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Dear Mr. French,

Thank you for your correspondence. As a lawyer, I understand the importance of access to and administration of justice. I appreciate the opportunity to offer my thoughts on the issues you have outlined.

I. Technology, Modernization and the Impacts of Covid-19

What is your government's plan to modernize the justice system in Newfoundland and Labrador through investments in technology and learnings from the Covid-19 pandemic?

As your letter noted, COVID-19 pushed everyone to do things differently. Within the justice system, more video conferencing was used and electronic filing was implemented. As Premier, I would be interested in promoting the continued use of these practices.

I believe technology can increase access to justice. It can also reduce the need for travel related to justice proceedings and expedite various administrative processes.

To increase the use of technology, a PC Government will provide secure digital access to common government services on various devices and we will introduce digital signature legislation to allow for binding digital transactions and agreements.

I look forward to receiving a copy of the CBA's national task force report. I am very interested to learn about the experiences in other jurisdictions and what particular measures worked or did not work. We must seize every opportunity to make our justice system operate more effectively and efficiently. I will consider the task force findings and look forward to discussing them with you.

II. Resourcing

What will your government do to ensure that our justice system is appropriately staffed, including judges (at all levels), support staff, clerks, sheriffs' officers and prosecutors, to meet, in a timely way, the legal needs for Newfoundlanders and Labradorians?

Access to justice is a critical component of our legal system and I fully appreciate the need to have the appropriate level of justice officials and support staff. I have been quite vocal on this issue, particularly in relation to the absolute dereliction of the federal government in filling judicial vacancies on the Supreme Court of Newfoundland and Labrador. Justice delayed is justice denied.

To ensure that our public service, including our justice system, assists the province in achieving improved outcomes that reflect the needs of Newfoundlanders and Labradorians, a PC Government will develop a Human Resource Plan, which will identify, by Department and Agency, the right number of positions, and the right skillsets, not just for today, but for years into the future. This effort will be collaborative, giving public sector unions and frontline workers a seat and a voice at the table. As a part of this Human Resource Plan we will look at the requirements for our justice system.

III. Infrastructure

What would your government do to improve the physical infrastructure, accessibility and security of court facilities in our province?

Every person deserves to access facilities free of physical barriers, including our court facilities. Again, access to justice is a critical component of our legal system and everyone using these facilities should be able to do so in a safe and secure manner. I appreciate that your members would have first-hand knowledge and valuable insights regarding this and I would welcome the opportunity to discuss this further with your association. Together, we can identify solutions and work with the Department of Transportation and Infrastructure and the Department of Justice to make our facilities more accessible and secure for everyone.

IV. Access to Justice

What will your government do to ensure an adequately funded legal aid system in Newfoundland and Labrador?

What will your government do to ensure there is adequate access to legal aid assistance for the public?

Does your government have any plans to address the “access to justice gap”?

As your letter indicates, access to justice goes beyond funding levels. We must ensure that all individuals have access to the resources and services necessary to deal with legal problems and protect their legal rights.

Our legal aid system and our highly skilled legal professionals are an integral component of our justice system. As mentioned above, a PC Government will develop a Human Resource Plan, which will identify, by Department and Agency, the right number of positions, and the right skillsets, not just for today, but for years into the future. The Human Resources Plan will be a collaborative effort and if it identifies that more professionals are required to ensure adequate access to legal aid assistance in our province, I will ensure those needs are addressed.

V. Alternative Approaches

What are your plans for the continued use, and expansion of, specialized courts in Newfoundland and Labrador?

In addition, how will your government utilize alternative approaches to justice and restorative justice principles?

I support the use of specialized courts. The Drug Treatment Court and the Family Violence Intervention Court are two successful examples where a specialized court system can provide wrap-around services and prevent future crimes, leading to a better community for us all.

A PC Government will collaborate with the Provincial Action Network on the Status of Women, Indigenous women's organizations, survivors of violence and other partners to establish a task force to examine the issues of intimate partner and family violence and develop an action plan. The task force will have representation from all parties in the House of Assembly and various community stakeholders. We will advance Family Violence Intervention Courts based on the recommendations of the task force. We will work with the task force to determine where these courts should be located, and how to best serve our residents.

I am also a supporter of restorative justice principles. I believe in a process which helps repair the harm which has occurred. I believe that restorative justice can help everyone involved, leading to a reduction in crime in our province.

VI. Legislation and Law Reform

Will your party commit to review and dialogue with CBA-NL on its legislative and law reform efforts with the appropriate Cabinet members?

I believe in collaboration. I believe in listening and I support good ideas. Yes, I will review and dialogue with the CBA-NL on its legislative and law reform efforts.

a) *Lands Act*

Would your government commit to discussion with CBA-NL regarding its law reform on this topic?

Would your government consider changes to rules surrounding private property interest against the Crown?

I am aware of the concerns you raise relating to Section 36 of the Lands Act regarding adverse possession and I recall that the 2015 Lands Act Review committee examined this issue. I am always open to discussing legislative changes and reform. I would be interested in hearing the results of your public consultation and look forward to reviewing your report with you when it becomes available.

b) *Mechanics' Lien Act*

Would your government commit to discussion with CBA-NL regarding its law reform on this topic?

Would your government consider reform of the *Mechanics Lien Act*?

Ensuring that our legislation is up to date and responsive is important. Again, I would be interested in hearing the results of your member consultation and I am certainly willing to review the report with you when it is prepared.

You and your colleagues may be aware that as a practitioner I pressed many causes with a reform minded agenda. As Premier I will undertake the reform agenda proposed by the CBA NL with the same dedication and zeal.

Thank you, once again, for the opportunity to answer your questions regarding the justice system. I look forward to working with you in the future.

Sincerely,
Ches Crosbie
Leader
Progressive Conservative Party of Newfoundland and Labrador