., language, Indigenous or disability).

What we found

We found that LABC didn't determine how many lawyers it needed to meet demand for legal representation services in the short-term and long-term.

Lawyer roster data collected but not used to determine the number of lawyers needed

LABC tries to assign lawyers to meet the expectations set out in its mandate, memorandum of understanding with the ministry, and internal policies and procedures. These include delivering high-quality services in all case types, in all regions of the province, and providing each client with a lawyer who meets their preferences and needs. Meeting these expectations requires a lawyer roster that can accommodate the unique needs and circumstances of clients.

We found that LABC collected data on the lawyers in its roster, including the total number of lawyers, geographic region served (see table below), area of law, gender, Indigenous ancestry, and language proficiency. LABC also analyzed data on historic demand for legal aid, including the number of contracts issued, the level of travel authorized, and the overall number of contracted lawyers available.

Contracted lawyers who accepted a representation contract in 2023/24, by region

Region	Number of lawyers receiving contracts
Interior/East Kootenay	74
Okanagan/West Kootenay	66
North	41
Northwest	21
Surrey/Fraser Valley	263
Vancouver Island	163
Vancouver/Sunshine Coast	431
Out of province	4
Total	1,063

Source: Legal Aid BC



However, we found that LABC didn't use its data or analysis to forecast demand for lawyers, identify gaps in availability, or determine the number of lawyers needed to meet demand.

For instance, LABC's lawyer roster data (see table below) showed that 20 per cent of lawyers didn't accept any legal contracts with LABC in 2023/24. The data also showed that active lawyers were taking on an increasing number of contracts. However, LABC didn't do an analysis to understand the trends and whether the current roster had capacity to continue to absorb the increased caseload.

Active contracted lawyers who accepted representation contracts

Fiscal year	# of active contracted lawyers	# of lawyers who accepted contracts	# of contracts	Average # of contracts per lawyer
2020/21	1,286	1,021	28,257	28
2021/22	1,278	1,015	29,631	29
2022/23	1,288	1,014	33,507	33
2023/24	1,359	1,063	37,858	36

Source: Legal Aid BC

We saw evidence of LABC planning and implementing initiatives to increase the pool of available contracted lawyers in the short- and long-term. These initiatives included active recruitment of lawyers from diverse backgrounds, collaborating with local offices in certain regions to increase lawyer participation, and offering monetary incentives to lawyers to accept family law cases.

The initiatives were introduced to retain and attract new lawyers to LABC to address delays in finding lawyers for clients. However, the initiatives weren't based on targeted recruitment or demand forecasting that considered geographic region, area of law, client preferences, or unique needs of clients.

Why this matters

LABC relies on contracted lawyers to provide most of its legal representation services to clients. Its limited understanding of the lawyers needed to meet current and future demand may mean that it might not have enough lawyers to meet the needs of clients.

Recommendation

We recommend that Legal Aid BC:

- Determine the number of lawyers needed to meet demand based on its long-term forecast that considers geographic area, area of law, and client preferences and unique needs.

[See the response from the auditee on page 23.](#)



Overseeing intake services

LABC receives applications for legal representation services in person, over the phone, and (as of November 2024) online. Intake staff must review the applicant's information to determine whether they qualify for legal aid. If an applicant is denied legal aid, they can ask for an eligibility review by giving reasons they disagree with the original eligibility decision and by providing new evidence and documents to support their position. In an eligibility review, a supervisor will reconsider the application, including any new information provided, and determine whether the applicant qualifies for legal aid.

LABC needs to have robust processes in place to ensure eligible applicants get the legal representation services they need.

LABC didn't have processes to ensure staff appropriately applied intake and eligibility review policies in a timely manner

What we looked for

We looked at whether LABC ensured staff complied with intake and eligibility review policies and procedures. We also looked at whether LABC ensured staff administered the intake and eligibility review processes in a timely manner.

[Learn more about the audit criteria on page 25.](#)

What we found

We found that LABC didn't ensure staff administered the intake and eligibility review processes in compliance with its policies and procedures. We also found that LABC established timelines for intake and eligibility review processes but didn't ensure they were met.

LABC had intake and eligibility review policies and procedures but didn't ensure staff applied them

We found that LABC had intake and eligibility review policies and procedures but didn't ensure that staff followed them when they assessed applications. We found that there were no documented processes for supervisor file reviews, no defined frequency of reviews, and no records of reviews.

We found that staff could record most information from an applicant in LABC's electronic file system. However, the system couldn't be used by supervisors to verify some of the policy and procedural requirements, such as whether staff used the information to select a suitable lawyer for a client. Further, the system couldn't be used by staff to search for a lawyer capable of accommodating a client's disability, one of the expectations in the policies and procedures.



We also found that LABC didn't have processes to ensure that eligibility reviews were assessed according to policies and procedures, though they did have processes to monitor whether the eligibility reviews were being conducted.

LABC staff said that the intake policies and procedures manual wasn't updated regularly, and that updates were commonly emailed to staff, making them difficult to reference. We found that training was also inconsistent between staff at the Vancouver office and local agent offices. These issues elevate the importance of regular reviews.

LABC established timelines but didn't ensure staff met them

We found that LABC established intake targets in each area of law that tracked the time taken to process applications and issue a legal representation contract (see table below). We heard from staff that these targets have been in place since at least 2015/16, but were formally documented in March 2024. LABC also established a target of three weeks for the eligibility review process.

LABC had processes to monitor the intake timeline targets, which included manager reviews of intake timing data, staff meetings, and monthly performance reviews. However, these processes didn't ensure LABC was able to meet targets in any area of law.

Days to issue a contract, by area of law

Area of law	Target (average)	Actual (average during audit period: April 1, 2023 – Aug. 31, 2024)
Criminal	5 days	6.7 days
Immigration and refugee	5 days	9.5 days
Child protection	10 days	10.5 days
Family	15 days	22.7 days

Source: Legal Aid BC

We found that the time taken to issue a contract with a lawyer had improved since 2022/23 (almost 20 per cent faster), however the process still exceeded the established targets, particularly for family, and immigration and refugee law.

LABC stated that the main factor affecting intake timeliness was the difficulty in finding family lawyers outside of Victoria and the Lower Mainland. In June 2024, LABC set up a team to assist the intake department with lawyer searches, but it was too recent to assess whether the new approach was effective.

We found that LABC didn't have processes to monitor its eligibility review timeline. LABC monitored a dashboard showing eligibility reviews, but it didn't include dates or indicate when the review should be completed. LABC's system also lacked the ability to flag or report eligibility reviews that had exceeded the timeline's target. According to the data, 35 per cent of eligibility reviews during our audit period were completed beyond LABC's three-week target date.



Why this matters

Without proper oversight, there's a risk that staff may improperly assess applications and eligibility review forms. Eligible applicants could be denied legal aid, ineligible applicants might receive legal aid, or client preferences for a lawyer may not be considered on a consistent basis.

Because LABC didn't meet intake and eligibility review timelines, there's also a risk of applicants going without legal representation for a prolonged time. This may delay justice outcomes or lead eligible applicants to abandon their legal aid applications and act without legal representation.

Recommendations

We recommend that Legal Aid BC:

3. Implement a system for reviewing intake and eligibility review processes to ensure staff compliance with policies and procedures.
4. Address the cause of delays to ensure staff complete intake and eligibility review processes on time.

[See the response from the auditee on page 23.](#)



Source: Getty Images



Monitoring legal representation quality

All lawyers practicing in B.C. are licensed and regulated by the Law Society of BC, which sets and enforces standards of professional and ethical conduct. While the Law Society of BC is responsible for ensuring lawyers comply with these standards, LABC is responsible for ensuring that lawyers working for its clients meet the quality objectives that LABC has set.

Most of the legal representation services offered by LABC are outsourced to contracted lawyers who manage cases independently. It's important that LABC have effective processes to determine whether contracted lawyers meet its expectations for service quality.

LABC didn't have measures or processes necessary to monitor the quality of legal representation services

What we looked for

We looked to see whether LABC had performance measures and review processes to monitor the quality of legal representation services.

[Learn more about the audit criteria on page 25.](#)

What we found

We found that LABC didn't have measures or processes necessary to monitor the quality of legal representation services.

LABC didn't have performance measures for quality legal representation services

We found that LABC had not defined or established performance measures to monitor the quality of legal representation services provided by contracted lawyers.

LABC's service plan for 2023/24 set an objective to "provide high-quality legal services." Its agreement with contracted lawyers states that lawyers are responsible for providing clients with "an acceptable quality of service."

However, LABC didn't define or explain its expectations for "high-quality" or "acceptable" service, other than stating in the agreement with lawyers that legal services were to be of "the same quality as those provided to a reasonable person of modest means."



We found that LABC monitored client experiences with their lawyers through two survey questions that asked whether lawyers provided adequate information and explained things in a way they understood.

The information collected through these surveys didn't cover aspects of quality service that LABC noted clients should expect such as whether their lawyer:

- served the best interests of the client;
- acted in a timely manner and moved the case forward in a reasonable timeframe; or
- was responsive to the client.

Further, these surveys didn't allow LABC to confirm whether lawyers provided quality legal representation services.

LABC didn't have the processes necessary to monitor the quality of legal representation services

We found that LABC didn't have processes necessary to monitor the quality of legal representation services provided by its contracted lawyers.

LABC had processes to get feedback about lawyers through complaints (discussed below) and client surveys (discussed above). While these processes informed LABC about some concerns with lawyers, they were reactive, relied primarily on clients to identify and report issues to LABC, and didn't determine whether clients received quality legal representation.

Clients weren't always willing or able to participate in these processes due to accessibility issues or concerns that speaking negatively about their lawyer would affect their legal representation.

Why this matters

Without measuring or monitoring the quality of legal representation services provided by contracted lawyers, LABC doesn't have a clear picture of whether clients are receiving the high-quality legal representation services that it tries to provide.

Recommendation

We recommend that Legal Aid BC:

5. Define and monitor quality expectations for legal representation services.

[See the response from the auditee on page 24.](#)



LABC didn't address complaints according to its policy and didn't set timelines to address complaints

What we looked for

We looked at whether LABC established a policy to address complaints about legal representation services and whether it implemented a complaints process that complied with its policy.

We also looked at whether LABC established and met timelines to address complaints.

[Learn more about the audit criteria on page 25.](#)

What we found

We found that LABC had established a policy to address complaints about legal representation services but it used a process that was inconsistent with that policy.

We also found that LABC had not established timelines to address complaints about legal representation services.

LABC's complaint process was inconsistent with its policy

We found that LABC had a complaints policy for responding to complaints about contracted lawyers who provided legal representation services.

The policy stated: "Complaints are consistently answered, recorded, and considered in a timely, fair, and sensitive manner that respects the privacy of all parties ...to ensure that [LABC] is responsive to concerns that are brought to its attention and that complaints are addressed."

We found that LABC didn't address complaints about legal representation services based on its policy. Specifically, it didn't ensure that all complaints received consideration.

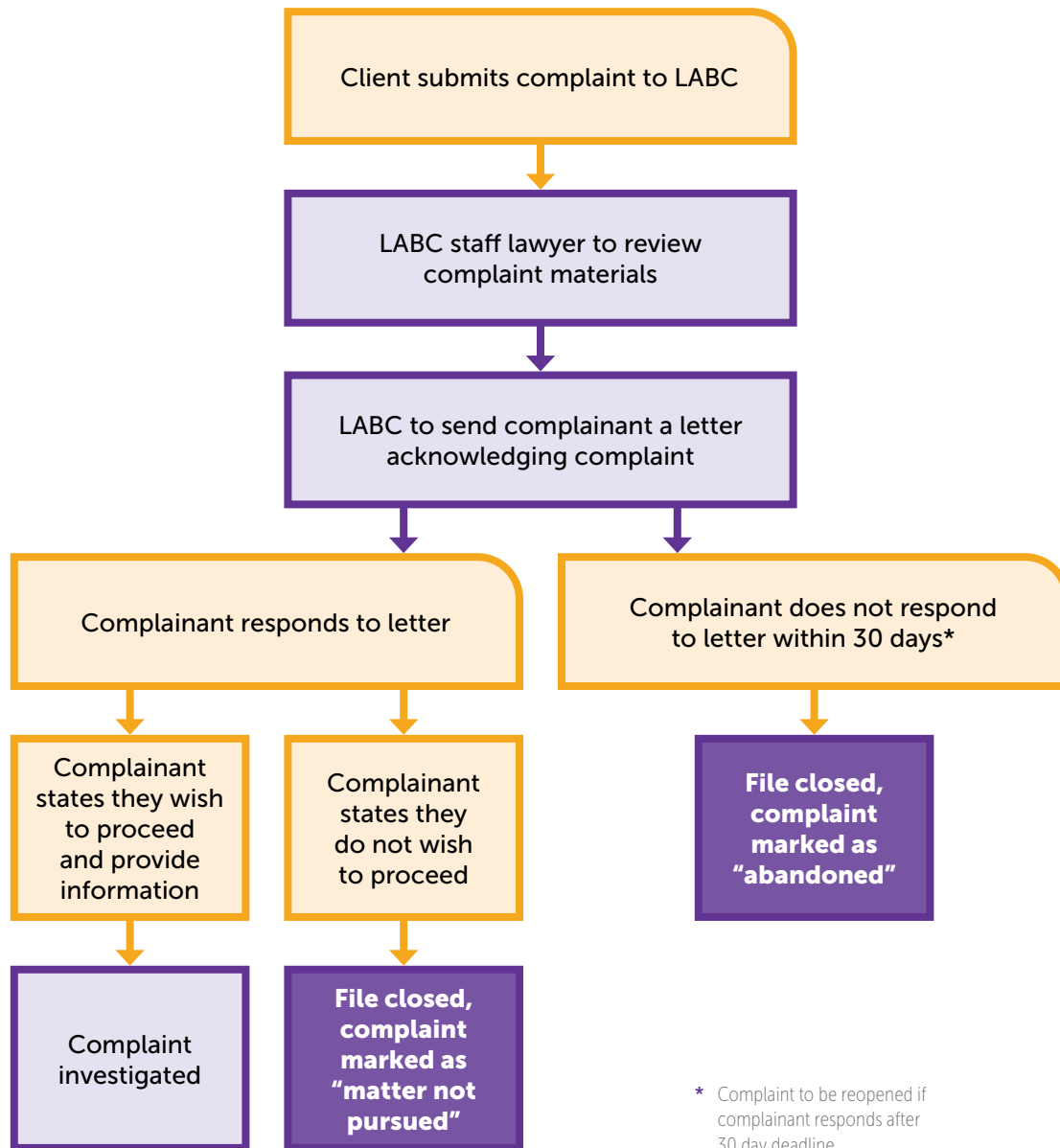
LABC required clients to submit complaints in writing with:

- the complainant's full name;
- the lawyer's name;
- details of the complaint, including examples and dates; and
- any supporting documents (if available).

LABC provided a two-page complaint form on its website with fillable sections. It also provided a section in its "change of counsel request form" for a client to submit complaints about their lawyer.



LABC complaint process



After receiving a written complaint, an LABC staff lawyer was to review the complaint, and send the complainant a letter summarizing and acknowledging the complaint. The acknowledgement letters asked for details of the complaint and supporting evidence, some or all of which may have been already provided in the initial complaint.

LABC stated in the letter that if it didn't receive a response from the complainant, it would assume the complainant didn't want to proceed and would close the complaint without further notice.

The requests for further information in the letter were made for each complaint, regardless of the information previously provided by the complainant. If the complainant didn't respond to the letter, LABC deemed the complaint to be "abandoned" and closed it without investigation or assessment.

We found that 117 of the 206 complaints LABC received and closed during the audit period (56.8 per cent) were deemed abandoned because the complainant didn't respond to the acknowledgement letter.

The additional procedural requirement (i.e., asking for complaint information to be resubmitted in all cases before a complaint would be considered) was contrary to LABC's complaints policy to consider all complaints and be responsive to concerns brought to its attention.



Source: OAGBC



Further, this requirement wasn't in LABC's written procedures for addressing complaints, either on LABC's webpage for complaints or on LABC's complaint form. The webpage indicated that when a complaint was made, LABC would record the complaint, send the complainant an acknowledgement letter, and then provide the complainant with reasons for LABC's decision on the complaint. This suggested LABC would undertake some form of consideration or assessment of the complaint.

For complaints that LABC did investigate and assess, we found that it obtained sufficient information and evidence to evaluate the complaint, set out detailed written reasons for its assessment based on the evidence, and provided those reasons to the complainant and lawyer.

LABC didn't have timelines for addressing complaints

LABC's complaints policy said complaints were to be "considered in a timely manner." However, we found that LABC didn't define "timely" or establish a timeline to address complaints.

LABC set a timeline for one step in its complaint process: to acknowledge a complaint within 10 days. We found that LABC didn't meet this target in 57.2 per cent of complaints received during the audit period. It took LABC an average of 40 days to send an acknowledgement letter.

LABC didn't have a tracking process to monitor when complaints were received or when acknowledgement letters were sent.

Why this matters

LABC's extra steps and delays in responding to complaints mean complainants may be less likely to participate in investigations and that concerns raised about the quality of legal representation services could be left unaddressed.

Recommendations

We recommend that Legal Aid BC:

6. Implement a complaints process that is consistent with its policy and considers all complaints received.
7. Develop and monitor timelines for addressing complaints about legal representation services.

[See the response from the auditee on page 24.](#)



About the audit

We conducted this audit under the authority of section 11(8) of the *Auditor General Act* and in accordance with the Canadian Standard on Assurance Engagements (CSAE) 3001 – Direct Engagements, set out by the Chartered Professional Accountants of Canada (CPA Canada) in the *CPA Canada Handbook – Assurance*. These standards require that we comply with ethical requirements and conduct the audit to independently express a conclusion against the objective of the audit.

A direct audit involves understanding the subject matter to identify areas of significance and risk, and to identify relevant controls. This understanding is used as the basis for designing and performing audit procedures to obtain evidence on which to base the audit conclusion.

The audit procedures we conducted include document review, file reviews, data analysis, and interviews with Legal Aid BC staff members.

We believe the audit evidence we have obtained is sufficient and appropriate to provide a basis for our conclusion.

Our office applies the Canadian Standard on Quality Management (CSQM 1), and we have complied with the independence and other requirements of the code of professional conduct issued by the Chartered Professional Accountants of British Columbia that are relevant to this audit.

Audit report date: April 3, 2025



Sheila Dodds, CPA, CA, CIA
Acting Auditor General of British Columbia
Victoria, B.C.



Appendix A: Recommendations and auditee response

Recommendation 1: Prepare a long-term funding forecast for the Ministry of Attorney General that incorporates past demand and other factors that may increase demand for services.

Recommendation 1 response: LABC accepts this recommendation and recognizes the importance of long-term funding forecasts in meeting client needs. LABC now provides the Ministry of Attorney General (MAG) with five-year forecasts incorporating these and other factors.

LABC will continue to work with MAG to determine how this work can be incorporated into its planning processes.

Recommendation 2: Determine the number of lawyers needed to meet demand based on its long-term forecast that considers geographic area, area of law, and client preferences and unique needs.

Recommendation 2 response: LABC accepts this recommendation and will review its approach to recruiting and retaining tariff lawyers to identify areas for improvement.

LABC is also working on several initiatives to strengthen lawyer recruitment, support, and development.

Recommendation 3: Implement a system for reviewing intake and eligibility review processes to ensure staff compliance with policies and procedures.

Recommendation 3 response: LABC accepts this recommendation. A system has been created that identifies the review request date, review completion date, and the supervisor responsible, along with reminders.

Further system improvements are planned to ensure compliance with policy and procedures, including consistent staff training between Vancouver and local offices.



Recommendation 4: Address the cause of delays to ensure staff complete intake and eligibility review processes on time.

Recommendation 4 response: LABC accepts this recommendation. Systems have already been implemented to address the cause of delays and ensure staff complete intake and eligibility processes on time. Future work is planned to continue improving LABC's approach.

Recommendation 5: Define and monitor quality expectations for legal representation services.

Recommendation 5 response: LABC accepts this recommendation and has plans to develop a quality assurance approach to define and monitor expectations for legal representation services. This will allow LABC to confirm that lawyers provide quality legal representation services, including whether they:

- serve the best interests of the client;
- act in a timely manner and move the case forward in a reasonable timeframe; and
- are responsive to the client.

Recommendation 6: Implement a complaints process that is consistent with its policy and considers all complaints received.

Recommendation 6 response: LABC accepts this recommendation. After the audit period, LABC changed several processes and the letters it used to respond to complaints.

LABC will review and revise its Complaints Policy to ensure consistency with this recommendation.

Recommendation 7: Develop and monitor timelines for addressing complaints about legal representation services.

Recommendation 7 response: LABC accepts this recommendation and has implemented new timelines to acknowledge complaints, with reminders.

LABC will review and revise its Complaints Policy to ensure consistency with this recommendation.



Appendix B: Audit criteria

Line of Enquiry 1: Determining the financial and human resources needed to provide timely and high-quality legal representation services.

Criteria

- 1.1 LABC determined the short-term (within the current fiscal year) and long-term (for the next fiscal year) financial resources to meet demand for legal representation services.
- 1.2 LABC determined the short-term (within the current fiscal year) and long-term (for the next fiscal year) lawyer resources needed to meet demand for legal representation services.
 - 1.2.1 LABC considered the number of lawyers needed by geographic area.
 - 1.2.2 LABC considered the number of lawyers needed by area of law.
 - 1.2.3 LABC considered the number of lawyers needed to address client's preferences (e.g. Indigenous or female) and unique needs (e.g. language, Indigenous or disability).

Line of Enquiry 2: Monitoring how staff process applications in a timely manner that complies with policies and procedures.

Criteria

- 2.1 LABC established timelines for the assessment and appeals processes.
- 2.2 LABC ensured staff applied intake and appeals policies and procedures.
 - 2.2.1 LABC ensured staff assessed applicant eligibility for legal representation services.
 - 2.2.2 LABC ensured staff assigned lawyers to eligible applicants that considered the client's choice of counsel, preferences (e.g. Indigenous or female), unique needs (e.g. language, Indigenous or disability), complexity of the case, and geographic region.
 - 2.2.3 LABC ensured staff administered appeals on applicant eligibility.
- 2.3 LABC ensured staff administered the intake and appeals process in a timely manner.

Line of Enquiry 3: Monitoring the quality of legal representation services.

Criteria

- 3.1 LABC had performance measures to monitor the quality of legal representation services.
- 3.2 LABC had processes to monitor the quality of legal representation services.
- 3.3 LABC established a policy to address complaints about legal representation services.
- 3.4 LABC addressed complaints about legal representation services according to policies.
- 3.5 LABC established timelines to address complaints about legal representation services.
- 3.6 LABC addressed complaints about legal representation services according to established timelines.





Office of the
Auditor General
of British Columbia

Report team

Laura Hatt
Assistant Auditor General

Laura Pierce
Executive Director

Maxwell Edwards
Manager

Bradley Robinson
Senior Performance Auditor

Amy Carolan
Performance Auditor

Location

623 Fort Street
Victoria, British Columbia
Canada V8W 1G1

Office Hours

Monday to Friday
8:30 a.m. – 4:30 p.m.

Telephone: 250-419-6100

Toll-free through Enquiry BC: 1-800-663-7867

In Vancouver: 604-660-2421

Fax: 250-387-1230

Email: bcauditor@bcauditor.com

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