

Indigenous reconciliation and cultural safety
LawCast BC podcast
Law Society of British Columbia

Vinnie Yuen:

Welcome to LawCast BC, a podcast produced by the Law Society of British Columbia. If you're wondering what the Law Society does, how we do it and how it impacts you, you've come to the right place. The Law Society regulates lawyers in BC. Our mandate is to protect the public. I'm Vinnie Yuen, your host and producer. In this episode, we're going to talk about one of the most critical areas the Law Society is addressing: meaningful Indigenous reconciliation. In July of last year, our Board of Benchers approved recommendations from the Indigenous Engagement in Regulatory Matters Task Force Report to remove systemic barriers experienced by Indigenous complainants and witnesses. Their final report is available on the Law Society's website. The task force found that there were systemic issues with the Law Society's ability to engage, address and accommodate Indigenous complainants and witnesses. It recommended we reconcile our processes with Indigenous legal principles and make sure they're culturally safe and trauma informed. Implementation of the recommendations is now underway.

Today, I've invited Vicki George, the Law Society's Senior Advisor of Indigenous Engagement to chat about her role and our progress. She's Wet'suwet'en. Vicki has a Master in Business Administration in Indigenous Business Leadership. She's worked within the legal community for 25 years and has several years of experience working on advancing Indigenous engagement and initiatives with various organizations and institutions. Prior to joining the Law Society, she was the associate director for UBC's Office of Indigenous Strategic Initiatives where she provided guidance and advice on implementing the UBC Indigenous Strategic Plan across both Vancouver and Kelowna campuses. Vicki joined the Law Society at a critical time and she plays a key role in advising the Law Society on reconciliation. Here's my chat with Vicki.

Welcome Vicki, can you tell us a little bit about your role and what you do as Senior Advisor of Indigenous Engagement?

Vicki George:

Yeah, thanks Vinnie for the invite. Firstly, and most importantly, I would like to acknowledge and thank all the people for their extraordinary contributions that have come before me at the Law Society. It's really important as an Indigenous person for me to acknowledge the work and their expertise have been paramount in bringing us to this point. It's important for me to note too that Indigenous people have been advancing this work in the judicial system for decades and decades so this is not a new thing for us.

I play a key role at the Law Society regarding reconciliation with Indigenous peoples and I'm a bridge builder between community and Indigenous community, the wider legal community and the Law Society. I work with all of the departments within the Law Society as you know and I assist with the Truth and Reconciliation Advisory Committee or what we call TRAC for short. I work with the senior leadership and directors and staff throughout the organization to advance projects, initiatives and ensure responsibilities are met and then I work collaboratively with staff to enhance understanding with the profession of the Law Society with justice issues affecting Indigenous people. I support the Law Society in national and interprovincial initiatives with respect to reconciliation and I also plan, research and write materials related to the Law Society's reconciliation efforts.

Vinnie Yuen:

You joined us last year at quite a critical time. At the time, the Indigenous Engagement in Regulatory Matters Task Force had just published their report, Benchers were considering the recommendations and they adopted all of those recommendations. Did any of the task force's findings stand out to you? What struck you most about it?

Vicki George:

Sure, so I think I'm going to explain a little bit more about the task force before I get into that. One of the key initiatives regarding my role here is guiding the implementation of the task force recommendations. I've been at the Law Society for eight months now and

prior to my arrival, the Law Society had an Indigenous Engagement in Regulatory Matters Task Force and that was created in response to the Bronstein decision in 2021. I'm quoting the report here because I think it's really important and I want people to be familiar with the report and what it says. The task force provided the Law Society with a report and it was acknowledged that many people thought the Law Society's penalty for Bronstein's misconduct was inadequate and unjust. The decision in Bronstein revealed systemic issues with the Law Society's regulatory regimes ability to engage, address and accommodate Indigenous complainants and witnesses, particularly Indigenous persons. The task force identified key recommendations to be implemented by the Law Society and I guide and collaborate with the Law Society leadership and staff.

To your question about when I read the report and if anything stands out to me, the entire report and recommendations do and I'm not surprised by any of the recommendations. I have worked in the legal profession for 25 years now and I have experienced and witnessed the systemic barriers regarding Indigenous people and the legal and judicial system and whenever we engage, interact with those systems. It's been slow to arrive but it seems that the time for the tides to turn has arrived and the only way and change that will happen is through education. We have ongoing colonization in Canada. We still have the Indian Act. Our shared history in Canada and BC needs to be better understood and the only thing that will assist in guiding these relationships and building relationships is to learn more. And I can say then I saw a national shift around 2021 when the 215 unmarked graves were revealed and confirmed at Kamloops Indian Residential School. So many citizens in Canada were actually shocked but the Indigenous people weren't, we, we knew this all along.

Vinnie Yuen:

And you mention that part of your role is sort of seeing how these recommendations are implemented at the Law Society. I know you said you've been here for eight months; what are some of the key priorities that you've been focusing on so far?

Vicki George:

At the Benchers meeting on December 8th of 2023, I provided an implementation plan and showed where our progress is at. We have touched on almost all of the, if not all of

the recommendations that the IERM report. Because there are so many departments within the Law Society, I have actually have my hand, so to speak, in all of the departments in order to advance the recommendations. And this has been, as you know, a very collaborative approach which is how I like to work.

Vinnie Yuen:

Can you speak to some of those initiatives?

Vicki George:

Absolutely. So I engaged with the board in September regarding Orange Shirt Day or National Truth and Reconciliation Day. I did a talk here at the Law Society about Phyllis Webstad and sharing her story. That was I think really important to start relationship building with the Benchers and also including them on these important dates and I was really pleased with the attendance. And then also on that Bencher day, all of the Benchers wore orange shirts and I gotta tell you, I wasn't sure if I would you know ever see something like that in my lifetime so having these lawyers and non-lawyers that are appointed and also you know really guide the Law Society with our business, and having their support visually with all of the orange shirts was really incredible. So that is part of really important relationship building and building awareness and of course education.

Another part of the IERM recommendations is to have the Law Society staff, where it's applicable for them, to have trauma informed awareness and culturally safe awareness and so that is another thing that the Law Society is working on. We have a start with the Indigenous intercultural course. This is a good start; having the lawyers have like a basic understanding of this introductory course I think is really important. And here's another thing I've learned is that the IIC course is actually being taken by even people that aren't connected to the legal profession. We have received messages from the public and from other lawyers about the importance of taking the course, how much they enjoyed it and even some of the ones that might have been reluctant and actually admitted in some emails that oh, I just thought this was going to be just another kind of chore but you know I got into it and you know I'm so glad you know that I took the time to go through it and I recognize the importance and I really appreciate the work that went into this. So that, those accolades obviously go to the people that came before me that put the course

together for sure and I just want them to know that their work has, continues to be appreciated here at the Law Society.

One of the other initiatives with my role here is to guide the internal learnings for the staff. I'm working with two other colleagues here at the Law Society and we have created a lunch and learn called The Road to the IERM Task Force Report. We did our first session in November of 2023 and we have been booking new sessions for staff in this month and then also next month. What I am doing is sharing with staff that the Bronstein decision which led to the IERM Task Force Report was not an isolated incident. These situations have been ongoing since pretty much contact where the judicial and legal system have put up roadblocks to our entry points into the legal and judicial systems and if and when we got to the point where we were able to engage, it was unfair, unjust, met with racism and discrimination and we were not helped. It was important to share with the staff about other examples over the years, maybe not exactly like Bronstein but certainly close to it, and then also you know other complaints that have come forward and have been revealed.

The other thing that I wanted to showcase with staff was that this was not a one-of kind of incident in terms of how many reports and commissions and inquiries that have happened in BC and in Canada regarding Indigenous people and the judicial system. It has been extraordinary. In all of these cases, there have been recommendations upon recommendations upon recommendations so it's not like BC and Canada have not had a road map. There has been one through all of these reports, commissions and inquiries for decades upon decades. And of course you know we have a Q&A at the end so honestly I get some great questions and I really like that I'm seeing engagement with staff, I'm seeing really good questions, I'm seeing curiosity. And maybe with some folks generally in, in the Law Society where they might have been apprehensive about my arrival or you know what the Law Society is committing to do here, I've seen people's minds open and their hearts open you know and that is really good to see and it's good for me to see.

Vinnie Yuen:

Could you maybe speak a little bit about why it's so important to engage staff and the board and what that might mean for our organization and for the public?

Vicki George:

So that's a really big question and it can be daunting for me sometimes but relationship building is so key to Indigenous people and our way of life and our ways of knowing and all of it. With any institution, not just the Law Society but any institution or organization, need to look at their relationship building within the organization first and foremost. So when I arrived, I'm not sure if I was the only Indigenous person, maybe I was, and if that's the case then most of the staff members needed to understand why I was there, why I was hired to do this work. And then also let them know who I was and what my background is and who my family is and you know all of these identifiers that are very common with Indigenous people particularly in BC. And also sharing my background and experience, my you know education, university, two degrees, even my informal education that you know is not recorded because it's Indigenous education like with my nation and with my family. All of that. So it was important for me to be just a little bit vulnerable with the staff and let them know that you know I'm coming from a good place and I want to work with them acknowledging their expertise in their own departments and their own job roles and how I can determine how to work with them to advance the recommendations and any other work with the Law Society even outside of the IERM recommendations. If I'm sharing my experience and background, it opens up the door for other staff members to do the same and so I can learn about them too.

Vinnie Yuen:

So one of the findings from the Indigenous Engagement in Regulatory Matters Task Force Report was that it identified the different barriers that complainants, especially vulnerable complainants, would encounter when dealing with the Law Society in making a complaint about a lawyer so to address that, one of the things that the Law Society was recommended to do was to hire an Indigenous navigator. Can you speak to what the Indigenous navigator will do and what their role is?

Vicki George:

Sure, so I would like to mention that the Indigenous navigator role was one of the recommendations from the IERM Task Force Report, it's recommendation 3.2 which states "The Law Society should prioritize hiring an Indigenous navigator to guide

Indigenous complainants and witnesses through the Law Society processes". I'm quoting from the task force report because I really want people to start being familiar and recognizing the importance of the report. One of the key things that the Indigenous navigator will do, for example, is yes, if a lawyer complaint comes to the Law Society and it's determined that the complaint will move forward for further investigation and let's say the complainant and/or the witness in Indigenous, then the Indigenous navigator will guide the Indigenous person through the processes from beginning to end at the Law Society. Now this is important because it's been said that Indigenous people coming to the Law Society with past complaints or concerns, it, it may not have gone as smoothly as it could have. And part of that could be because of not knowing how to engage with Indigenous people or understanding the history which is you know part of the component of education and, and so forth which is also part of my role here. So the Indigenous navigator will support the complainant or the witness and that's never been done before and that's really going to help determine some other perhaps barriers that we still need to you know understand and it might even you know provide with more information gaps that we can fill in terms of our processes internally. So I will say that yes, the Law Society has hired the Indigenous navigator. The individual is busy with on boarding right now and getting familiarized with the Law Society and I'm working with our Communications Department including you Vinnie so that we can introduce this role more, more broadly. So stay tuned for that.

Vinnie Yuen:

Our complaints process can be complicated for anyone really, I'm excited to see how this is going to make an impact and identify some of those gaps.

Vicki George:

Uh-hmm.

Vinnie Yuen

With all of these recommendations as we implement some of these changes, in your view, what will these changes mean for both Indigenous and non-Indigenous peoples and how do you think this will improve our relationships with each other?

Vicki George:

In doing this work for several years now, my hope has always remained the same and that is that Indigenous and non-Indigenous people collaborate and work together whether it's on recommendations with the task force or the Truth and Reconciliation Commission of Canada Report of 2015 and its 94 calls to action. It's always to have non-Indigenous people have a better understanding of the shared history and also having them commit personally to their own growth in terms of understanding and learning and you know doing their own homework as well and taking initiative. So that, I see that happening here at the Law Society and I've seen this happen with other institutions and organizations and it is so important and it's always important to have an Indigenous person guide and implement this work and advise on it.

When someone is leading and guiding this work and they're Indigenous, it really helps non-Indigenous folks to understand about you know the messaging and you know some of the history, some of the difficult conversations. And I've had you know some tough conversations since I've arrived here, I've had tough conversations in pretty much most of my career regarding Indigenous lived experience and the colonialism that is still ongoing in Canada. It's, it's not about just being polite and nice you know with Indigenous people, it's so much more than that. It's about understanding and you know recognizing the lived experience and what you know we can do as citizens collectively and individually to move forward you know the relationships that need to happen and improve upon.

It's also important to recognize that we can't do this work alone. We need our allies, our friends to work with us and walk on this journey together. It's often said that we are stronger together and that is true and so that's always my hope.

Vinnie Yuen:

So circling back to what you do and why is this work important to you and what fuels you to work in this area?

Vicki George:

Most people will know that I am the late Ron George's daughter. He was a prominent Indigenous leader here in BC and Canada for a couple of decades and he advanced

Indigenous rights and title always. So this has been generational work for me and I honestly, my life kind of depends on this work, I really don't have a choice. You know my life and my human rights are endangered like no other group in Canada and this is amplified and proven in those inquiries, commission reports and, and so forth. I have a responsibility to myself, to my family, to my nation and to you know Indigenous people in Canada to you know move this work forward. I was born into a very politically and legally active family and so this is also something that I grew up with constantly. So it's no surprise that you know I'm doing this work. And I'm also thinking about you know the future generations, you know what's going to happen when I'm gone you know and my, my dad passed away a couple years ago. I've, he drives my work quite a bit because of what he accomplished and what he did and I build from those, those leadership skills that he had and bring it into my own work.

Vinnie Yuen:

Thank you so much Vicki for everything you do and thanks for taking the time out of your day to chat with us about all the wonderful work that you've been doing.

Vicki George:

Thank you so much and I really appreciate the opportunity to share with, with the Law Society and with the public about what's going on here so yeah, thank you so much.

Vinnie Yuen:

Thank you so much for listening. I hope this episode has provided you with some important background and the context that has informed the Law Society's work related to reconciliation with Indigenous peoples. In the show notes, I'll provide a link to the Indigenous Engagement in Regulatory Matters Task Force's report and their recommendations. There's still much to be done and we will continue to update you. If you like this episode, please give us a five-star rating and subscribe to LawCast BC on Spotify, Apple Podcasts or wherever you get your podcasts. If you have feedback for us please send us an email at podcast@lsbc.org.