

# Truth and Reconciliation Framework

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## Message from the PGT

In 2019, we collaborated with Sarah Robinson to create our first Seeking Truth and Pursuing Reconciliation Strategy for the Public Guardian and Trustee (PGT). Sarah was from the Fort Nelson and Saulneau First Nations in Treaty 8 territory and sadly, she died in 2021 at the age of 35. She was a wife, daughter and advocate for Indigenous women and she left her mark on the PGT. Sarah challenged us while at the same time making it a safe place for the staff and the organization to learn and begin the journey of seeking truth and pursuing reconciliation in meaningful ways.

Over these past few years, we have changed policies and practices, engaged in continuous learning and began working with Indigenous Governing Bodies with respect to the implementation of Bill 38, the Indigenous Self-Government in Child and Family Services Act. We are eager to be good partners with First Nations as they reclaim jurisdiction for child and family services for their people.

As we move forward on this path to reconciliation, we want to preserve much of what Sarah created for us in 2019. We looked to turn the timebound strategy into a framework of principles that guide how the PGT seeks to be a collaborative, respectful and engaged partner with Indigenous communities – a partner that uses a distinctions-based approach and supports truth and reconciliation. Part of that means being accountable and transparent and we will do that by reporting our efforts in our various reports.

I look forward to continuing our work with Indigenous Governing Bodies, partners, communities and peoples that we serve as we move forward.

**Dana Kingsbury,**  
Public Guardian and Trustee





## Why truth and reconciliation 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 strives 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 framework guides and motivates our actions. We recognize that creating change, revealing truth, and pursuing reconciliation are ongoing, multi-generational efforts.

We have ample guidance to help us move forward in a meaningful manner:

- 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
- 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]. The Vancouver Downtown Eastside Women's Centre released its own report, "[Red Women Rising](#)", about missing and murdered women in the Vancouver Downtown Eastside
- Additionally, the Province of British Columbia [passed legislation in 2019](#) to bring B.C. laws into alignment with the United Nations Declaration on the Rights of Indigenous Peoples

- In 2022, the Province [passed legislation](#) to return the jurisdiction for child and family services to Indigenous Governing Bodies
- In 2023, the Province implemented a [Distinctions-based approach when working with Indigenous peoples](#)

Since 2019, there have been many reports issued in B.C. about systemic barriers and issues of racism impacting Indigenous peoples' experiences with government services, including the health care system and the child welfare system. The PGT reviews all relevant reports and case law to inform and improve our own practices.

The PGT believes it is time to genuinely address Canada's uncomfortable history and take action that recognizes the harms of the past and seeks to make fundamental changes leading to long lasting improvements. Changes that are created in partnership with Indigenous peoples.

The Public Guardian and Trustee is proactively pursuing these efforts so that we may serve Indigenous peoples and all British Columbians to the best of our ability.



## Truth and reconciliation begins with me

While this framework reflects an organization-wide commitment to action, creating a true cultural and generational shift requires sincere effort on the part of individual Canadians. This generational effort, as well as the ongoing embodiment of this framework, is most effective when guided by the recognition that “truth and reconciliation begins with me”. All employees are encouraged to adopt this attitude and to assume this responsibility as it will empower action and societal transformation.

As one employee expressed, “truth and reconciliation is not something that you do – it’s something that you are.”

Not all employees engage directly with Indigenous clients, but each person – regardless of their role – is called upon to promote an inclusive workplace culture and contribute to positive change.



# Alignment with PGT's goals and direction

This framework provides principles to guide the Public Guardian and Trustee as we pursue our strategic goals and objectives.

We pursue truth telling and reconciliation by:

- 1. Prioritizing truth and reconciliation**
- 2. Building knowledge and understanding**
- 3. Empowering action and confidence**
- 4. Questioning the status quo**
- 5. Forging strong, respectful relationships**

In all of our actions, we take a distinctions-based approach, acknowledging the specific rights, interests, priorities and concerns of First Nations, Métis and Inuit as they are distinct Peoples with unique cultures, histories, rights, laws and governments.

To promote accountability and demonstrate our meaningful actions, we share our successes and challenges in our various [reports](#).



## How does the PGT prioritize truth and reconciliation?

We believe the following actions demonstrate that truth and reconciliation is a distinct priority for the PGT. Importantly, we acknowledge that truth precedes reconciliation, and that we must embrace truth-telling and learning to make reconciliation meaningful.

- All staff are encouraged to have a personal action plan, to build their knowledge and understanding of truth, reconciliation and the legacy of colonialism in Canada
- The organization provides a variety of learning opportunities for employees to build knowledge and understanding
- Territorial acknowledgements are conducted for internal and external meetings
- We ask Indigenous partners what they need from the PGT and seek to create solutions that reflect the views and unique needs of Indigenous communities

## What does building knowledge and understanding look like?

- Staff are provided with regular learning opportunities and are encouraged to engage in self-learning
- Internally and externally, employees are encouraged to discuss topics related to pursuing truth and reconciliation, including questioning the status quo
- We seek to learn and understand the unique cultures, values and interests of each Indigenous partner and to include this understanding in improving outcomes for clients



## How do we empower action and confidence?

Many employees and people lack confidence or feel uninformed when engaging with matters that impact Indigenous peoples. To take action means to learn about Canada's true history and the impact colonial practices have and continue to have on Indigenous peoples, histories and cultures. In order to build knowledge and understanding, we do the following:

- We encourage a workplace culture that embraces courage, learning and questioning
- Staff are encouraged to participate in important Indigenous events such as the annual march for missing and murdered women, Moose Hide Campaign Day, National Indigenous Peoples Day, National Truth and Reconciliation Day (Orange Shirt Day) and other reconciliation events
- We question the status quo and find creative solutions to addressing unique needs while working within the PGT's current legal framework

## What does it mean to 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 visibly and overtly promote Western values and worldviews. These systems may conflict with Indigenous legal systems, values and worldviews, and 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 tell their managers when values conflicts arise. We must genuinely face Canada's uncomfortable history and take thoughtful action to end, or at least mitigate the impact of, colonial practices.

Specifically, we ask employees to:

- Raise situations where the PGT's statutory obligations may be in conflict with Indigenous values or interests
- Collaborate and work with Indigenous Governing Bodies and partners to make sure PGT practices are in alignment with their cultural values and interests
- Advocate for law or policy reform where appropriate
- Learn about racism and the intersectional challenges that are woven into Canadian systems and institutions

The PGT also has a hiring framework that allows for the preferential or exclusive hiring of qualified Indigenous applicants to make sure the organization reflects the communities that we serve.

## How does the PGT 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 can 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 is important to meet clients where they are at and put their needs first.

Practically, what this means is that:

- We do our homework, and come informed and prepared to engage in a respectful and meaningful manner
- We go to Indigenous peoples, Nations,

organizations and partners to ask how we can be a good partner; we seek to learn and listen before diving into solutions

- We seek to have Indigenous members on our Audit Advisory Committee, Investment Advisory Committee and Accessible BC Act Committee wherever possible
- We provide numerous resource materials to employees to help guide them as they engage with Indigenous peoples

As the PGT continues to pursue truth and reconciliation with Indigenous peoples, Nations and partners, we rely on the United Nations Declaration on the Rights of Indigenous Peoples, The Truth and Reconciliation Commission's Final Report and the Final Report of the National Inquiry into Missing and Murdered Indigenous Women and Girls to guide our work.

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 self-determination, the right to be free from discrimination, protections for cultural rights, and the right to free, prior and informed consent during decision-making 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.

[The Truth and Reconciliation Commission's \(TRC\) 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."

[The Final Report of the National Inquiry into Missing and Murdered Indigenous Women and Girls](#) 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.

## General guidance for the PGT

All of the information in these documents is a vital backdrop to PGT work. There are specific UN Declaration articles, TRC calls to action and National Inquiry calls for justice that are particularly relevant to the mandate of the PGT. These guiding pieces are as follows:

### 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 skills-based 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

### UN Declaration

#### 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

### TRC

#### Article 17.2

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

### National Inquiry

#### 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

### UN Declaration

#### Article 18

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

#### 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

#### Article 24.2

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

### National Inquiry

#### 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

## PGT MANDATE

Administer the estates of deceased and missing persons

### UN Declaration

#### Article 11.1

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

#### 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

## Remembering Sarah Robinson

Sarah was a leader and passionate advocate for Indigenous women and communities; a leader that was ahead of her times with a vision for equity and justice for Indigenous Peoples in Canada. Sarah had the unique skills to manifest this vision into reality by educating, advocating and dreaming. Sarah was a member of the BC Minister's Advisory Council on Indigenous Women for several years. She also advocated for the creation of an Indigenous Gender Based Analysis Toolkit which has since been built, guided by her vision and implemented across the provincial government. Sarah's grassroots, relatable and frank narrative of the generations of injustice and inequity through legislation in Canada reached thousands of Canadians and beyond. Her impact was profound and will be felt for generations to come. For those who knew her, they held her close and had immense respect and admiration for her tenacious spirit and incredible intellect.

Family was Sarah's top priority and it motivated her to make the world a better place by breaking the glass ceilings of racism and discrimination. She was a beloved daughter (of Bernice and Gary) wife (of Carlos), stepmother (of Tristan), sister (to Peter and Aaron), sister-in-law (to Rachel) and Auntie (to Lisa-Maree, Christina and David). Sarah was a friend to many people across the world. Sarah was a role model for so many people across all boundaries of race, class and colonial barriers. The loss of Sarah is still acutely felt by those she touched and those who were close and will be felt for generations. However, she built a legacy of advocacy, knowledge, and bravery that will continue long into the future.

Originally from Fort Nelson and the Saulteau First Nation in Treaty 8 territory, Sarah worked with the PGT in 2020 while living in Toquaht Nation territory.

Sarah made a deep and lasting impact on our organization. With her dedication, compassion and commitment to sharing Canada's true colonial history, she helped the PGT create our first Truth and Reconciliation Strategy. That strategy became the foundation for this Truth and Reconciliation Framework – a guide for how we work and take meaningful action in collaboration with Indigenous partners, communities and peoples to seek truth and pursue reconciliation.

We are forever grateful to Sarah for guiding us on this journey.



## Artist acknowledgment

Artwork used throughout this framework was created by Adam Lewis, an Indigenous artist from the We Wai Kai band of the Kwakwaka'wakw Nation (Northern Vancouver Island). Adam lives on reserve with his small family and works full time as an artist.