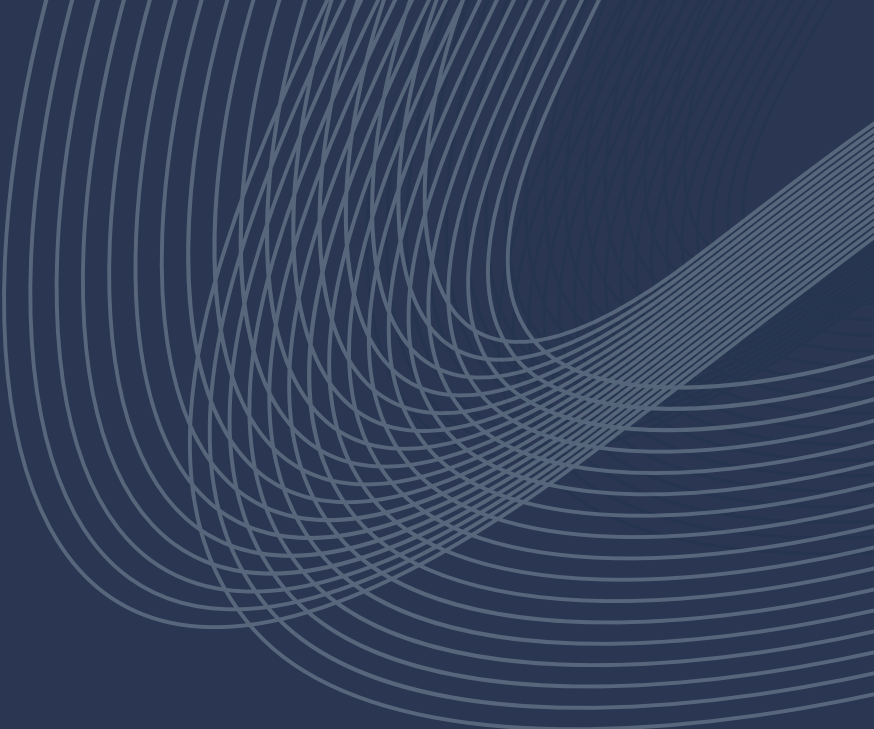


EQUITY, DIVERSITY, AND INCLUSION

Implementation PLAN



TERRITORIAL ACKNOWLEDGEMENT

The British Columbia Law Institute (BCLI) humbly acknowledges that it operates on the traditional, unceded lands of the $x^w m \theta k^w \acute{a} y \acute{a} m$ (Musqueam), Skwxwú7mesh (Squamish) and $s \acute{a} l i l \acute{w} \acute{a} t a \acute{?} t$ (Tsleil-Waututh) peoples. We recognize that our ability to work, learn, live, and play on these lands is a result of historical policies of assimilation and ongoing colonial legacies. We acknowledge the necessity for ongoing reconciliation in the legal field and the importance of weaving intercultural values into our work. Thus, BCLI recognizes its extraordinary duty to build reciprocal relationships and respectfully collaborate with Indigenous peoples in the lands now known as British Columbia.

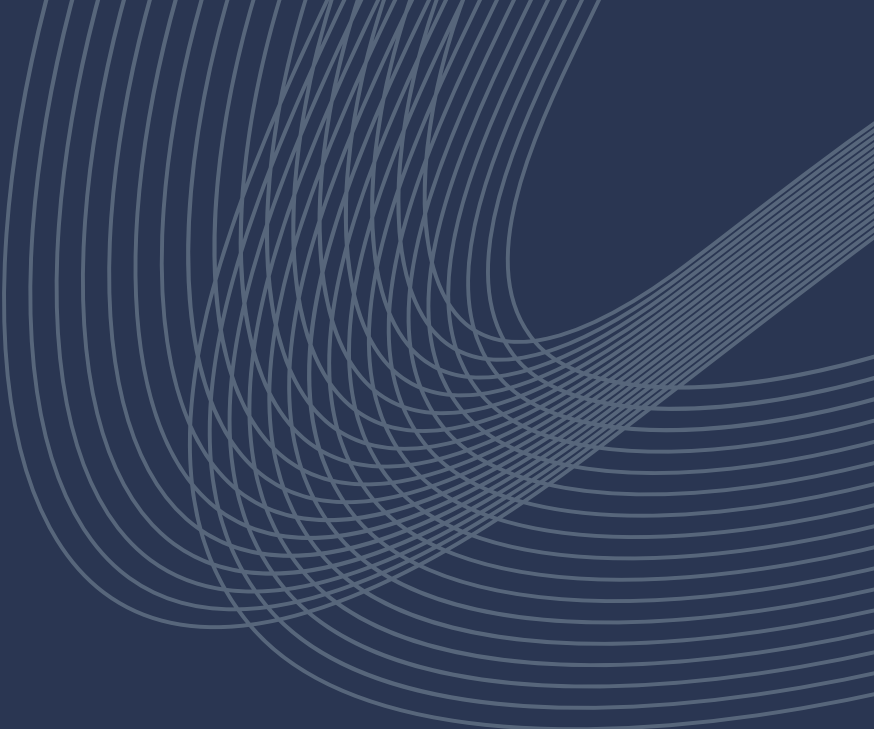


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ABOUT THE PLAN

In 2023, we completed an equity, diversity and inclusion audit to identify ways that we can better reflect and engage in our communities and in our work. Our Equity, Diversity, and Inclusion Implementation Plan marks a milestone in our efforts to foster an inclusive workplace and curate justice focused projects.

The Equity, Diversity, and Inclusion Implementation Plan will address the following:

- What steps will be taken to address Equity, Diversity, and Inclusion in our workplace?
- How can Equity, Diversity, and Inclusion be interwoven into our processes of research and information dissemination?
- What steps has the British Columbia Law Institute already taken towards Equity, Diversity, and Inclusion?
- What barriers remain in our institution?
- What practices will be implemented to support stronger Equity, Diversity, and Inclusion at the British Columbia Law Institute?

If you have questions or comments about this plan, please contact us at bcli@bcli.org.

We recognize that EDI best practices are constantly evolving. As such, we are committed to continuing to learn in conjunction with the ongoing evolution of EDI. While we may not always get it right the first time, we are committed to ongoing learning. To provide feedback, please fill out the following survey: <https://www.surveymonkey.com/r/CSS9XDG>.

KEY TERMINOLOGY

EQUITY

Equity is the principle of considering people's unique experiences and differing situations and ensuring they have access to the resources and opportunities that are necessary for them to attain just outcomes. Instead of treating everyone the same, equity recognizes the unique conditions that are necessary for individuals' success.

DIVERSITY

Diversity refers to the variety of identities found within an organization, group, or society. It is expressed through factors such as culture, ethnicity, religion, sex, gender, sexual orientation, age, language, education, ability, family status, or socioeconomic status.

INCLUSION

Inclusion is the practice of using proactive measures to create an environment where people feel welcomed, respected, and valued. It describes efforts to foster a sense of belonging and engagement. This practice involves changing the environment by removing barriers.

EQUITY DESERVING/ EQUITY SEEKING GROUPS

Equity-seeking or equity-deserving groups refer to groups of people who, because of systemic discrimination, face barriers that prevent them from having the same access to the resources and opportunities that are available to other members of society, impacting their ability to attain just outcomes. In Canada, the following groups are generally considered to be equity seeking/equity-deserving: women, Indigenous peoples, people with disabilities, people who are part of 2SLGBTQIA+ communities, religious minority groups, and racialized people.

ACCESSIBILITY

Accessibility is the proactive design of products, devices, services, or environments to ensure they can be used by all people without encountering barriers.

STEREOTYPE

A stereotype is a widely held, oversimplified, and often inaccurate belief or image about a particular group of people. These preconceptions are often negative and act as cognitive shortcuts when processing information. This can create unfair prejudices and false perceptions.

MICRO- AGGRESSION

Microaggressions are subtle, intentional or unintentional verbal, behavioral, or environmental indignities that communicate hostile, derogatory, or negative slights toward marginalized groups.

INTER-SECTIONALITY

Intersectionality is a framework for understanding how aspects of a person's identity combine to create unique forms of discrimination. This framework helps to better understand how different forms of oppression layer onto and interact with each other. Members of marginalized groups are more likely to face discrimination and prejudice because of the interaction of different aspects of their identity.

BIAS

Bias is a preconceived judgment held by an individual that influences their perception of, or their behaviour towards, another person or group. Bias can be overt and intentional, or it can be unintentional and implicit.

IMPLICIT BIAS

Implicit biases are subconscious associations between attributes and certain groups of people that can result in inequitable decision making. It encompasses the subconscious feelings, attitudes, prejudices, and stereotypes that an individual has developed due to prior influences and experiences throughout their life. Individuals are unaware that subconscious perceptions, rather than facts and observations, influence their decision-making. This can result in discriminatory behaviour.

AFFINITY BIAS

Affinity bias is the tendency of people to be partial to individuals or groups who share similar social identities, backgrounds, and interests. This can result in the inequitable distribution of opportunities based on relationships, proximity, or familiarity, rather than merit alone.

ABOUT THE BRITISH COLUMBIA LAW INSTITUTE (BCLI)

The British Columbia Law Institute (BCLI) is BC's independent, not-for-profit law reform agency. BCLI engages in scholarly research and analysis to determine pathways for law reform. We bring together the expertise and experience of collaborators to develop just and innovative solutions and increase access to justice in BC.

BCLI carries forward the work of the BC Law Reform Commission which operated until 1997. In 2022, we established our Reconciling Crown Legal Frameworks Program to support the research and innovations required to bring BC's laws into alignment with Indigenous laws as anticipated by BC's Declaration on the Rights of Indigenous Peoples Act.

OUR PURPOSE

Bringing collaborators together to clarify and improve the law, develop just and innovative solutions, and increase access to justice.

1. Promote the clarification and simplification of the law and its adaptation to modern social needs
2. Promote improvement of the administration of justice and respect for the rule of law
3. Promote and carry out scholarly legal research

OUR KEY PILLARS

1. Leading collaboratively in current and emerging law reform issues
2. Ensure law reform recommendations support consistency with the United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP)
3. Increase flexible, sustainable funding
4. Be an employer of choice for innovative law reform thinkers
5. Advance the development of elder law reform

GOVERNING LEGISLATION

ACCESSIBLE BRITISH COLUMBIA ACT (2021)

The Accessible British Columbia Act is a law that creates a framework to identify, remove, and prevent barriers to accessibility.

PURPOSE

To create a more inclusive, barrier-free province by 2040.

KEY ASPECTS

Committee Formation (s.9)

Prescribed organizations must create an accessibility committee, develop an accessibility plan, and set up a public feedback mechanism.

Accessibility Principles (s.17)

Plans must incorporate principles of inclusion, adaptability, diversity, collaboration, self-determination, and universal design.

ANTI-RACISM ACT (2024)

British Columbia's Anti-Racism Act mandates that public bodies identify and eliminate systemic racism, specifically targeting Islamophobia, antisemitism, and Indigenous-specific racism.

PURPOSE

The act aims to address inequities highlighted by the 2023 BC Demographic Survey.

KEY ASPECTS

Systemic Focus (parts 4-5)

Requires public bodies to identify and dismantle systemic racism, rather than just individual acts.

Action Plan (part 2)

Mandates the creation of a provincial anti-racism action plan, updated every two years, which includes setting targets and reviewing progress.

Mandated Training (parts 4-5)

Includes provisions for anti-racism training for public employees and support for those harmed by systemic issues.

Committee Formation (part 3)

Establishes a Provincial Committee on Anti-Racism, comprising members with lived experience, to advise on implementation.

HUMAN RIGHTS CODE (1996)

The British Columbia Human Rights Code is a piece of legislation that protects all people in British Columbia from discrimination in areas such as employment, housing, and services. It prohibits discrimination based on race, age, gender, disability, and sexual orientation.

PURPOSE

To eliminate systemic inequality and promote a climate of mutual respect in BC.

KEY ASPECTS

Protected Grounds (s.13)

Prohibits discrimination based on Indigenous identity, race, ancestry, place of origin, political belief, religion, marital status, family status, physical or mental disability, sex, sexual orientation, gender identity or expression, or age.

Employment Protections (s.13)

Prohibits employers from refusing to hire, firing, or treating employees unfairly based on protected grounds.

Retaliation Protection (s.43)

Prohibits retaliation against anyone who makes a complaint or helps in a human rights proceeding.

**DECLARATION ON
THE RIGHTS OF
INDIGENOUS
PEOPLES ACT
(2019)**

British Columbia's Declaration on the Rights of Indigenous Peoples Act mandates aligning provincial laws with the United Nations' Declaration on the Right of Indigenous Peoples and creates a framework for reconciliation, aiming for increased transparency and collaboration with Indigenous peoples

PURPOSE

The act was designed to respect Indigenous human rights, ensure their participation in decisions affecting their territories, and provide a path forward for reconciliation.

KEY ASPECTS

Alignment of Laws (s.3)

Requires the government to bring provincial laws into compliance with UNDRIP.

Action Plans (s.4)

Mandates an action plan to achieve the objectives of UNDRIP.

Annual Reporting (s.5)

Requires regular reporting on progress.

Mandated Agreements (s.6)

Enables legally binding agreements with Indigenous governing bodies.

THE 2023 AUDIT

At the end of 2023, BCLI partnered with Anima Leadership to assess the current communications framework using an Equity, Diversity, and Inclusion (EDI) lens. This was done with the intention of better understanding BCLI's strengths and areas of growth related to internal and external communications within an EDI framework.

Through this audit, 37 recommendations were created. Of those 37, the following 10 have been prioritized for the first phase of EDI related changes within BCLI:

1. Develop an understanding of collaborator-specific communication needs and tailor content to meet them
2. Continue engaging with and considering how traditional law-reform concepts limit marginalized communities' participation
3. Develop an understanding of how the organization's work is embedded in a specific cultural context (including colonialism)
4. Continue using additional communication methods like video, pictures, and infographics to make report findings more digestible
5. Understand cultural differences in participant compensation
6. Include feedback mechanisms to assess the strengths and weaknesses of the engagement process
7. Identify which collaborators will be most impacted by findings and how to disseminate the report via channels that are most accessible to them
8. Continue building a strategy to diversify the staff and volunteer team
9. Implement consistent and varied EDI training for all staff and volunteers
10. Offer a space to ask questions, with an explanation that the organization is willing and open to listening to relevant feedback

STRATEGIC PLAN

Our Equity, Diversity, and Inclusion work is also guided by our organization's 2023-2026 Strategic Plan. Our plan identifies key strategic priorities that align with our EDI goals including:

FOCUS AREA

Ensure law reform recommendations support consistency with the United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP).

KEY INITIATIVES

- Build appropriate relationships with First Nations and other Indigenous peoples and communities in BC
 - Develop expertise regarding UNDRIP and support its implementation
 - Support implementation of the Declaration on the Rights of Indigenous Peoples Act by undertaking strategic research
 - Support Indigenous laws and governance
 - Share approaches with other jurisdictions undertaking
-

FOCUS AREA

Be an employer of choice for innovative law reform thinkers.

KEY INITIATIVES

- Be a sought-after workplace with high staff engagement
- Work as a dynamic and diverse team, incorporating equity, diversity and inclusion practices

WORK TO DATE AND GAP IDENTIFICATION

To identify EDI-related gaps in our current organizational practices, interviews were conducted with each of our staff members. They were each asked a variety of questions ranging from BCLI's EDI strengths and areas for improvement to whether staff members truly understood what BCLI's position on EDI is and how to implement it in their work. Here is what we found:

STRENGTHS

- Actively reflect on world views to avoid narrow western-centric perspectives dominating narratives
- Prioritizes work that focuses on access to justice
- Actively seeks out different voices and collaborators
- Taken steps to make board of directors more diverse and therefore representative of the public
- Added an EDI statement into job postings
- Made sure that EDI was interwoven into the 2023-26 Strategic Plan

AREAS FOR IMPROVEMENT

Recruitment, Hiring, and Training

- More diversity is needed in the staff while avoiding tokenism
- No formal EDI onboarding training
- No formal EDI hiring rubric for interviews

Website and Communications

- Need to clarify EDI intentions and make these clarified intentions explicit in materials – ensuring that EDI is distinct from reconciliation
- Improve accessibility through more creative means for communicating findings – tailored for who the audience is
- Implement a system for feedback (both internally and externally)

Dismantling Structures of Inequality and Colonialism

- Expanding who is at the table for project committees
- Need to better define who BCLI's audience is and which voices BCLI wants to center in materials

We also conducted research into best practices in EDI and did a scan of similar organizations to understand what work has been done to expand EDI in the legal field.

This included research into the EDI policies of the:

- Law Foundation of British Columbia
- Law Society of British Columbia
- Law Society of Alberta
- Alberta Law Reform Institute
- Law Reform Commission of Saskatchewan
- Law Society of Saskatchewan
- Law Commission of Ontario
- Manitoba Law Reform Commission,
- Access to Justice and Law Reform Institute of Nova Scotia
- Law Commission of Canada
- Government of British Columbia
- British Columbia Human Rights Commission
- British Columbia Office of the Ombudsperson
- British Columbia Office of the Auditor General.

Here, key themes were found, including:

- Valuing diverse lived experiences and removing strict requirements for precise combinations of skills and qualifications in hiring
- The implementation of staff-wide training around justice, equity, and inclusion
- Enhancing online EDI resources
- Importance of engaging members of equity-seeking groups in conversations to understand their needs
- Offering documents and reports in a variety of formats including poems and podcasts
- Identifying a member of their leadership team to lead on EDI strategy implementation

EQUITY, DIVERSITY, AND INCLUSION IMPLEMENTATION PLAN

BCLI's plan for implementing more Equity, Diversity, and Inclusion focused practices in the workplace can be separated into immediate and long-term goals. We recognize that EDI requires a top-down approach with strategic leadership being essential to avoid tokenism, widespread resistance, or a general failure of the implementation plan. As such, our leadership is committed to following through on this implementation plan and continuing to learn as EDI best practices develop.

IMMEDIATE

- Implement external feedback survey.
 - Create a survey to gather external feedback on how to further advance BCLI's EDI practices.
- Implement new hire EDI onboarding.
 - Offer staff training on best practices for EDI and related topics.
- Implement formal EDI hiring rubric.
 - Create an interview rubric to mitigate against potential biases in screening and interviewing candidates.
 - Provide training for all staff involved in hiring on how to use the interview scorecards.

- Create internal reference documents about culturally appropriate compensation and information dissemination.
 - Create a comprehensive, shareable resource that highlights best practices for compensation and information dissemination that is culturally appropriate and decolonial.
 - Make this resource available to staff, collaborators, and board members.
- Create internal reference document outlining how to build EDI into the organization's practices including a set of questions to guide the work.
 - Develop a comprehensive guide or resource outlining best practices for EDI in legal research and writing.
 - Include a set of questions that can act as internal checks and balances for employees when conducting their work.
- Create EDI statement.
 - Develop a concrete statement outlining BCLI's commitment to EDI.
 - Include this statement in BCLI's policy handbook and potentially on the website.

LONG-TERM

- Within the next 6 months: Implement semi-annual internal EDI check-in meetings to gauge progress and identify new areas for improvement.
 - Ensure that a process for internal feedback gathering is created and implemented.
 - Create a system of accountability for implementing solutions to any newly identified EDI challenges.
- Within the 2 years: Commit to presenting findings in several ways – prioritizing the method of information dissemination that is most appropriate for the specific audience.
 - Identify who the main audience is for BCLI's work and ensure that the method of information dissemination is appropriate for that audience.
 - Continue to present findings in different ways to increase accessibility.

CONCLUSION AND FEEDBACK

OUR COMMITMENT

At the British Columbia Law Institute our goal is to provide clear and actionable insight for the purpose of improving laws in British Columbia. We want better laws for everyone. Plain and simple. To achieve this, we focus on creating an inclusive environment where everyone feels a sense of belonging. Where our people, collaborators and communities are united, and diverse groups are represented. We aim to foster an environment that values and respects an individuals' unique identities and inspires pride in being an advocate for law reform. Through inclusive hiring practices, accessible communications, and reciprocal relationships that dismantle systems of power, we're doing what it takes to build a more equitable workplace and world.

To better ensure the effectiveness and continuous improvement of our Equity, Diversity, and Inclusion Implementation Plan, BCLI will closely monitor and evaluate progress. BCLI will meet on an ongoing basis to review EDI-related barriers received through community engagement or via our feedback mechanism. We will analyze our progress and address any opportunities as they emerge.

FEEDBACK

You can view our feedback mechanism or submit a report of an EDI-related barrier at <https://www.surveymonkey.com/r/CSS9XDG> or email us at bcli@bcli.org.

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The British Columbia Law Institute is located on the traditional, unceded lands of the x^wməθk^wəy' əm (Musqueam), Skwxwú7mesh (Squamish) & səlií wətaʔt (Tsleil-Waututh) peoples.