

Reply Attention of: Catherine E. George  
Direct Dial Number: [REDACTED]  
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**FARRIS**

File No: 01590-82

October 26, 2020

BY EMAIL

Cullen Commission of Inquiry into Money Laundering in BC  
Suite 601 – 700 W. Georgia St.  
Vancouver, BC V7Y 1B6

**Attention: Nicholas Isaac and Steven Davis**

Dear Sirs:

**Re: Question to the Law Society of British Columbia (the  
“Law Society”) regarding information-sharing with law  
enforcement entities**

We write in response to your request of September 24, 2020 for further information respecting information sharing between the Law Society and law enforcement entities. As you will see below, some of the information requested is not available or not recorded in a formal manner, but the Law Society has provided the data it has in respect of each of your questions.

- 1. How often has the Law Society requested or received information under its MOUs with the 11 municipal police forces, or its MOU with RCMP “E” Division? How many LSBC investigations have been initiated on the basis of that information?**

The Law Society has not tracked the number of requests made under the MOUs. However, a review of Law Society records reveals that since 2018, there have been at least nine written requests for information made by the Law Society under its MOUs. When these requests were made, an investigation had already been initiated by the Law Society.

- 2. Similarly, how many requests have been made under the 2016 protocol with the Criminal Justice Branch, with the PPSC, the BC Securities Commission, or the US SEC?**

(a) Criminal Justice Branch: since 2016, the Law Society has delivered at least 27 written requests for information during an investigation to the Criminal Justice Branch.

(b) PPSC: [REDACTED]

The Law Society has had

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telephone communications with the PPSC regarding matters where lawyers are the subject of federal criminal investigations. [REDACTED]

- (c) BC Securities Commission: The Chief Legal Officer and the Deputy Chief Legal Officer met with the BC Securities Commission in April 2018 to discuss a number of topics, including information requests and referrals of lawyer conduct to the Law Society. Since that meeting in 2018, the Law Society has delivered seven written requests for information during an investigation to the BC Securities Commission. In addition, the Law Society has had telephone communications with the Commission on other matters that did not result in a written request for information. The Commission has referred six matters to the Law Society for investigation since 2018.
- (d) US SEC: The Chief Legal Officer and the Deputy Chief Legal Officer met with the US Securities and Exchange Commission in June 2019 to discuss information requests to further Law Society investigations and to encourage the SEC to refer concerns about BC lawyers to the Law Society. [REDACTED]

**3. How many referrals has LSBC received from government agencies and law enforcement for investigation?**

The Law Society has not tracked the number of complaint referrals received from government agencies, as this is quite a broad category and the complaints may be opened in the name of the individual submitting the referral as opposed to the government entity. For example, the Law Society has received referrals from crown corporations, the Ministry of Justice-Corrections Branch, the courts, and the Criminal Justice Branch where lawyers have been charged with criminal offences.

A review of recent records shows that in 2020, the Law Society received 14 referrals from law enforcement.

**4. How often have law enforcement agencies requested and obtained personal information from LSBC under s. 33.1(2) of FIPPA?**

The Law Society has not tracked the number of requests for third party personal information received from law enforcement agencies under section 33.1(2) of FIPPA. However, a review of Law Society records for the last two years did not reveal any such

requests from law enforcement citing section 33.1(2) as the basis on which a request is being made.

**5. How many times has the Executive Director sought the consent of the Discipline Committee to disclose information or documents to law enforcement, and how many times has consent been granted?**

Since 1998, there have been four instances where consent of the Discipline Committee has been sought for the Executive Director to refer a matter to law enforcement under Rule 4-6(5). In all four matters, the Discipline Committee provided consent.

Yours truly,

FARRIS LLP

Per:

  
Catherine E. George

CEG/jw

c.c.: client