

# Shorelines

## NEWSLETTER OF THE PROBUS CLUB OF NORTH SHORE VANCOUVER

July 2018

[www.probus-northshorevancouver.ca](http://www.probus-northshorevancouver.ca)

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### Management Committee

**President:**

John Zaplatynsky  
604-925-1548

**Vice President:**

Jim Grey  
604-926-9248

**Secretary:**

Norm Alban  
604-926-2343

**Treasurer:**

Gordon Adair  
604-230-9122

**Past-President:**

Dave Walker  
604-922-4047

**Communications:**

Darryl Stodalka  
604-925-2570

**House:**

Gary Sutherland  
604-926-2807

**Membership:**

Jeremy Marr  
604-926-9368

**Speakers:**

Michael Coady  
604-990-7643

**Special Events:**

Gordon Cook  
604-921-7393

### Monthly Meeting at the Capilano Golf and Country Club

420 Southborough Drive, West Vancouver, 604-922-9331 Coffee and Fellowship: 9:00 am, Club Business and Speaker: 9:30 - 11:15 am

**Monday, July 9th**

*with speaker*

**Kim Baird, First Nations Consultant**

*“Themes for Reconciliation”*



Kim is the owner of Kim Baird Strategic Consulting and offers First Nation related and strategic advice to industry, government and First Nations. Kim has deep knowledge in relation to First Nation policy, governance and economic development, as well as First Nation consultation, communication and engagement issues. Kim is proficient in writing, communication, negotiation and facilitation. Kim currently has First Nation, government and industry clients on a range of issues. In addition to her consulting business, Kim is a senior advisor with Hill + Knowlton.

Kim was the elected Chief of the Tsawwassen First Nation for six terms, from 1999-2012. She had the honour of negotiating and implementing British Columbia's first urban treaty on April 3, 2009 and has since overseen numerous economic and institutional development projects for TFN. Kim was the first woman, who was not an MLA, in BC history to address the BC Legislature on October 15, 2007 when the British Columbia Treaty Legislation process was initiated.

Kim has received a number of prestigious awards, including an honorary doctorate degree from Simon Fraser University, Kwantlen Polytechnic University Distinguished Alumni Award, Canada's Top 40 Under 40 Award, Inspire and is a member of the Order of Canada and Order of British Columbia.

She is also a board member of Canada Infrastructure Bank, Vancouver Board of Trade, Canada Public Policy Forum, Smithsonian National Museum of the American Indian, and Chief Joe Mathias Scholarship Foundation. Kim has been appointed to the British Columbia Indigenous Business Investment Council. She believes strongly in supporting professional and leadership development of young women. Kim is a proud mother of three young girls and her ancestral name is Kwuntiltunaat.

### Mark Your Calendars with the Next Monthly Meeting

**Monday, August 13th at the North Vancouver School District Office**

Kevin Desmond, CEO Translink

*“Topic on Transit in the Lower Mainland”*



## President's Notes



I am sure that all our PROBUS members have been enjoying the wonderful late spring and early summer weather. I certainly feel fortunate to be living in such a beautiful location with so many wonderful outdoor activities so close at hand. Growing up in Winnipeg was lots of fun, but I do not miss the mosquitos!

Our next two months' speakers will be addressing topics of great national and local interest, so I hope you will be able to attend and hear what they have to present. The August meeting will be an experiment, as we are moving to a new location – the North Vancouver School Board offices on Upper Lonsdale at 20th Street. It is a wonderful facility and very accessible to all our North Shore members. Parking will be available at the Centennial Theatre, just a block away. Following the meeting, members will have the opportunity to tour the wonderful art gallery that is part of the facility. Please watch for more information in the August *Shorelines* regarding parking and access for those with mobility issues.

Past President, Dave Walker, is heading up the Nominations Committee, tasked with searching for volunteers for positions on the Management Committee. These jobs provide the direction and facilitation of our PROBUS activities and are rewarding and not too time-consuming. If you have an interest in serving our Club, please speak to Dave at one of the next meetings. While not part of the Management Committee, we are looking for a "scribe" – someone with listening and writing skills, to capture the presentations of our guest speakers. This provides us with the write-up that appears in *Shorelines* following the presentation. If you have an interest or experience in writing, please contact Darryl Stodalka.

At our next Management Committee meeting we will start discussions on a number of issues that could impact all members. We will be looking into a system of electronic payments to facilitate the collection of annual dues and payments for special events. Several PROBUS Clubs and other organizations have implemented this with great success and ease of use for the membership. We will also consider updating the website. The PROBUS Canada website is also under development and should be online soon. Our Club's 15th Anniversary is also approaching in September!

See you at the next meeting,

*John Zaplatynsky*

Contact: [president@probus-northshorevancouver.ca](mailto:president@probus-northshorevancouver.ca)

## Special Events

### Indian Arm Cruise on the Harbour Princess Tuesday, July 24th



If you haven't yet made your reservation, please do so promptly. Four hour cruise, Coal Harour to Silver Falls, including buffet lunch.



Bargain price \$65 each. Bring your friends.

Cheques to Probus, PO box 92042,  
West Vancouver, BC V7V 4X4.

Mark envelope "Cruise". List participant names.

*John Walker*

### Capilano Watershed Tour Thursday, August 23rd

The Vancouver Parks Board will arrange a Bus Tour for our Club on Thursday, August 23rd.

It will depart at 9:00 AM and a guide will relate its history, Management and future of the Capilano River Valley. Stops at several historical sites. ( About two Hours).

Registration at July meeting and further details to come.

*Jon Strom*

## New Members Introduced and Welcomed at June Meeting



**John Collings** (*member since June 2018*) John was born in Lusaka, Zambia (Northern Rhodesia). He received a B.Sc. degree at the University of Natal, South Africa (though it is now the University of Kwazulu) before coming to Canada. John's career has been in the transportation field managing projects all over the world – Hong Kong, Taipei, Singapore, various parts of Latin America and all over Canada – as a Business and Project manager, both as an employee and then for close to 20 years in his own company Collings Johnston Inc. He has served on the Vancouver Board of Trade Committees, Church Committees and enjoys playing bridge.



**Gordon Mark** (*member since May 2018*) Gordon was born in New Westminster and went to BCIT and studied Broadcast Communications. He became a TV producer with NBC Universal and worked primarily in Vancouver but also in other parts of Canada as well as Hong Kong and South Africa. Gordon was Principal and VP Production for Crescent Entertainment and was the Executive in charge of Production for Lions Gate television in Vancouver. He has produced numerous episodes of TV series and miniseries. He has won a variety of awards including American Film Institute Movie of the Year, Cable ACE best dramatic special, Gemini best dramatic program, Golden Globe best comedy nomination, and an American Comedy nomination. He enjoys boating, travel and movies.



**Alan Trammell** (*member since May 2018*) Alan was born in Toronto and studied for a B. Comm and then an MBA. After flirting with land development and construction, he acquired Pressed Metal Products here in Vancouver which he led for 41 years before selling it just a year ago. Pressed Metal Products make a variety of products such as badges for police across the country and the Order of Canada medals. He used to race cars competitively but now enjoys model railroading and playing bridge.



**Steve Wilson** (*member since June 2018*) Steve was born in Toronto and has lived in West Vancouver for 25 years. He received a BASc in Engineering from the University of Toronto and an MBA from UBC. Much later he went to the Harvard Kennedy School. His career has been in Finance starting with the TD Bank where he became President of the Venture Capital Group. He moved on to become President of HSBC Mutual Funds, then Executive Director of the BC Securities Commission before getting into consulting contract work. He is heavily involved in volunteer work particularly Junior Achievement of BC and a variety of other organizations such that he was Queens Jubilee Award winner for volunteer activities. He is a member here at Cap, enjoys fishing, and bridge.



Greeters Howard Dallimore and Spencer Hartigan



Vice President Jim Grey welcomes our newest members.

*Special thanks to photographer Darryl Stodalka*



Please Note that the  
August meeting  
will be held at the  
North Vancouver School District Office  
Details will be provided in  
the August *Shorelines* newsletter.

## Photos from Neptune Terminals Tour

### Neptune Terminals Tour

On June 13th 43 PROBUS members, split into two groups, toured the facilities of Neptune Terminals on Vancouver's North Shore.

The tour started in Neptune's head office Board Room with a presentation about the company. We then boarded a bus to go to the actual terminals only a short distance away. From there we watched coal being unloaded. They can handle up to two 8,500 ft. trains at a time. Trains so long, that when the first car is being unloaded, the last cars are still on the Second Narrows Rail Bridge.

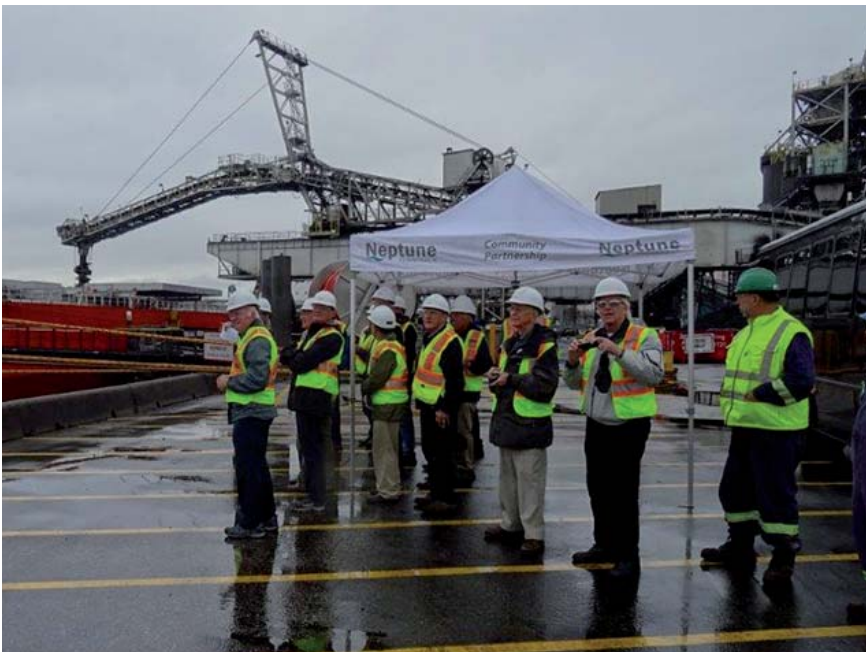
Then, after visiting the potash and phos-rock storage facilities, we went on to the wharfs, where we watched both potash and coal being loaded onto ships. We were impressed to notice not the slightest trace of coal dust anywhere in the whole loading process.

With 3 docks and highly automated equipment, Neptune Terminals can handle 330 vessels, and the export of 10 million tons of potash, 12.5 million tons of coal, along with the import of 1 million tons of phosrock per year. They operate 24/7.

All the coal exported is used for steelmaking.

*Gordon Cook*

*Photos courtesy of David Gray*



## Last Month Speaker - Chief Justice C.E. Hinkson



**Speaker Chief Justice C.E. Hinkson thanked by VP Jim Grey with a bowl hand crafted by a member.**

*Content submitted by Darryl Stodalka*

Chief Justice Hinkson took time from his busy schedule to explain the many duties of his office, interspersed with amusing personal anecdotes from his varied career. As the Chief Justice, he sits on cases as well as attends to administration of the judges and masters of the Court in British Columbia.

The Supreme Court of BC is the province's superior trial court. It is a court of general and inherent jurisdiction. That means that it can hear any type of case, civil, family or criminal (not tax, Court Martial or patent). The Supreme Court hears most appeals from the Provincial Court in civil and criminal cases and appeals from arbitrations.

Judicial independence is guaranteed by our constitution. All the judges make decisions independently. Only the Court of Appeal has jurisdiction to vary a decision if an appeal is made.

Canada follows the common law system that originated in England. This is sometimes called "judge-made law", because judges reach their findings through consideration of the evidence before them, statutes, and precedents established in prior decisions. Consideration of past decisions allows the law to develop incrementally in a consistent manner.

Chief Justice Hinkson's administrative decisions include the assignment of cases to judges and overseeing matters of the court infrastructure such as funding for physical court house facilities and operation of the court registries.

In 2017 the Court heard more than 870 applications. The breakdown was approximately 60% civil, 23% criminal and 18% family. The Supreme Court is a circuit court, meaning that judges travel to hear cases in smaller communities. 60% of cases are heard in the Lower Mainland (Vancouver, New Westminster and Chilliwack).

Outside of the Lower Mainland, the Court also sits in communities in the interior and the north: Penticton, Rossland, Cranbrook, Nelson, Kelowna, Kamloops, Vernon, Salmon Arm, Revelstoke, Golden, Williams Lake, Quesnel, Prince George, Terrace, Smithers, Prince Rupert, Dawson Creek, Fort St. John and Fort Nelson.

On Vancouver Island, the Supreme Court sits in Victoria, Nanaimo, Port Alberni, Duncan, Courtney and Campbell River.

Litigants may elect to be tried by a judge and jury. In 2017, there were 11 civil jury trials and 51 criminal jury trials at the Supreme Court level in the province of BC. The majority of cases are tried by judge alone.

The vast majority of new cases filed every year are settled by the parties outside of Court. A small fraction of them go to trial.

In particular, most motor vehicle accident cases settle before trial. The Court encourages parties to sort out differences and preferably to settle before matters reach a full trial for example through settlement conferences.

The number of judges in each province is set by statute. As of April 2018, the BC Supreme Court had 104 judges, 20 of whom are supernumerary or semi-retired. The Court is currently 6 judges short of a full complement. Also, the Court has been waiting since last year for the Prime Minister to appoint an Associate Chief Justice as well as other judicial appointments.

On trials, judges usually sit from 4 to 4.5 hours per day. While this may seem like a short working day, what the public and even the litigants do not see is the time it takes to prepare for hearings to happen and to issue reasons once proceedings have concluded. Outside of trial hours judges sit on a variety of conferences with litigants. Judges are also assigned to hear applications in Chambers which address interim decisions and procedural matters, and evidence is presented by affidavit rather than by people testifying.

In Canada Judges of the Superior Courts, including the BC Supreme Court, are appointed (versus elected as in the USA) and paid by the federal Minister of Justice. The appointment process helps ensure that judges come to the bench with strong qualifications and on their own merits, rather than on popularity, thus bolstering judicial independence and neutrality. This allows judges to devote all their time to their work, rather than on campaigning.

The federal Judges Act requires that a person wanting to be a judge must have practiced law for 10 years, must have maintained good standing with a provincial Law Society that can attest to their fitness for judicial office. Judges are statutorily required to retire when they turn 75. As judges are independent, they can only be removed from office in instances of serious misconduct that put their fitness for office into question.

As impartial decision-makers, the courts are a critical part of our democracy. Since judges often adjudicate on cases concerning legislation or government decision-making, the courts serve as a check on the power of the legislature and the executive branches of government.

The media serve an important role in educating the public about how the courts work and what the outcomes of particular cases are. Members of the media (unlike lawyers) are accorded a special privilege to record audio for the limited purpose of verifying their notes, provided that audio is subsequently destroyed. If a court orders a publication ban restricting publication of the names of witnesses in a prosecution involving organized crime, members of the media must abide by the ban.

The complexity of cases before the court means longer and longer trials. This is partly a product of the globalization of modern commerce. Additionally, the use of electronic communications has greatly expanded the number of documents submitted into evidence in most actions and thus the time that it takes to hear them.

These factors contribute to longer waits for trials and more interlocutory proceedings before trials start. They also tend to make going to court more expensive.