



January 25, 2022

Sent via email

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Lisa Hamilton, QC
President

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Dear Chris and Katrina:

Re: 2022 Mandate for Truth and Reconciliation Advisory Committee

Thank you for agreeing to accept the appointment as Co-Chairs of the Truth and Reconciliation Advisory Committee for 2022.

The 2021-2025 Strategic Plan and the Terms of Reference along with the particular priorities outlined below should guide the Truth and Reconciliation Advisory Committee in its work this year.

The mandate of the Truth and Reconciliation Advisory Committee is:

The mandate of the Truth and Reconciliation Advisory Committee is to provide guidance and advice to the Law Society of British Columbia on legal issues affecting Indigenous people in the province, including those highlighted in the Truth and Reconciliation Commission's Report and Recommendations, such as: Indigenous laws, the implementation of the United Nations Declaration on the Rights of Indigenous Peoples, Aboriginal rights and title (including treaty rights), issues concerning jurisdictional responsibility for Indigenous people, child welfare, overrepresentation of Indigenous people in custody and the need for enhanced restorative justice programs, and the disproportionate victimization of Indigenous women and girls.

I expect that you will ensure that all members of the Truth and Reconciliation Advisory Committee understand the Terms of Reference, the Benchers Code of Conduct and the Law Society's workplace policies and

abide by them. I also expect that in your deliberations and decisions, the Truth and Reconciliation Advisory Committee will expressly include consideration of the goals of facilitation of truth and reconciliation and diversity and inclusion. Finally, I expect that you will ensure the Truth and Reconciliation Advisory Committee acts in the public interest and makes data-driven, evidence-based decisions that take into account the impact of the decisions on the public and the profession.

In particular, please keep in mind that the Benchers have directed that:

- a) Bencher committees are to help the Benchers do their job, not to help the staff do its jobs. Committees ordinarily will assist the Benchers by preparing policy alternatives and implications for Bencher deliberation.
- b) Bencher committees do not exercise authority over staff.
- c) In keeping with the Benchers' broader focus, Bencher committees will normally not have direct dealings with current staff operations.

I expect you and the members of Truth and Reconciliation Advisory Committee will work in a professional and respectful manner with our staff.

During 2022, I would like to see the Truth and Reconciliation Advisory Committee make substantial progress on the following:

1. *Implementation of those items that remain to be completed on the Advisory Committee's work plan (copy attached).*
2. *Make recommendations to the board on how the Law Society can support the advancement of the principles set out in the Declaration on the Rights of Indigenous Peoples Act and the implementation of the First Nations Justice Strategy and support the continued implementation of the recommendations of the Truth and Reconciliation Commission.*
3. *Review the LPA, Code of Professional Conduct, and LSBC Rules and make recommendations to address systemic biases including, potentially, with respect to:*
 - a. *admissions;*
 - b. *definitions of competency;*

- c. client identification and verification; and*
 - d. the discipline process.*
- 4. Consider and make recommendations as to how to increase access to and awareness of the Indigenous Lawyers Mentorship Program.*
 - 5. Consider and make recommendations as to how to increase awareness of and applications for, or any other changes, to the scholarship made available by the Law Society to Indigenous students.*
 - 6. Be available for consultation with other committees and task forces with respect to truth and reconciliation issues.*
 - 7. Prepare and submit to the Executive Committee by March 30, 2022, a workplan for the committee for 2022 which sets out what the committee plans to accomplish and the dates for doing so. The workplan is only intended to be a plan, not a commitment, so it should be both reasonably aspirational and achievable.*
 - 8. Prepare and submit to the Executive Committee by December 9, 2022, an updated workplan for the committee which sets out what the committee has accomplished in 2022, and provides a draft, suggested workplan for the committee for 2023, including both what the committee believes it should accomplish and the dates for doing so next year.*

I look forward to hearing about the work of Truth and Reconciliation Advisory Committee over the balance of the year and trust that you and the Truth and Reconciliation Advisory Committee will make substantial progress on the matters I've suggested in this letter.

Yours truly,

A handwritten signature in black ink, appearing to read 'Lisa Hamilton', with a stylized, cursive flourish.

Lisa Hamilton, QC
President, Law Society of BC