



British Columbia's  
Office of the Human Rights  
Commissioner

# Reimagining human rights in B.C.

Strategic Plan 2020/21–2024/25

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## Strategic Plan 2020/21–2024/25

### December 2020

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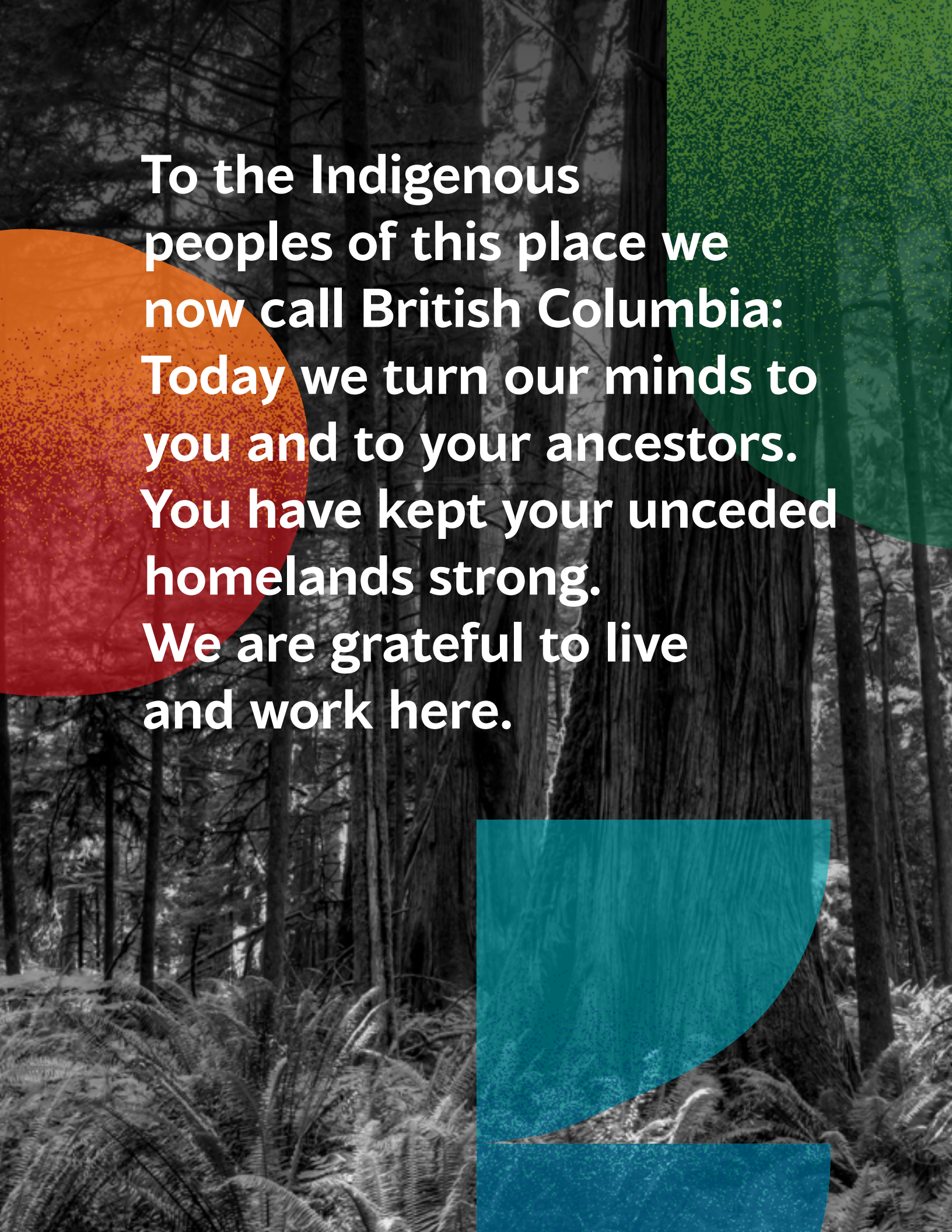


British Columbia's  
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# Reimagining human rights in B.C.

Strategic Plan 2020/21–2024/25





**To the Indigenous  
peoples of this place we  
now call British Columbia:  
Today we turn our minds to  
you and to your ancestors.  
You have kept your unceded  
homelands strong.  
We are grateful to live  
and work here.**

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If you are unsure about terminology used in this report, we invite you to visit our Human Rights Glossary at: [bchumanrights.ca/glossary](http://bchumanrights.ca/glossary)



# Message from the Commissioner

**I began my term as B.C.'s first independent Human Rights Commissioner in September 2019 with a vision of social change. I have a vision of fostering a culture in our province rooted in human rights and equality. I have a vision that we can — collectively — build a society that recognizes that until all of us are free and equal, none of us are free and equal.**

When our small team began the task of reimagining what a human rights-centered B.C. could look like — through a listening, learning, engaging and planning journey that led to this five-year Strategic Plan — none of us anticipated the global events that would shift the world's collective focus and forever alter our social, economic and cultural landscapes.

The emergence of a global pandemic has both expanded and complicated our work. To date, more than 72 million people worldwide have been infected with COVID-19 and over one million have died, with tolls mounting daily. The extraordinary times we are living in have highlighted society's deep inequities, and many of the health and safety issues we are struggling with as a society have far-reaching human rights implications.

As the pandemic continues to spread disease, fear and hate, the global social justice movement is gaining momentum in addressing issues of systemic racism, discrimination and inequality. Important conversations about systemic racism in policing and other institutions have been happening across the continent; from the Black Lives Matter protests to the Wet'suwet'en solidarity protests, people have been rising up against racism and colonization. It is a watershed moment for human rights, both nationally and internationally.

If, as I believe, human rights are never more important than in times of crisis, independent human rights oversight has never been a more important instrument of peace, democracy and the rule of law. We are uniquely positioned to promote and protect human rights in the province during this transformational moment in history.



Photo of BCOHRC and shared services staff in Dec. 2019. From left to right: Trish Garner, Mark Milotay, Dianne Buljat, Haida Antolick, Commissioner Kasari Govender, Sharon Thira, Stephanie Addis, Lynnette Kissoon, Stephanie Garrett, Linda Shout, Charlotte Kingston

In our first year of start-up and strategic planning, we determined the key human rights issues we will tackle, the tools we will test and the goals we will aim to achieve in the remaining four years. Through this process, we developed five strategic priority areas grounded by a core operational priority that will guide our work in the coming years.

One of our strategic priorities — our standing priority — is addressing discrimination under B.C.'s Human Rights Code (the Code): working to prevent inequities people face in areas of service provision, employment and housing. We are working to build relationships with impacted rights holders to understand the everyday barriers they face to realizing their rights, and with duty bearers to build their capacity to fulfil their responsibilities.

We have committed to practicing decolonization by prioritizing Indigenous ways of knowing and being. This commitment underpins everything we do as well as how we do it. We understand that relationship building is as important as the outcomes of our work.

We are also committed to combatting hate and the rise of white supremacy. We prioritize the protection of human rights for those detained by the state in places like prisons and mental health institutions, where there is a significant risk of human rights abuses. And we aim to raise awareness of poverty and classism as human rights issues and help policy-makers embed human rights-based approaches in poverty reduction initiatives.



The quality of the work we produce depends on strong operational foundations. Our operational priority is to build, grow and sustain an organization capable of making a progressive impact on human rights in B.C. We will ensure that our work is well grounded in both a decolonizing and human rights-based approach so we can establish effective and principled operations, sustain a healthy, diverse and inclusive team and culture, and create a unique identity for my Office where the public recognizes us as a credible voice advancing human rights in B.C.

As a new office, we are building our operations while at the same time making an impact through our work. We have challenged traditional approaches to strategic planning, recognizing that, by the end of this strategic planning cycle in 2024/25, everything can and will look different from today. It means we must try things that have never been done before and be as prepared for our failures as for our successes. Accordingly, the following Strategic Plan is grounded in a framework that enables us to listen, learn, engage, act and adapt continuously.

***As a new office, we are building our operations while at the same time making an impact through our work.***

We've made great strides in the development of our Office, outreach and consultations and in the implementation of our education, research, advocacy, inquiry and monitoring programs. As Canada's first fully independent human rights commissioner charged with systemic change, the Office and I are poised to shift laws, policies, practices and cultures across the province. We are ready to ensure a more fair and equitable future for all of us who call these lands home.

I know this is an ambitious vision; my Office has a lot of work to do in the years to come. This is long-term transformational work, reflective of my expansive mandate and the trust the public has placed in my Office to help reimagine how we protect and promote human rights in B.C. It is only through bold, collective and sustained action that together we can realize our vision of a better B.C. for everyone — not in spite of our differences, but because of them.

Sincerely,



**Kasari Govender**

B.C.'s Human Rights Commissioner



# Our origin story

BC's Office of the Human Rights Commissioner (BCOHRC) was born from years of advocacy and activism on the part of many individuals and organizations across the province. The community push led to a provincial consultation that generated community recommendations. Those recommendations are collected in a report titled [A Human Rights Commission for the 21<sup>st</sup> Century](#) by then Parliamentary Secretary for Sport and Multiculturalism Ravi Kahlon.

B.C.'s former human rights commission was dismantled in 2002 leaving ours as the only province in Canada without a body to investigate, prevent or address systemic inequality. The [BC Human Rights Tribunal](#) and [BC Human Rights Legal Clinic](#) remained to resolve individual claims of discrimination that had already occurred, but there was a significant gap left in our human rights system.

The Kahlon report recommended, among other suggestions, that a new human rights commission should:

- Educate British Columbians about human rights
- Promote compliance with international human rights obligations
- Protect human rights broadly
- Use technology to improve access to justice (particularly in rural and remote B.C.)
- Advance human rights research and collaborate with institutions
- Partner with Indigenous peoples
- Communicate in multiple languages

In 2018, changes to B.C.'s Human Rights Code established the Human Rights Commissioner as an officer of the Legislature — the first independent Human Rights Commissioner in B.C.'s history. Under the Code, the Commissioner is responsible for promoting and protecting human rights in B.C. In 2019, BC's Office of the Human Rights Commissioner was created to tackle systemic human rights issues in our province and to address obstacles that stand between us and the just, safe and equal B.C. in which we all want to live.

***In 2018, changes to B.C.'s Human Rights Code established the Human Rights Commissioner as an officer of the Legislature — the first independent Human Rights Commissioner in B.C.'s history.***

In May of that year B.C.'s Human Rights Commissioner, Kasari Govender, was unanimously recommended for a five-year term by an all-party special committee and was subsequently appointed by the Legislative Assembly. In September 2019 Commissioner Govender began the work of building this institution. She will continue this work through the rest of her term and any subsequent terms.

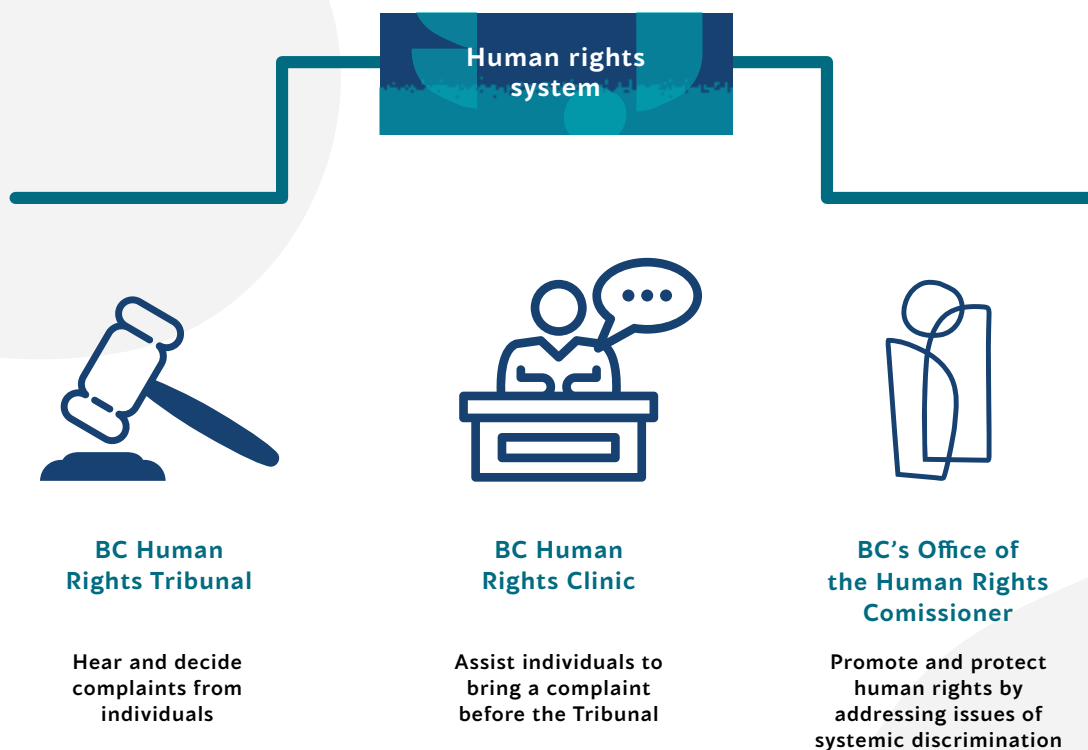
Commissioner Govender comes to BCOHRC with a personal and professional history of promoting human rights and comes from a long line of social justice advocates. Commissioner Govender used her skills as a lawyer and community builder to protect the rights of marginalized and vulnerable people and organizations working to entrench gender equality, Indigenous rights, children's rights, the rights of people with disabilities and migrant workers.

Commissioner Govender earned her law degree from the University of Victoria and a Master's in International Human Rights Law from the University of Oxford, UK. She was a founding member of the Rise Women's Legal Centre, a non-profit legal clinic, and for more than a decade served in leadership roles with West Coast LEAF (Women's Legal Education and Action Fund)—a non-profit organization that uses litigation, law reform and legal education to advance gender equality. She also taught law as an adjunct professor at the University of British Columbia and as an instructor at Simon Fraser University.

The Commissioner's long history of working alongside community underlies our approach to building a strong human rights commission in this province. We honour all of the good work and the long history of advocacy that has come before us. We have invested time reviewing past recommendations, as well as cases before the BC Human Rights Tribunal, civil society campaigns and community calls to action including rights-related recommendations made to government. Even before Commissioner Govender started in her role, civil society made recommendations about what issues they wanted to see BCOHRC act on and we have been listening—and will continue to listen—to the people we serve.

We acknowledge the tireless work of these organizations, communities and individuals who have kept human rights at the centre of provincial conversations over the last 17 years. We are able to build on their work, the work of the United Nations committees and special rapporteurs, and reports such as [\*\*A Human Rights Commission for the 21<sup>st</sup> Century, Strengthening Human Rights: Why British Columbia Needs a Human Rights Commission\*\*](#), the [\*\*Truth and Reconciliation Commission of Canada Calls to Action\*\*](#) and recommendations from the [\*\*National Inquiry into Missing and Murdered Indigenous Women and Girls\*\*](#). This work has continued with recent reports and recommendations such as [\*\*Expanding Our Vision: Cultural Equality and Indigenous Peoples' Human Rights\*\*](#). With gratitude and humility, we honour this work and commit to taking it forward.

## B.C.'s human rights system and legislation



There are three layers of human rights protection in B.C.: international human rights law (such as the Convention on the Rights of Persons with Disabilities), constitutional law (Canadian Charter of Rights and Freedoms) and statutory human rights law (B.C.'s Human Rights Code provincially and the Canadian Human Rights Act federally).

B.C.'s Human Rights Code prohibits discrimination based on various personal characteristics (such as race, sex, religion, gender identity and disability) in the following areas of daily life: housing, employment, services, publications (and other public statements) and membership in unions and associations.

Our Office has broad powers to address systemic discrimination in all areas covered by the Code and to take action to prevent human rights violations more generally in the province. BCOHRC is also charged with promoting compliance with international human rights obligations. We do this work through education, research, advocacy, inquiry and monitoring.

The Human Rights Code states that the Commissioner is responsible for promoting and protecting human rights in B.C. In the course of fulfilling this mandate, the Commissioner can do the following:

- Identify and promote the elimination of discriminatory practices, policies and programs
- Develop, deliver and support research and education about human rights
- Create policies, guidelines and recommendations to prevent discrimination and ensure policies, programs and legislation are consistent with B.C.'s Human Rights Code
- Promote compliance with international human rights obligations
- Approve special programs to improve conditions of disadvantaged individuals or groups
- Intervene in human rights proceedings before the BC Human Rights Tribunal or other courts and tribunals
- Assist complainants in human rights proceedings, as appropriate, to create systemic change
- Conduct human rights inquiries and issue reports and recommendations
- Make special reports to the Legislative Assembly about human rights in B.C.
- Inquire into matters referred to BC's Human Rights Commissioner by the Legislative Assembly

## Rights holders and duty bearers

All people are **rights holders**. These include members of groups that are protected under B.C.'s Human Rights Code: those who may face discrimination on the basis of race, colour, ancestry, place of origin, religion, marital status, family status, age, physical or mental disability, sex, sexual orientation or gender identity or expression. Marginalized individuals and groups who are not protected by the Code are also rights holders.

**Duty bearers** are those who have a legal obligation or responsibility to respect, protect and fulfil human rights, including governments, public institutions, service providers, employers and housing providers.

All of us as citizens have a responsibility to honour and uphold each other's human rights.



B.C.'s Human Rights Commissioner, Kasari Govender

***“At the heart of it, human rights are about human dignity. I’ve spent my career thinking about how to change systems, laws and policies to ensure our human rights are protected. Now, I want to foster a culture of human rights in our province, to really change peoples’ hearts and minds and help them better fulfill their rights and obligations under the Human Rights Code.”***

*—B.C.’s Human Rights Commissioner, Kasari Govender*

# Our approach to strategic planning

There has never been a more important time to focus on human rights. A worldwide pandemic continues to spread disease, fear and hate, disrupting humanity but also bringing us to a potentially transformational moment in history. Around the world, societies are grappling openly with issues of systemic racism, discrimination and inequity. Global protests, action and advocacy by citizens desperate for change have brought us to a tipping point. Rarely in history are we given this kind of opportunity to reimagine our oppressive systems in such a comprehensive way. BC's Office of the Human Rights Commissioner is uniquely positioned to learn from all the knowledge, wisdom and the tireless human rights work that came before us so that we can clearly define a path forward to ensure protection of human rights for all people in British Columbia.

Our strategic planning process began with Commissioner Govender's vision of changing hearts and minds in B.C. in order to create a new culture of human rights. With this in mind, and as a new Office, our strategy for the first five years of operation is focused on striking a balance between building internal structures, systems and processes with producing meaningful external impacts on human rights in B.C.

Early on our Office acknowledged the enormous scope of human rights issues in the province.

**We recognized that in order to be effective as a small, nimble organization, we needed to identify strategic priorities** for the next four years of Commissioner Govender's term. These urgent priorities — discrimination under B.C.'s Human Rights Code, decolonization, hate and the rise of white supremacy, poverty as a cause and effect of inequality and injustice and human rights protections for those being detained by the state — will bring structure and focus to our work, detailed in the sections to follow. These priorities are broad enough to ensure we can respond to issues as they emerge while being specific enough to enable us to work diligently on specific initiatives we believe will achieve measurable impact.



We arrived at these strategic priorities through a considered process. We continue to conduct extensive research on human rights in B.C. (including by reviewing countless reports and recommendations) and we have established relationships and information sharing opportunities with our peers in B.C.'s human rights system and with human rights commissions across the country and around the world.

Our deliberations have included regular and continuous strategic planning sessions with our multi-disciplinary team of human rights specialists and one-to-one discussions between the Commissioner and human rights experts, rights holders, duty bearers, advocates in civil society, government, public institutions and private sectors. We have tested our thinking and received feedback on our direction through a series of eight regional engagements (held both in person and virtually) with people and organizations in communities across B.C. to validate our priorities.

## Selecting our strategic priorities

As is the case with values-based start-ups, the challenge facing the BCOHRC was how to develop community-defined strategic priorities without an existing community presence. The BCOHRC is addressing this challenge through the use of:

- 1 Team expertise:** Team members bring significant community standing, lived experience and content expertise in varied subjects, which helps to identify and narrow the list of possible priorities.
- 2 Literature reviews:** The research and policy team is in the process of conducting a comparative analysis of priorities via literature reviews, environmental scans of historical and current report recommendations on human rights issues in B.C., and will continue to monitor new material.
- 3 Baseline project:** This project will collect provincial data against which we can benchmark and measure our progress in future years and canvas B.C. residents on the human rights issues that are important to various communities ([see page 29](#)).
- 4 Advisory Council:** This group of human rights and community experts is currently being established and will bring lived experience, professional expertise and representation from all regions of the province to serve as an additional test of the strategic priority areas.
- 5 Community engagements:** As our Office engages with stakeholders (rights holders and duty bearers) in townhalls, workshops and presentations, we will continue to seek community feedback about priority focus areas.

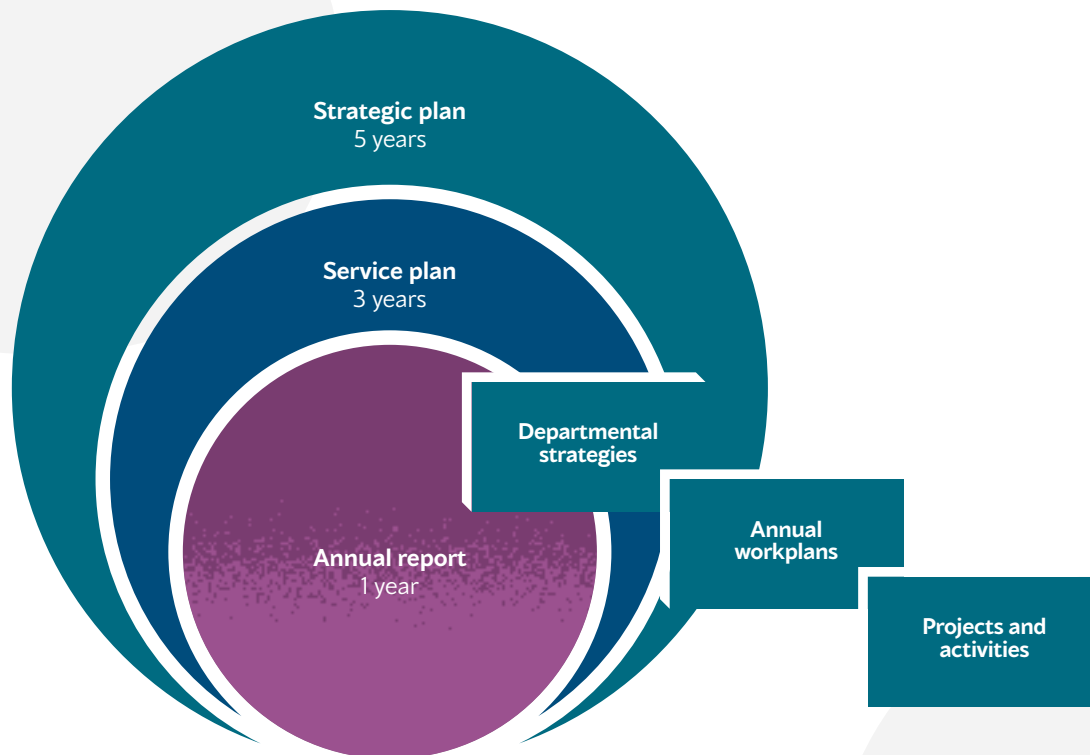
Our resulting first five-year strategy serves as both a living document and a pilot. In part because B.C. never had an independent human rights commissioner, citizens have asked us to be innovative, responsive and bold. We have listened, crafting an ambitious and innovative Strategic Plan.

We will spend the next four and a half years testing our theory of change, our tools and our approaches, each outlined later in this report. We believe strategic planning is critically important to our long-term success and sustainability. So, we invested considerable time in developing our theory of change and ensuring our Strategic Plan cascades into departmental plans, annual work plans, projects and activities, and into our service plans, annual reports and budgets presented to the Select Standing Committee on Finance and Government Services of the B.C. Legislative Assembly. As we fine-tune our strategy, we're working simultaneously on developing an innovative evaluation and monitoring framework that measures not only what we do, but how well we've done progressing toward our objectives. This framework means we will look at both the outputs of various activities (such as how many people attended an education session), as well as long-term outcomes (such as measurable shifts in attitudes and behaviours as a result of what people have learned).

Our Strategic Plan and all our decisions, big and small, are grounded in our guiding principles and our strong commitment to embedding a human rights-based approach and decolonizing principles into our policies, practices and culture.



## Strategic planning framework and cycle



For our first five years in operation, we have identified a model for progressive and sustained development as a new organization. This model balances a thoughtful and strategic approach to building the internal architecture of the organization with producing meaningful external impact on human rights in B.C. at each stage of our development.

Our planning cycle is anchored by a series of cascading plans and reports. At the centre of these is our five-year **Strategic Plan (2020/21–2024/25)**, which lays the foundation for all our work by outlining our vision, mandate, theory of change, guiding principles, strategic priorities and approach to understanding our impact on promoting and protecting human rights in the province. Development and implementation of our Strategic Plan relies on regular internal planning sessions, engagement with stakeholders across the province to ensure our strategic priorities resonate and ongoing monitoring and evaluation of the Plan’s relevance and our progress on implementation. Our Strategic Plan is a living document and has been created to ensure responsiveness to the evolving context in which we operate.

Internally, a series of departmental strategies lay out our approach to education, engagement, communications, research, policy and legal work including interventions, investigations and inquiries. Development of these strategies is led by our senior leadership team as subject matter experts and is a collaborative process to ensure each strategy includes cross-functional elements.

These strategies are iterative, living documents that are not time bound and they inform annual departmental work plans, the framework that details the projects undertaken each year to achieve the goals laid out in the strategic plan. Our departmental strategies and annual work plans are strengthened by our interdisciplinary project approach to work. It is through this unique project management framework that every activity we undertake includes the perspectives and insights of each department.

A key accountability mechanism for our work is the Commissioner’s yearly budget, service plan and annual report submission and presentation to the all-party Select Standing Committee on Finance and Government Services of the Legislative Assembly of B.C. A three-year **Service Plan (2020/21–2022/23)** flows from our Strategic Plan and outlines the objectives and activities we envision undertaking in each of our priority areas in order to fulfill the Commissioner’s mandate. These will be associated with key performance indicators and targets to track and link progress with our overarching strategic goals when we have finalized our **monitoring and evaluation framework**.

Our **Annual Report (2019/20)** tells the story of our work and outcomes resulting from the previous fiscal year. As we grow as an organization, we plan to use our annual reports as an opportunity to highlight the impact our work is having on human rights, balancing numbers with stories and context to ensure a human rights-based approach to evaluation. We will ask people in British Columbia to work with us to tell our story of change.

We hold ourselves to the highest standard in how we direct our investment of public resources through our annual **Budget (2021/22–2023/24)** process. This includes budget development and presentation to the Select Standing Committee on Finance and Government Services for review and approval. In principle and practice, this means we focus on maximizing the impact our budget can have on promoting equality and non-discrimination by directing resources to projects grounded in evidence-based “wise practices”<sup>1</sup> which are reflective of what rights holders and duty bearers have identified as salient rights issues. We direct our resources to enhance the rights of the most marginalized and employ a continuous improvement approach that integrates social impact evaluation<sup>2</sup> at each stage of our work. As we are in the process of building a new organization, this has presented the opportunity to build in a human rights-based approach to budgeting early on. We can look downstream in terms of how we evaluate the impact we achieve from resources we invest, and upstream in terms of how we can influence human rights considerations through our supply chains. We envision this as an evolving and sustained process as we grow and evolve.

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<sup>1</sup> “Wise practices” — an alternative to “best practices” — can be defined as “locally-appropriate actions, tools, principles or decisions that contribute significantly to the development of sustainable and equitable social conditions.” See Calliou, Brian, and Cynthia Wesley-Esquimaux. 2010. Best Practices in Aboriginal Community Development: A Literature Review and Wise Practices Approach.

<sup>2</sup> Here, “social impact evaluation” refers to the framework we will use to assess how the work of BCOHRC in particular influences social change taking place around the province. See “Our approach to evaluation” on p. 42.



# Our operations

## Vision

A province free from inequality, discrimination and injustice where we uphold human rights for all and fulfil our responsibilities to one another.

## Mandate

To address the root causes of inequality, discrimination and injustice in B.C. by shifting laws, policies, practices and cultures. We do this work through education, research, advocacy, inquiry and monitoring.

## Guiding principles

These principles reflect the culture we want to create for our new organization, and how we will conduct our work to ensure accountability to British Columbians. We recognize some of these principles exist in tension with each other — for example, being bold and working at the speed of trust — but we believe that identifying and navigating this tension will help make us better at what we do.

- We operate on the basis of **nothing about us without us**, and we centre the perspectives and rights of those most marginalized and those whose rights are at stake. We recognize the humanity in everyone and are **accountable** to all people living on the lands now known as British Columbia.
- We take a **decolonizing** approach to all our work and recognize that human rights can be held by individuals or groups.
- We understand that all of us have **intersectional** identities and experience discrimination and privilege in diverse ways. Inequality, discrimination and injustice are rooted in the systems around us and must similarly be addressed in a **systemic** way.
- We believe that the protection and promotion of human rights is essential to a functioning **democracy** and are committed to a vision of democracy in which the rights of the majority do not trample upon the rights of those in the minority.
- When engaging with community, we **move at the speed of trust**. We recognize the importance of learning from the stories of diverse people on these lands, including both our elders and our young people.
- The urgency of **climate change** — and the important relationship between the natural environment and human rights — guides us in the work we do.
- Entrenched problems require **bold actions**. Acting boldly means taking risks, and sometimes we will make mistakes. We are committed to **being curious** and continually learning.
- We are **strategic and proactive** in creating change, and balance immediacy with sustainability.
- **Accessibility** of information, space and services is essential to the realization of human rights. Our work will be designed for a range of abilities, cultures, languages, education levels, learning styles and viewpoints.
- In all our relationships, we strive to be **trauma-informed** and **culturally safe**.

## Grounding approaches

### A human rights-based approach

The work of BCOHRC is grounded in a human rights-based approach. How we do things matters. A human rights-based approach seeks to centre the voices of those most marginalized and to make inequality visible in order to redistribute unjust distributions of power. Key principles include:

- Indivisibility, inalienability and universality of rights
- Intersectional equality and non-discrimination
- Meaningful participation, inclusion and empowerment
- Transparency and accountability
- Rule of law

### Intersectionality

Intersectionality is a framework for understanding the ways multiple aspects of our identities intersect, influence each other and combine to create our lived experiences. This concept is often used to explain the ways societal privilege and oppression are complicated by the different parts of people's identities that are privileged or marginalized. Intersectionality illustrates the ways in which oppressive systems (racism, sexism, homophobia, ableism, classism) are interconnected and cannot be studied or understood in isolation from each other. This concept was first developed by American lawyer, activist and scholar Kimberlé Crenshaw, who identified how the United States legal system failed Black women because it did not acknowledge, or address, systemic inequalities linked to the intersections of racism and sexism.



## Decolonization

Decolonization is central to the work of human rights in our society, and consequently to the work of BCOHRC. Decolonization is the dismantling of the process by which one nation asserts and establishes its domination and control over another nation's land, people and culture. It is the framework through which we are working toward undoing the oppression and subjugation of Indigenous peoples in what is now known as British Columbia and unlearning colonial ways of thinking and being.

Key principles include:

- Equality and non-discrimination
- Listening, learning and honouring Indigenous worldviews, including the value of reciprocity and working in relationship
- Self-reflecting as a mechanism to expose systems of bias
- Recognizing and addressing intergenerational trauma as a direct result of colonization
- Recognizing and supporting self-determination
- Dismantling or transforming laws and institutions designed to oppress Indigenous peoples and Indigenous ways of knowing and being
- Restoring a respectful relationship to land

A decolonizing approach to human rights requires us to recognize both collective and individual rights and responsibilities. It applies the 4Rs to building respectful relationships: reciprocity, reflexivity, responsibility and relevance.<sup>3</sup>

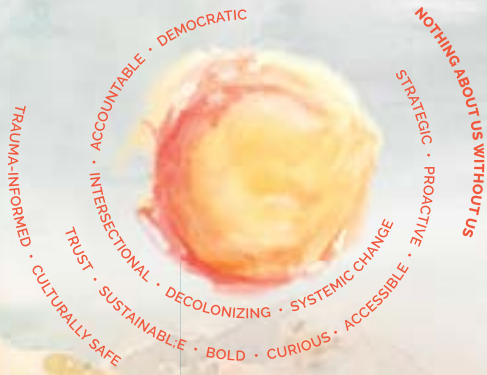
## Our theory of change

By promoting and protecting human rights and responsibilities, we want to reimagine our social, cultural, political and economic systems in harmony with the natural world, in touch with new and old ways of thinking that embrace collective community action and honour human difference. Through our work we seek to change hearts and minds in order to create a culture of human rights across the province.

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<sup>3</sup> These criteria are adaptations of the four key principles (known as the 4Rs) for participating in Indigenous research — respect, reciprocity, relevance and responsibility — as initially described in 1991 by Kirkness, V.J. & Barnhardt, R. (1991). First Nations and Higher Education: The Four R's – Respect, Relevance, Reciprocity, Responsibility. *Journal of American Indian Education*, 30(3): pp. 1-15

# OUR THEORY OF CHANGE



Discrimination under B.C.'s Human Rights Code

Decolonization

Hate and the rise of white supremacy

Poverty as a cause and effect of inequality and injustice

Human rights for those being detained by the state

**The issue** we want to address is a society out of balance, with rising inequality, discrimination, injustice and disconnected individuals.

**We believe** process is as important as product. In whatever work we engage in, we aim to build relationship with each other and with the land we live on.

**We apply** a human rights and decolonial approach to address root causes of injustice.

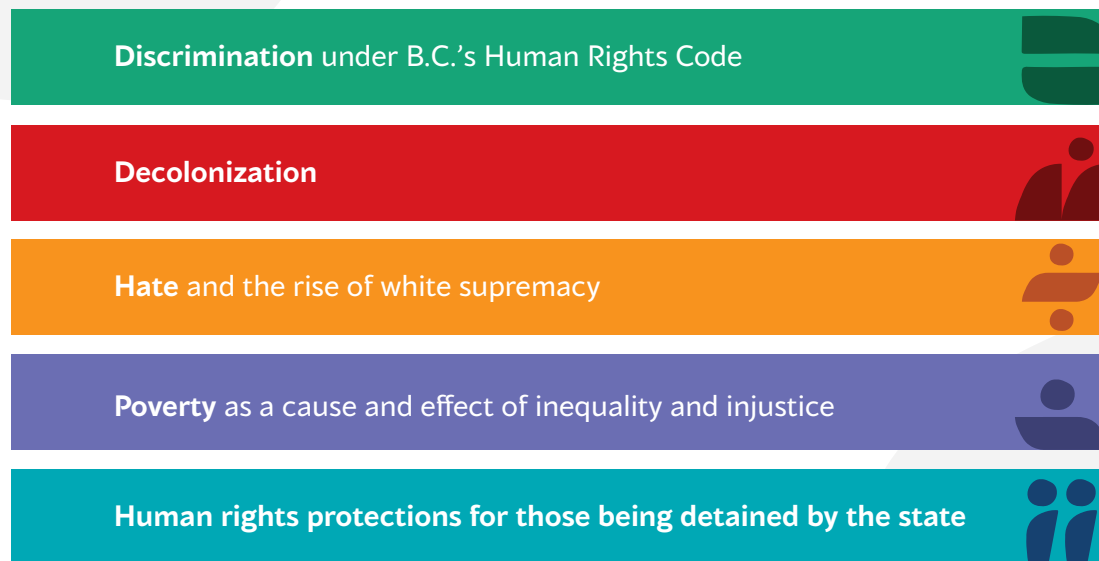
**We do** this work through education, research, advocacy, inquiry and monitoring. Throughout, we centre listening and learning.

**We aim** to influence laws, policies, practices, and cultures to build a more equitable, sustainable future where people are connected in community.

**A province free from inequality, discrimination and injustice where we uphold human rights for all and fulfil our responsibilities to one another.**

As part of our strategic planning process, we embarked on a journey to develop our theory of change. A theory of change guides an organization by clarifying how and why change happens. It also outlines the assumptions we make about that change, which we must review regularly for accuracy and relevance. All our strategic planning and actions flow from this theory of change, which is evolving and in continuous negotiation. We hope that as we interact more with communities across B.C., our approach will evolve and grow. As a living theory, it provides space to ask questions to guide the work we do and embeds our commitment to continuous learning and self-reflection as an organization.

Our program work is focused around five priorities:



In our work, we specifically want to see change to laws, policies, practices and culture within these five areas, which are well supported by our human rights-based operational values, hiring practices and culture. We recognize we are part of a wider system that seeks to influence human rights and responsibilities in our province and we ground all our work in listening and learning.

Human rights are for everyone, so our work includes all rights holders and duty bearers across B.C. To ensure we achieve the most impact with the resources at our disposal, each of our projects will target the most relevant people and communities:

- Impacted rights holders — We will bring to light their stories, truths, experiences and grounded expertise.
- Our Advisory Council and collaborators — We will convene rights conversations, build networks of change and amplify calls to action.
- The general public — We will build allies for change.
- Influential duty bearers — We will change laws, policies, attitudes, behaviours and practices.

We will enact our theory of change through education, research, advocacy, inquiry and monitoring. Our work is interdisciplinary and we collaborate between departments— Communications, Education and Engagement, Legal and Research and Policy—to take meaningful action, including:

- Developing and delivering rights-based information and advocacy materials
- Researching human rights issues and publishing reports with key recommendations
- Consulting and convening community for the promotion of human rights
- Identifying and promoting the elimination of discriminatory practices
- Examining human rights implications in policy, programs and legislation and developing guidelines
- Intervening in legal cases with systemic human rights consequences
- Conducting public inquiries
- Promoting compliance with international and provincial human rights commitments

We are uniquely positioned to achieve impact because:

- We are the only entity with an independent voice that is legislatively mandated to focus on systemic human rights issues right across B.C.
- We act as the people’s watchdog, working to dismantle the bias, hate and misinformation that fuel human rights abuses in the first place.
- We are responsible for monitoring and responding to a broad range of human rights issues, including ensuring our province complies with national and international law.
- We have powerful, comprehensive and interdisciplinary tools and we can choose the most relevant tool for the issue and context.
- Our approach is guided by a strong set of principles ([outlined in our Theory of Change illustration on page 26](#)) and we are committed to embedding decolonization and a human rights-based approach into all our work.

# Our strategic priorities

While our mandate is broad and we are flexible and responsive to emerging human rights issues in British Columbia, we are focusing on our strategic priorities in order to dig deep into these critical issues. In recognition of our complex, multiple and intersecting identities, we take an issues-based approach to human rights, so communities are represented not merely in one of our priorities but in all of them. Most of our projects<sup>4</sup> also cut across multiple strategic priorities as these issues are connected in many ways. We aim to make the interconnections between systemic human rights issues and responsibilities visible.

We recognize that there are many existing organizations and groups working toward the achievement of human rights so, in selecting our strategic priorities, we considered where we would have the most impact. In particular, to come up with our five areas of focus, we asked ourselves these six questions:

- 1** Can we make a significant difference through our mandate to focus on the systemic or root cause of the issue?
- 2** Can we add value to the existing voices on this issue through our role as an Independent Office of the Legislature?
- 3** Will this make a meaningful difference for the most systematically oppressed people in the province?
- 4** Is there a level of intersectionality to the issue so we can generate impact in multiple areas?
- 5** Is there enough public momentum around these issues or would we have to put the groundwork in to develop it?
- 6** Do we have the resources and capacity to make meaningful change?

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<sup>4</sup> Sample activities—our projects and programs—can be found in our three-year rolling service plans which are integrated into our annual reports and updated annually.

## Discrimination under B.C.'s Human Rights Code

The core purpose of BCOHRC is to ensure the rights of everyone in our province — particularly those guaranteed by B.C.'s Human Rights Code — are protected and respected.

We all have the right to be free from discrimination in employment and housing, when accessing services and in union membership and in publications. Under the Code, we are protected from discrimination on the basis of a number of grounds such as gender, race and disability. Dismantling or restructuring the laws, policies and practices that create and sustain such discrimination as a regular part of many people's lives is foundational to the work of the Office.

For example, we know that complaints about discriminatory treatment on the basis of disability continue to form the largest source of cases before the BC Human Rights Tribunal — more than 40 per cent of cases relate to disability.<sup>5</sup> Despite decades of activism from individuals and organizations, people with disabilities continue to be excluded from employment opportunities, housing and publicly accessible services on a routine basis. Seeking to remedy and prevent this and other forms of discrimination will always be a strategic priority area for BCOHRC.

- In 2018/2019 active human rights complaints in B.C. increased 19 per cent compared to the previous year and more than 66 per cent since 2014/2015.<sup>6</sup>
- In 2018/2019 persons with disabilities filed the largest number of human rights complaints with the BC Human Rights Tribunal.<sup>7</sup>
- 2018/2019 produced the first decisions on “gender identity and expression” since it was added to B.C.'s Human Rights Code in 2016.<sup>8</sup>

### Goal:

Improve access to protections of the human rights system.

### Objectives:

- Strengthen protections for marginalized groups by improving B.C.'s Human Rights Code
- Raise awareness of human rights and responsibilities
- Monitor and respond to emerging issues of discrimination
- Develop a “No Wrong Door” approach to working with the Tribunal and Clinic

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<sup>5</sup> BC Human Rights Tribunal. 2019, July. 2018/2019 Annual Report, p. 21.

<sup>6</sup> Ibid., 6.

<sup>7</sup> Ibid., 21.

<sup>8</sup> Ibid., 11.

## Decolonization

Historic and ongoing colonialism, including the dispossession of lands, has a deep and devastating impact on Indigenous peoples and communities. Indigenous people are overrepresented in prisons and child protection systems and excluded from many societal benefits, including equal access to the human rights system. Our Office is committed to listening deeply to Indigenous peoples, supporting self-determination of Nations and working to dismantle structures that impede the full, equal and just participation of Indigenous peoples in all aspects of economic, social, cultural and political life.

We know that Indigenous peoples face serious human rights abuses across the province. We know that the history and ongoing processes of colonization put the very lives of Indigenous people — particularly women, girls and Two-Spirit people — at risk. Nearly one third of missing and murdered Indigenous women and girls in Canada are from British Columbia. The National Inquiry into Missing and Murdered Indigenous Women and Girls calls this ongoing crisis “a genocide” of gendered and racialized violence.

The Inquiry identified important root causes of this violence, including the overrepresentation of Indigenous children in care and of Indigenous people in prisons. In 2017, while Indigenous people made up about five per cent of the population in B.C., 44 per cent of the male youth in custody in B.C. — and 32 per cent of imprisoned women — were Indigenous. Indigenous children account for a staggering 63 per cent of all children placed in the care of child protection services.



- A recent report has found 84% of Indigenous patients surveyed have experienced some form of discrimination in BC's healthcare system.<sup>9</sup>
- Some 47 per cent of Canadians believe harm from residential schools continues and cannot be ignored.<sup>10</sup>
- One study surveying Indigenous peoples from across B.C. found that 48 per cent of participants did not file a human rights complaint even when they identified experiences of discrimination because they did not think they would be believed.<sup>11</sup>

### Goal:

Support the self-determination of Nations and work to dismantle structures of colonialism.

### Objectives:

- Increase the accessibility and relevance of the human rights system for Indigenous people(s) through education, law reform and support of the Tribunal and Clinic's Indigenous-focused initiatives
- Support implementation, monitoring and enforcement of the Declaration on the Rights of Indigenous Peoples Act (DRIPA)
- Raise awareness of Indigenous experiences of discrimination and the rights of Indigenous peoples

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<sup>9</sup> Turpel-Lafond, Mary Ellen. 2020. In Plain Sight: Addressing Indigenous-specific Racism and Discrimination in B.C. Health Care.

<sup>10</sup> Environics Institute for Survey Research. 2016. Canadian Public Opinion on Aboriginal Peoples, p. 30.

<sup>11</sup> Walkem, Ardith Walpetko We'dalx. 2020. Expanding Our Vision: Cultural Equality and Indigenous Peoples' Human Rights, p. 13.



## Hate and the rise of white supremacy

Fear and ignorance underlie much of the rise of hate and white supremacy in B.C. and around the world. Hate stems from a fear of losing power and is rooted in racism and misogyny. Combating hate in all its forms—from hateful speech to hateful violence—requires addressing fear and ignorance through an evidence-based approach to change. Our Office is committed to reducing the presence of hate in our society.

Recent incidents of racism and violence across B.C. during the COVID-19 pandemic are deeply disturbing. These violent acts are rooted in ignorance and discrimination against marginalized communities, specifically Asian, Indigenous and Black communities. The province is experiencing dramatic increases in hate-associated police files in addition to many under-reported acts of violence. Half of the Chinese-Canadian participants in a recent Angus Reid Institute survey reported they are being called names or insulted as a direct result of COVID-19, and 60 per cent reported having to change their routines to avoid abusive encounters during the pandemic.<sup>12</sup> We have seen racially motivated physical attacks and vandalism that have left members of some communities stuck inside for fear of falling victim to violence. Yet it is important to remember that while COVID-19 has highlighted problems of hate and white supremacy, it did not create them. Our province and nation have a legacy of colonialism and institutional racism that continues to this day.

- Between April 23 and May 18, Project 1907 documented a rise in anti-Asian racism in Canada.
- Over 70 per cent of respondents who reported incidents of anti-Asian racism identified as women across 25 Canadian cities.<sup>13</sup>
- Some 15 per cent of British Columbians, the highest percentage in any province, believe hate crimes have increased since the pandemic began.<sup>14</sup>

### Goal:

Reduce hate and work to dismantle white supremacy in our society.

### Objectives:

Build empathy, curiosity and social change across difference by contributing to:

- Improving research and data on the root causes of manifestations of hate
- Reducing misinformation that feeds stereotyping, fear and violence
- Improving effectiveness of legal responses to hate

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<sup>12</sup> Angus Reid. 2020. Blame, bullying and disrespect: Chinese Canadians reveal their experiences with racism during COVID-19. <http://angusreid.org/racism-chinese-canadians-covid19/>.

<sup>13</sup> Project 1907. 2020. COVID-19 Anti-Asian Racism in Canada.

<sup>14</sup> Statistics Canada. 2020, June 9. Canadians' perceptions of personal safety since COVID-19.

## Poverty as a cause and effect of inequality and injustice

Inadequate standard of living is both a cause and an effect of inequality and injustice. Women, gender-diverse people, Indigenous people, people with disabilities, seniors and people of colour are more likely to live in poverty. While domestic protections have lagged behind, the high rates of poverty in B.C. violate provincial obligations to respect people's right to an adequate standard of living as enshrined in international law. BC's Office of the Human Rights Commissioner is committed to working toward effective and meaningful domestic protections for economic rights, engaging with poverty as a human rights issue and dismantling discrimination against people living in poverty.

How do we measure up to our international commitments to ensure an adequate standard of living? We are concerned that economic, social and cultural rights — such as access to necessities like food, water and housing — continue to be routinely violated in Canada. The reality is poverty in British Columbia is high: one in eight people here live in poverty,<sup>15</sup> and those receiving basic assistance (at pre-COVID-19 levels) are still left with an annualized income much less than 50 per cent of the poverty line threshold.

- One in five children in B.C. grow up living in poverty<sup>16</sup> and studies show there can be long-term impacts on children's health and development.<sup>17</sup>
- Queer, transgender and Two-Spirit youth in B.C. are up to five times more likely to go to bed hungry at night because of no food in the house.<sup>18</sup>
- B.C. has the highest seniors' poverty rate in Canada at eight per cent,<sup>19</sup> and single senior women are likely to experience even higher rates of poverty.<sup>20</sup>

### Goal:

Reduce discrimination on the basis of poverty.

### Objectives:

- Raise awareness of poverty and classism as human rights issues
- Embed human rights approaches and law in government strategies related to poverty
- Monitor and respond to legislation and policy related to impacts on people in poverty

<sup>15</sup> Statistics Canada. [Table 11-10-0135-01 Low income statistics by age, sex and economic family type.](#)

<sup>16</sup> First Call: BC Child and Youth Advocacy Coalition. 2019. 2019 Child Poverty Report Card, p. 3.

<sup>17</sup> Human Early Learning Partnership. 2019, November. Early Development Instrument British Columbia, 2016-2019 Wave 7 provincial report. Vancouver, B.C.: University of British Columbia, Faculty of Medicine, School of Population and Public Health.

<sup>18</sup> BC Poverty Reduction Coalition. 2013, Queer & Trans Poverty in BC fact sheet: Poverty is a Queer & Trans issue, p. 1.

<sup>19</sup> Lower Mainland United Way and Social Planning and Research Council of BC. 2018. B.C. Seniors' Poverty Report Card, p. 5.

<sup>20</sup> Ivanova, Igluka. 2017. Poverty and Inequality Amount British Columbia's Seniors. Vancouver, B.C.: Canadian Centre for Policy Alternatives BC Office, p. 20.

## Human rights protections for those being detained by the state

We all have the right to be free from arbitrary detention, abuse of power and other unfair treatment if we are detained by the police or held in correctional centres, under community supervision or within mental health systems.

Disproportionate detention of certain groups, particularly Indigenous peoples, reveal systemic and substantive inequality in the operation of the law. These public institutions are required to interact with people when they are at their most vulnerable (including detained people, victims and family members of both) and they are therefore charged with upholding human rights protections in highly challenging and important circumstances. Our Office is committed to ensuring that laws and practices around detention are applied sparingly, proportionately and equitably, and to ensuring that public bodies are held accountable for treating people in their custody in accordance with human rights protections.

- According to BC's Ombudsperson, psychiatric facilities across British Columbia demonstrated a "systemic failure to follow the law" due to their "significant levels of non-compliance" in completing mandatory forms required for involuntary patient admissions. These legally required measures were completed only 28 per cent of the time, according to a March 2019 report.<sup>21</sup>
- Between 2008 and 2017 Black people were subject to over four per cent of street checks undertaken by the Vancouver Police Department despite representing less than one per cent of the population, while Indigenous people were subject to over 16 per cent of street checks despite representing just over two per cent of the population.<sup>22</sup>
- In B.C. the proportion of Indigenous girls involved in the justice system has nearly doubled since 2006/2007.<sup>23</sup>

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<sup>21</sup> BC Ombudsperson. 2019, March. Committed to Change: Protecting the Rights of Involuntary Patients under the Mental Health Act, p. 7.

<sup>22</sup> Union of BC Indian Chiefs and the BC Civil Liberties Association. 2018, June 14. Re: Policy Complaint Concerning Street Checks by the Vancouver Police Department, pp. 1-2.

<sup>23</sup> Statistics Canada. 2018. Adult and Youth Correctional Statistics in Canada, 2016/2017.

**Goal:**

Ensure laws and practices around detention are applied sparingly, proportionately and equitably.

**Objectives:**

- Reduce overuse and discriminatory application of involuntary mental health detention
- Work toward implementation of domestic and international law standards within all forms of detention
- Reduce discrimination in policing practices

## Our operational priority: Creating a strong and sustainable organization

In order to achieve lasting change, we have to walk the talk. One of the key drivers in realizing our vision is our ability to create a strong and sustainable organization that reflects the interests, perspectives and identities of people across B.C.

As a new organization, we are balancing a thoughtful and strategic approach to building the internal architecture of the organization with producing meaningful external impact on human rights in B.C. at each stage of our development.

*We are balancing a thoughtful and strategic approach to building the internal architecture of the organization.*

Among our key projects in this area are:

- Creating a human rights-centered policy and practice framework
- Developing an inclusive, rights-based, decolonized strategic planning, evaluation and reporting framework, process and approach
- Creating an equitable, inclusive, accessible and rights-based recruitment process that attracts a large and diverse pool of exceptional candidates
- Building a workplace culture that is trauma-informed, culturally safe, healthy, diverse, equitable, accessible and inclusive, enabling our staff to thrive
- Developing an accessible, interactive and multi-functional website and robust social media that serve as key tools for communicating human rights information and education in B.C.
- Customizing stakeholder engagement practices to ensure proactive outreach and respectful, lasting relationships with communities
- Prioritizing privacy and accessibility in selecting all of our technology and software solutions

- BCOHRC is one of nine non-partisan, statutory independent offices of the Legislature in B.C. and one of two Human Rights Commissions in Canada independent from government (along with the Northwest Territories Commission).
- BCOHRC shares corporate services such as Information Management / Information Technology, Finance and Human Resources with the Office of the Representative for Children and Youth as a means to operate more efficiently.
- BCOHRC's Vancouver office was designed with equity in mind: it is accessible to people with disabilities, includes privacy and safety measures for visitors and staff and was built and equipped using ethical and environmental products and processes wherever possible.
- BCOHRC models equitable, inclusive, accessible and rights-based recruitment processes to ensure our staff represent the communities we serve and bring critical perspectives to their work based on experiences in both their personal and professional lives.

### **Goal:**

Our goal is to build, grow and sustain an organization capable of generating progressive impact on human rights in B.C.

### **Objectives:**

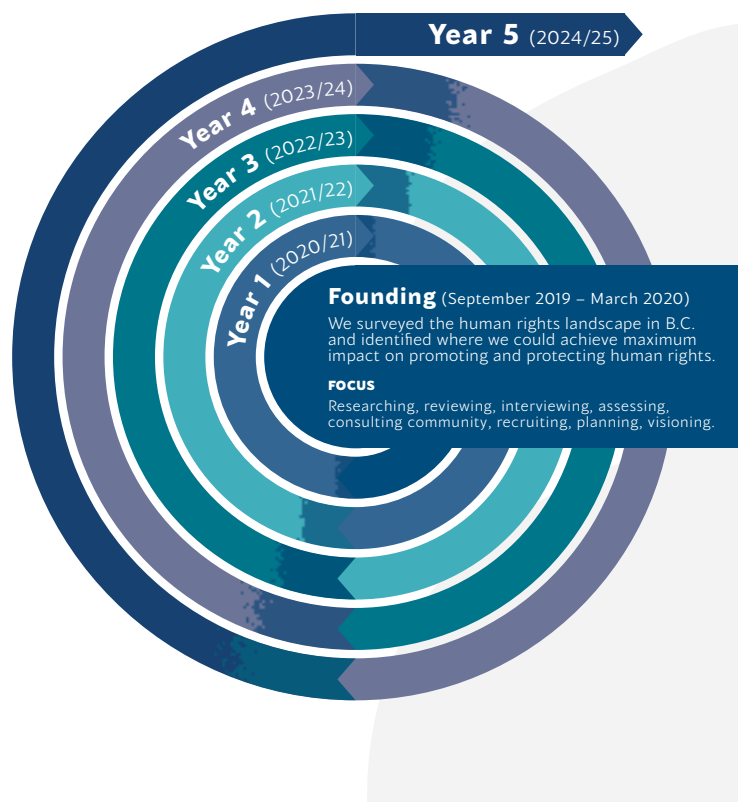
- To build and sustain a dynamic, healthy, diverse and inclusive team
- To establish effective operational systems and processes in alignment with the organization's goals, guiding principles and a human rights-based approach
- To create a unique visual identity that is recognizable and establishes the Commissioner as a credible voice advancing human rights in B.C.



# Our implementation plan

For our first five years in operation, we have identified a model for progressive and sustained development as a new organization, which is outlined in our Strategic Plan. This model balances a thoughtful and strategic approach to building the internal architecture of the organization with producing a meaningful external impact on human rights in B.C. at each stage of our development.

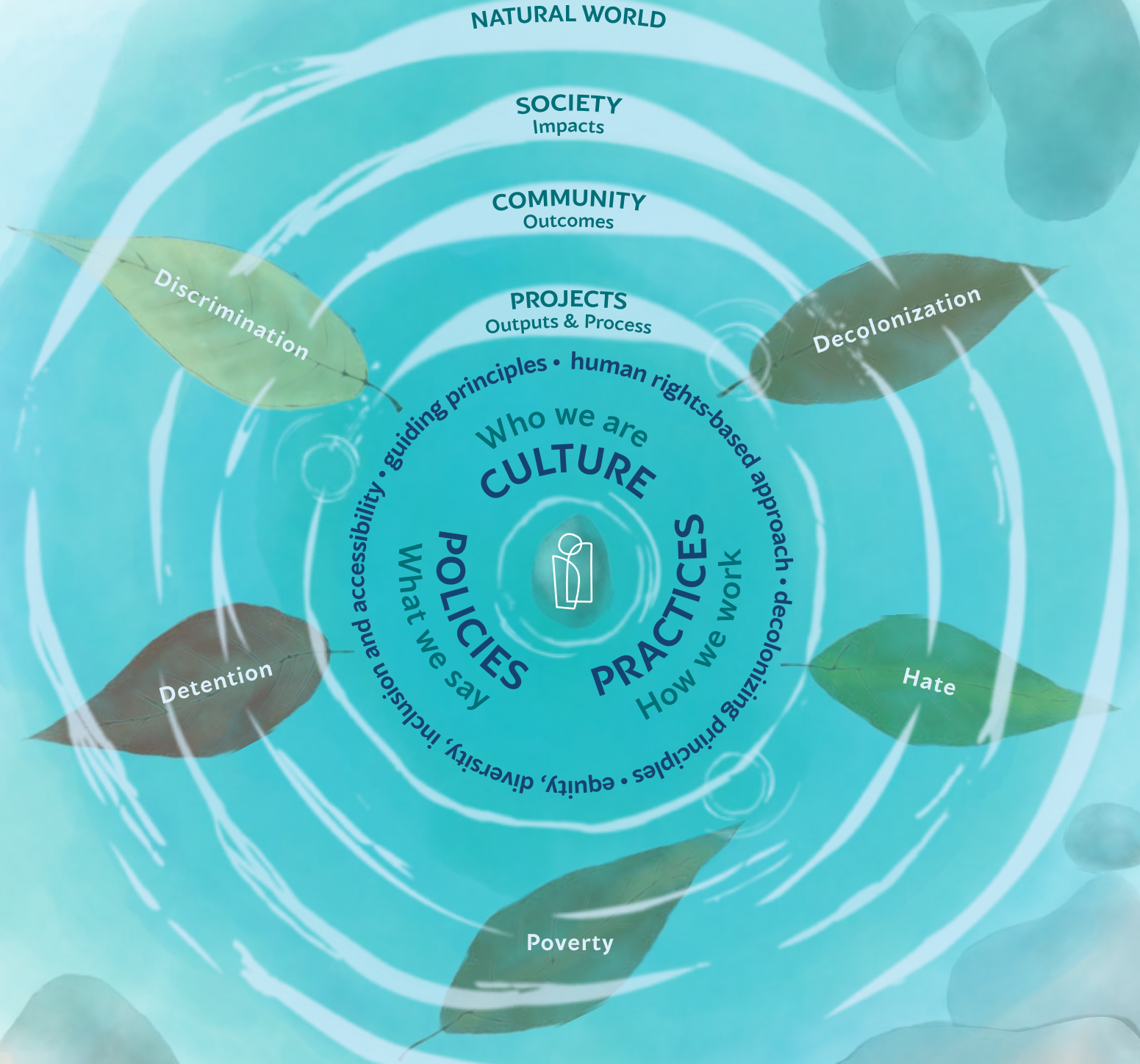
<p><b>Year 1 (2020/21)</b></p> <p>We are <b>building</b> the operational and programmatic foundations of the organization.</p> <p><b>focus</b></p> <p>Recruiting, new office opening, strategic planning, identifying stakeholders, engaging community, tool scoping, project and program designing, piloting.</p>
<p><b>Year 2 (2021/22)</b></p> <p>We will <b>grow</b> the organization in size, structure and reach.</p> <p><b>focus</b></p> <p>Team building, educating, engaging and building relationships, projects and program scaling, issues reporting, policy guiding, clearly communicating.</p>
<p><b>Year 3 (2022/23)</b></p> <p>We will <b>refine</b> our established policies, practices and activities.</p> <p><b>focus</b></p> <p>Improving projects, program innovating, problem solving, process streamlining, best practice sharing.</p>
<p><b>Year 4 (2023/24)</b></p> <p>We will <b>sustain</b> our wise practices and increase our impact.</p> <p><b>focus</b></p> <p>Expanding, embedding, enabling, spreading, collaborating, changing, transforming, preserving.</p>
<p><b>Year 5 (2024/25)</b></p> <p>We will renew our planning process for the next five-year cycle in our growth and development.</p> <p><b>focus</b></p> <p>Concluding, reviewing, organizing, assessing, improving, visioning, future planning, transitioning.</p>



For specific project and program activities, please see [BCOHR's Service Plan for 2020/21–2022/23](#).



# EVALUATING OUR IMPACT ON HUMAN RIGHTS



# Our approach to evaluation

Monitoring, evaluation and continuous improvement are built into each stage of our development as we build, grow, sustain, refine and renew.

We recognize the enormous complexity in evaluating systemic human rights work, where creating the type of social change we envision requires collaboration, sustained commitment and time.

This means we must think beyond traditional evaluation techniques that focus on an individual organization's contributions or quantitative-only methods. These kinds of indicators are often divorced from the ecosystem of collaborators who supported those achievements and often focus exclusively on short-term outputs from activities without looking at the larger picture.

Our evaluation framework, which we will pilot over the next two years, seeks to address these complexities by taking a new, holistic approach, which means:



The **process** of evaluation is as important as the **outcome**. We will strive to use our evaluation activities to build relationships with impacted rights holders, to educate and engage on human rights in general and to learn about what is important to people across B.C. We will look to how well we are building and sustaining respectful relationships using the criteria of reciprocity, relevance, reflexivity and responsibility.<sup>24</sup>



We will situate our work within the broader **context** of human rights in B.C. by integrating our monitoring and evaluation framework into our ongoing project of assessing the state of human rights in B.C. over time. This will enable us to see the links between our short-term project outputs, medium-term community outcomes and long-term societal impact taking into account a rapidly shifting social landscape. We will demonstrate accountability in what we measure and how we report, place equality and non-discrimination at the heart of each of our measures and ensure that participation is integrated into every step of our evaluation process by engaging with rights holders and duty bearers. Additionally, we will use a diversity of methods to gather information and ensure the data we collect is disaggregated, protected and upholds the right to privacy.

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<sup>24</sup> Adapted from: ENNHRI: European Network of National Human Rights Institutions' report: Applying a Human Rights Based Approach to Poverty Reduction and Measurement: A Guide for National Human Rights, The European Union, October 2019.



Most organizations tell their own **story** about their achievements, often focusing on numbers over words (or statistics over people). We value qualitative research methods as much as quantitative and will focus on people's stories, highlighting the value of lived experience. We will also work alongside communities and organizations impacted by our work to **co-create** indicators of our performance where relevant. This will enable the evaluation of our work to be both reflective of and responsive to the needs of diverse people across B.C. We are in the process of developing a hybrid model that incorporates both mainstream and community-based indicators.



We will **balance** point-in-time evaluation with ongoing evaluation and continually review our theory of change to test our assumptions. We'll also balance evaluation of our short-term outputs, which will be emphasized in our first few years as a new organization, with the measurement of our larger impact on society over the long-term. We will be realistic and transparent about what we are able to measure and attribute to our actions. We'll know we're on the right track if our work is relevant, coherent, effective and sustainable.<sup>25</sup>

When these elements are put together, they create a three-dimensional evaluation framework.

We are well positioned to evaluate our impact because of the expertise of our in-house research team, the interdisciplinary approach we take to executing our work and the opportunity we've been presented as a new organization in start-up to develop our strategy and evaluation approach simultaneously. Most importantly, our human rights-based, decolonized approach enables us to balance quantitative and qualitative indicators and centre the stories and truths of those most impacted by our work.

Our biggest opportunities are also our biggest challenges: we are piloting a new and innovative framework that will necessarily require refinement as we implement this strategy. In addition, our approach is fundamentally collaborative and systems focused, so it will not always be possible to identify a causal link between the impacts we see around the province and our specific work. However, evaluation of our work within the larger assessment of the state of human rights in B.C. will enable us to better identify where our specific impact lies.

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<sup>25</sup> These concepts derive from the OECD's Development Advisory Committee DAC Recommendation on the Humanitarian-Development-Peace Nexus, OECD/LEGAL/5019. <https://legalinstruments.oecd.org/public/doc/643/643.en.pdf>

Using our vision, mandate, guiding principles and approach as the lens through which we conduct our monitoring and evaluation, we will evaluate at several levels including:

- Internal operations as an organization including our policies, practices and culture
- BCOHRC projects and programs, both large and small
- The effectiveness of our tools including education, research, advocacy, inquiry and monitoring
- BCOHRC influence on shifting laws, policies, practices and the culture of human rights in B.C.
- Links between our impact and larger trends in human rights across the province examined in our semi-annual assessment of the state of human rights in B.C.

In dealing with complex systems in which human rights issues are situated, it is hard to determine the cause of impact. We will collect information and data in several ways: through storytelling, engagement sessions and surveys, and through our Advisory Council. We are also embarking on a community longitudinal study where we will identify the challenges and opportunities associated with measuring changes in societal attitudes and behaviours.

We plan to incorporate more traditional techniques such as polling, reviews of legislative and policy change, collection of and measurement against publicly reported statistics and reviews of international, provincial and other governmental reporting on our province's performance. We will balance these traditional approaches by testing new and innovative evaluation techniques such as narrative assessment, and validate our assumptions and work with the support of external validators and third-party evaluation.





British Columbia's  
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