

Three teams to submit proposals for museum in Colwood

The provincial government has narrowed its search for bidders to design and build the Royal B.C. Museum's new collections and research building in Colwood.

The facility in Colwood's Royal Bay district will house the museum's collections and research department, as well as the B.C. Archives, and will provide dedicated research labs and learning spaces. It will also make the museum more accessible to British Columbians who live and work outside of downtown Victoria.

Construction is expected to create about 950 jobs.

The three teams invited to participate in the request for proposals are:

- Kinetic Construction Ltd., Smith Bros. & Wilson (B.C.) Ltd. and Wright Holdings Inc., with Diamond and Schmitt Architects, Inc. and Aspect Structural Engineers Canada Ltd.

- Ledor Design-Build (B.C.) Inc. and Knappett Projects Inc., with John McAslan and Partners and Fast + Fpp Structural Engineers Inc.

- Maple Reinders Constructors Ltd., with Michael Green Architecture Inc. and Equilibrium Consulting Inc.

The request for proposals is the second stage of the procurement process to select a design-build team. Ground-breaking for the new museum facility and archives is expected to take place next summer, with the project set to be completed in 2025. —Times Colonist

UPDATE

MUNICIPAL and CRD



District of Metchosin

Healthy Community Advisory Committee

November 3, 2021 at 7pm

Via Zoom

Please see metchosin.ca for information

Law Society members decline to debate courtroom gender declaration rule

LOUISE DICKSON
Times Colonist

The Law Society has rejected a Victoria lawyer's attempt to open debate into a new requirement that lawyers state their gender pronouns at the beginning of court proceedings in B.C.

Lawyers have typically introduced themselves, then spelled their last names for the court record, but since December, all B.C. courts have required lawyers to also state their names, titles and gender pronouns.

In its notice to the profession, the provincial court provided an example of what was expected: "My name is Ms. Jane Lee, spelled L-E-E. My pronouns are she/her. I am the lawyer for Mr. Joe Carter, who uses they/them pronouns." Ms. Lee pronounced "mix" and in a gender-neutral title/salutation, the court explained.

Since the directives were issued, "strong opinions have been voiced by lawyers on either side of the issue," said an Oct. 7 article in *Canadian Lawyer* magazine. Those in favour call criticism of the directives "akin to hate speech," it said, while those who want more debate say the other side is trying to censor their views.

Victoria lawyer Jim Heller, one of the lawyers pushing for more debate, describes the new directives as "compelled speech."

"It's an affront to my sense of self. It makes me lie. For me to tell someone 'These are my pronouns' is based on an assumption that they don't know that. Everybody who looks at me knows I'm a guy, plain and simple."

In February, Heller wrote to the chief judges of the provincial and supreme courts asking that the directives be repealed and that a more inclusive consultation process be held. When that failed, he brought a resolution before the Law Society of B.C. proposing open debate on the use of pronouns in court proceedings.

"It's simply to affirm the general underlying principle that lawyers do not shut down debate



Victoria lawyer Jim Heller wants to have more debate on the pronoun directive, which he describes as "compelled speech." "For me to tell someone 'These are my pronouns' is based on an assumption that they don't know that. Everybody who looks at me knows I'm a guy, plain and simple." —DARRIN STONE, TIMES COLONIST

on contentious issues," said Heller.

At the society's annual general meeting, held virtually on Oct. 5, attendees voted 58 to 42 per cent against Heller's resolution to open debate on the use of pronouns in court proceedings.

Heller said he's not disappointed by the outcome, however. "It completely proves that there are a whole lot of lawyers who are not happy about how this unfolded."

In its notice to the profession, the provincial court said the information is important to improve experiences within the legal system for gender-diverse parties and lawyers. It also means lawyers will not have to raise the issue only after incorrect titles or pronouns are used.

"The Court hopes its new

notice will contribute to a culture that is inclusive and respectful of everyone."

Clare Jennings, president of the Canadian Bar Association of B.C., spoke against Heller's resolution, calling it "an attack on the equality of transgender people."

Transgender people have a higher rate of legal problems that require resolution by the court, yet they have lower trust in and access to the legal system, said Jennings.

"Significant contributing factors to this are ongoing transphobia, misgendering and its associated harms. Being able to work with a transgender lawyer and feeling safe in a courtroom are two steps that can help these clients," she said.

The courts are trying to create a more inclusive space

where all participants in the justice system feel safe and are able to focus on the issues, said Jennings.

"This is an important part of access to justice. Debating whether the courts should be safe space for transgender people creates a barrier to justice," she said.

Victoria lawyer Michael Mulligan noted that although the resolution didn't pass, the vote was close.

"And there was a debate about it in terms of debating whether there should be a debate. All kinds of people weighed in and discussed it online," said Mulligan, noting that Supreme Court justices are still referred to as My Lady and My Lord.

He believes the new directives are helpful in being respectful and addressing people the way they want to be addressed. But he suggested the court could adopt a more neutral way of addressing people than gender declaration.

One way to deal with the pushback against the use of pronouns and the gender declaration is to use something neutral like the term counsel, said Mulligan.

"Or you could, in an open-ended way, say: 'Please introduce yourself in the way you wish to be addressed.' If I want to be Counsel Mulligan, fine. I'm sure from the judicial perspective, it's helpful having people indicate what they prefer, otherwise you're left guessing."

Mulligan noted that another less-controversial resolution that did pass directs the Law Society to allow lawyers to indicate their pronouns and form a directory on the lawyer directory on the society's website.

The resolution also asked for technical support to allow members from diverse communities to list their traditional names using characters and to support audio pronunciation guides for non-English names.

"I think it's going to be very useful. If you don't know the person, you're not going to misidentify them," said Mulligan. dickson@timescolonist.com

Swearing on the Bible a COVID court casualty

LOUISE DICKSON
Times Colonist

The familiar courtroom image of a witness placing their hand on the Bible and swearing to tell "the truth, the whole truth and nothing but the truth," has become a COVID casualty.

Bibles and other religious books have been removed from courtrooms due to health and safety protocols for in-person proceedings.

For now, everyone testifies in a court case must simply promise to tell the truth, saying: "I solemnly affirm that the evidence to be given by me shall be the truth, the whole truth, and nothing but the truth."

Everything is now automatically by affirmation," said Victoria lawyer Michael Mulligan. "It came in because they didn't want to sanitize the Bible. The courts didn't want to have everybody handling the same book."

Still, Mulligan questions why the court requires witness to declare their religious beliefs.

"I think it's a good change, because it would mean everyone coming in would have to make a gender declaration and a religious declaration before you have anything to say," he said.

The Bible isn't the only item used for swearing oaths in court — the provincial court website says colourful oaths have been

administered in B.C. courts in the past.

Until about five years ago, the desk book for clerks contained the Chicken oath, the Candle oath and the Saucer oath.

Historically, "some Chinese people wanted to perform a Chicken oath and this required court to be adjourned, while the court clerk procured a male chicken," said Mulligan.

The court and the jury went outside, candles were lit, the chicken was decapitated and the oath was spoken by the witness.

"Being a true witness, I shall enjoy happiness and my sons and grandsons will prosper forever. If I give false evidence, I shall die on the street, earth will destroy me and I shall forever suffer in adversity and all my offspring will be exterminated" — then the paper was burned.

For the Candle oath, a witness placed their right hand over a lighted candle, saying: "I will tell the truth, the whole truth, and nothing but the truth, and if I do not may my soul be extinguished as I quench this flame."

For the Saucer oath, a witness knelt down and struck a china saucer against the witness box. The clerk would declare: "You shall tell the truth and the whole truth; the saucer is cracked and if you do not tell the truth your soul will be cracked like the saucer."

Search crews look for Montreal man at China Beach

Search and rescue crews resumed a search Saturday for a missing Montreal man whose rented motorhome was found at China Beach Friday.

Twenty-seven Juan de Fuca search-and-rescue volunteers were in the area until midnight Friday looking for Jean-Michel Cabanes, who was last seen on Oct. 14 in Saanich. The 70-year-old was reported missing after he failed to return the rented motorhome as expected on Tuesday and did not board his flight home to Montreal on Thursday. Saanich police believe the motorhome was parked at China Beach for one week. Police say Cabanes planned to spend some



Jean-Michel Cabanes picked up a rental motorhome in Saanich that was due to be returned Oct. 26, but failed to return it or to board his flight home to Montreal. VIA SAANICH POLICE

days on the Island. Cabanes is described as white, six-foot-two and 240 pounds with grey hair. He speaks fluent English with a French accent. Police ask anyone with information on the case to call them at 250-475-4321. —Times Colonist

SPREAD KINDNESS AND HELP PROTECT LOCAL SENIORS



George lives in long-term care. Due to his diabetes, his leg was recently amputated. He's been unable to dress himself since the surgery, and can't afford new clothes adapted for his needs. It's left him feeling alone, and embarrassed to be seen in only a hospital gown.

Your donation to Eldercare can buy adaptive clothing for George and seniors like him.

Please give today at www.gvof.org/Kindness

Your gift of \$10, \$20, or \$30 each month will Spread Kindness to more than 1,500 local seniors every single day who need your help to receive care, enjoy quality of life, and to age with dignity. Thank you!



ELDERCARE
FOUNDATION

www.gvof.org • 250-370-5664

1454 Hillside Ave, Victoria, BC V8T 2B7

Note: some details have been changed to protect the identity of local seniors in need. Registered Charity #98816053R0001

Reproduced with permission of copyright owner. Further reproduction prohibited without permission.