



Mid-Year Report

Truth and Reconciliation Advisory Committee

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Prepared for: Benchers

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Introduction

1. Following the release of the Truth and Reconciliation Commission Report and 94 recommendations to redress the legacy of residential schools in June of 2015, the Benchers of the Law Society of British Columbia unanimously agreed that addressing the challenges arising from the TRC recommendations is one of the most important and critical issues facing the country and the legal system today. Therefore, they decided to take immediate action to demonstrate their commitment to respond meaningfully to all of the recommendations that pertain to the legal profession.
2. The TRC's recommendations were the focus of the Benchers' Retreat on June 3, 2016, where the Benchers received education from Indigenous judges, lawyers, and politicians on 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.
3. The Benchers passed a resolution to create a permanent Truth and Reconciliation Commission Advisory Committee at the July 8, 2016 Benchers meeting. On September 2016, they endorsed the terms of reference for the Committee.
4. The Truth and Reconciliation Advisory Committee (“Committee”) is one of the advisory committees appointed by the Benchers to monitor issues of importance to the Law Society and to advise the Benchers in connection with those issues.
5. The purpose of this report is to advise the Benchers about the work the Committee has undertaken between January and June of 2017.

Topics of Discussion: January to June, 2017

6. The Committee met on February 14, April 18, and May 10, 2017. A subcommittee also met on March 15, 2017 to begin planning a symposium. The Committee has discussed the following initiatives between January and June, 2017.

Symbolism

7. On the recommendation of the Committee, Law Society representatives now acknowledge Indigenous territories at the beginning of Law Society functions.
8. On April 7, 2017 the Benchers unanimously endorsed the Committee's recommendation to remove the statue of Chief Justice Matthew Begbie from the Law Society of BC's foyer and replace it with a more unifying symbol. The statue has now been removed from the foyer.

Symposium

9. A symposium is being planned for November, 2017. The theme of the symposium will be: *Transforming the Law from a Tool of Assimilation into a Tool of Reconciliation*. The Committee expects that lawyers, judges, academics, and representatives from various legal and Indigenous organizations will attend. The symposium will consist of opening and closing plenary sessions, as well as smaller break-out sessions in which attendees will be challenged to identify practical ideas and tangible actions for the legal profession in British Columbia to effectively respond to the Truth and Reconciliation Commission's Calls to Action. The Committee has invited a renowned speaker to provide a keynote presentation. The date will be set once the speaker has confirmed availability.

Outreach

10. Committee representatives have been invited to present on the Committee's work. To that end, Grand Chief Ed John and David Crossin, QC presented to the British Columbia Superior Court Law Clerks on March 28, 2017, and Grand Chief Ed John and Andrea Hilland presented at the CBA BC Aboriginal Lawyers Forum Retreat and Conference on June 16, 2017.

Cultural Competence

11. The Committee has recommended cultural competence training for Law Society Benchers and staff. Cultural competence training for Law Society staff is already underway, and their enthusiasm is apparent through their resounding response to course offerings. On March 30, 2017, a presentation regarding the Law Society's role in implementing the Truth and Reconciliation Commission's Calls to Action was made to the Law Society's Management Council. On June 1, 2017, the same presentation was offered to staff, and the initial session was oversubscribed. An additional session is being planned for August, 2017. Similarly, registration for a National Aboriginal Day "Lunch and Learn" for Law Society staff on June 21, 2017 filled up within 30 minutes, so a second session was added for the same day. Both sessions were at full capacity. The Executive Committee is devising a strategy to ensure Benchers receive cultural competence training by the end of 2017.
12. The Committee is collaborating with the Continuing Legal Education Society to develop a mini-documentary featuring a series of short vignettes of Indigenous lawyers talking about their experiences with unexamined stereotyping in the legal profession. The objective of the video is to raise awareness and build cultural competency within the legal system in British Columbia. Once complete, the video will be made available on the Law Society's website.

Education

13. Law Society staff is currently conducting a thorough review of the Professional Legal Training Course curriculum in light of the Truth and Reconciliation Commission's Recommendation 27, to ensure that lawyers receive appropriate cultural competency training. Cultural competency will be integrated throughout the curriculum as a core competency of the course. However, to avoid waiting until the curriculum review process is over before acting on the Calls to Action, immediate changes are already underway. Some of the immediate changes include the addition of a half-day module relating to child protection and a day on criminal procedure. Information regarding *Gladue* (Indigenous personal history) factors in sentencing and the criteria for *Gladue* reports has now been added to the criminal procedure course notes and Practice Material.
14. The addition of the child protection and criminal procedure modules will enable the PLTC staff to eventually deal directly with issues relating to Indigenous communities. PLTC staff is also working on improving and expanding the content of the Practice Material in different areas where Indigenous content would be relevant. Again, this means making more immediate changes to the Practice Material but having the long-term objective of integrating Indigenous legal issues into related areas of the PLTC, for example in family law, property law and criminal law. Finally, PLTC staff is creating new exam questions based on the Indigenous content that is in the existing and revised Practice Material.

Collaborations

15. Some representatives from the Committee are involved in Truth and Reconciliation working groups for the Canadian Bar Association of BC and the Continuing Legal Education Society. The Committee acknowledges that strategic collaborations are helpful for information sharing, identifying synergies, and coordinating efforts.

Federation of Law Societies

16. The Law Society of British Columbia has taken a lead role in the Federation of Law Society's response to the Truth and Reconciliation Commission's recommendations. A Committee member and a Law Society of BC staff member are involved with the Federation's Truth and Reconciliation Advisory Committee, which had its first meeting on May 29, 2017.