

Reply Attention of: Ludmila B. Herbst, Q.C.
Direct Dial Number: 604 661 1722
Email Address: lherbst@farris.com

FARRIS

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BY EMAIL

Commission of Inquiry into Money Laundering in British Columbia
PO Box 10073, 601 – 700 West Georgia Street
Vancouver, BC V7Y 1B6

Attention: Brock Martland, Q.C. and Patrick McGowan, Q.C.


Dear Sirs:

Re: Commission of Inquiry into Money Laundering in BC

We have had the opportunity to review the submissions filed by various participants on July 30–August 6, 2021. We write further to paragraphs 26-29 of the Reply Submissions of the Coalition of Transparency International Canada, Canadians for Tax Fairness and Publish What You Pay Canada (the **TI Coalition**) dated July 30, 2021 (the **Second TI Submission**). If paragraphs 26-29 are to be considered despite the TI Coalition’s lack of standing (and commensurate lack of direct evidence or cross-examination) in the professional services sector, we ask for leave to file the brief reply below.

In paragraph 27 of the Second TI Submission, the TI Coalition states, in purported “reply” to the Law Society’s Closing Submissions of July 9, that “it is insufficient for the Law Society to privately embark on anti-money laundering compliance efforts while leaving the public in the dark on how they detect and audit law firms and lawyers on compliance”. The suggestion that this is what the Law Society does or aims to do is wrong. It disregards the Law Society’s committed participation from the outset of this public inquiry, including its significant document disclosure and the testimony of the Law Society’s senior leadership. The TI Coalition’s submission is also disconnected from the content of the evidence before the Commission. As set out in Exhibit 226, the Law Society publicly profiles its AML actions, including through an AML-specific portion of its website which links the public to “webpages on AML measures in BC, the Law Society’s participation in the Cullen Commission, client identification and verification, the Trust Assurance Program, and guidance for the profession” (paras. 5-7). Discipline hearing decisions are typically posted online, including on CanLII (Exhibit 223, para. 43). Further, the Law Society’s extensive oral and written evidence in this inquiry forms part of the public record and is posted on the Commission’s website, including Exhibit 225 (“Trust Assurance Program Summary”), Exhibit 223 (“Investigations and Discipline Programs Summary”) and Exhibit 222 (“Introduction to the Law Society”, with AML Strategic and Operational Plans at Appendices B and C). Otherwise with respect to paragraphs 26-29, we rely on our Closing and Responding Submissions of July 9 and 30, 2021.

Yours truly,
FARRIS LLP

Per: 
Ludmila B. Herbst, Q.C.

LBH/trw

c.c.: TI Coalition, Government of Canada, Province of British Columbia, SNPBC, CBABC/CDAS, BCCLA, BCGEU, CPABC, CPA Canada

FARRIS LLP

25th Floor – 700 W Georgia Street Vancouver, BC Canada V7Y 1B3
Tel 604 684 9151 farris.com