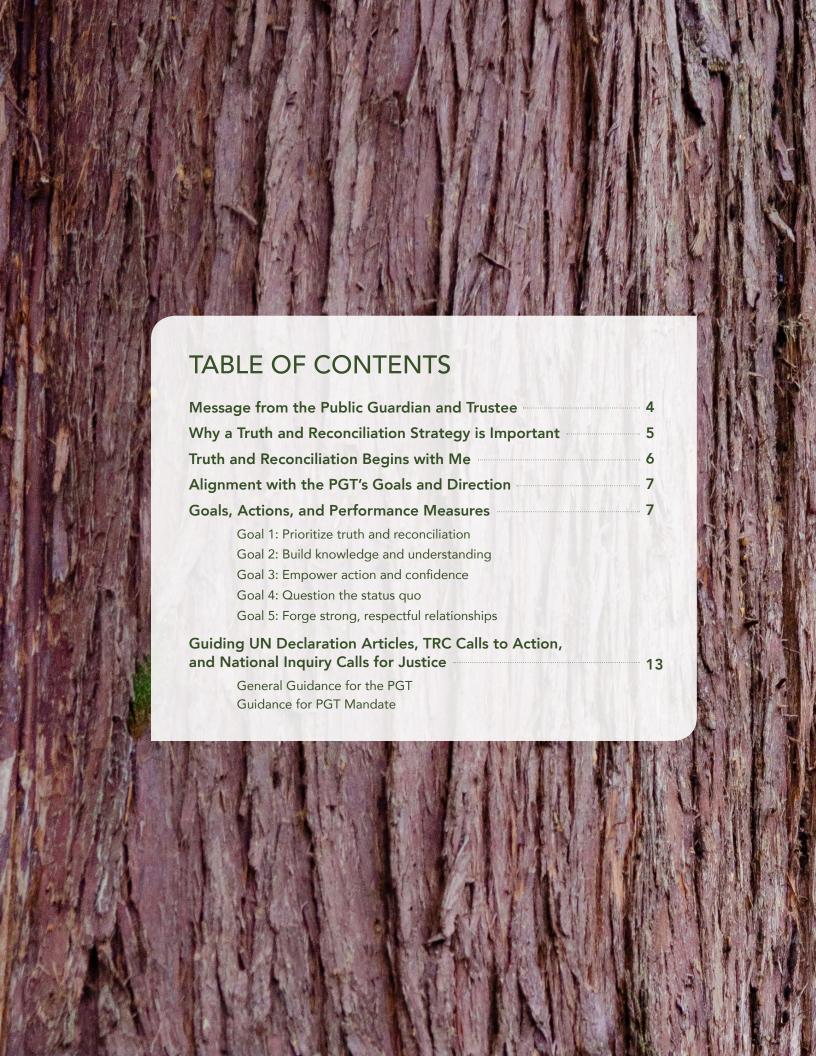




Prepared by Sarah Robinson, Rainwatch Advising www.rainwatch.ca

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Rainwatch Advising is gratefully based in Toquaht Nation territory.





## MESSAGE FROM THE PUBLIC GUARDIAN AND TRUSTEE

In recent years, the leadership team of the Public Guardian and Trustee ("the PGT") has provided a variety of opportunities for staff to learn about the lived experience of Indigenous peoples in Canada, including the traumatic impact of the residential school system on generations of Indigenous families and their communities. Staff have been encouraged to participate in the experiential learning provided by the Building Bridges Through Understanding the Village workshop, and as well to discover the history of Indigenous-Crown relations in British Columbia. Many PGT staff members have been inspired by the calls to action from the Commissioners of the Truth and Reconciliation Commission, and the calls for justice from the National Inquiry into Missing and Murdered Indigenous Women and Girls.

As citizens of British Columbia and as public servants charged with the important duty of delivering PGT statutory services to our clients – many of whom are Indigenous – we have a need and, indeed, the desire to advance reconciliation with Indigenous peoples. In a recent survey on the subject of truth and reconciliation, 90% of PGT staff agreed that it is important for the PGT to create and implement a truth and reconciliation strategy.

The question for many of us, however, has been about how to act on truth and reconciliation in a genuine, meaningful, and respectful manner. What can we do as a public body or as individuals to contribute to reconciliation? How can we effect social change?

With these questions in mind, we sought the advice of an Indigenous consultant and worked with over 160 PGT staff to develop a truth and reconciliation strategy that is unique to the PGT and which aligns with the PGT's goals and values. It provides us with a guide to meaningful action to advance truth and reconciliation. I am very pleased to introduce our strategy, "Seeking Truth, Pursuing Reconciliation." These words aptly describe the actions we hope to take, both as an organization and individually, to seek truth through continued learning and to contribute to positive social change. I hope that you will read the strategy with interest and be inspired to take action in the interests of seeking truth and pursuing reconciliation with Indigenous peoples.

Catherine Romanko
Public Guardian and Trustee



## WHY A TRUTH AND RECONCILIATION STRATEGY IS IMPORTANT

Many Canadians and public servants have not had the opportunity to learn the true history of the lands now known as Canada. In these territories, Indigenous peoples lived through decades of legislated oppression - including mandatory attendance at residential schools - and continue to feel the effects of ongoing colonialism today. The Truth and Reconciliation Commission (TRC) spent six years travelling the country to bring forth residential school survivors' stories, so that truth may lay a strong foundation for reconciliation. As the TRC final report stated, "reconciliation is not an Aboriginal problem; it is a Canadian one."

Canada is made up of vibrant, diverse, multicultural communities and peoples, most of whom celebrate roots in places other than Canada. Indigenous cultures are equally as vibrant and diverse, but are unique because Indigenous peoples are original to this place. Accordingly, as newcomers in Indigenous territories it is appropriate to pay particular attention to relationships with Indigenous peoples.

In this spirit, the Public Guardian and Trustee wishes to meaningfully pursue truth and reconciliation. Acknowledging Indigenous territories is a positive first step, but further action is required to disrupt 'business as usual.' Accordingly, this strategy is a call to motivate action. We recognize that creating change, revealing truth, and pursuing reconciliation are ongoing, multi-generational efforts.

It is a way of life, not a destination with an endpoint.

There is no better time to begin this work, and we have the guidance required to do so. In 2015, the Truth and Reconciliation Commission's final report provided 94 calls to action to ensure Canada has the opportunity to learn from its racist origins and discriminatory mistakes, such as residential schools. In 2016, Canada fully endorsed the United Nations Declaration on the Rights of Indigenous Peoples, which provides a framework for reconciliation efforts. And, in 2019 the National Inquiry into Missing and Murdered Indigenous Women and Girls released its final report. It provided 231 calls for justice to confront root causes of colonial violence and improve quality of life for Indigenous women, girls, and 2SLGBTQQIA people [two-spirit, lesbian, gay, bisexual, transgender, queer, questioning, intersex, and asexual].

Additionally, in 2018 the Province of British Columbia released draft principles to guide its relationships with Indigenous peoples, and passed legislation in 2019 to bring BC laws into alignment with the United Nations Declaration on the Rights of Indigenous Peoples. The Public Guardian and Trustee will proactively pursue these efforts, so that we may serve Indigenous peoples and all British Columbians to the best of our ability.

It's time to get comfortable with Canada's uncomfortable history and take action to right the wrongs of the past. This strategy is but one contribution to that effort.



# ALIGNMENT WITH PGT'S GOALS AND DIRECTION

This strategy aligns with many of the PGT's identified goals and objectives. By pursuing truth and reconciliation, each employee – regardless of their role – is also pursuing the PGT's goals and objectives, such as to:

- contribute to a fair and just society
- · pursue success through relationships
- engage and empower staff
- develop motivated, skilled, and accountable leaders and staff
- optimize client service delivery
- advocate for law reform on matters that will affect client interests
- contribute to public awareness, policy development, and law reform initiatives to promote the interests of PGT clients.

Additionally, in 2018 the Province of British Columbia released 10 Draft Principles to guide its relationships with Indigenous peoples. In 2019, the Province passed legislation, the BC Declaration on the Rights of Indigenous Peoples Act, to anchor the United Nations Declaration on the Rights of Indigenous Peoples in provincial law. This legislation will create change in years to come, and it is wise for the PGT to begin contributing now. We call on all PGT employees to help us make this transformational and societal shift.

## GOALS, ACTIONS, AND PERFORMANCE MEASURES

This strategy provides goals, actions, and performance measures to guide the Public Guardian and Trustee as we pursue truth-telling and reconciliation. About 160 employees provided input, proposed action items, and identified the following barriers that the strategy must address:

- the PGT must clearly identify truth and reconciliation as an organizational priority
- some employees lack knowledge and understanding about Indigenous matters
- some employees do not feel confident engaging with Indigenous matters
- employees want to take action but don't know how to start
- British Columbia's legislative and regulatory framework sometimes conflict with Indigenous legal systems, values, and worldviews
- it is difficult to build relationships with Indigenous peoples, Nations, and organizations from an office environment.

To respond to these concerns, this strategy is built upon the following goals:

- 1. Prioritize truth and reconciliation
- 2. Build knowledge and understanding
- 3. Empower action and confidence
- 4. Question the status quo
- 5. Forge strong, respectful relationships

## **GOAL 1: PRIORITIZE TRUTH AND RECONCILIATION**

Ninety percent of surveyed PGT employees agreed or strongly agreed that it is important that the PGT develop and implement a Truth and Reconciliation Strategy. The following actions will signal that truth and reconciliation is one of the PGT's distinct priorities, and that this effort is vital to our inclusive workplace culture. Importantly, we acknowledge that truth precedes reconciliation, and that we must embrace truth-telling to make reconciliation feel meaningful.

	ACTIONS	PERFORMANCE MEASURES	OWNER
1.1	Executive presents Truth and Reconciliation Strategy as one of PGT's distinct priorities	<ul> <li>T&amp;R Strategy and T&amp;R Personal Action Plan introduced to all staff within 30 days of release (Target: April 15, 2020)</li> </ul>	• PGT
		<ul> <li>T&amp;R Strategy revisited at staff meetings every 6 months to encourage implementation (Target: April 15 and September 15 annually)</li> </ul>	PGT Leadership team members
1.2	New employees receive Truth and Reconciliation Strategy, and Truth and Reconciliation Personal Action Plan, as part of 'onboarding'	• 100% of new employees receive T&R Strategy and T&R Personal Action Plan	PGT Leadership team members
1.3	PGT develops new e-learning module to roll out Truth and Reconciliation Strategy to new employees	• E-learning module developed to include in new employee onboarding (Target: March 1, 2021)	<ul> <li>Manager,         Corporate Planning         and Performance     </li> </ul>
1.4	PGT external meetings and events acknowledge local Indigenous territories. Regularly scheduled internal meetings are strongly encouraged to acknowledge local Indigenous territories, and provide 1-2 new pieces of information about Indigenous Nations or topics to build staff knowledge. Presenters to rotate on a volunteer basis	<ul> <li>Number of external meetings and events that do so</li> </ul>	<ul> <li>PGT Leadership team members</li> </ul>
		<ul> <li>Executive monitors how internal division meetings are rolling this out</li> </ul>	• Executive Directors
		<ul> <li>Corporate and divisional agenda templates revised to incorporate 'territory acknowledgement and new information' as a standing item, suggesting that presenters rotate on a volunteer basis</li> </ul>	<ul> <li>Meeting Chairpersons</li> </ul>
1.5	Truth, Reconciliation and Diversity Working Group tracks high-level implementation of the Truth and Reconciliation Strategy	<ul> <li>Annual implementation report (for distribution to staff, and inclusion in PGT's annual report) (Target: June 30 annually, following fiscal year end)</li> </ul>	<ul> <li>Truth, Reconciliation and Diversity Working Group</li> </ul>

## **GOAL 2: BUILD KNOWLEDGE AND UNDERSTANDING**

Ninety-six percent of surveyed PGT employees agreed or strongly agreed that all PGT employees should be informed about issues that impact Indigenous peoples. Correspondingly, a majority of those surveyed identified 'lack of knowledge' or 'lack of understanding' as barriers to pursuing truth and reconciliation.

It is important that PGT employees – and all Canadians – take action to learn about Canada's true history and about Indigenous peoples, histories, and cultures, in order to build knowledge and understanding.

	ACTIONS	PERFORMANCE MEASURES	OWNER
2.1	PGT will ensure that one learning option at the annual PGT All Staff Day is Indigenous-focused	All Staff Day agendas	<ul> <li>Manager, Executive and Corporate Initiatives</li> </ul>
2.2	PGT will organize optional Truth and Reconciliation Quarterly Conversations to provide staff from each division with a setting for conversation and learning. A list of suggested topics is provided on the Truth and Reconciliation Personal Action Plan	Four T&R Quarterly Conversations organized per year	<ul> <li>Truth, Reconciliation and Diversity Working Group</li> </ul>
2.3	PGT will continue to provide opportunities for employees to take required "Building Bridges through Understanding the Village" training	Percentage of employees     who have done so	<ul> <li>Data and Research Officer</li> </ul>
2.4	PGT will annually provide staff with a list of Indigenous-focused BCPSA training, experiential training, and other learning opportunities	<ul> <li>Training opportunities distributed when T&amp;R Strategy is annually revisited at staff meetings (Target: April 15 or September 15 annually)</li> </ul>	Corporate Training     Committee
2.5	Make the CYS Indigenous Cinema Club available to all employees	Number of people attending each Indigenous cinema event	<ul> <li>Corporate Training Committee</li> </ul>

## **GOAL 3: EMPOWER ACTION AND CONFIDENCE**

A majority of surveyed PGT employees expressed that they do not feel confident or informed when engaging with matters that impact Indigenous peoples. It's natural to feel uncomfortable during periods of learning and growth, but it's important to push personal boundaries to empower action and confidence. The PGT encourages a workplace culture that embraces courageous learning and questioning.

If one person has a question, many others do too. If one person takes action, others will too. As one employee expressed, "the work of truth and reconciliation is hard, but we're all in this together."

	ACTIONS	PERFORMANCE MEASURES	OWNER
3.1	Truth, Reconciliation and Diversity Working Group drives implementation of the Truth and Reconciliation Strategy	<ul> <li>Truth, Reconciliation and Diversity Working Group discusses T&amp;R Strategy implementation as a standing agenda item</li> </ul>	Chairperson
3.2	Encourage employees to annually spend 2 out of 10 client service related learning hours on topics related to Indigenous peoples	<ul> <li>Percentage of employees who have done so</li> </ul>	PGT Leadership team members
3.3	PGT will coordinate opportunities for employees to attend or participate in key events or initiatives, and have staff dialogue about their learnings	<ul> <li>The PGT will participate in the following events:</li> </ul>	<ul> <li>Executive Director, Corporate Projects and Strategic Operations</li> </ul>
		<ul> <li>Annual march for murdered and missing Indigenous women (Feb. 14)</li> </ul>	
	PGT will coordinate volunteer opportunities at these and other events, where possible and appropriate	<ul> <li>Moose Hide Campaign Day (typically in Feb.)</li> </ul>	
		<ul> <li>Indigenous Peoples Day (June 21)</li> </ul>	
		<ul> <li>Orange Shirt Day (Sept. 30)</li> </ul>	
		Reconciliation Canada events	

## **GOAL 4: QUESTION THE STATUS QUO**

Colonialism is the forced attempt by one people to replace another people's laws, traditions, and systems with its own (under the belief that its own approaches are superior). The PGT acknowledges Canada's history of ongoing colonialism, which is promoted through the Indian Act and Western legal systems. Indigenous peoples have lived through decades of legislated oppression under the Indian Act, which is still in effect today and which has created an inequitable status quo.

We know that Canadian and provincial legislation is based on Western legal systems which invisibly promote Western values and worldviews, and which may conflict with Indigenous legal systems, values, and worldviews. These conflicts may arise from time-to-time in the PGT's work. For example, Western law places emphasis on individual rights and property use, whereas many Indigenous laws place emphasis on collective rights and familial property use. Or, Western cultures often measure wealth by what a person owns, whereas many Indigenous cultures measure wealth by what a person or family can afford to give away.

Canadians must learn about the true history and systemic oppressions upon which our legal regime is based, and then boldly question the status quo to advocate for equitable and positive societal change. We encourage PGT employees to reflect on this history, consider Indigenous perspectives, and advise their managers if values conflicts arise. We must get comfortable with Canada's uncomfortable history.

#### **ACTIONS**

#### PERFORMANCE MEASURES

#### **OWNER**

- If an employee faces a situation in which the PGT's statutory obligations conflict with Indigenous values or interests, the employee is strongly encouraged to advise their supervisor in order to find an appropriate way to advance the client's interests in a culturally sensitive manner
- Supervisors identify these situations to Executive for discussion and resolution
- Add as a standing item to divisional team meeting agendas to encourage employees to learn from and support one another
- PGT Leadership team members
- Executive Directors

- 4.2 Executive discusses situations in which the PGT's statutory obligations may not align with Indigenous values or approaches, in order to advocate for law or policy reform where appropriate
- Add as a standing agenda item to Executive quarterly meeting agendas
- Manager, Strategic Initiatives and **Executive Office**

- **4.3** Encourage employees to learn about racism and intersectional privileges that are woven into Canadian systems and institutions
- PGT will provide at least one learning opportunity per annum for staff to learn about systemic racism and intersectional privileges
- Corporate Training Committee

- **4.4** Incorporate BCPSA Indigenous Relations Behavioural Competencies (IRBCs) into PGT job profiles, hiring matrices, and employee performance reviews
- PGT will incorporate IRBCs into all job profiles within the next two years (Target date: March 31, 2022)
- PGT will create an Indigenous Hiring Action Plan within the next three years (Target date: March 31, 2023)
- Executive Director, Corporate Projects and Strategic Operations

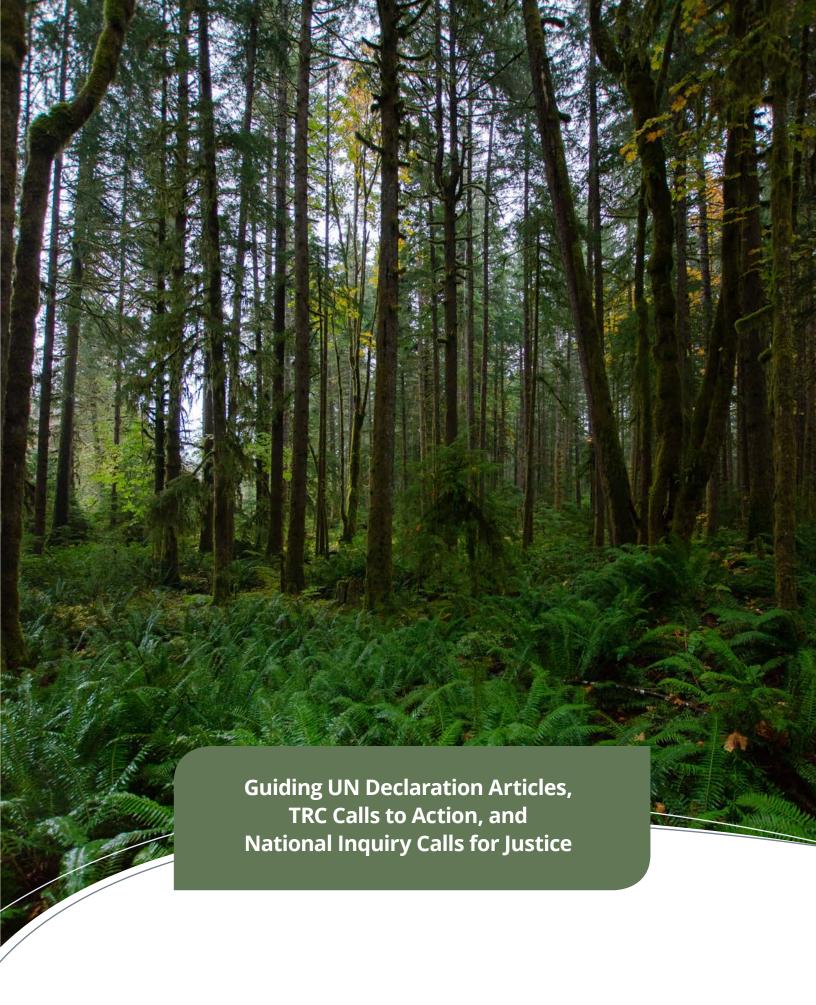
## **GOAL 5: FORGE STRONG, RESPECTFUL RELATIONSHIPS**

Revealing truth and pursuing reconciliation requires thoughtful action, and this work does not take place in a vacuum or sitting at a desk. This effort will only be sustained by building strong, respectful relationships with Indigenous peoples, Nations, families, organizations, and partners. The PGT is committed to learning from Indigenous peoples, values, and worldviews, and to spreading awareness about our areas of responsibility.

We are client centered, and encourage employees to gain knowledge and build understanding about the people we serve. We must thoughtfully work to acknowledge clients' perspectives, lived experiences, and the impact of colonialism (on both Indigenous and non-Indigenous peoples). It's important to meet clients where they're at and put their needs first.

#### **ACTIONS** PERFORMANCE MEASURES **OWNER** Corporate Training 5.1 PGT will invite guest speakers, • Annual number of guest speakers Committee including local Indigenous people, who present about matters that impact Indigenous peoples to give presentations or host small group conversations about matters that impact Indigenous peoples. Opportunities will be available at all PGT offices, and will compensate speakers appropriately (e.g. honorariums or contract fees) • Annual number of public education 5.2 PGT continues to offer displays, PGT Leadership events offered to Indigenous presentations and workshops to team members organizations or at appropriate events Indigenous organizations or at appropriate events Managers will encourage employees to attend or organize volunteer opportunities, if appropriate **5.3** Seek out opportunities to meet Annual number of meetings with PGT Leadership with Indigenous Nations and Indigenous Nations and organizations team members organizations to learn, seek feedback, and build relationships, particularly among front-line representatives • Executive researches and considers **5.4** PGT will research the potential • Executive Committee of establishing an Indigenous advisory council models Advisory Council or a CYS Youth

Indigenous Advisory Council



The PGT aims to create a workplace culture that pursues truth-telling and reconciliation. To do so, we draw guidance from three key documents:

#### **UN DECLARATION**

The **United Nations Declaration on the Rights of Indigenous Peoples** lays out 46 articles that provide a framework for reconciliation efforts and establish minimum standards for Indigenous peoples' survival, dignity, and well-being. The articles acknowledge Indigenous peoples' inherent rights. A few main themes are: the right to be recognized as distinct peoples, the right to selfdetermination, the right to be free from discrimination, protections for cultural rights, and the right to free, prior, and informed consent during decisionmaking processes.

The UN Declaration is the product of almost 25 years of deliberations between Indigenous peoples and United Nations' member states. Canada refused to endorse the UN Declaration in 2007, but fully endorsed it in 2016.

#### **TRC**

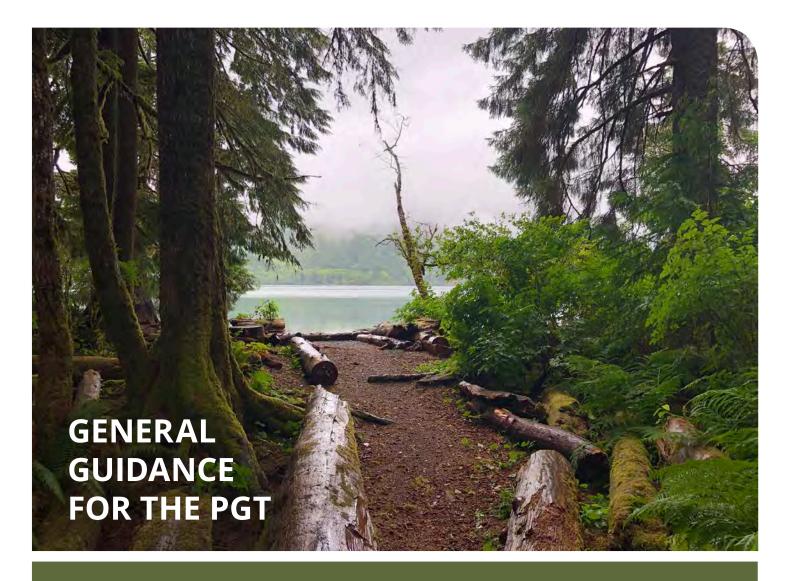
The Truth and Reconciliation Commission's Final Report shares the experiences of thousands of Indigenous children who were forced to attend Canadian residential schools, where many children suffered significant physical, sexual, emotional, spiritual, and mental abuse. The last Canadian residential school closed in 1996.

The TRC Final Report provides 94 calls to action that urge all levels of government to repair the harm caused by residential schools and to promote reconciliation. It describes reconciliation as "establishing and maintaining a mutually respectful relationship between Aboriginal and non-Aboriginal peoples in this country. In order for that to happen, there has to be awareness of the past, an acknowledgement of the harm that has been inflicted, atonement for the causes, and action to change behaviour."

#### **NATIONAL INQUIRY**

The Final Report of the National Inquiry into Missing and Murdered <u>Indigenous Women and Girls</u> exposes colonial violence and human rights violations that disproportionately impact Indigenous women, girls, and 2SLGBTQQIA people. It determined that these impacts amount to genocide, and offers 231 calls for justice to improve quality of life for Indigenous women, girls, and 2SLGBTQQIA people.

Although all of the information in these documents is vital, there are UN Declaration articles, TRC calls to action, and National Inquiry calls for justice that are particularly relevant to the PGT and our mandate. These guiding pieces of information are listed on the following pages.



## **UN DECLARATION ON THE RIGHTS OF INDIGENOUS PEOPLES**

#### Article 2

Indigenous peoples and individuals are free and equal to all other peoples and individuals and have the right to be free from any kind of discrimination

#### Article 7.1

Indigenous individuals have the rights to life, physical and mental integrity, liberty and security of person

#### Article 15.1

Indigenous peoples have the right to the dignity and diversity of their cultures, traditions, histories and aspirations

#### Article 15.2

States shall take effective measures, in consultation and cooperation with the Indigenous peoples concerned, to combat prejudice and eliminate discrimination and to promote tolerance, understanding and good relations among Indigenous peoples and all other segments of society

#### Article 46.3

The provisions set forth in this Declaration shall be interpreted in accordance with the principles of justice, democracy, respect for human rights, equality, non-discrimination, good governance and good faith

## TRUTH AND RECONCILIATION COMMISSION'S **CALLS TO ACTION**

#### Call to Action 27

We call upon the Federation of Law Societies of Canada to ensure that lawyers receive appropriate cultural competency training, which includes the history and legacy of residential schools, the United Nations Declaration on the Rights of Indigenous Peoples, Treaties and Aboriginal rights, Indigenous law, and Aboriginal-Crown relations. This will require skills-based training in intercultural competency, conflict resolution, human rights, and anti-racism

#### Call to Action 43

We call upon federal, provincial, territorial, and municipal governments to fully adopt and implement the United Nations Declaration on the Rights of Indigenous Peoples as the framework for reconciliation

#### Call to Action 47

We call upon federal, provincial, territorial, and municipal governments to repudiate concepts used to justify European sovereignty over Indigenous peoples and lands, such as the Doctrine of Discovery and terra nullius, and to reform those laws, government policies, and litigation strategies that continue to rely on such concepts

#### Call to Action 57

We call upon federal, provincial, territorial, and municipal governments to provide education to public servants on the history of Aboriginal peoples, including the history and legacy of residential schools, the United Nations Declaration on the Rights of Indigenous Peoples, Treaties and Aboriginal rights, Indigenous law, and Aboriginal-Crown relations. This will require skillsbased training in intercultural competency, conflict resolution, human rights, and anti-racism

## FINAL REPORT OF THE NATIONAL INQUIRY INTO MISSING AND MURDERED INDIGENOUS WOMEN AND GIRLS

#### Call for Justice 15.2

Decolonize by learning the true history of Canada and Indigenous history in your local area. Learn about and celebrate Indigenous Peoples' history, cultures, pride, and diversity, acknowledging the land you live on and its importance to local Indigenous communities, both historically and today

#### Call for Justice 15.4

Using what you have learned and some of the resources suggested, become a strong ally. Being a strong ally involves more than just tolerance; it means actively working to break down barriers and to support others in every relationship and encounter in which you participate

#### Call for Justice 15.5

Confront and speak out against racism, sexism, ignorance, homophobia, and transphobia, and teach or encourage others to do the same, wherever it occurs: in your home, in your workplace, or in social settings

#### Call for Justice 15.7

Create time and space for relationships based on respect as human beings, supporting and embracing differences with kindness, love, and respect. Learn about Indigenous principles of relationship specific to those Nations or communities in your local area and work, and put them into practice in all of your relationships with Indigenous peoples

### GUIDANCE FOR PGT MANDATE

### **PGT MANDATE:**

Protect the legal and financial interests of children under the age of 19 years

#### Article 17.2

States shall, in consultation and cooperation with Indigenous peoples, take specific measures to protect Indigenous children from economic exploitation... taking into account their special vulnerability and the importance of education for their empowerment

#### Article 22.1

Particular attention shall be paid to the rights and special needs of Indigenous elders, women, youth, children, and persons with disabilities in the implementation of this Declaration

#### Call to Action 2

We call upon the federal government, in collaboration with the provinces and territories, to prepare and publish annual reports on the number of Aboriginal children who are in care, compared

with non-Aboriginal children, as well as the reasons for apprehension, the total spending on preventive and care services by child-welfare agencies, and the effectiveness of various interventions

### Call for Justice 12.3

We call upon all governments and Indigenous organizations to develop and apply a definition of "best interests of the child" based on distinct Indigenous perspectives, worldviews, needs, and priorities, including the perspective of Indigenous children and youth. The primary focus and objective of all child and family services agencies must be upholding and protecting the rights of the child through ensuring the health and well-being of children, their families, and communities, family unification, and reunification

#### Call for Justice 12.12

We call upon all child and family services agencies to engage in recruitment efforts to hire and promote Indigenous staff, as well as to promote the intensive and ongoing training of social workers and child welfare staff in the following areas:

- history of the child welfare system in the oppression and genocide of Indigenous Peoples
- anti-racism and anti-bias training
- local language and culture training
- sexual exploitation and trafficking training to recognize signs and develop specialized responses

#### **PGT MANDATE:**

Protect the legal, financial, personal and health care interests of adults who require assistance in decision making

#### Article 18

Indigenous peoples have the right to participate in decision-making in matters which would affect their rights

#### Article 24.2

Indigenous individuals have an equal right to the enjoyment of the highest attainable standard of physical and mental health

#### Call for Justice 15.6

Protect, support, and promote the safety of women, girls, and 2SLGBTQQIA people by acknowledging and respecting the value of every person and every community, as well

as the rights of Indigenous women, girls, and 2SLGBTQQIA people to generate their own, self-determined solutions



### **PGT MANDATE:**

Administer the estates of deceased and missing persons

Indigenous peoples have the right... to maintain, protect and develop the past, present, and future manifestations of their cultures, such as archaeological and historical sites, artefacts, designs, ceremonies, technologies, and visual and performing arts and literature.

**UN DECLARATION** 



