



February 13, 2023

Hon. David Eby  
Premier of British Columbia  
PO Box 9041  
Stn Prov Govt  
Victoria, British Columbia  
V8W 9E1

(By email to [premier@gov.bc.ca](mailto:premier@gov.bc.ca))

Hon. Niki Sharma, KC  
Attorney General of  
British Columbia  
PO Box 9044  
Stn Prov Govt  
Victoria, British Columbia  
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(By email to [AG.Minister@gov.bc.ca](mailto:AG.Minister@gov.bc.ca))

Dear Premier and Attorney General:

**RE: BILL 5 – COMPELLED ASSOCIATION, NOT FREEDOM OF ASSOCIATION**

I am the President of the Association of Justice Counsel (AJC), the union representing 3,100 federal public sector lawyers employed by the Department of Justice Canada; the Public Prosecution Service of Canada; and independent courts, tribunals, commissions and agencies.

The AJC vehemently opposes the BC Government's attempt, through legislation, to force BC Government civil lawyers to be part of an existing public sector union, rather than allowing them to exercise their freedom of association, as guaranteed by the *Charter*, to form and be represented by a union of their own choice.

In our view, Bill 5 is a gross violation of section 2 (d) of the *Charter*. The violation is particularly egregious, given that many years ago the BC Government recognized the BC Crown Attorneys Association as the bargaining agent for prosecutors, and the BC Government Lawyers

Association (BCGLA) already had a pending application before the labour board to be recognized as a union.

Our BC colleagues already have their own association. They want the BCGLA to be recognized as their union. They do not want to be compelled to join a union of the Government's choosing. Bill 5 is compelled association, not freedom of association.

The AJC was certified as the exclusive bargaining agent for federal public sector lawyers (including advisory counsel, legislative counsel, prosecutors and civil litigators) in 2006. Our members overwhelmingly supported having the AJC, an association of lawyers, represent them as a union, even though joining another federal union was an option. At no time did the Government of Canada attempt to force federal public sector lawyers to join an existing union. Our members have been well served by the AJC, and I fully expect that BC Government lawyers will be well served by the BCGLA.

The NDP has long supported the rights of workers to organize in an association of their choice and to bargain collectively. Bill 5 is a twisted and perverse betrayal of this core principle.

The AJC will stand shoulder-to-shoulder with our colleagues in the BCGLA in opposition to Bill 5.

Yours truly,



David McNairn  
President /Président