



British Columbia's
Office of the Human Rights
Commissioner

Spreading our wings



Annual Report 2023/24 and Service Plan 2024/25–2026/27

Spreading our wings

Annual Report 2023/24 and Service Plan 2024/25–2026/27

September 2024

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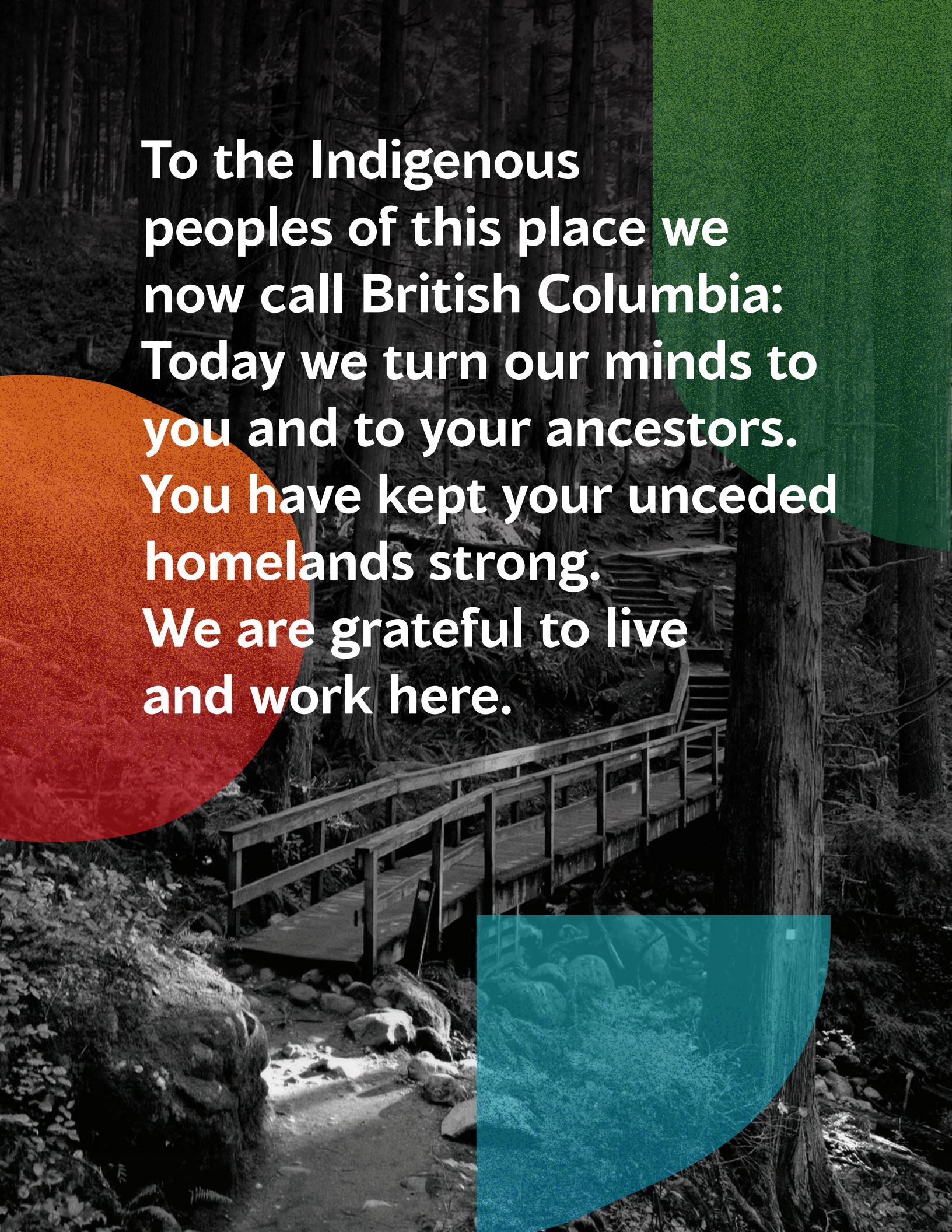
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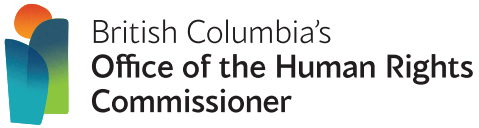
Annual Report 2023/24 and
Service Plan 2024/25–2026/27



British Columbia's
**Office of the Human Rights
Commissioner**



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.



September 2024

The Honourable Raj Chouhan
Speaker of the Legislative Assembly
Parliament Buildings
Victoria, BC V8V 1X4

Dear Mr. Speaker,

It is my pleasure to present BC's Office of the Human Rights Commissioner's 2023/2024 Annual Report and 2024/25–2026/27 Service Plan to the Legislative Assembly.

This document reports on the period from April 1, 2023, to March 31, 2024, and highlights activities underway and planned for April 1, 2024, to March 31, 2027. It has been prepared in accordance with Section 47.23(1) of the *Human Rights Code*.

Sincerely,

A handwritten signature in black ink, appearing to read "Kasari Govender", is written over a light blue horizontal line.

Kasari Govender
B.C.'s Human Rights Commissioner
Province of British Columbia

cc: Kate Ryan-Lloyd
Clerk of the Legislative Assembly

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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





Message from the Commissioner

With the roots we laid down over our first years as an organization, this year we have been reaching further and spreading our wings to reach our full potential to improve the human rights of people everywhere in British Columbia.

As I reflect on the past year, a key lesson stands out: the ways in which our experiences and our human rights are interconnected. While some view human rights as at odds with the teachings of collectivist cultures due to their focus on the dignity of the individual, my vision of human rights has always been more networked. Our human experiences are linked and cannot be disentangled from the rights and experiences of others. When we place substantive equality at the centre of our vision for a better world, we understand that our rights are not isolated.

The interconnected nature of human rights informed our first public inquiry released in early 2023. The resulting report, *From Hate to Hope: Report of the Inquiry into Hate in the COVID-19 Pandemic*, was based on a year and a half of research and the contributions of thousands of British Columbians. The 12 recommendations grounded big ideas around forgiveness, accountability and belonging in a blueprint for tangible actions to address the rise of hate during the COVID-19 pandemic and beyond.

While the inquiry itself focused on what happened during the pandemic, hate incidents have continued to rise and fall in response to both local and global events. For example, in the fall of 2023, there was a rise in hate on the basis of gender identity following a backlash over anti-bullying and pro-diversity teaching tools. Soon after, violence in the Middle East erupted and hate incidents based on antisemitism, Islamophobia and anti-Palestinian racism broke out closer to home. Without transformative action against hate, these spikes of vitriol will continue to harm already marginalized people.

This year, we focused on advocating for the implementation of the From Hate to Hope report recommendations and continuing the conversation in diverse communities across the province. We travelled the province talking about what we learned about hate and hearing about the many forms of resistance and hope that have sprung up in response. In Fort St. John, Vancouver, Nanaimo and Keremeos, we partnered with local youth, community groups and artists to create murals as one tool to bridge the gap between the dense inquiry report and our real lives and experiences. While a hate incident may cut deeply for the individual experiencing it, hate also has ripple effects across communities. And while standing up against hate in the moment is important to address incidents as they arise, ultimately, we need a communal response to a societal problem.

This year, we also launched three new inquiries: an inquiry into involuntary detentions under the *Adult Guardianship Act*, an inquiry into restrictions of media during the eviction of unhoused people from an encampment, and an inquiry into the use of force by police agencies in B.C. As in most of our work, the rights of those most marginalized in our communities are central to these inquiries. To paraphrase Martin Luther King Jr., until all of us are free and equal, none of us will be free and equal.

We also published a series of Community Briefs, reflecting what we heard about human rights issues in four diverse communities across British Columbia. Some of what we heard relates to the regional impacts of specific issues—for example, the disproportionately high rates of food insecurity in Cranbrook and the connection between resource extraction and high levels of violence against Indigenous women in Terrace.

I was also struck by how many of the experiences raised in each community fit into larger themes shared across the province. We heard repeatedly about the impact of unaffordable, inaccessible and high-barrier housing. We heard about the impact of poverty—especially on children, women and families. We heard about discrimination in the provision of health care services, especially against Indigenous people, and difficulty accessing the medical system, especially for mental health services. We heard about the ever-rising death toll from the toxic drug crisis, and the lasting impact on the families left behind. The consistency of these themes demonstrates yet again the ways our communities and our experiences are interconnected. Similarly, our human rights solutions will not be found in isolation; it is often only by working in community on collective issues that we will see change.

At BCOHRC, we recognize the humanity in everyone, the profound connection between us all and our collective responsibility to both individual and community dignity. We hope you see yourself in our efforts and are able to rely on our work to help support your own communities with care and dignity.

Sincerely,



Kasari Govender
B.C.'s Human Rights Commissioner

2023/24 year at a glance

Appeared in court as an intervenor in *Gitxaala Nation v. Chief Gold Commissioner of B.C. et al.* and *Ehattesaht First Nation v. His Majesty the King in right of B.C. et al.*, two cases marking the first legal tests of B.C.'s *Declaration on the Rights of Indigenous Peoples Act*.

Apr 2023

Received the Court of Appeal's decision in *Gibraltar Mines Ltd. v. Harvey* affirming broader protections for parents and caregivers in the workplace.

May 2023

Launched the *Baseline Project's* survey of community service and rights-related organizations to better understand the most pressing human rights issues facing people across B.C.

Hosted community dialogue events in Penticton and Nanaimo based on the recommendations from the *Inquiry into Hate in the Pandemic*, including a "living library" event.

Jun 2023

Granted leave to intervene in *Vancouver Aboriginal Child and Family Services Society (VACFSS) v. R.R.*, a case about discrimination in child protection.

Jul 2023

Hosted an event with community leaders and decision-makers in Fort St. John to discuss how recommendations from the *Inquiry into Hate in the Pandemic* can be implemented locally and what leaders in B.C.'s North can do to combat hate.

Started painting murals in Keremeos, Nanaimo, Fort St. John and Vancouver as part of a year-long campaign to empower communities to take local action against hate.

Aug 2023

Released our popular "*Human Rights Code* educational session" in 10 languages. These videos help viewers understand their rights and responsibilities whether they are landlords or tenants, employers or employees or service providers or service users.

Sep 2023

Commissioner released a statement *denouncing anti-LGBTQ2SIA+ marches* planned for cities across B.C.

Launched *BCHumanRightsSystem.ca* in partnership with the BC Human Rights Tribunal and the BC Human Rights Clinic to help people navigate the different parts of B.C.'s human rights system.

Oct 2023

Commissioner called for action to counter *rising antisemitism and Islamophobia*.

Nov 2023

Unveiled community-created murals in Vancouver, Fort St. John, Keremeos and Nanaimo.

Joined the Privacy Commissioner and Ombudsperson in calling for legislative reform on the use of artificial intelligence.

Dec 2023

Launched an inquiry into the *Adult Guardianship Act*.

Launched an *inquiry on exclusion zones and press freedom*.

Jan 2024

Launched an inquiry into *police use of force*.

Released a new educational video on systemic discrimination alongside our new workshops and upcoming simulation activity on the same topic. To learn more about our work on systemic discrimination, visit our *website*.

Feb 2024

Mar 2024

Released the interim report on the progress of an agreement between the *Vancouver Police Board* and the *Heiltsuk Nation* to address systemic anti-Indigenous racism in policing.

By the numbers



3,888

media stories
about our work



139,700

visits to our website



15,340+

social media followers

1,700+

human rights recommendations about British
Columbia in BCOHRC's new searchable database



21,000+

downloads of BCOHRC resources
including our hate speech Q&A



141

active special programs
held by 96 organizations



35 focus
groups & **51** interviews

as part of the Baseline Project's in-depth
community-based research

2,000+

people heard the
Commissioner speak at 23
keynotes, conferences, panels
and other presentations

37

educational sessions offered to
the public about B.C.'s *Human
Rights Code* and human rights
issues, reaching 2,000+ people

BC's Office of the Human Rights Commissioner

Our vision

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

Our 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.

Our role

B.C.'s *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:

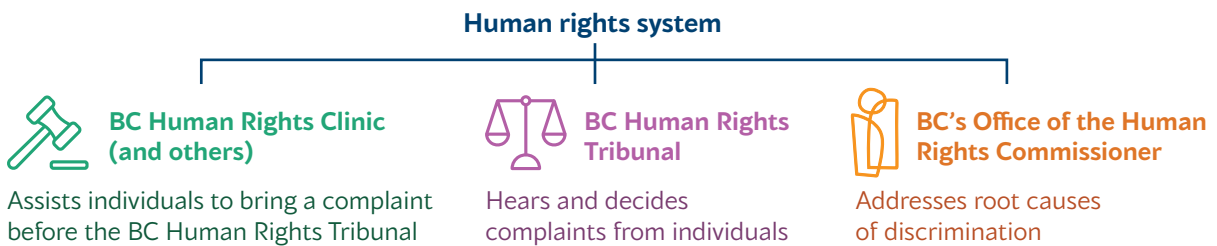
- identify and promote the elimination of discriminatory practices, policies and programs
- develop, deliver and support research and education about human rights
- create policies, guidelines and recommendations to prevent discrimination
- promote compliance with international human rights obligations
- 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 B.C.'s Human Rights Commissioner by the Legislative Assembly

B.C.'s human rights system

B.C.'s *Human Rights Code* prohibits discrimination based on personal characteristics, such as race, sex, religion, gender identity and disability (also known as “protected grounds”¹) in these areas of daily life: housing, employment, services, publications and membership in unions and associations.

Our Office has broad powers to address systemic discrimination in all areas covered by the *Human Rights 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.

Our Office is one part of a three-part system of human rights protection and oversight in our province.



Our approach

Guiding principles

We are guided by the following principles, both inside and outside the organization:

- 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 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.
- 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**.
- 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 **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**.

¹ Please see our website for a full list of *Code*-protected grounds.

Human rights-based approach

We ground our work in a human rights-based approach, which includes the following principles:

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

Decolonizing approach

Decolonization is the dismantling of the process by which one nation asserts and establishes its domination and control over other nations' land, people and culture. Decolonization is central to human rights work. The approach requires we recognize both collective and individual rights and responsibilities. It applies the four 'R's for building respectful relationships: reciprocity, reflexivity, responsibility and relevance.² Principles include:

- equality and non-discrimination
- listening, learning and honouring Indigenous world views, 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

² 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 V.J. Kirkness & R. Barnhardt, "First Nations and Higher Education: The Four R's— Respect, Relevance, Reciprocity, Responsibility," *Journal of American Indian Education*, 30(3), 1991, pp. 1-15.

2023/24 strategic priority highlights

Reimagining human rights in B.C., our five-year strategic plan for 2020/21–2024/25, is the roadmap for the Office's efforts to support and advance human rights across B.C.

Our six strategic priority areas are:



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 **protections for those being detained** by the state



Creating a **strong and sustainable organization**

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

A key reason that BCOHRC exists is to ensure that the rights 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. Under the *Human Rights Code*, we are protected from discrimination on the basis of a number of grounds, such as gender, race, Indigeneity and disability.

2023/24 highlights

- conducted community-embedded research in Chetwynd, Cranbrook, Terrace and Chilliwack as part of our Baseline Project, including launching our [Community Briefs](#) series, which details the human rights priorities we heard about in each of these communities (see page 17)
- released our Office's first [Accessibility Report](#) documenting our commitment to advancing accessibility for people in all our internal operations and external programs (see page 52)
- launched the translations of our *Human Rights Code* [workshop](#) in 10 languages (see page 45)
- launched the third video in our Human Rights in B.C. series, providing an introduction to the impacts of [systemic discrimination](#) in our communities. The video is accompanied by a workshop that has already reached more than 500 people (see page 41)
- released our [recommendations database](#), which catalogues nearly 1,700 human rights recommendations about British Columbia in a searchable database to help researchers, decision-makers and advocates understand human rights recommendations made in more than 70 reports. The database is a living resource and will continue to grow over time (see page 44)
- launched a new web portal at bchumanrightssystem.ca to help people navigate the three parts of B.C.'s human rights system and get to the BC Human Rights Tribunal, BC Human Rights Clinic or BC's Office of the Human Rights Commissioner, depending on their needs
- called for the continuation of [masking mandates in health care settings](#) to protect the rights of the most vulnerable and immunocompromised



By the numbers

- Polling by our Office shows that:³
 - Online discrimination is impacting people’s freedom of expression and behaviour. 42 per cent of British Columbians say they “often” or “sometimes” avoid or have avoided posting comments to social media platforms because of possible discrimination and hate.
 - More than 77 per cent of people in British Columbia believe governments should do more to identify and address sources of systemic discrimination, including in the areas of employment, housing and service provision.
 - More than 55 per cent of people in British Columbia do not believe that people with disabilities receive sufficient accommodations in the workplace.

³ Based on an online study conducted by Research Co. on behalf of BCOHRC from March 28 to April 1, 2024, among 803 adults in British Columbia, which is a representative sample.





Understanding human rights priorities in communities across B.C.

“The Baseline Community Briefs done by BC’s Office of the Human Rights Commissioner could not have come at a better time to ensure the voices of rural citizens in Cranbrook impacted by human rights are captured. Our community is growing, and we have faced many challenges in terms of the housing crisis, food security, poverty and stigma against people who use drugs. The current drug poisoning crisis adds another layer. These Community Briefs provide inclusion, compassion and respect, and a safe platform to have this important dialogue. As a result, we at ANKORS have formed a Human Rights Community Partner Group, which will continue to bring our most vulnerable citizens’ voices forward as we navigate the everchanging landscape of human rights in Cranbrook.”

— Polly Sutherland, ANKORS Cranbrook / Community Action Team Coordinator, Cranbrook Moving Mountains

For the last two years, BCOHRC has been deeply engaged in community-embedded research in the Chetwynd, Chilliwack, Cranbrook and Terrace. The research is an opportunity to dig deeper to understand the human rights issues, solutions and success stories that are happening in communities where human rights research does not always occur. The work has included long-term partnerships with local organizations, dozens of focus groups and interviews, and hundreds of survey responses. This work was aimed at reflecting back what we heard about people’s lived experiences of human rights issues in each community, rather than providing policy analysis, institutional oversight or recommendations. Working closely with community partners, BCOHRC released individual reports on what we heard from each community. These are called Community Briefs (Briefs).

In Chetwynd, the three key areas of concern we heard were effects of the boom-and-bust resource economy, access to health care, and colonization, discrimination and hate. The Brief describes how boom-time influxes of workers lead to increases in rent and food prices and housing shortages, while job losses during busts force families to leave the community. These issues lead to staffing shortages in in-demand sectors such as education and health care, resulting in fewer services being offered. Discrimination has also had an impact in these areas, creating inequitable outcomes for Indigenous people, newcomers, women and LGBTQ2SAI+ people.

In Chilliwack, we heard about housing, health, discrimination and hate, and employment. Access to housing has become a major rights issue, with rent increases, renovations and low rental supply contributing to the risk of homelessness. At the same time, we heard about Chilliwack's health care system facing numerous challenges, including front-line staffing shortages and limited services for mental health and substance use issues. The Brief also describes a troubling rise in anti-LGBTQ2SAI+ hate in Chilliwack, with gender diverse and trans youth reporting blatant discrimination. It highlights substandard working and living conditions for migrant workers, exacerbated by the impacts of climate change.

The Cranbrook Brief focuses on housing and poverty, health, and discrimination and hate. The Brief describes how we heard about a significant shortage of subsidized housing in the community, making tenants vulnerable to exploitation by landlords and increasing the risk of homelessness. Meanwhile, participants described how the toxic drug emergency has had a major impact on the community, and there remain major barriers to accessing support, including discrimination against Indigenous people, people experiencing homelessness and people with disabilities.

In Terrace, the human rights issues that surfaced were primarily housing and poverty, health, education, and colonization, racism and discrimination — in addition to the effects of Terrace being an under-resourced hub for northwestern B.C. As a hub, we heard reports about the community's challenges in meeting the needs of the region, including population pressures associated with resource projects, particularly given staffing challenges in the health, education and social service sectors. Participants told us about how their access to health care, housing and education have been affected by discrimination. We heard that housing shortages are exacerbated by influxes of resource workers, and the disproportionate impacts on women and children fleeing violence. There has also been a reported increase in gender-based violence linked to resource extraction projects and impacted by gaps in essential services.

While it is certain that every community in B.C. faces its own human rights challenges, what unites the communities we worked with was the commitment to meet and address human rights needs. Through the connections built around the project, communities have started to build new or stronger networks across sectors, with one community partner even bringing on a “human rights coordinator” position to convene regular meetings of organizations and continue to foster connections across sectors in their community.

“Many people across B.C. are coming together to build understanding, support one another and stand up to hate,” said the Commissioner. “Taken together, the Briefs demonstrate something important: that members of very different communities across B.C. are working hard to address many of the same challenges. And we have lots to learn from one another.”

The Briefs are designed to share information and insights that community and civil society groups can use to advocate for progress and to which decision-makers in B.C. can refer when setting priorities and making plans. To assist advocates and decision-makers, BCOHRC has also produced two-page summaries of the Briefs and sample slide decks with facilitator guides.

The release of the Community Briefs marks an important milestone in the Baseline Project, enabling a deeper understanding of human rights issues at the community level. It builds on previous work of the Baseline Project, which has included a province-wide survey of service organizations and a database of existing recommendations on human rights issues in B.C. Additional research from the Baseline Project is expected. All four Community Briefs can be found at baseline.bchumanrights.ca/briefs.



Decolonization

Historical and ongoing colonialism, including the dispossession of lands, has a devastating impact on Indigenous people and communities. Our Office is committed to supporting self-determination of Nations by listening deeply to Indigenous peoples. We work to change and improve structures that impede the full, equal and just participation of Indigenous peoples in all aspects of economic, social, cultural and political life.

2023/24 highlights

- appeared before the B.C. Supreme Court in *Gitxaala Nation v. Chief Gold Commissioner of B.C. et. al. and Ehattesaht v. His Majesty the King in right of B.C. et al.* in April 2023. These two cases involve the Province's duty to consult First Nations before granting mineral tenures on their traditional territories. These are the first cases where a First Nation is asking the Court to consider the legal effect of the *Declaration on the Rights of Indigenous Peoples Act* (DRIPA) and how it interacts with s. 35 of the *Constitution Act*. On Sept. 26, 2023, the Court released its decision on the cases, in which it found that DRIPA does not implement the *UN Declaration on the Rights of Indigenous Peoples* in B.C. or create rights for Indigenous peoples that can be litigated. The Commissioner expressed disappointment at the decision and was granted the right to intervene before B.C.'s Court of Appeal (see page 48)
- released an interim report on the progress of an agreement between Maxwell Johnson, the Vancouver Police Board (VPB) and the Heiltsuk Nation to address systemic anti-Indigenous racism in policing. Commissioner Govender, whom the agreement names as an independent third-party reviewer, revealed significant shortcomings in the agreement's implementation. The findings underscore the need for improved relationship and collaboration between the parties involved (see page 23)
- continued Commissioner Govender's commitment to deep listening and engagement with Indigenous communities and leaders across the province, sitting down with representatives from Shackan First Nation, Spuzzum First Nation, Heiltsuk First Nation, Ktunaxa Kinbasket Child and Family Services, the Aboriginal Housing Management Association, the First Nations Leadership Council, BC Assembly of First Nations and the First Nations Education Steering Committee (see page 40)
- intervened before the B.C. Supreme Court in *Vancouver Aboriginal Child and Family Services Society (VACFSS) v. R.R.*, a case that will impact how issues of discrimination are dealt with in matters concerning child protection. The Court's decision in January 2024 includes an important affirmation of the Tribunal's crucial role in enforcing human rights protections in child welfare matters. However, the constraints the decision imposes on the Tribunal's scope of decision-making undermines the effectiveness of that enforcement and may leave many families that have experienced discrimination and stereotyping without recourse (see page 48)



By the numbers

- Systemic underfunding of Indigenous children and school systems continues to have an impact on educational attainment rates. For example, in Chetwynd, the average graduation rate for Indigenous students is 80 per cent, compared to 89.1 per cent of non-Indigenous students. These numbers have been improving over time, pointing to the collective efforts of local communities to redress these gaps.⁴
- British Columbia has the highest number of cases of any province in Canada involving missing and murdered Indigenous women and girls. According to the Sisters in Spirit database, most of the cases occurred in urban areas, particularly Vancouver and Prince George, and almost half of the cases remain unsolved.⁵
- Four in 10 Indigenous women, two-spirit, transgender and gender diverse people in Canada report that perceptions of their identity (i.e., cultural or gender identity) have a negative impact on their ability to access housing that meets their needs.⁶

⁴ British Columbia's Office of the Human Rights Commissioner. *Human rights in Chetwynd*. British Columbia's Office of the Human Rights Commissioner, 2024. <https://baseline.bchumanrights.ca/wp-content/uploads/2024/04/BCOHR- Chetwynd-Brief.pdf>.

⁵ Native Women's Association of Canada, *Fact Sheet: Missing and Murdered Aboriginal Women and Girls in British Columbia*, 2010. <https://www.nwac.ca/assets-knowledge-centre/2010-Fact-Sheet-British-Columbia-MMAWG.pdf>.

⁶ Native Women's Association of Canada. *National Survey of Indigenous Women, Two-Spirit, Transgender and Gender-Diverse people Summary Report*. 2023, 19. <https://nwac.ca/assets-knowledge-centre/2023-2339-NWAC-Housing-Populated-Report-FINAL-With-tabulations-Nanos-20230615.pdf>.





Working to dismantle anti-Indigenous racism in policing

In March 2024, Commissioner Govender released an [interim report](#) on the progress of an agreement between the Vancouver Police Board and the Heiltsuk Nation to address systemic anti-Indigenous racism in policing. The agreement between the VPB, Maxwell Johnson and his granddaughter and the Heiltsuk Nation was struck in September 2022 to settle a human rights complaint. The complaint, filed by Johnson on behalf of himself and his granddaughter, centres on an incident in which Vancouver police handcuffed the pair outside a Bank of Montreal location in Vancouver without first speaking to them or otherwise investigating the allegation of fraud made against them.

As part of the settlement agreement, the parties agreed to collaborate on a series of steps to address systemic issues in the Vancouver Police Department. The Commissioner was asked by all parties to the settlement to oversee the implementation of the parts of the agreement relating to systemic reforms, including providing an interim and final review of their progress. Commissioner Govender, whom the agreement names as an independent third-party reviewer, revealed significant shortcomings in the agreement's implementation. The findings underscore the need for improved relationship and collaboration between the parties involved.

One of the issues at stake was the failure of arresting officers to participate in an apology ceremony held in the Heiltsuk big house. To move the agreement forward, the Commissioner's report recommends that the Heiltsuk and VPB work together to facilitate a new Apology Ceremony that is agreeable to both parties and in accordance with Heiltsuk law. The report also calls for a meeting between the leadership of each party, along with representatives of the Johnson family, within three months.

Commissioner Govender stated, "It is my hope that this review will help the parties get their work back on track. For reform to be successful, police must ensure Heiltsuk law and perspectives are respected in both the process and results of these efforts. With less than a year remaining in this agreement, it is crucial that the VPB and the Heiltsuk Nation refocus their efforts on rebuilding a respectful relationship, as such relationships are essential to the process of reconciliation."

All parties had an opportunity to view and respond to draft versions of the Commissioner's report through an extensive administrative fairness process. A final report on the Johnson and VPB settlement agreement implementation is expected in 2024.



Hate and the rise of white supremacy

Combating hate in all its forms—from hateful speech to hateful violence—requires addressing fear and ignorance through a variety of mechanisms for social change. We are committed to engaging in activities that build empathy, curiosity and connection across difference, while using the Commissioner’s powers to issue orders, make recommendations, advocate for changes to law, policy and practice, and advance public inquiries to meaningfully redress incidents of racism and hate.

2023/24 highlights

- followed up on the release of our Office’s groundbreaking Inquiry into Hate in the Pandemic — as far as we know, the only independent inquiry of its kind in the world — with community dialogue events around B.C., including Penticton, Fort St. John and Nanaimo, to empower leaders to identify what actions they can take locally to address hate
- co-created and painted murals in collaboration with local youth groups and artists in Keremeos, Nanaimo, Fort St. John and Vancouver which use the power of art to ground the findings of the Hate Inquiry and bring communities together (see page 42)
- developed an immersive exhibit featuring wrap around sound and video to showcase what we heard about hate and how communities can work together to fight back and restore hope
- intervened in British Columbia Teachers’ Federation (BCTF) on behalf of Chilliwack Teachers’ Association v. Neufeld. The issue in this case stems from allegations of hate speech by a Chilliwack School Board Trustee. The Commissioner intervened to ensure that the Human Rights Tribunal remains an effective venue where alleged online hate crime victims can turn for a hearing of their human rights complaint and to seek justice⁷ (see page 48)
- condemned marches that called for the erasure of trans and LGBTQ2SAI+ people from the province’s educational resources. “The right to peaceful demonstration is an important tool to protect our democracy and generate debate. But as Human Rights Commissioner, I want to be very clear: the human rights of trans and LGBTQ2SAI+ people are not up for debate,” said Commissioner Govender
- called for action to counter rising antisemitism and Islamophobia. “The devastating events in Israel and Palestine are creating ripple effects globally, including a surge of discrimination and violence targeting Jewish and Muslim people and recrimination against those speaking out peacefully against the unfolding humanitarian crisis in Gaza... We have the ability to address the rise in hate that occurs when we find ourselves in these moments of societal crisis; it is our responsibility to act,” said Commissioner Govender

⁷ Kearney, Cathy. “Chilliwack school trustee: Allowing children to ‘change gender is nothing short of child abuse.” *CBC News*, October 23, 2017. <https://www.cbc.ca/news/canada/british-columbia/chilliwack-trustee-gender-1.4368110>



By the numbers

- 62 per cent of LGBTQ2SAI+ students feel unsafe at school, compared to 11 per cent of cisgender or heterosexual students.⁸
- More than one in 10 British Columbians have directly experienced hate incidents (13 per cent) or have been affected by hate incidents directed at their community (14 per cent).⁹
- One in five British Columbians (20 per cent) witnessed hate incidents, a proportion that rises to 29 per cent among those aged 18–24.¹⁰

“I hope that this project can impact my community by showing awareness and showing that there’s no reason to be hating on anyone because of their race or their gender or their age. I just want them to feel that they’re safe in this community.”

— Britannia youth participant in BCOHRC’s mural co-creation project

⁸ Egale. “Still In Every Class, In Every School,” n.d. <https://egale.ca/awareness/still-in-every-class/>.

⁹ Based on an online study conducted by Research Co. on behalf of BCOHRC from March 28 to April 1, 2024, among 803 adults in British Columbia, which is a representative sample.

¹⁰ Ibid.



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THE HARBO





FEATURE

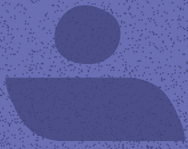
From hate to hope: Carrying forward the recommendations of the public inquiry into local action

We are not powerless in the face of hate. This is the message of our Office's continuing work to ground the findings and recommendations of the Inquiry into Hate in the Pandemic and to empower local communities to take action. As we continue to see hate flourish as the crest of the pandemic recedes, the need for community-level action is greater than ever. That is why our Office focused on bringing conversations about hate, and what we can do about it, to communities across B.C. this year.

In summer 2023, our Office hosted dialogue events in Penticton, Fort St. John, Vancouver and Nanaimo. These events varied from "world café" style dialogue sessions in Nanaimo with local civic and government leaders to a "living library" exhibit in Nanaimo where people with lived experience talked about how hate is impacting their communities and what can be done about it.

The dialogue events with community leaders then pivoted to a process of co-creation of public art with youth. The outcome was the creation of four murals in public spaces in Keremeos, Nanaimo, Fort St. John and Vancouver, which then were transformed into a 25-minute immersive audio-visual exhibit that we toured the province with to share what we heard during the inquiry and how communities can stand up to hate.

NANAIMO
OUR CITY



Poverty as a cause and 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.¹¹ B.C.'s *Human Rights Code* continues to fail to protect people from discrimination based on poverty or social condition, an addition we have been calling for since 2021. We are committed to working towards effective protections for economic rights, engaging with poverty as a human rights issue and dismantling discrimination against people living in poverty.

2023/24 highlights

- conducted more than 50 meetings on the subjects of encampments and homelessness and the rights of people experiencing poverty across B.C. with municipalities, advocates and the Province, including creating guidance for municipalities highlighting their human rights obligations and best practices when responding to encampments (see page 31)
- published plain language educational materials about the rights of tenants and the responsibilities of landlords or property managers under B.C.'s *Human Rights Code*
- successfully intervened in *Gibraltar Mines Ltd. v. Harvey*, a case alleging discrimination against the mother of a young child by her employer. B.C.'s Human Rights Commissioner intervened in the case to address the legal test for family status discrimination in B.C. The Court's decision affirmed broader protections for parents and caregivers in the workplace (see page 48)

¹¹ City of Vancouver, Social Policy and Projects Research and Data Team. *Populations Disproportionately Impacted by COVID-19*. January 2021. p. iii. <https://vancouver.ca/files/cov/pdi-covid-current-state-report-january-2021.pdf>.



By the numbers

- As of 2023/24, there were 382,000 people in British Columbia living in poverty, meaning B.C. is ranked as having the second-highest poverty rate in the country (tied with two other provinces) and the third lowest for child poverty.¹²
- While the province's child poverty rate is lower than the national average of 15.6 per cent, the rate on 67 First Nations reserves is about double the national rate, while for single-parent families it is even higher at 40 per cent.¹³
- 48 per cent of people in British Columbia believe that discrimination against someone because of poverty or the appearance of poverty should be illegal under B.C.'s *Human Rights Code*. This is up three per cent from last year.¹⁴
- 47 per cent of people in British Columbia believe that discrimination against someone experiencing homelessness should be illegal under B.C.'s *Human Rights Code*. This is up six per cent from last year.¹⁵

¹² B.C. Ministry of Social Development and Poverty Reduction. *2023/24-2025/26 Service Plan*, 2023. <https://www.bcbudget.gov.bc.ca/2023/sp/pdf/ministry/sdpr.pdf>.

¹³ CBC News. "B.C.'s child poverty rate trending upwards, report says." February 26, 2024. <https://www.cbc.ca/news/canada/british-columbia/new-report-on-child-poverty-1.7125919>.

¹⁴ Based on an online study conducted by Research Co. on behalf of BCOHRC from March 28 to April 1, 2024, among 803 adults in British Columbia, which is a representative sample.

¹⁵ Ibid.





FEATURE

Human rights for encampment residents

Homeless encampments are increasingly common across British Columbia. These encampments are a result of structural conditions, including the failure of all levels of government to uphold the right to adequate housing. Too often, encampment residents encounter neither empathy nor empowerment; instead, they face criminalization and dehumanization. In partnership with other levels of government, local authorities must challenge this treatment and centre encampment residents' dignity and human rights in all policy responses.

In 2023/24, BCOHRC conducted more than 50 meetings advocating for improved responses to encampments and homelessness and the rights of people experiencing poverty across B.C., including meetings with municipalities to advise them of their responsibilities and best practices.



Human rights protections for those being detained by the state

BCOHRC believes that 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, in correctional centres, under community supervision or in mental health systems. We seek to ensure public bodies are held accountable for treating people in their custody in accordance with human rights protections.

2023/24 highlights

- launched an [inquiry](#) to look into involuntary detentions under the *Adult Guardianship Act (AGA)*. The inquiry aims to uncover how emergency powers granted by the AGA are used and to determine whether detention practices align with human rights laws and standards (see page 35)
- launched an [inquiry](#) to quantify the use of force by police against racialized people and people with mental health issues in B.C. The inquiry builds on the Commissioner's 2021 report, "Equity is Safer," which revealed a disturbing pattern of discrimination in policing in the province (see page 48)
- advanced work to implement "[Equity is Safer: Human rights considerations for policing reform in British Columbia](#)," which includes 29 recommendations for reforming policing in B.C. to reduce systemic discrimination and improve safety
- launched an [inquiry](#) into the exclusion or restriction of the media from an April 2023 decampment in Vancouver's Downtown Eastside (DTES). The inquiry aims to discover the truth behind the alleged DTES exclusion zone and aims to safeguard the rights of marginalized communities and uphold the principles of press freedom (see page 48)



By the numbers

- The rate of police-involved deaths is higher in B.C. than anywhere in Canada.¹⁶
- On any given day, B.C. correctional centres detain about 1,500 people. About 500 identify as Indigenous.¹⁷
- 70 per cent of people incarcerated in B.C. correctional centres have a diagnosed mental health or substance use disorder. Among Indigenous detainees, that rises to 90 per cent.¹⁸
- Fatal overdoses more than triple in the two weeks following release from jail.¹⁹

¹⁶ British Columbia's Office of the Human Rights Commissioner. *Equity is safer: Human rights considerations for policing reform in British Columbia*. British Columbia's Office of the Human Rights Commissioner, 2021, 19. https://bchumanrights.ca/wp-content/uploads/BCOHR_C_Nov2021_SCORPA_Equity-is-safer.pdf

¹⁷ Office of the Auditor General of British Columbia, *Mental Health and Substance Use Services for Indigenous People in B.C. Correctional Centres*, 2023. <https://www.oag.bc.ca/pubs/2023/mental-health-and-substance-use-services-indigenous-people-bc-correctional-centres>.

¹⁸ Ibid.

¹⁹ Centre for Health Evaluation and Outcome Sciences (CHEOS). "Mental Health and Substance Use Services for People with Incarceration Experience" (unpublished report, 2023, 28).





FEATURE

Inquiry into the *Adult Guardianship Act*

In November 2023, we initiated an inquiry into involuntary detentions under the *Adult Guardianship Act* (AGA). The AGA is legislation that allows designated agencies such as health authorities to provide emergency assistance to adults who appear to be abused or neglected and seem incapable of giving or refusing consent to receive care. The practice of providing emergency assistance potentially includes detaining people involuntarily in care facilities for extended periods. The inquiry will shed light on the scope and usage of the emergency powers it bestows and determine whether detention practices comply with human rights law and standards.

Since launching the inquiry, the Commissioner has issued eight Orders to Produce Records sent to each Designated Health Agency, sent three information requests for records to government ministries, hosted a community roundtable with 12 representatives from 11 community organizations, and conducted four lived experience interviews.

“There are many unknowns about the AGA,” said Commissioner Kasari Govender. “There is no publicly available information on how often detentions take place, how long people have been detained or the demographics of who is being detained. While the intent of protecting vulnerable adults is laudable and important, transparency about how agencies are exercising these powers is vital for upholding the rule of law and ensuring accountability to human rights standards.”

“I’m grateful for this opportunity, and I think it’s really important work that the Commissioner is leading in this space.”

— Roundtable participant Jonathan Morris, CEO, Canadian Mental Health Association, B.C. Division



Creating a strong and sustainable organization

BCOHRC has a sixth operational strategic priority: to create a strong and sustainable organization capable of generating progressive impact on human rights in B.C. This includes building and sustaining a dynamic, healthy, diverse and inclusive team, establishing operational systems and processes in alignment with our goals and guiding principles.

2023/24 highlights

- created and released Accessibility at BC's Office of the Human Rights Commissioner to document measures BCOHRC is taking to ensure our information, services and physical and digital spaces are accessible to all people in British Columbia (see page 52)
- awarded Top Work Unit award for the BC Public Service in 2024. The award seeks to recognize highly engaged groups and reflects the exceptional teamwork, accountability and passion of employees and leaders (see page 51)
- created a new corporate services department to lead all parts of finances, IT and human resources
- launched an internal intranet site and a project management framework, and developed standard operating procedure, best practices and onboarding/training resources to support staff

Our 2023/24 impact

To measure the impact of our work and its consequences for human rights across B.C., BCOHRC has developed an evaluation and impact framework centred on five concepts:

- building respectful and accountable relationships
- creating accessible and relevant public education materials
- providing recommendations to decision-makers on ways to improve systemic human rights issues
- developing legal arguments to influence case law
- building human rights-based policies, practices and culture

Building respectful and accountable relationships

The quality of our relationships will tell the story of our impact. With each passing year, our Office renews our commitment to building and deepening relationships across the province through engagement, events and direct information and referrals for inquiries from the public.

Public requests for information and referrals

Over our first four years as an organization, BCOHRC has received tens of thousands of calls and emails requesting information and referral to human rights bodies across the province. The volume of inquiries and the breadth of issues raised continues to show the urgent need for human rights education and a place where people can turn to for information when they feel their rights have been violated. We are seeking to meet both needs.

In the 2023/24 period, BCOHRC received more than 850 incoming calls, emails and letters from members of the public with questions, comments and issues. This represents a decrease from 2022/23 as a result of the “No Wrong Door” system. New resources released this year help people navigate B.C.’s human rights system, including the interactive web portal BCHumanRightsSystem.ca, in partnership with the Human Rights Tribunal and the Human Rights Clinic at the Community Legal Assistance Society (CLAS). Building on our No Wrong Door phone triage system, the B.C. Human Rights System web portal provides a clear and concise overview of the different parts of the human rights system in British Columbia, and helps people understand where they can turn for the support they need.

Inquiries from the public this year were largely related to concerns about discrimination under the *Human Rights Code*, followed by inquiries related to school police liaison officer programs, transgender rights, encampments and antisemitism.

Our community engagement work

BCOHRC's engagement approach is grounded in the four Rs for building respectful relationships: reciprocity, reflexivity, responsibility and relevance. Building off this approach, BCOHRC has met with and hosted 3,000+ people in 2023/24.

This included:

- 62 introductory meetings with 167 individuals
- 30 specialized learning sessions with 935 learners
- seven public education sessions with 1,141 learners

The Commissioner reached more than 2,000 people through external speaking engagements. Her presentations were far-reaching, and audiences were diverse, including the Standing Senate Committee on Human Rights, Office of the United Nations High Commissioner for Human Rights, First Nations Leadership Council, an anti-racism forum in northern B.C., and the Council of Canadians with Disabilities, among others.

“Just thanks for this very important work and for your allyship. We feel stronger having you behind us...Feeling less alone in our fight, feeling a new sense of hope of the impact we hope to have on people suffering.”

—Katie Orr, Food Banks BC

“Thank you all for joining the meeting and making it a safe enough place that folks felt comfortable to engage in such an incredible dialogue.”

—Zoë Craig-Sparrow, Justice for Girls

“Thank you so much for this opportunity to learn and grow in such an interactive way. I appreciate the knowledge of the facilitators, as well as their compassion and open dialogue about a very unpleasant topic that needs to be discussed.”

—Systemic discrimination workshop participant

Our Indigenous engagement work

Relationships of trust and reciprocity are built over the long term. The Commissioner began meeting with Indigenous leadership at the outset of her term, while the Office developed a three-year trajectory for building relationships with Indigenous communities across B.C. to ensure our work reflects decolonizing principles and supports the rights of Indigenous peoples across the province.

In 2023/24, the Commissioner and BCOHRC had the honour of speaking with many Indigenous communities and representative organizations, including Shackan Indian Band, Spuzzum First Nation, Heiltsuk Nation, Ktunaxa Kinbasket Child & Family Service, Aboriginal Housing Management Association, First Nations Leadership Council, BC Assembly of First Nations, the First Nations Education Steering Committee. Since the beginning of her mandate, the Commissioner has now met with almost 40 Nations and leadership organizations.



Creating accessible and relevant public education materials

As an organization with a broad mandate to educate and engage with people and organizations provincially, BCOHRC uses a wide variety of educational content to reach our audiences with the right information to influence attitudinal and behavioural change.

In 2023/24, we launched 16 new educational products on a variety of topics important to people in British Columbia. The topics covered are as diverse as systemic discrimination, housing, disaggregated demographic data and the results of our Hate Inquiry. Let's look at a snapshot of educational materials produced this year.

Systemic discrimination resources

Because systemic discrimination is poorly understood, some people have experienced it without realizing, and some have unknowingly created or perpetuated discriminatory systems, BCOHRC created the [Introduction to Systemic Discrimination](#) video and two [discussion guides](#) for educators and youth to help simplify this complex concept.



From Hate to Hope murals

Following the release of the From Hate to Hope report, BCOHRC worked with community partners, artists and youth to bring that message of hope to communities. Community groups in Fort St. John, Keremeos, Nanaimo and Vancouver helped design locally relevant murals that share their hopes for their region. Each mural serves as a reminder of the importance of unity and understanding and the need for communities to come together to stand up against hate. The murals create a space for viewers to experience the murals and a starting point for community discussion. From the voices and brushes of our fellow B.C. residents, we see and hear that there is work to be done and we take inspiration from the many youth, artists and other community members who contributed to this mural journey from hate to hope.

To bring the murals to life, immersive exhibits were developed to share the mural project across B.C., to raise awareness of the inquiry's findings and recommendations and to facilitate a deep understanding of how people and communities in British Columbia are thinking about change. The exhibit launched in April 2024.

“The mural was inspired by our conversations with the youth, with the repeating themes of community, transition, contrast and our connection to land and water.”

— Muralist Lauren Semple

“It’s more than just paint on a wall. It’s changed this space completely, created an invitation to talk and celebrates Nanaimo’s unique community.”

— Mural collaborator Lys Glassford



“Painting this mural brought the youth group, myself and the [South Okanagan Immigrant and Community Services] staff together and made us really think about what ‘From Hate to Hope’ means to us as young people and how our words and actions will affect our community. That’s what art does. It brings people from all walks of life together and makes you think about the bigger picture.”

—Mural artist Haley Regan

Recommendations Database

In September 2023, our Office launched the Recommendations Database, a tool that allows users to search for recent recommendations made by public bodies and community organizations that relate to human rights issues in B.C.

This database currently contains more than 1,700 recommendations sourced from over 70 reports on human rights issues relevant to British Columbia. Each search result contains information about the recommended human rights action, the report it came from, the groups affected by the recommendation, the target audience called on to respond to the recommendation and, where relevant, the location that the recommendation refers to.²⁰ The aim of the database is to serve as a resource that can help groups, individuals and decision-makers implement recommendations and take action to move the needle forward on human rights in British Columbia. We invite you to visit the database at baseline.bchumanrights.ca/search-recommendations.

Community Briefs

In April 2024, four [Community Briefs](#) were released that tell the human rights story of four communities in different parts of the province: Chetwynd, Chilliwack, Cranbrook and Terrace. These reports reflect a community-based research approach, where we heard from 250 individuals in these communities.

While each Community Brief tells the unique human rights story of experiences from a specific community, the issues themselves are not unique. This reflects the systemic nature of many human rights challenges and their deep roots across the province.



²⁰ The Recommendations Database does not contain information on whether any recommendation has been implemented.



Human Rights Code Workshops

Continuing its successful series of educational sessions, 18 free sessions on B.C.'s *Human Rights Code* were held in 2023/24. The virtual exploration dives into three key areas covered by the *Code*: housing, employment and services. The [education sessions are available online](#) and are translated into 10 languages: Arabic, Chinese (simplified & traditional), Farsi, French, Hindi, Korean, Punjabi, Spanish and Filipino.

Employment Equity Toolkit

In 2023/24, BCOHRC's [employment equity toolkit](#) webpage had 4,350 visits, and the toolkit was downloaded a total of 2,293 times. Our teams delivered three presentations about the employment equity toolkit to more than 430 people. RADIUS, an organization based at Simon Fraser University's Beedie School of Business, has made the Employment Equity toolkit mandatory reading for their equity, diversity and inclusion hiring workshop participants.

Providing recommendations to the B.C. government and other duty bearers on ways to prevent, reduce, mitigate or ameliorate systemic human rights issues

As an independent officer of the Legislature, B.C.'s Human Rights Commissioner provides guidance and recommendations to elected officials and government leaders as well as responsible parties in other sectors on ways to ensure these systems cease to disadvantage and discriminate against marginalized communities.

The Office is also focused on preventing human rights violations before they occur. Through our work on educating and engaging with duty bearers and holding those in power to account, we aim to increase the number of duty bearers that use our recommendations and materials in their teaching, training, policies and practices.

In 2023/24, we had over 158 external meetings regarding law and policy reform, including 89 meetings with government bodies, such as municipalities and policing agencies, and 46 meetings with non-profit groups and community partners, 14 meetings with provincial organizations, and 11 meetings with the education sector. The top reasons for these meetings were working to implement the Commissioner's recommendations in relation to discrimination under the *Human Rights Code* on the basis of race and racism, housing/tenancy, poverty/social condition, inquiry projects and policing and detention.

Over 50 meetings on the topic of encampments and homelessness, the rights of people experiencing poverty across B.C. and housing and poverty were held with municipalities, advocates and the Province to advocate for a human rights-based approach to encampment policies and responses, including consulting on legislation. Our policy team created guidance for municipalities highlighting their human rights obligations and best practices when responding to encampments.

To advance the recommendations in the Commissioner's "From Hate to Hope" report, we have been in regular contact and discussion with government, including sending nearly 30 letters and participating in more than 10 meetings to review and encourage progress on the implementation of recommendations.

The *Anti-Racism Act* (ARA) was brought into law in 2024 following extensive work and consultation with BCOHRC. The ARA builds on the *Anti-Racism Data Act* (ARDA), which implemented many of the Commissioner's recommendations from her 2020 report, "[Disaggregated Demographic Data Collection in British Columbia: The Grandmother Perspective](#)."

The Commissioner released an interim report on the progress of an agreement between the Vancouver Police Board (VPB) and the Heiltsuk Nation to address systemic anti-Indigenous racism in policing. Commissioner Govender, whom the agreement names as an independent third-party reviewer, revealed significant shortcomings in the agreement's implementation and encouraged all parties to work towards relationship repair and collaboration.



IMPACT CASE STUDY

Anti-Racism Data Act and the Anti-Racism Act

Commissioner Govender welcomed the B.C. government's introduction of anti-racism legislation in spring 2024. The *Anti-Racism Act* (ARA) requires that government develop a provincial Anti-Racism Action Plan for addressing systemic racism, including anti-Indigenous racism. The *Anti-Racism Act* was tabled in the B.C. Legislature following extensive consultation with Commissioner Govender's Office.

The ARA builds on the *Anti-Racism Data Act* (ARDA), which implemented many of the Commissioner's recommendations from her 2020 report, "[Disaggregated Demographic Data Collection in British Columbia: The Grandmother Perspective](#)." The Grandmother Perspective report provided guidance on the collection and use of data to reveal systemic racism and inequities in the province, without further perpetuating racist stereotypes and stigma.

"The *Anti-Racism Act* represents a significant stride toward addressing systemic racism in our province," said Commissioner Govender. "Building on the groundwork laid by the *Anti-Racism Data Act*, the ARA is important for ensuring that B.C. uses disaggregated demographic and race-based data to spotlight disparities and propel human rights to the forefront and that it does so under the guidance of Indigenous peoples and other racialized communities. When Indigenous and racialized communities are harmed by our public systems because of deeply embedded racism, they must be able to count on public authorities to not just research those harms but also take action to address them."

Developing legal arguments to influence case law

BCOHRC aims to improve human rights laws and systems in B.C. through the exercise of the Commissioner's powers to hold public legal inquiries and to intervene in court cases that may have a systemic impact on human rights in B.C.

This means that the Commissioner can participate in cases to assist the court or the tribunal hearing the case to understand issues related to systemic discrimination and legal principles that otherwise might not be raised by the complainant or the responding parties.

In 2023/24, the Commissioner intervened in three court cases. In *Gitxaala Nation v. Chief Gold Commissioner of B.C. et. al. and Ehattesaht v. His Majesty the King in right of B.C. et al.* the Court decision in 2023 granted some of the requests but held that the *Declaration on the Rights of Indigenous Peoples Act* did not establish enforceable legal rights, but rather it was an aid to the interpretation of Aboriginal rights. The Gitxaala and Ehattesaht Nations are appealing the decision to the B.C. Court of Appeal. The Commissioner has been granted intervenor status in the appeal.

In *Vancouver Aboriginal Child and Family Services Society (VACFSS) v. R.R.*, the Court's decision in January 2024 generally accepted the Commissioner's argument and affirmed of the Tribunal's crucial role in enforcing human rights protections in child welfare matters.

In *Neufeld v. British Columbia Teachers' Federation (BCTF) on behalf of Chilliwack Teachers' Association* the B.C. Supreme Court released reasons dismissing Neufeld's petition for judicial review. The Court acknowledged recent Supreme Court of Canada case law that suggests that transgender individuals may experience unique forms of hate speech. The Commissioner will intervene in the Human Rights Tribunal's full hearing into the present complaint.

In 2022, the Commissioner intervened in *Gibraltar Mines Ltd. v. Harvey*, a case alleging discrimination against the mother of a young child by her employer, to address the legal test for family status discrimination in B.C. In April 2023, the Court issued its decision affirming broader protections for parents and caregivers in the workplace.

In 2023/24, BCOHRC launched three public inquiries with the underlying common theme to shine a light in areas where there has been limited public scrutiny and limited access to information.

The Commissioner launched an inquiry into media restrictions during an April 2023 decampment in Vancouver's Downtown Eastside (DTES). The inquiry aims to determine the details surrounding the restriction of media in the DTES during this time and examine the source of police authority to create exclusion zones without a court injunction.

In January 2024, the Commissioner publicly launched a new inquiry into police use of force in the province. This inquiry aims to quantify police use of force against people who are racialized and/or have mental health issues in B.C.

The Commissioner launched a new inquiry into involuntary detentions under the *Adult Guardianship Act* (AGA), aiming to determine whether detention practices align with human rights laws and standards. The AGA is legislation that permits designated agencies such as health authorities to provide emergency assistance to adults who appear to be abused or neglected and seem incapable of giving or refusing consent to receive care.

Court of Appeal & Supreme Court

SPOTLIGHT

Pursuing equity in policing

Among the public in B.C. and many other jurisdictions, concern has grown in recent years that police use of force disproportionately affects certain racialized communities and people experiencing mental health issues. But while available information suggests that force is used more frequently and with greater severity against these groups, there is currently no comprehensive data examining the impacts in B.C.

“Equity is Safer,” the 2021 BCOHRC report to the Special Committee on Reforming the Police Act, revealed a disturbing pattern of discrimination in some policing practices in B.C. Building on that report, the Commissioner launched an inquiry in January 2024 into police use of force across the province. The inquiry aims to examine disproportionate impacts of police use of force on people who are racialized and/or have mental health issues in B.C. The Commissioner will present the data collected and make recommendations to address concerns arising about systemic discrimination as it relates to police use of force.

“There is a direct connection between equity and community safety. Systemic discrimination erodes the foundation of trust between communities and law enforcement, jeopardizing the safety of all residents,” said Commissioner Kasari Govender. “This inquiry aims to better understand who is at the receiving end of use of force by police, whether any disproportionate impact revealed amounts to systemic discrimination and what can be done to address any equity issues that emerge. As I have said before, ‘we cannot act on what we do not know.’”

The Commissioner’s earlier report, “[Equity is Safer: Human Rights Considerations for Policing Reform in British Columbia](#),” was developed as a submission to the Legislature’s Special Committee on Reforming the Police Act (SCORPA). Based on expert analysis of data from five police jurisdictions, Equity is Safer described how Indigenous and Black people, as well as other racialized groups, are either grossly or significantly overrepresented in arrest and chargeable incident statistics. It also noted a great deal of police activity involves people experiencing mental health issues, in which Indigenous, Black and Arab/West Asian people are also significantly overrepresented.

Building human rights-based policies, practices and culture

Across all our operations, we strive to embody human rights values and organizational guiding principles in our policies (what we say), practices (what we do) and culture (who we are). We do this to model workplace best practices for other employers in both the public and private sector and to recruit and retain the diverse and talented staff needed to execute our mandate.

2023/24 marks the fourth year of growth for BCOHRC. While we are growing quickly, we do so with a view to building an Office that is sustainable, with the structures and processes in place that support current needs and can adapt to future growth.

The Office's operations have been maturing, through a review of roles, adding new positions and the creation of a corporate services department to lead finances and human resources. This has grown BCOHRC's team, adjusted our organizational chart and reclassified some of our positions.

To support this growth, we launched an internal intranet site and a project management framework and tools, and developed standard operating procedures, best practices and onboarding/training resources for staff. We offer regular onboarding and learning sessions, conducted a workplace environment survey and completed an equity, diversity and inclusion and organizational review. The Occupational Health and Safety Committee produced resources and presentations. As we grow, we continue to create stable structures to support our work now and into the future.





SPOTLIGHT

Relationships matter

At BCOHRC, we try to bring our guiding principles and a human rights-based and decolonizing approach to life in all our work, both outward facing and how we operate internally. We take who we are to each other at BCOHRC just as seriously as who we are to the people of B.C. And while we make many breakthroughs and mistakes, we are grateful to be named a Top Work Unit award recipient for the BC Public Service in 2024.

The award reflects the exceptional teamwork, accountability and passion of employees and leaders.

Those recognized are in the top 20 per cent of the Work Environment Survey, which is a questionnaire measuring employee satisfaction with their jobs and workplaces.

FEATURE

Commitment to accessibility

“Accessibility is essential to the project of human rights. At BC’s Office of the Human Rights Commissioner, we know accessibility is not only integral to realizing our mandate but is also fundamental to a human rights approach overall. Accessibility is not merely a checkbox to be ticked.”

— Commissioner Kasari Govender

Accessibility is one of BCOHRC’s guiding principles. Accessibility is the practice of making information, activities or environments sensible, meaningful and usable for people with disabilities and for those who may not consider themselves disabled but nevertheless encounter barriers.

Practically, this work can take many forms and range from installing ramps for wheelchair users at the entrance of a building to developing a website that is more usable to those with ADHD.



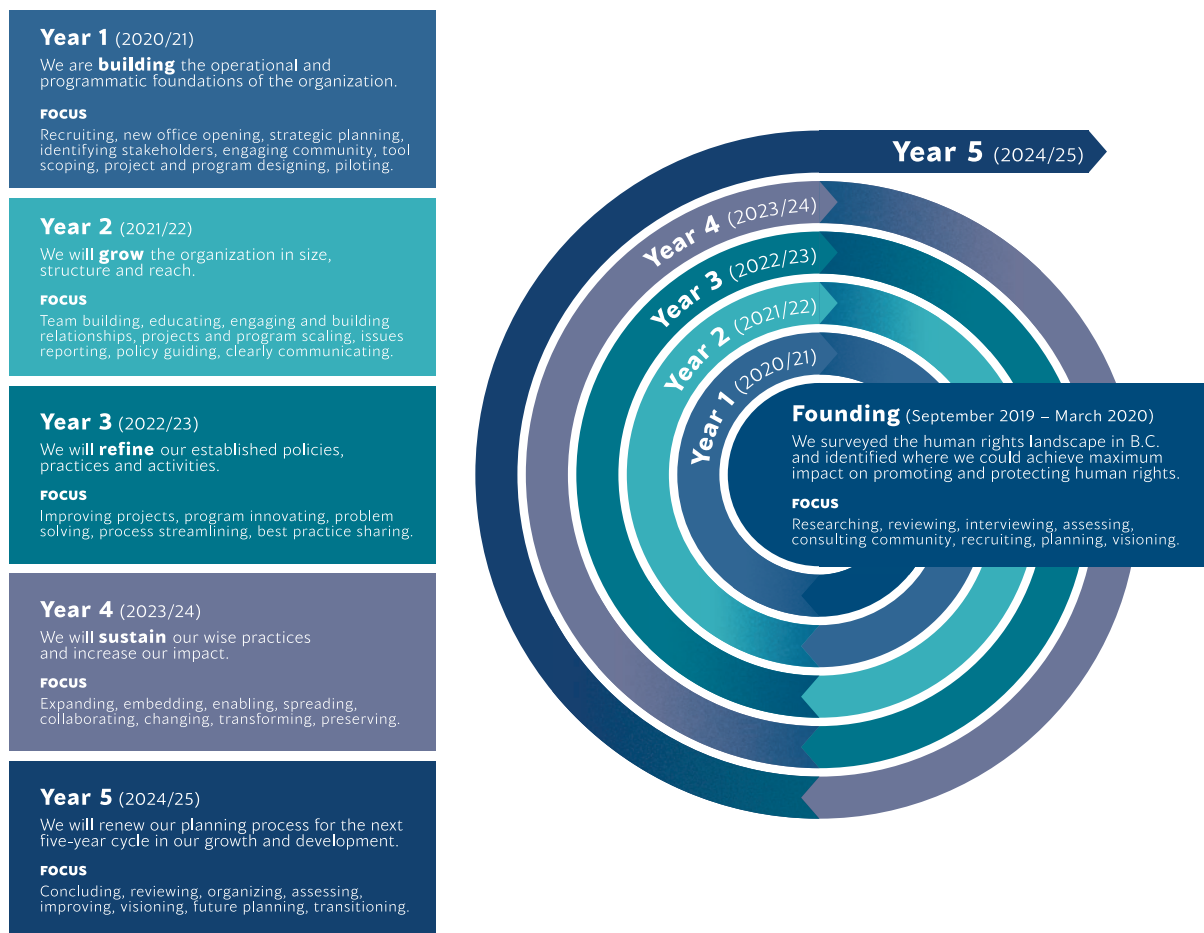
In 2023, the Commissioner released Accessibility at BC’s Office of the Human Rights Commissioner to document what measures BCOHRC is taking to ensure our information, services and physical and digital spaces are accessible to all people in British Columbia. The report will be used to evaluate and report on BCOHRC’s new three-year priority action plan that guides our internal and external actions. BCOHRC joined other independent offices to form the Joint Accessibility Committee and created its own internal Accessibility Working Group to support the priority action plan implementation, monitoring, reporting, and evaluation for the three-year lifecycle of the report.

Service plan 2024/25–2026/27

Thriving, learning and sustainable organization

BCOHRC continues to thrive, and it starts with people. In 2024/25, with a renewed focus on the people and culture at BCOHRC, we will carry out activities and ongoing learning opportunities centred around psychological safety, cultural humility and clear organizational processes that support a thriving organization. BCOHRC will build on its strong 2024 Work Environment Survey result to continuously improve.²¹

To be sustainable, BCOHRC will continue to build organizational capacity with a new corporate services department, along with strengthening policies, practices, programs and project management.



²¹ The Work Environment Survey (WES) is conducted every second year across the BC Public Service. It is a tool that measures job satisfaction, organizational satisfaction, employee engagement and BC Public Service commitment. BCOHRC supplements the WES with one of its own surveys in the intervening years. <https://www2.gov.bc.ca/gov/content/careers-myhr/about-the-bc-public-service/engagement-recognition/wes>

The BCOHRC five-year Strategic Plan 2020/21–2024/25 set our path and roadmap for the last five years, guided by our vision, mandate, theory of change, guiding principles, strategic priorities and approach to understanding our impact. This year, we will be evaluating the progress and impact of the strategic plan against our established evaluation framework, which will reflect the complexity in assessing social impacts and systemic change. BCOHRC’s next strategic plan will be developed through a rigorous planning and engagement process in 2024/25.

Our work is to improve the realization of human rights on this land now known as British Columbia. Whether we are putting into place the building blocks of a sustainable and thriving organization, educating the public or engaging in conversations about human dignity with diverse people across British Columbia, our quest for meaningful equality lies at the heart of our work and of the actions reflected in this service plan. This includes seeking to better understand the most pressing human rights issues of our day and advocating for changes to law and policy.







In 2024/25, BCOHRC is committed to action and reporting on progress in the following areas of focus.







Focus area: BCOHRC has accessible mechanisms for holding respectful relationships and accountability to all stakeholders.







KEY PERFORMANCE INDICATORS:

- type of mechanisms in place
- extent to which relationship and accountability mechanisms are accessible to stakeholders
- extent to which stakeholders describe BCOHRC relationships as respectful

 Discrimination  Decolonization  Hate  Poverty  Detention  Organization

2024–25 current and planned activities	2025/26–2026/27 future activities	STRATEGIC PRIORITY AREA					
							
Maintenance and ongoing improvements to BCOHRC’s system for managing public requests for information and referrals and identify trends in systemic rights issues	Maintenance and continuous improvement	●	●	●	●	●	●
Maintenance and continuous improvement of the portal and ongoing collaboration with human rights system actors on No Wrong Door initiatives	Maintenance and continuous improvement	●	●	●			●







2024–25 current and planned activities	2025/26–2026/27 future activities	STRATEGIC PRIORITY AREA					
							
Ongoing information sharing between BC Human Rights Tribunal and BCOHRC, including participation in the Human Rights Tribunal's Expanding Our Vision committee to support greater access of Indigenous peoples to the human rights system	Ongoing information sharing	●	●	●			●
Continue Commissioner relationship building with Indigenous leadership, communities and organizations	Ongoing		●				
Continue implementation of work plans and collaborative work stemming from signed MOUs with the First Nations Leadership Council and First Nations Education Steering Committee	Continue to implement activities outlined in work plans		●				
Continue to develop a photo library that is more representative of Indigenous communities across B.C. by using decolonial practices to partner with Indigenous photographers	Ongoing		●				
Continue to refine BCOHRC's website ensuring accessibility and transparency of information	Ongoing continuous improvement						●
Submit annual report to the Legislative Assembly and report biannually to the Select Standing Committee on Finance and Government Services	Ongoing						●
Continue public speaking engagements for the Commissioner to speak directly to the public, professional communities and subject matter experts about human rights and the work of BCOHRC	Ongoing	●	●	●	●	●	

2024–25 current and planned activities	2025/26–2026/27 future activities	STRATEGIC PRIORITY AREA					
							
Ongoing regional engagement to establish connections with communities across B.C., build awareness of BCOHRC’s mandate, and understand human rights issues faced at the regional and community levels	Ongoing regional engagement	●	●	●	●	●	
Ongoing implementation of effective and robust media engagement strategy	Ongoing	●	●	●	●	●	
Conduct an annual poll to assess the understanding and awareness of people in B.C. on their human rights and the work of BCOHRC	Ongoing annual poll administration	●		●			●

Focus area: BCOHRC has a suite of publicly accessible educational and guidance resources and forums.

KEY PERFORMANCE INDICATORS:

- number/type of resources available
- number/type of resources accessed
- extent to which resources are accessible
- number/type of forums held (by theme)
- number of forum attendees; disaggregated by audience type
- extent to which forums are accessible







2024–25 current and planned activities	2025/26–2026/27 future activities	STRATEGIC PRIORITY AREA					
							
Continue to deliver public education materials and workshops on the Human Rights Code (tailored to rights holders and duty bearers in various sectors), including the piloting and launching of Indigenous-specific content to be delivered to Indigenous audiences	Ongoing	●	●	●			
Develop public awareness campaign on the impact of misinformation and disinformation	Continue with annual public awareness campaign topics	●	●	●	●		







2024–25 current and planned activities	2025/26–2026/27 future activities	STRATEGIC PRIORITY AREA					
Host and promote travelling exhibit on the From Hate to Hope report across the province	Consider further promotion and touring			●			
Continuation of I Love My Human Rights storytelling series (one to three videos per year)	Assess impact of videos, and based on learnings continue with videos	●	●		●		
Ongoing fact sheets and policy guidance on other key human rights issues	Ongoing	●					●
Continue to deliver and improve educational materials, a video and a workshop on the meaning and impact of systemic discrimination	Ongoing delivery of workshop and distribution of education materials	●	●				
Release and distribution of materials on guide dog users' rights	Ongoing distribution of materials	●					
Update and increase awareness and access to the human rights recommendations database for stakeholders and communities	Continue to update recommendations database	●	●	●	●	●	
Use four Community Briefs as tools for engagement	Continue engagement. Evaluate need for further briefs	●	●	●	●	●	
Implement recommendations from the accessibility audit, including launch of a more accessible BCOHRC website	Review progress and continuously improve	●					●
Continue to build foundational human rights public legal information on website	Evaluate and update	●					
Develop and implement continuous improvement approaches and actions on current language translation practices of BCOHRC communications materials	Ongoing	●					●

Focus area: BCOHRC provides recommendations to the B.C. government and other duty bearers on ways to prevent, reduce, mitigate or improve systemic human rights issues.

KEY PERFORMANCE INDICATOR:

- number/type/date of recommendations provided by BCOHRC































2024–25 current and planned activities	2025/26–2026/27 future activities	STRATEGIC PRIORITY AREA					
							
Ongoing monitoring and advocacy for the adoption of the hate inquiry recommendations	Assess progress and impacts of the inquiry recommendations through ongoing monitoring and advocacy			●			
Release inquiry report into human rights issues flowing from detention of adults under the <i>Adult Guardianship Act</i>	Monitor and advocate for adoption of recommendations					●	
Release inquiry report into reports of media restrictions from a decampment site in 2023	Monitor and advocate for adoption of recommendations				●		
Release inquiry report into the use of force by police agencies	Monitor and advocate for adoption of recommendations					●	
Release a Rights In Focus report on the key rights issues facing British Columbia	Evaluate	●	●	●	●	●	
Continue to advocate for the adoption of a human rights-based response to homeless encampments	Ongoing				●		
Continue to administer special programs and implement continuous process improvements and new policy directives	Ongoing review of the special programs process for systematic improvements	●					●
Monitor recommendations made to the Attorney General to amend the <i>Human Rights Code</i> to include social condition as a protected ground and continue advocacy	Ongoing	●			●		

2024–25 current and planned activities	2025/26–2026/27 future activities	STRATEGIC PRIORITY AREA					
							
Ongoing monitoring and advocacy for implementation of recommendations to the Special Committee on Reforming the Police Act (SCORPA), including alignment with the <i>Declaration on the Rights of Indigenous Peoples Act</i>	Ongoing monitoring and advocacy for implementation of recommendations		●			●	
Final audit report of settlement agreement related to the case of <i>Johnson v. Vancouver Police Board</i>	Monitor impact		●			●	
Continue to analyze and monitor current government initiatives and legislation related to human rights, including initiatives concerning anti-racism, anti-hate, mental health detention and treatment, gender-based violence, pay transparency and pay equity, and homelessness	Monitoring and engagement of duty bearers, actions and recommendations to be determined	●	●	●	●	●	●

Focus area: BCOHRC develops legal arguments to influence case law.

KEY PERFORMANCE INDICATOR:



- number/type/date of arguments made to tribunals and courts

2024–25 current and planned activities	2025/26–2026/27 future activities	STRATEGIC PRIORITY AREA					
							
Intervention in <i>Neufeld v. British Columbia Teachers Federation (BCTF) on behalf of Chilliwack Teachers' Association</i>	To be determined						
Intervention in <i>Gitxaala Nation v. Chief Gold Commissioner of B.C. et. al.</i> and <i>Ehattesah v. His Majesty the King in right of B.C. et al.</i>	To be determined						
Determine and submit applications for leave to intervene in additional cases, as capacity permits	To be determined						
Continue ongoing monitoring of Human Rights Tribunal and other tribunal and court cases for potential interventions	Ongoing						

Focus area: BCOHRC has a culture and a suite of policies and practices that align with the guiding principles, including human rights-based and decolonizing approaches.

KEY PERFORMANCE INDICATORS:

- extent to which the BCOHRC culture, policies, and practices embody BCOHRC guiding principles including a human rights-based approach and decolonizing lens
- duration of tenure at BCOHRC (retention); reported reasons for joining/ staying/ leaving
- use of leave days
- number/percentage of staff who are offered v. who take up professional development opportunities
- number/percentage of staff who report professional development opportunities are equitable, are useful

2024–25 current and planned activities	2025/26–2026/27 future activities	STRATEGIC PRIORITY AREA					
							
Implement BCOHRC's 2024/25 annual work plan and plan for 2025/26 work	Ongoing						

2024–25 current and planned activities	2025/26–2026/27 future activities	STRATEGIC PRIORITY AREA					
Implement and publish five-year organizational evaluation of BCOHRC strategic plan	Continue engagement of learnings from evaluation and create plan to evaluate the next five-year Strategic Plan						●
Continue to build BCOHRC's organizational policy base and implement improvements	Ongoing						●
Continue to formalize standard operating procedures, guidance materials and training for staff on BCOHRC's core operations including administration, records, task and project management systems and technology	Ongoing continuous improvement approaches with strengthened policy, procedures and processes infrastructure						●
Continue the establishment and transition to BCOHRC's own Corporate Services as of March 2024	Assess progress and continue ongoing enhancement of new BCOHRC Corporate Services ²²						●
Improve procurement and contract management processes, with continuous improvement approaches	Ongoing						●
Continue to assess, monitor and improve on equity, diversity and inclusion through recruitment practices, ongoing improvements of BCOHRC's employee handbook and implementation of recommendations flowing from the 2024 workplace environment survey	Ongoing						●
Ongoing development and implementation of internal education offerings to ensure staff are supported in ongoing human rights learning	Ongoing						●
Launch BCOHRC intranet and implement continued improvements	Maintenance and continuous improvement						●

²² Corporate Services includes human resources, information management, information technology and finance.

Budget and expenditures

BCOHRC's budget is approved annually by the Select Standing Committee on Finance and Government Services (an all-party committee of the Legislative Assembly). BCOHRC has the highest standard in directing investment of public resources in enabling and supporting our mandate. In principle and practice, this means:

- adhering to provincial legislation and policies related to spending or fiscal expenditures
- focusing on maximizing the impact the BCOHRC budget has on promoting systemic equality by directing our resources to evidence-based projects that are reflective of what rights holders and duty bearers have identified as their most significant rights issues
- focusing resources where we can enhance the rights of the most marginalized in our communities
- continually evaluating and improving
- continuing to be transparent and accountable through regular reporting to the Treasury Board and the Office of the Comptroller General. We also provide regular program reports to the all-party Select Standing Committee on Finance and Government Services of the Legislative Assembly.

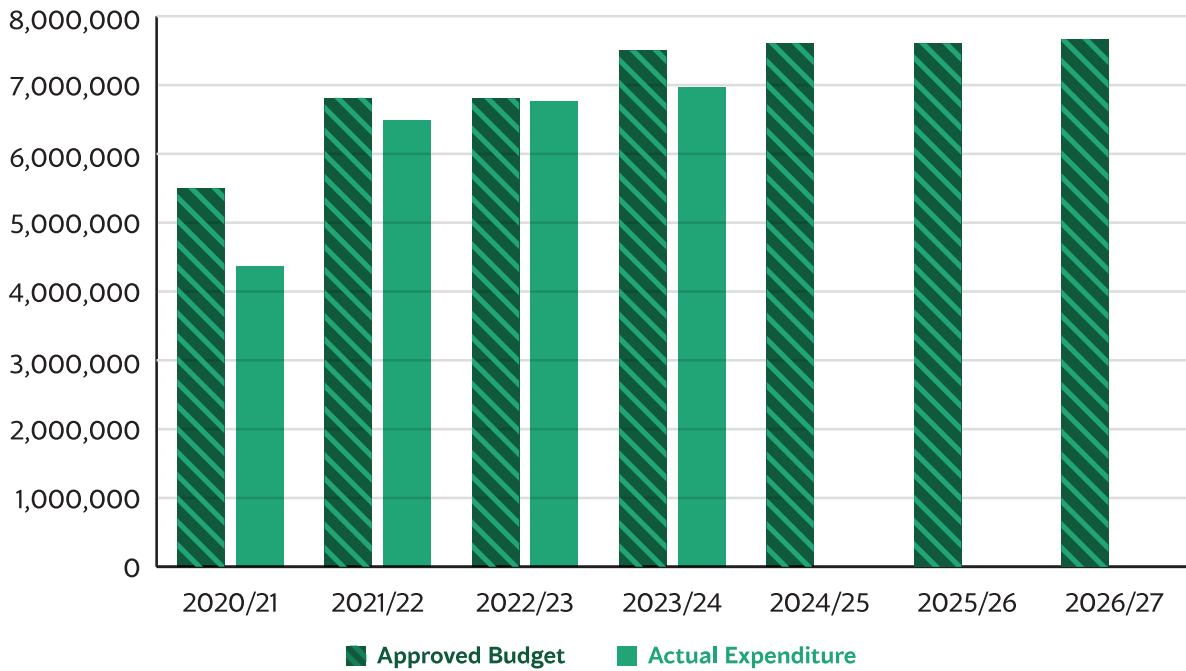
Our finances

The Legislative Assembly of B.C. approved an operating budget for BCOHRC of \$7.505 million in 2023/24. In the next three years, the BCOHRC operating budgets are: \$7.608 million in 2024/25, \$7.608 million in 2025/26 and \$7.608 million in 2026/27. The capital budget remains \$35,000 for each of these three fiscal years.

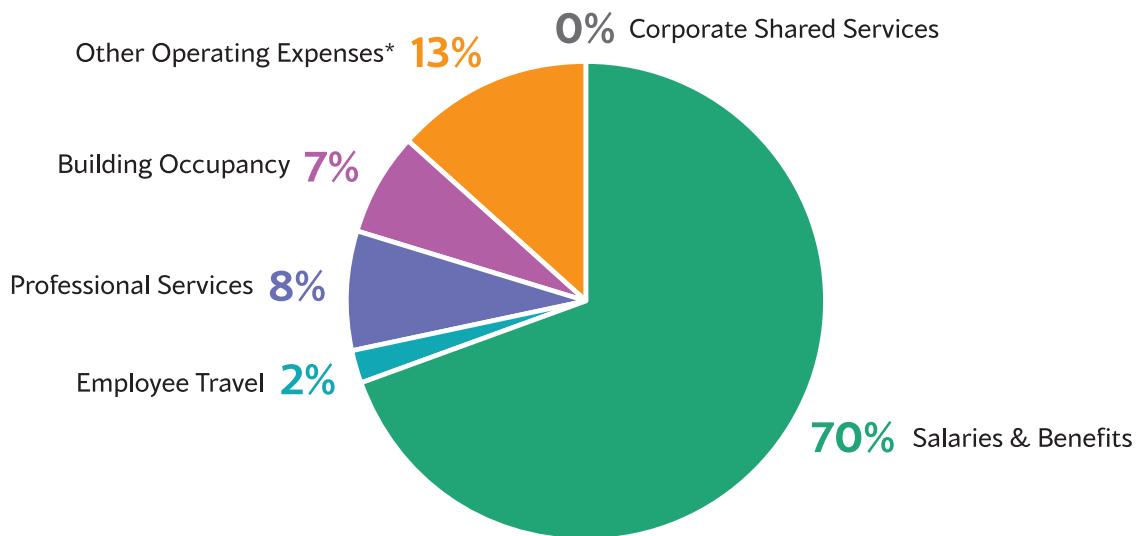
Our budget

Highlights of the BCOHRC 2024/25 budget details illustrated.

Approved operating budget to actual expenditure by fiscal year



Breakdown of projected 2025/26 operating budget by expenditure type



* Other Operating Expenses includes Information Systems (63), Office & Business Expenses (65), Info Advertising & Publications (67), Utilities (69), Amortization (73), Grants (77), Other (85) and Recoveries (89/90)





Public Interest Disclosure Agreement

Public Interest Disclosure Act: Annual report about disclosures for BC's Office of the Human Rights Commissioner

The *Public Interest Disclosure Act* (PIDA), B.C.'s new whistleblower protection law, came into force on Dec. 1, 2019.

One of the requirements is that, "Each year, a chief executive, or a delegate of the chief executive, must prepare a report on all disclosures of wrongdoing that have been made in that year in respect of the ministry, government body or office for which the chief executive is responsible, including disclosures made to the Ombudsperson, if a designated officer of the relevant ministry, government body or office has been notified about the disclosures or investigations."

In accordance with the following sections of PIDA, for the reporting period of Dec. 1, 2023, to March 31, 2024, the following information is reported:

Section 38 (2)

Disclosures of wrongdoing in respect of BC's Office of the Human Rights Commissioner 0

Section 38 (2)

- (a) the number of disclosures received, including referrals of disclosures,
and the number acted on 0
and not acted on 0
- (b) the number of investigations commenced as a result of a disclosure 0
- (c) in the case of an investigation that results in a finding of wrongdoing 0
 - (i) a description of the wrongdoing
 - (ii) any recommendations, including those made by the Ombudsperson, and
 - (iii) any corrective action taken in relation to the wrongdoing or the reasons why no corrective action was taken;
- (d) any other information prescribed by regulation. 0

Kasari Govender
B.C.'s Human Rights Commissioner



British Columbia's
**Office of the Human Rights
Commissioner**

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