

TITLE: STAFF LAWYER, INQUIRIES AND INVESTIGATIONS

CLASSIFICATION: BAND 4

JOB OVERVIEW

BC's Office of the Human Rights Commissioner (BCOHRC) exists 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.

Reporting to the General Counsel, the Staff Lawyer, Inquiries and Investigations (Staff Lawyer) will manage complex inquiries and investigations, which fall under the Commissioner's mandate pursuant to sections 47.14 and 47.15 of the *Human Rights Code* (Code).

The Staff Lawyer will work with General Counsel and a multidisciplinary team to exercise significant responsibility regarding the systemic inquiry and investigations work of the Commissioner. In addition to providing advice to the Commissioner and General Counsel, the Staff Lawyer will ensure that work is conducted in accordance with the Code, established policies, and the principles of administrative fairness and natural justice. The Staff Lawyer oversees inquiries and investigations from start to finish, including monitoring emerging issues that may be suited for systemic inquiry or investigation, researching inquiry topics, developing inquiry terms of reference and inquiry procedures, corresponding and meeting with parties, drafting and editing information requests and orders, preparing draft reports, and monitoring the implementation of recommendations. General Counsel will act as Inquiry Counsel during inquiries and investigations, and the Staff Lawyer will support them in that role.

ACCOUNTABILITIES

- Monitors emerging issues that may be suited for systemic inquiry or investigation and works with General Counsel and the Commissioner to research and identify issues suitable for inquiry or investigation.
- Works with the Legal team to develop and implement policies, practices, procedures and templates that will support the Commissioner's inquiry and investigation functions under the Code.
- Works collaboratively with General Counsel, the Commissioner and a multidisciplinary team to conduct inquiries and investigations of varying complexity and formality into human rights issues in B.C.
- Supports General Counsel in their role as Inquiry Counsel during inquiries and investigations.
- Prepares inquiry and investigation project plans, budgets and workplans.
- Develops inquiry terms of reference.
- Provides direction and advice on investigative approaches and strategies.
- Communicates with inquiry and investigation participants and the general public during inquiries, and manages consultations where appropriate.
- Works with General Counsel to retain and manage external researchers and subject matter experts.

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- Ensures that confidential documents are stored appropriately.
- Drafts and edits information requests and orders, and manages correspondence with people and organizations who receive the Commissioner's information requests and orders.
- Prepares draft inquiry reports and works closely with General Counsel and the Commissioner in finalizing reports and recommendations.
- Establishes and maintains expertise in the areas of law related to the Commissioner's statutory jurisdiction and acts as a resource with respect to the Commissioner's jurisdiction both to internal staff and the general public.
- Provides advice, expertise and training to the Commissioner, legal team and other BCOHRC staff on inquiry and investigation best practices, including incorporating Indigenous laws and practices into inquiry and investigations.
- Interprets, provides advice on and ensures compliance with applicable legislation, policies and procedures.
- Identifies, develops and maintains constructive and collaborative relationships with a variety of people and organizations.
- Participates in staff recruitment and may assist in supervision of co-op, intern or administrative staff.
- Assists the Commissioner, Senior Leadership Team, and General Counsel with other related tasks.

JOB REQUIREMENTS

EDUCATION AND EXPERIENCE

- LL.B. or J.D. is required.
- A lawyer in good standing with a Canadian Law Society, with relevant practical experience, and 8-10 years of call or equivalent experience. Must be eligible and willing to be a member of the Law Society of BC.
- Progressive experience in a legal role related to managing legal inquiries and investigations.
- Successful completion of security screening requirements of the BC Public Service, which may include a criminal records check, and/or *Criminal Records Review Act* check, and/or enhanced security screening checks as required.

Preference may be given to applicants with the following:

- To complement the diversity of the BCOHRC team, preference may be given to applicants who are Indigenous, Black or racialized, people with diverse gender identities or expressions, and/or, people with disabilities.
- Lived experience with human rights work, which could be through your own identity and/or personal experiences related to human rights.
- Experience working in an environment that supports or promotes human rights, equality and justice.
- Experience with or knowledge of Indigenous legal systems and incorporating Indigenous laws and practices into inquiries and investigations.
- Experience working in an independent Office of the Legislature.

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KNOWLEDGE, SKILLS, AND ABILITIES

- Commitment to and passion for human rights.
- Knowledge of the B.C. *Human Rights Code* and other relevant legislation and regulations.
- Advanced knowledge and understanding of the theories and principles of administrative fairness and natural justice.
- Advanced knowledge of inquiry and investigation practices.
- Knowledge of Indigenous and other forms of research principles, concepts, and methodologies.
- Knowledge of human rights-based approaches, diversity and inclusion (GBA+), and Indigenous competencies.
- Demonstrated ability to reference and interpret complex legislation, regulations, policies and practices to assist in determining an appropriate course of action, and to seek advice where appropriate.
- Ability to work in a dynamic environment with changing priorities.
- Excellent leadership, interpersonal, project management and organizational skills.
- Superior oral and written communication skills.
- Demonstrated ability for self-control when provoked, faced with opposition or hostility, or when working under stress.
- Ability to exercise a high degree of confidentiality, discernment, tact and diplomacy in dealing with issues that could have a significant impact on the image and credibility of BCOHRC.

INDIGENOUS RELATIONS COMPETENCIES

- **A Credible Champion** shows courage and conviction in advocating for change for the betterment of Indigenous people. This means stepping forward, from a place of respect and knowledge, to name needed change and to champion it. A credible champion remains self-aware and maintains effective relationships.
- **Cultural Agility** is the ability to work respectfully, knowledgeably and effectively with Indigenous people. It is noticing and readily adapting to cultural uniqueness in order to create a sense of safety for all. It is openness to unfamiliar experiences, transforming feelings of nervousness or anxiety into curiosity and appreciation. It is examining one's own culture and worldview and the culture of the BC Public Service, and to notice their commonalities and distinctions with Indigenous cultures and worldviews. It is recognition of the ways that personal and professional values may conflict or align with those of Indigenous people. It is the capacity to relate to or allow for differing cultural perspectives and being willing to experience a personal shift in perspective.
- **Empathy** is the ability to recognize, understand and directly experience the emotion of another. It involves listening with heart, accepting their message, and staying focused on their experience rather than reacting. It means understanding that the behaviour may be connected to something outside of the immediate situation.
- **Sustained Learning and Development** means continually increasing your ability to build and maintain respectful and effective relationships with Indigenous people. Central to this competency is appreciating that there are many other cultural understandings of knowledge and ways of working that have legitimacy and deserve respect – and

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therefore require our continual learning and development, including direct exposure to cultural and community ways.

BEHAVIOURAL COMPETENCIES

- **Decisive Insight** combines the ability to draw on one's own experience, knowledge and training and effectively problem-solve increasingly difficult and complex situations. It involves breaking down problems, tracing implications and recognizing patterns and connections that are not obviously related. It translates into identifying underlying issues and making the best decisions at the most appropriate time. At higher levels, the parameters upon which to base the decision become increasingly complex and ambiguous and call upon novel ways to think through issues.
- **Impact and Influence** is the ability to influence, persuade or convince others to adopt a specific course of action. It involves the use of persuasive techniques, presentations or negotiation skills to achieve desired results.
- **Listening, Understanding and Responding** is the desire and ability to understand and respond effectively to other people from diverse backgrounds. It includes the ability to understand accurately and respond effectively to both spoken and unspoken or partly expressed thoughts, feelings and concerns of others. People who demonstrate high levels of this competency show a deep and complex understanding of others, including cross-cultural sensitivity.
- **Building Strategic Alliances** involves knowledge and skills to engage in internal and external stakeholder analysis and to negotiate agreements and alliances based on a full understanding of power and politics.
- **Vision and Goal Setting** involves knowledge and skills in establishing official and operative goals for the organization/units and to establish a system of measuring effectiveness of goal attainment.
- **Creating and Managing Change** involves knowledge and skills to manage in the organization through setting direction and urgency, building a coalition of support, communicating widely, handling resistance to change and facilitating implementation of successful change actions.
- **Solving Problems Creatively** involves knowledge and skills in fostering creative problem solving in the organization through critical reflection, problem analysis, risk assessment and rewarding innovation.
- **Promoting Empowerment** involves knowledge and skills in using processes such as delegation and information sharing to enhance subordinate ownership and empowerment over their task and performance.
- **Building Team Orientation** involves knowledge and skills in developing group identity, participative decision making and open and effective communication.
- **Concern for Image Impact** is an awareness of how one's self, one's role and the organization are seen by others. The highest level of this competency involves an awareness of, and preference for, respect for the organization by the community.

For more information on competencies, see:

[Competencies in the BC Public Service](#)

[BC Public Service competencies list](#)

[Indigenous relations behavioural competencies](#)