

**MINISTRY OF PUBLIC SAFETY AND SOLICITOR GENERAL
BC CORRECTIONS
INFORMATION BRIEFING NOTE**

PURPOSE: For **INFORMATION** for Mike Farnworth,
Minister of Public Safety & Solicitor General.

ISSUE:
Tracking and quarterly reporting of the use of segregation and separate confinement.

SUMMARY:

- BC Corrections has implemented an interim solution to improve the tracking of, and reporting on, the use of segregation and separate confinement in provincial custody centres, including an individual's length of stay, mental health status and Indigenous self-identification.
- From January 1, 2021, to March 31, 2021, there were 85 individuals on average each day in segregation and separate confinement (seg & s/c), representing 5.77% of the total average in-custody population.
- BC Corrections has seen a reduction in the use of seg & s/c due to the COVID-19 response by BC Corrections and justice partners resulting in reduced in-custody count and a corresponding decrease in incidents. In addition, correctional centres have made efforts to place as many people as possible on regular living units on Supported Integration Placements (SIP) instead of separate confinement in segregation units.
- SIP provides staff with the option to safely house individuals outside of segregation units with a modified living unit routine and case plan to address any risks, needs, or behaviours to support integration to the safest and least restrictive placement possible.
- The Segregation & Separate confinement Report data shows the following information:

		Jan. 28, 2021	Feb. 25, 2021	Mar. 31, 2021
# of individuals	in seg & s/c overall	68	85	88
	in seg & s/c <15 days	40	60	66
	in seg & s/c >15 days	28	25	22
	on voluntary s/c	1	0	0
	in seg & s/c with mental health needs	33	37	43
	in seg & s/c that self-identify as Indigenous	13	27	26

- The use of seg & s/c for placements of more than 15 days varies by correctional centre, as represented in the daily average from January 1 to March 31:

USE OF SEGREGATION & SEPARATE CONFINEMENT BY CENTRE											
	ACCW	FMCC	FRCC	KRCC	NCC	NFPC	OCC	PGRCC	SPSC	VIRCC	Provincial
Over 15 days	1	0	2	2	0	6	7	1	4	1	24
Under 15 days	6	0	4	4	0	17	7	4	12	7	61
Total	7	0	6	6	0	23	14	5	16	8	85

- To prevent the spread of COVID-19 in provincial correctional centres, protocols have been implemented to place all new admissions in induction units for a period of 14 days prior to placement with the broader correctional population. In addition, individuals who are suspected (pending test results) or confirmed to have COVID-19 and are being medically isolated to ensure the virus does not spread. Currently there are 287 individuals confined on induction units for a 14-day assessment period and 75 individuals on isolation protocols. As of August 19, 2020, these individuals are confined/isolated under a Ministerial Order (M193) and no longer confined under s.17 or 18 of the Correction Act Regulation.

BACKGROUND:

- Changes in the number of people in segregation or separate confinement in this reporting period is reflected in the table below:

	January 2021	February 2021	March 2021
Average daily count in seg or s/c	79 (4.78 % of overall in-custody count)	84 (5.67 % of overall in-custody count)	91 (6.18% of overall in-custody count)
Average daily in-custody count	1463	1481	1472
% of individuals with lengths of stay < 15 days	59%	71%	75%
% of individuals with lengths of stay > 15 days	41%	29%	25%
% of individuals with mental health needs	19%	44%	49%
% of Indigenous individuals	19%	32%	30%

- This report includes the details and reasons for placement of the five individuals with the longest lengths of stay in segregation/separate confinement as of April 1, 2021:

Inmate	Length of stay on S/C	Correction Act Regulation Section	Placement reasons
1	211	CAR 18 (non-voluntary separate confinement)	s.15; s.22
2	173	CAR 18 (non-voluntary separate confinement)	
3	134	CAR 18 (non-voluntary separate confinement)	

		s.15; s.22
4	101	CAR 18 (non-voluntary separate confinement)
5	99	CAR 18 (non-voluntary separate confinement)

- A new enhanced case management approach is in place to support individuals in segregation/separate confinement for more than 5 days. This includes a collaborative case plan focussed on addressing the individual's unique risks, needs and behaviours that are contributing to their placement. This enhanced case management approach ensures individuals are being connected with healthcare,

mental health supports, Indigenous supports and any other interventions that support integration to a less restrictive placement.

- The current interim tracking and reporting mechanism was launched in September 2019, and work continues for the long-term technology solution, which is expected to launch as a pilot in Spring of 2021 with full implementation planned by the end of 2021.
- This interim tracking system is onerous and involves significant staff resources to manually input and validate data. This is resulting in some missing data (shown as “not reported” in some areas of the report). BC Corrections has, and continues to, work on improving the collection of full and accurate data. The “not reported” values will decline in future reports.
- Report glossary:
 - Segregation – placement in segregation for disciplinary reasons
 - Separate confinement (aka: administrative segregation) – placed separately from others, either in segregation or on a living unit, because an individual is a danger to themselves or others, or at risk of harm from other people in custody
 - CAR 17 – section 17 of the Correction Act Regulation (CAR), short term separate confinement, up to 72 hours
 - CAR 18 – section 18 of the CAR; longer term separate confinement, up to 15 days
 - CAR 19 – section 19 of the CAR; voluntary separate confinement
 - CAR 24 – section 24 of the CAR, placement in segregation pending a disciplinary hearing
 - CAR 27 – section 27 of the CAR, segregation as a penalty for a breach of a rule
 - MHN – an identifier applied to individuals with mental health needs
 - Indigenous – individuals that self-identify as Indigenous
 - “Not Reported” – indicates the source data does not contain the information (i.e. it is missing).

INDIGENOUS PEOPLES CONSIDERATIONS:

The Segregation & Separate Confinement Report shows the number of Indigenous individuals confined in the provincial correctional centres:

	Jan. 28	Feb. 25	Mar. 31
Indigenous individuals in seg & s/c	13	27	26
Indigenous individuals on COVID 19 protocols	79	76	70

Research confirms that segregation can worsen an individual’s physical and mental health and aggravate already challenging behaviours, particularly for vulnerable populations such as Indigenous individuals. Consideration of these unique factors will

result in outcomes that more appropriately respond to the individual and their circumstances.

As part of the Segregation Reform Project, an initiative was implemented to better support Indigenous individuals by having case managers connect with each self-identified Indigenous individual that comes into custody to learn of his/her unique circumstances and report that information to decision makers. Decision makers use this information to consider all available alternatives, other than segregation and/or separate confinement, that are reasonable in the circumstances. This information is also used to inform case management decisions regardless of where the individual is placed in a centre.

OTHER MINISTRIES IMPACTED/CONSULTED:

- N/A

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ATTACHMENT

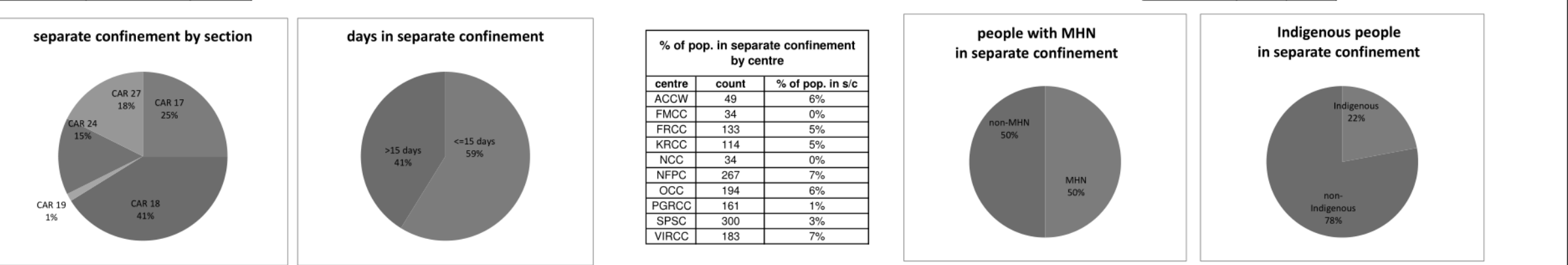
Appendix 1 – Segregation and Separate Confinement Reports (Jan, Feb, Mar)

Part 1: Current state at date of report

CAR separate confinement

January282021

# of people in separate confinement			length of stay			length of stay detail			# of people with MHN			# of Indigenous people		
total	68	people	<=15 days	40	59%	>15	28	41%	MHN	34	50%	Indigenous	15	22%
CAR 17	17	25%	>15 days	28	41%	>30	16	24%	non-MHN	34	50%	non-Indigenous	53	78%
CAR 18	28	41%	avg length of stay	22.33824	days	>60	9	13%	<=15 days	17	50%	<=15 days	6	9%
CAR 19	1	1%				>90	3	4%	>15 days	17	25%	>15 days	9	13%
CAR 24	10	15%				>150	0	0%						
CAR 27	12	18%				>365	0	0%						
% of population in separate confinement			# of Indigenous people with MHN											
total pop.	# of people in s/c	% of pop.	Indigenous w/ MHN	9	13%									
1469	68	4.63%	<=15 days	4	6%									
			>15 days	5	7%									



province			ACCW		FMCC		FRCC		KRCC		NCC		NFPC		OCC		PGRCC		SPSC		VIRCC	
total	68	people	3	4%	0	0%	6	9%	6	9%	0	0%	20	29%	11	16%	2	3%	8	12%	12	18%
CAR 17	17	25%	0	0%	0	0%	1	6%	0	0%	0	0%	3	18%	2	12%	0	0%	4	24%	7	41%
CAR 18	28	41%	2	7%	0	0%	2	7%	3	11%	0	0%	12	43%	5	18%	0	0%	4	14%	0	0%
CAR 19	1	1%	0	0%	0	0%	0	0%	0	0%	0	0%	1	100%	0	0%	0	0%	0	0%	0	0%
CAR 24	10	15%	1	10%	0	0%	1	10%	1	10%	0	0%	0	0%	2	20%	2	20%	0	0%	3	30%
CAR 27	12	18%	0	0%	0	0%	2	17%	2	17%	0	0%	4	33%	2	17%	0	0%	0	0%	2	17%
15 days sep. conf.																						
<=15 days	40	59%	1	3%	0	0%	4	10%	2	5%	0	0%	12	30%	5	13%	2	5%	5	13%	9	23%
>15 days	28	41%	2	7%	0	0%	2	7%	4	14%	0	0%	8	29%	6	21%	0	0%	3	11%	3	11%
people with MHN in sep. conf.																						
MHN	34	50%	3	9%	0	0%	3	9%	3	9%	0	0%	12	35%	5	15%	2	6%	4	12%	2	6%
<=15 days	17	50%	1	6%	0	0%	1	6%	0	0%	0	0%	6	35%	1	6%	2	12%	4	24%	2	12%
>15 days	17	50%	2	12%	0	0%	2	12%	3	18%	0	0%	6	35%	4	24%	0	0%	0	0%	0	0%
Indigenous people in sep. conf.																						
Indigenous	15	22%	1	7%	0	0%	2	13%	1	7%	0	0%	5	33%	4	27%	1	7%	0	0%	1	7%
<=15 days	6	40%	0	0%	0	0%	2	33%	0	0%	0	0%	2	33%	1	17%	1	17%	0	0%	0	0%
>15 days	9	60%	1	11%	0	0%	0	0%	1	11%	0	0%	3	33%	3	33%	0	0%	0	0%	1	11%

COVID-19 confinement

# of people on COVID protocols		
total	375	people
Induction (IND)	323	86%
Isolation (ISO)	52	14%

% of population on COVID protocols		
total pop.	# of ppl on prtcls	% of pop.
1469	375	25.53%

province		ACCW	FMCC	FRCC	KRCC	NCC	NFPC	OCC	PGRCC	SPSC	VIRCC
total	375	20	0	5	22	0	111	36	36	90	55
CAR 17 - ISO	4	0	0	0	0	0	2	0	0	2	0
CAR 17 - IND	8	0	0	0	0	0	1	0	0	0	7
CAR 18 - ISO	3	0	0	0	0	0	2	0	0	1	0
CAR 18 - IND	11	1	0	0	0	0	9	1	0	0	0
CAR 19 - ISO	0	0	0	0	0	0	0	0	0	0	0
CAR 19 - IND	0	0	0	0	0	0	0	0	0	0	0
CAR 24 - ISO	1	1	0	0	0	0	0	0	0	0	0
CAR 24 - IND	2	0	0	0	0	0	0	0	0	0	2
CAR 27 - ISO	1	0	0	0	0	0	1	0	0	0	0
CAR 27 - IND	3	0	0	0	0	0	2	1	0	0	0
MO - ISO	43	1	0	1	1	0	13	3	4	20	0
MO - IND	299	17	0	4	21	0	81	31	32	67	46

% of pop. on COVID protocols by centre		
centre	count	% on prtcls
ACCW	49	41%
FMCC	34	0%
FRCC	133	4%
KRCC	114	19%
NCC	34	0%
NFPC	267	42%
OCC	194	19%
PGRCC	161	22%
SPSC	300	30%
VIRCC	183	30%

TOTAL - all confinements

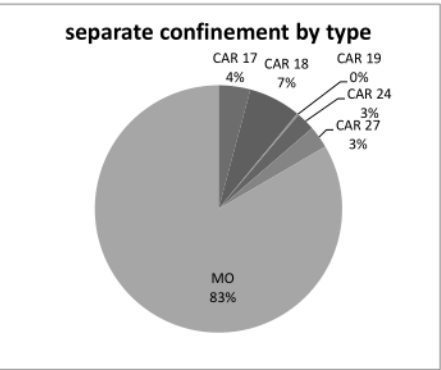
# of people in confinement		
total number	410	people
CAR 17	17	4%
CAR 18	28	7%
CAR 19	1	0%
CAR 24	10	2%
CAR 27	12	3%
MO	342	83%
not reported	0	0%
% of population in confinement		
total pop.	# of people confined	% of pop.
1469	410	27.91%

length of stay		
<=15 days	324	79%
>15 days	86	21%
avg length of stay	11.03902	days

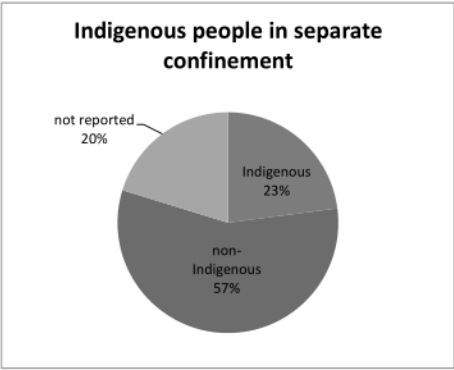
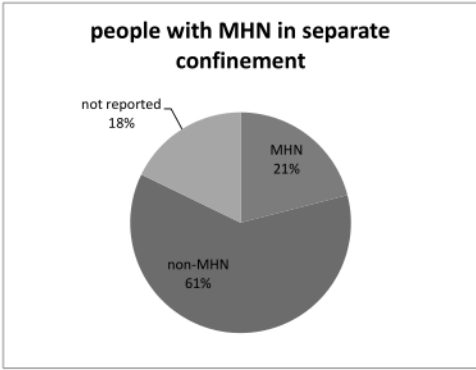
length of stay detail		
>15	86	21%
>30	17	4%
>60	9	2%
>90	3	1%
>150	0	0%
>365	0	0%

# of people with MHN		
MHN	86	21%
non-MHN	251	61%
not reported	73	18%
<=15 days	59	14%
>15 days	27	7%

# of Indigenous people		
Indigenous	94	23%
non-Indigenous	233	57%
not reported	83	20%
<=15 days	69	17%
>15 days	25	6%



% of pop. in confinement by centre		
centre	count	% in confinement
ACCW	49	43%
FMCC	34	0%
FRCC	133	8%
KRCC	114	25%
NCC	34	0%
NFPC	267	43%
OCC	194	23%
PGRCC	161	24%
SPSC	300	32%
VIRCC	183	32%

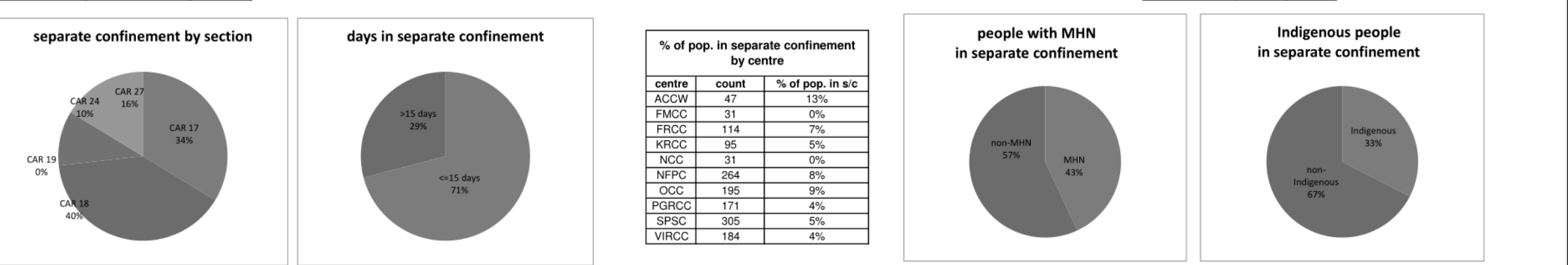


province			ACCW		FMCC		FRCC		KRCC		NCC		NFPC		OCC		PGRCC		SPSC		VIRCC	
total	410	people	21	5%	0	0%	11	3%	28	7%	0	0%	114	28%	45	11%	38	9%	95	23%	58	14%
CAR 17	17	4%	0	0%	0	0%	1	6%	0	0%	0	0%	3	18%	2	12%	0	0%	4	24%	7	41%
CAR 18	28	7%	2	7%	0	0%	2	7%	3	11%	0	0%	12	43%	5	18%	0	0%	4	14%	0	0%
CAR 19	1	0%	0	0%	0	0%	0	0%	0	0%	0	0%	1	100%	0	0%	0	0%	0	0%	0	0%
CAR 24	10	2%	1	10%	0	0%	1	10%	1	10%	0	0%	0	0%	2	20%	2	20%	0	0%	3	30%
CAR 27	12	3%	0	0%	0	0%	2	17%	2	17%	0	0%	4	33%	2	17%	0	0%	0	0%	2	17%
MO	342	83%	18	5%	0	0%	5	1%	22	6%	0	0%	94	27%	34	10%	36	11%	87	25%	46	13%
not reported	0	0%	0	0%	0	0%	0	0%	0	0%	0	0%	0	0%	0	0%	0	0%	0	0%	0	0%
15 days confinement																						
<=15 days	324	79%	12	4%	0	0%	8	2%	24	7%	0	0%	80	25%	32	10%	31	10%	82	25%	55	17%
>15 days	86	21%	9	10%	0	0%	3	3%	4	5%	0	0%	34	40%	13	15%	7	8%	13	15%	3	3%
people with MHN in confinement																						
MHN	86	21%	14	16%	0	0%	3	3%	7	8%	0	0%	21	24%	8	9%	3	3%	21	24%	9	10%
non-MHN	251	61%	7	3%	0	0%	8	3%	21	8%	0	0%	23	9%	36	14%	35	14%	74	29%	47	19%
not reported	73	18%	0	0%	0	0%	0	0%	0	0%	0	0%	70	96%	1	1%	0	0%	0	0%	2	3%
<=15 days	59	14%	6	10%	0	0%	1	2%	4	7%	0	0%	14	24%	4	7%	3	5%	18	31%	9	15%
>15 days	27	7%	8	14%	0	0%	2	3%	3	5%	0	0%	7	12%	4	7%	0	0%	3	5%	0	0%
Indigenous people in confinement																						
Indigenous	94	23%	8	9%	0	0%	4	4%	11	12%	0	0%	7	7%	11	12%	19	20%	29	31%	5	5%
non-Indigenous	233	57%	12	5%	0	0%	7	3%	17	7%	0	0%	34	15%	32	14%	19	8%	66	28%	46	20%
not reported	83	20%	1	1%	0	0%	0	0%	0	0%	0	0%	73	88%	2	2%	0	0%	0	0%	7	8%
<=15 days	69	17%	4	6%	0	0%	3	4%	10	14%	0	0%	3	4%	5	7%	14	20%	26	38%	4	6%
>15 days	25	6%	4	16%	0	0%	1	4%	1	4%	0	0%	4	16%	6	24%	5	20%	3	12%	1	4%

Part 1: Current state at date of report

CAR separate confinementFebruary 25 2021

# of people in separate confinement			length of stay			length of stay detail			# of people with MHN			# of Indigenous people		
total	86	people	<=15 days	61	71%	>15	25	29%	MHN	37	43%	Indigenous	28	33%
CAR 17	29	34%	>15 days	25	29%	>30	14	16%	non-MHN	49	57%	non-Indigenous	58	67%
CAR 18	34	40%	avg length of stay	19.2907	days	>60	8	9%	<=15 days	25	43%	<=15 days	22	26%
CAR 19	0	0%				>90	5	6%	>15 days	12	29%	>15 days	6	7%
CAR 24	9	10%				>150	2	2%				# of Indigenous people with MHN		
CAR 27	14	16%				>365	0	0%				Indigenous w/ MHN	12	14%
% of population in separate confinement												<=15 days	9	10%
total pop.	# of people in s/c	% of pop.										>15 days	3	3%
1437	86	5.98%												



province			ACCW		FMCC		FRCC		KRCC		NCC		NFPC		OCC		PGRCC		SPSC		VIRCC	
total	86	people	6	7%	0	0%	8	9%	5	6%	0	0%	20	23%	18	21%	6	7%	15	17%	8	9%
CAR 17	29	34%	3	10%	0	0%	2	7%	1	3%	0	0%	8	28%	5	17%	3	10%	5	17%	2	7%
CAR 18	34	40%	3	9%	0	0%	3	9%	2	6%	0	0%	8	24%	8	24%	1	3%	8	24%	1	3%
CAR 19	0	0%	0	0%	0	0%	0	0%	0	0%	0	0%	0	0%	0	0%	0	0%	0	0%	0	0%
CAR 24	9	10%	0	0%	0	0%	1	11%	0	0%	0	0%	2	22%	2	22%	0	0%	2	22%	2	22%
CAR 27	14	16%	0	0%	0	0%	2	14%	2	14%	0	0%	2	14%	3	21%	2	14%	0	0%	3	21%
15 days sep. conf.																						
<=15 days	61	71%	6	10%	0	0%	6	10%	2	3%	0	0%	16	26%	10	16%	4	7%	10	16%	7	11%
>15 days	25	29%	0	0%	0	0%	2	8%	3	12%	0	0%	4	16%	8	32%	2	8%	5	20%	1	4%
people with MHN in sep. conf.																						
MHN	37	43%	5	14%	0	0%	2	5%	3	8%	0	0%	11	30%	9	24%	1	3%	4	11%	2	5%
<=15 days	25	68%	5	20%	0	0%	1	4%	1	4%	0	0%	8	32%	5	20%	1	4%	2	8%	2	8%
>15 days	12	32%	0	0%	0	0%	1	8%	2	17%	0	0%	3	25%	4	33%	0	0%	2	17%	0	0%
Indigenous people in sep. conf.																						
Indigenous	28	33%	1	4%	0	0%	1	4%	0	0%	0	0%	7	25%	9	32%	3	11%	4	14%	3	11%
<=15 days	22	79%	1	5%	0	0%	1	5%	0	0%	0	0%	6	27%	6	27%	2	9%	3	14%	3	14%
>15 days	6	21%	0	0%	0	0%	0	0%	0	0%	0	0%	1	17%	3	50%	1	17%	1	17%	0	0%

COVID-19 confinement

# of people on COVID protocols		
total	363	people
Induction (IND)	287	79%
Isolation (ISO)	76	21%

% of population on COVID protocols		
total pop.	# of ppl on prtcls	% of pop.
1437	363	25.26%

province		ACCW	FMCC	FRCC	KRCC	NCC	NFPC	OCC	PGRCC	SPSC	VIRCC
total	363	14	0	33	10	0	83	42	56	79	46
CAR 17 - ISO	10	3	0	0	0	0	3	0	0	3	1
CAR 17 - IND	6	0	0	0	0	0	1	3	0	1	1
CAR 18 - ISO	4	3	0	0	0	0	0	0	0	1	0
CAR 18 - IND	11	0	0	1	0	0	4	3	0	3	0
CAR 19 - ISO	0	0	0	0	0	0	0	0	0	0	0
CAR 19 - IND	0	0	0	0	0	0	0	0	0	0	0
CAR 24 - ISO	0	0	0	0	0	0	0	0	0	0	0
CAR 24 - IND	1	0	0	1	0	0	0	0	0	0	0
CAR 27 - ISO	0	0	0	0	0	0	0	0	0	0	0
CAR 27 - IND	5	0	0	1	0	0	1	3	0	0	0
MO - ISO	62	3	0	25	0	0	12	3	5	14	0
MO - IND	264	5	0	5	10	0	62	30	51	57	44

% of pop. on COVID protocols by centre		
centre	count	% on prtcls
ACCW	47	30%
FMCC	31	0%
FRCC	114	29%
KRCC	95	11%
NCC	31	0%
NFPC	264	31%
OCC	195	22%
PGRCC	171	33%
SPSC	305	26%
VIRCC	184	25%

TOTAL - all confinements

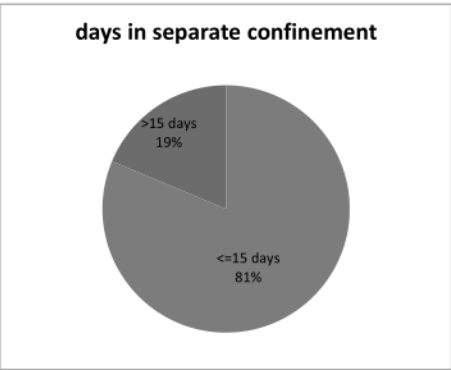
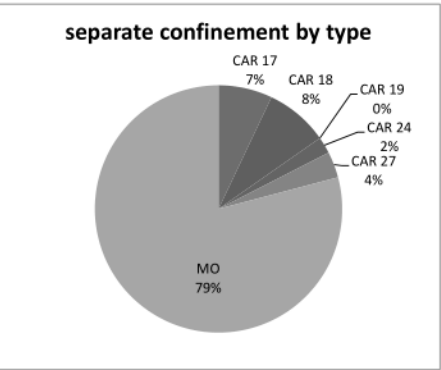
# of people in confinement		
total number	412	people
CAR 17	29	7%
CAR 18	34	8%
CAR 19	0	0%
CAR 24	9	2%
CAR 27	14	3%
MO	326	79%
not reported	0	0%
% of population in confinement		
total pop.	# of people confined	% of pop.
1437	412	28.67%

length of stay		
<=15 days	335	81%
>15 days	77	19%
avg length of stay	11.06068	days

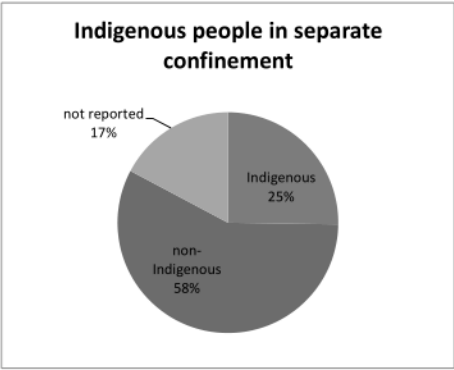
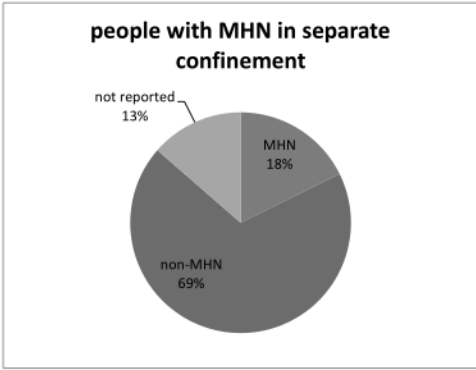
length of stay detail		
>15	77	19%
>30	16	4%
>60	9	2%
>90	6	1%
>150	2	0%
>365	0	0%

# of people with MHN		
MHN	73	18%
non-MHN	283	69%
not reported	56	14%
<=15 days	54	13%
>15 days	19	5%

# of Indigenous people		
Indigenous	104	25%
non-Indigenous	237	58%
not reported	71	17%
<=15 days	87	21%
>15 days	17	4%



% of pop. in confinement by centre		
centre	count	% in confinement
ACCW	47	30%
FMCC	31	0%
FRCC	114	33%
KRCC	95	16%
NCC	31	0%
NFPC	264	36%
OCC	195	26%
PGRCC	171	36%
SPSC	305	28%
VIRCC	184	28%



province			ACCW		FMCC		FRCC		KRCC		NCC		NFPC		OCC		PGRCC		SPSC		VIRCC	
total	412	people	14	3%	0	0%	38	9%	15	4%	0	0%	94	23%	51	12%	62	15%	86	21%	52	13%
CAR 17	29	7%	3	10%	0	0%	2	7%	1	3%	0	0%	8	28%	5	17%	3	10%	5	17%	2	7%
CAR 18	34	8%	3	9%	0	0%	3	9%	2	6%	0	0%	8	24%	8	24%	1	3%	8	24%	1	3%
CAR 19	0	0%	0	0%	0	0%	0	0%	0	0%	0	0%	0	0%	0	0%	0	0%	0	0%	0	0%
CAR 24	9	2%	0	0%	0	0%	1	11%	0	0%	0	0%	2	22%	2	22%	0	0%	2	22%	2	22%
CAR 27	14	3%	0	0%	0	0%	2	14%	2	14%	0	0%	2	14%	3	21%	2	14%	0	0%	3	21%
MO	326	79%	8	2%	0	0%	30	9%	10	3%	0	0%	74	23%	33	10%	56	17%	71	22%	44	13%
not reported	0	0%	0	0%	0	0%	0	0%	0	0%	0	0%	0	0%	0	0%	0	0%	0	0%	0	0%
15 days confinement																						
<=15 days	335	81%	14	4%	0	0%	18	5%	11	3%	0	0%	74	22%	37	11%	57	17%	76	23%	48	14%
>15 days	77	19%	0	0%	0	0%	20	26%	4	5%	0	0%	20	26%	14	18%	5	6%	10	13%	4	5%
people with MHN in confinement																						
MHN	73	18%	12	16%	0	0%	4	5%	6	8%	0	0%	14	19%	10	14%	4	5%	14	19%	9	12%
non-MHN	283	69%	2	1%	0	0%	34	12%	9	3%	0	0%	26	9%	41	14%	58	20%	72	25%	41	14%
not reported	56	14%	0	0%	0	0%	0	0%	0	0%	0	0%	54	96%	0	0%	0	0%	0	0%	2	4%
<=15 days	54	13%	12	22%	0	0%	2	4%	3	6%	0	0%	10	19%	5	9%	3	6%	11	20%	8	15%
>15 days	19	5%	0	0%	0	0%	2	4%	3	6%	0	0%	4	7%	5	9%	1	2%	3	6%	1	2%
Indigenous people in confinement																						
Indigenous	104	25%	2	2%	0	0%	6	6%	2	2%	0	0%	11	11%	17	16%	39	38%	21	20%	6	6%
non-Indigenous	237	58%	4	2%	0	0%	32	14%	13	5%	0	0%	25	11%	34	14%	22	9%	65	27%	42	18%
not reported	71	17%	8	11%	0	0%	0	0%	0	0%	0	0%	58	82%	0	0%	1	1%	0	0%	4	6%
<=15 days	87	21%	2	2%	0	0%	3	3%	2	2%	0	0%	9	10%	12	14%	35	40%	19	22%	5	6%
>15 days	17	4%	0	0%	0	0%	3	18%	0	0%	0	0%	2	12%	5	29%	4	24%	2	12%	1	6%

Weekly Segregation and Separate Confinement Report

Date2021-04-01

Part 1: Current state at date of report

CAR separate confinement

of people in separate confinement

total	88	people
CAR 17	23	26%
CAR 18	40	45%
CAR 19	0	0%
CAR 24	11	13%
CAR 27	14	16%

% of population in separate confinement

total pop.	# of people in s/c	% of pop.
1468	88	5.99%

length of stay

<=15 days	66	75%
>15 days	22	25%
avg length of stay	17	days

length of stay detail

>15	22	25%
>30	12	14%
>60	7	8%
>90	4	5%
>150	1	1%
>365	0	0%

of people with MHN

MHN	43	49%
non-MHN	45	51%
<=15 days	28	49%
>15 days	15	32%

of Indigenous people

Indigenous	26	30%
non-Indigenous	62	70%
<=15 days	18	20%
>15 days	8	9%

of Indigenous people with MHN

Indigenous w/ MHN	13	15%
<=15 days	8	9%
>15 days	5	6%

separate confinement by section

days in separate confinement

% of pop. in separate confinement by centre

centre	count	% of pop. in s/c
ACCW	52	13%
FMCC	35	0%
FRCC	134	4%
KRCC	108	5%
NCC	30	0%
NFPC	261	8%
OCC	202	7%
PGRCC	176	2%
SPSC	281	7%
VIRCC	189	6%

people with MHN in separate confinement

Indigenous people in separate confinement

province			ACCW		FMCC		FRCC		KRCC		NCC		NFPC		OCC		PGRCC		SPSC		VIRCC	
total	88	people	7	8%	0	0%	5	6%	5	6%	0	0%	22	25%	14	16%	3	3%	21	24%	11	13%
CAR 17	23	26%	3	13%	0	0%	2	9%	0	0%	0	0%	3	13%	3	13%	0	0%	9	39%	3	13%
CAR 18	40	45%	3	8%	0	0%	0	0%	4	10%	0	0%	14	35%	7	18%	0	0%	9	23%	3	8%
CAR 19	0	0%	0	0%	0	0%	0	0%	0	0%	0	0%	0	0%	0	0%	0	0%	0	0%	0	0%
CAR 24	11	13%	0	0%	0	0%	1	9%	1	9%	0	0%	2	18%	2	18%	1	9%	1	9%	3	27%
CAR 27	14	16%	1	7%	0	0%	2	14%	0	0%	0	0%	3	21%	2	14%	2	14%	2	14%	2	14%
15 days sep. conf.																						
<=15 days	66	75%	6	9%	0	0%	4	6%	4	6%	0	0%	13	20%	9	14%	3	5%	16	24%	11	17%
>15 days	22	25%	1	5%	0	0%	1	5%	1	5%	0	0%	9	41%	5	23%	0	0%	5	23%	0	0%
people with MHN in sep. conf.																						
MHN	43	49%	5	12%	0	0%	2	5%	2	5%	0	0%	12	28%	7	16%	1	2%	11	26%	3	7%
<=15 days	28	65%	4	14%	0	0%	1	4%	1	4%	0	0%	8	29%	3	11%	1	4%	7	25%	3	11%
>15 days	15	35%	1	7%	0	0%	1	7%	1	7%	0	0%	4	27%	4	27%	0	0%	4	27%	0	0%
Indigenous people in sep. conf.																						
Indigenous	26	30%	3	12%	0	0%	0	0%	1	4%	0	0%	5	19%	4	15%	2	8%	8	31%	3	12%
<=15 days	18	69%	2	11%	0	0%	0	0%	1	6%	0	0%	2	11%	3	17%	2	11%	5	28%	3	17%
>15 days	8	31%	1	13%	0	0%	0	0%	0	0%	0	0%	3	38%	1	13%	0	0%	3	38%	0	0%

COVID-19 confinement

# of people on COVID protocols		
total	329	people
Induction (IND)	269	82%
Isolation (ISO)	60	18%

% of population on COVID protocols		
total pop.	# of ppl on prtcls	% of pop.
1468	329	22.41%

province		ACCW	FMCC	FRCC	KRCC	NCC	NFPC	OCC	PGRCC	SPSC	VIRCC
total	329	18	0	2	20	0	79	44	49	61	56
CAR 17 - ISO	10	3	0	0	0	0	1	0	0	5	1
CAR 17 - IND	6	0	0	0	0	0	1	3	0	1	1
CAR 18 - ISO	5	1	0	0	0	0	1	1	0	1	1
CAR 18 - IND	11	2	0	0	0	0	5	2	0	0	2
CAR 19 - ISO	0	0	0	0	0	0	0	0	0	0	0
CAR 19 - IND	0	0	0	0	0	0	0	0	0	0	0
CAR 24 - ISO	1	0	0	0	1	0	0	0	0	0	0
CAR 24 - IND	5	0	0	0	0	0	2	1	0	0	2
CAR 27 - ISO	0	0	0	0	0	0	0	0	0	0	0
CAR 27 - IND	3	1	0	0	0	0	1	1	0	0	0
MO - ISO	44	4	0	0	0	0	19	0	9	10	2
MO - IND	244	7	0	2	19	0	49	36	40	44	47

% of pop. on COVID protocols by centre		
centre	count	% on prtcls
ACCW	52	35%
FMCC	35	0%
FRCC	134	1%
KRCC	108	19%
NCC	30	0%
NFPC	261	30%
OCC	202	22%
PGRCC	176	28%
SPSC	281	22%
VIRCC	189	30%

TOTAL - all confinements

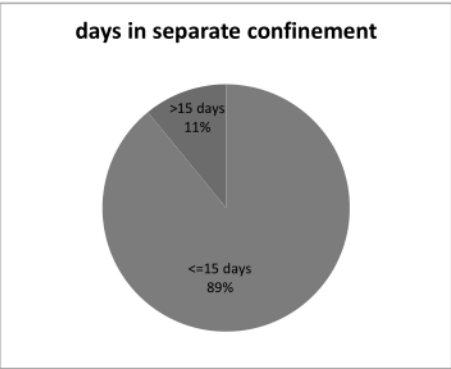
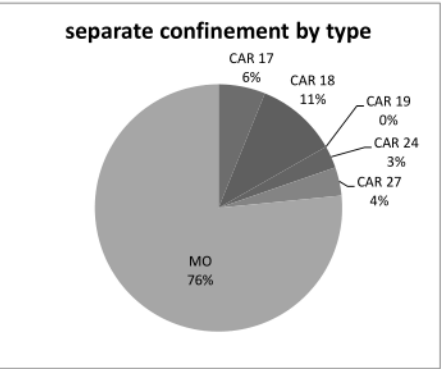
# of people in confinement		
total number	376	people
CAR 17	23	6%
CAR 18	40	11%
CAR 19	0	0%
CAR 24	11	3%
CAR 27	14	4%
MO	288	77%
not reported	0	0%
% of population in confinement		
total pop.	# of people confined	% of pop.
1468	376	25.61%

length of stay		
<=15 days	335	89%
>15 days	41	11%
avg length of stay	10.46809	days

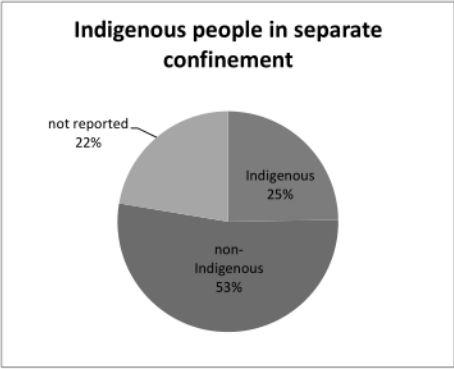
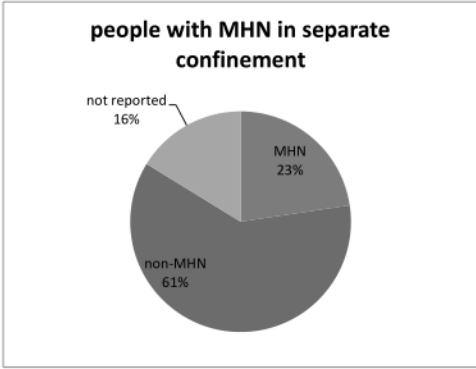
length of stay detail		
>15	41	11%
>30	17	5%
>60	8	2%
>90	5	1%
>150	2	1%
>365	0	0%

# of people with MHN		
MHN	85	23%
non-MHN	230	61%
not reported	61	16%
<=15 days	68	18%
>15 days	17	5%

# of Indigenous people		
Indigenous	93	25%
non-Indigenous	199	53%
not reported	84	22%
<=15 days	80	21%
>15 days	13	3%



% of pop. in confinement by centre		
centre	count	% in confinement
ACCW	52	35%
FMCC	35	0%
FRCC	134	5%
KRCC	108	22%
NCC	30	0%
NFPC	261	34%
OCC	202	25%
PGRCC	176	30%
SPSC	281	27%
VIRCC	189	32%



province			ACCW		FMCC		FRCC		KRCC		NCC		NFPC		OCC		PGRCC		SPSC		VIRCC	
total	376	people	18	5%	0	0%	7	2%	24	6%	0	0%	90	24%	50	13%	52	14%	75	20%	60	16%
CAR 17	23	6%	3	13%	0	0%	2	9%	0	0%	0	0%	3	13%	3	13%	0	0%	9	39%	3	13%
CAR 18	40	11%	3	8%	0	0%	0	0%	4	10%	0	0%	14	35%	7	18%	0	0%	9	23%	3	8%
CAR 19	0	0%	0	0%	0	0%	0	0%	0	0%	0	0%	0	0%	0	0%	0	0%	0	0%	0	0%
CAR 24	11	3%	0	0%	0	0%	1	9%	1	9%	0	0%	2	18%	2	18%	1	9%	1	9%	3	27%
CAR 27	14	4%	1	7%	0	0%	2	14%	0	0%	0	0%	3	21%	2	14%	2	14%	2	14%	2	14%
MO	288	77%	11	4%	0	0%	2	1%	19	7%	0	0%	68	24%	36	13%	49	17%	54	19%	49	17%
not reported	0	0%	0	0%	0	0%	0	0%	0	0%	0	0%	0	0%	0	0%	0	0%	0	0%	0	0%
15 days confinement																						
<=15 days	335	89%	15	4%	0	0%	6	2%	23	7%	0	0%	75	22%	45	13%	44	13%	69	21%	58	17%
>15 days	41	11%	3	7%	0	0%	1	2%	1	2%	0	0%	15	37%	5	12%	8	20%	6	15%	2	5%
people with MHN in confinement																						
MHN	85	23%	10	12%	0	0%	2	2%	6	7%	0	0%	18	21%	13	15%	4	5%	20	24%	12	14%
non-MHN	230	61%	8	3%	0	0%	4	2%	18	8%	0	0%	20	9%	37	16%	46	20%	52	23%	45	20%
not reported	61	16%	0	0%	0	0%	1	2%	0	0%	0	0%	52	85%	0	0%	2	3%	3	5%	3	5%
<=15 days	68	18%	8	12%	0	0%	1	1%	5	7%	0	0%	14	21%	9	13%	4	6%	16	24%	11	16%
>15 days	17	5%	2	3%	0	0%	1	1%	1	1%	0	0%	4	6%	4	6%	0	0%	4	6%	1	1%
Indigenous people in confinement																						
Indigenous	93	25%	5	5%	0	0%	0	0%	10	11%	0	0%	9	10%	14	15%	29	31%	19	20%	7	8%
non-Indigenous	199	53%	13	7%	0	0%	7	4%	14	7%	0	0%	25	13%	36	18%	18	9%	51	26%	35	18%
not reported	84	22%	0	0%	0	0%	0	0%	0	0%	0	0%	56	67%	0	0%	5	6%	5	6%	18	21%
<=15 days	80	21%	4	5%	0	0%	0	0%	10	13%	0	0%	6	8%	13	16%	25	31%	16	20%	6	8%
>15 days	13	3%	1	8%	0	0%	0	0%	0	0%	0	0%	3	23%	1	8%	4	31%	3	23%	1	8%

**MINISTRY OF PUBLIC SAFETY AND SOLICITOR GENERAL
CANNABIS, CONSUMER PROTECTION AND CORPORATE POLICY BRANCH
INFORMATION BRIEFING NOTE**

PURPOSE: For **INFORMATION** for Mike Farnworth,
Minister of Public Safety and Solicitor General.

ISSUE:

Finalization and approval of the *Declaration on the Rights of Indigenous Peoples Act* (DRIPA) 2020-21 Annual Report.

SUMMARY:

- The DRIPA 2020-21 draft Annual Report will be presented^{s.12}
s.12
- Upon finalization the Annual Report must be submitted to the Clerk of the Legislative Assembly by June 30, 2021.
- s.13

BACKGROUND:

- The Ministry of Indigenous Relations and Reconciliation (MIRR) is currently undertaking the process to develop and finalize the second Annual Report required by June 30 under section 5(4) of DRIPA.
- The development process for the 2020-21 Annual Report began in late April with MIRR providing a list of potential topics for inclusion in the report to ministry staff.

s.16

- There are several topics currently included in the draft 2020-21 Annual Report that relate to the work of the Ministry of Public Safety and Solicitor General (PSSG) (see attachment), including:

s.13

s.13; s.16

s.13

- Applicable PSSG program leads were involved in the development and refinement of the above Annual Report sections and are supportive of the content. An early version of the draft Annual Report was also shared with the PSSG Reconciliation Champions Table, with no material feedback provided.
- The draft 2020-21 Annual Report was shared for information and feedback with the ADM Reconciliation Committee on May 14 and DMC on May 28.

INDIGENOUS PEOPLES CONSIDERATIONS:

- Following the May 28 DMC review of the draft 2020-21 Annual Report, MIRR facilitated the sharing of the document with select Indigenous partners for their review and feedback.

OTHER MINISTRIES IMPACTED/CONSULTED:

- Emergency Management BC (Tom Brown, Executive Director)

PREPARED BY:

Mark Fassina
Executive Director
Corporate Policy and Planning Office
250-888-6549

APPROVED JUNE 14, 2021 BY:

Mary Shaw
Assistant Deputy Minister
Cannabis, Consumer Protection and
Corporate Policy Branch, 250-217-8199

APPROVED JUNE 14, 2021 BY:

Lisa Anderson, Acting Deputy Solicitor General

ATTACHMENT: Declaration Act 2020-21 Annual Report CABINET CONFIDENTIAL.pdf



Declaration on the Rights of Indigenous Peoples Act

2020 / 2021 Annual Report



BRITISH
COLUMBIA

TABLE OF CONTENTS

WELCOME.....	3
INTRODUCTION.....	4
WORKING TOGETHER	5
PROGRESS AND NEXT STEPS	6
Alignment of Laws (Section 3)	6
Action Plan (Section 4).....	7
INITIATIVES TO IMPLEMENT THE UN DECLARATION	9
COVID-19 Pandemic Response and Recovery	9
Anti-Indigenous Racism in the Health Care System.....	11
Mental Health and Wellness Memorandum of Understanding.....	12
Indigenous Justice Initiatives.....	13
First Nations Children and Youth in Care Protocol	14
Indigenous Language Revitalization	15
First Peoples' Cultural Council	15
Indigenous Language Fluency Degree.....	16
Collaborative Stewardship Initiatives	17
Agreements between the Province and First Nations	19
Connectivity.....	20
Cannabis.....	22
MEASURING PROGRESS.....	23
CONCLUSION.....	23



WELCOME

British Columbia made history in 2019 when we passed legislation to adopt the UN Declaration – the first jurisdiction in Canada to do so. But passing this legislation was only one step on our journey to advance reconciliation and undo 150 years of colonial harms that we see very clearly continue to be felt today.

In the past year, we have carried out our collective work to implement the Declaration on the Rights of Indigenous Peoples Act (Declaration Act) in the context of a global pandemic. While this has affected almost every facet of life in British Columbia, through innovation and collaboration we have continued to make steady, important progress.

We are pleased to present the second annual report on the Declaration Act detailing our shared work between April 1, 2020, and March 31, 2021. This report fulfills the legislative requirement laid out in section 5 of the Act: namely, to provide updates on progress each year.

While we still have much to do, we believe this report reflects the considerable progress we have made together with Indigenous peoples. As we release this report, we have recently launched a widespread consultation with Indigenous peoples on a draft action plan to achieve the objectives of the United Nations Declaration on the Rights of Indigenous Peoples (UN Declaration) and uphold their human rights across British Columbia. The draft action plan proposes initial actions, identified in collaboration with Indigenous peoples, that present opportunities to make a real difference in the lives of Indigenous peoples, now and for generations to come.

This year's report outlines how we have built on the foundation described in the initial report that was tabled last year. We acknowledge both the accomplishments we've achieved together, as well as the challenges we've faced. We also must acknowledge that our joint effort to advance reconciliation will take time. Embedding the UN Declaration into our laws, policy, programs, and practices needs to be a cross-government undertaking. It must be done in true collaboration and consultation with Indigenous peoples in B.C.

Through this approach, we will continue to take meaningful steps together in our journey to reconciliation, and create a better future for Indigenous peoples, the province, and the country as a whole.

Honourable John Horgan
Premier of British Columbia

Honourable Murray Rankin
Minister of Indigenous Relations and
Reconciliation



INTRODUCTION

The *Declaration on the Rights of Indigenous Peoples Act* (*Declaration Act*) establishes the United Nations Declaration on the Rights of Indigenous Peoples (UN Declaration) as the framework for reconciliation in British Columbia. The *Declaration Act* was passed unanimously in the B.C. legislature and became law on November 28, 2019.

As required by the *Declaration Act*, each year the province must prepare an annual report in consultation and cooperation with Indigenous peoples in B.C. Annual reporting is intended to provide transparency, self-reflection and ensure accountability for the implementation of the *Declaration Act*.

Section 5 of the *Declaration Act* requires the provincial government to report annually on progress towards the alignment of provincial laws with the UN Declaration (section 3) and development and implementation of an action plan to achieve the objectives of the UN Declaration (section 4).

This second annual report outlines progress made by the Province between April 1, 2020 and March 31, 2021. It highlights significant initiatives related to the implementation of the UN Declaration in B.C. and speaks to how the Province will work with Indigenous peoples to mutually assess achievements in a meaningful way.

Over the period covered in this annual report, the ongoing COVID-19 pandemic has had unprecedented impacts across the province. While these impacts have affected all British Columbians, Indigenous peoples have been disproportionately affected. The pandemic additionally has highlighted the urgency of the provincial government's efforts to advance reconciliation and the need to adapt its approaches to the current realities of Indigenous peoples – who are the Province's partners in this work.

The Province remains committed to lasting and meaningful reconciliation, and every ministry is mandated to support this change. Provincial public service employees continue to use the 2018 Draft Principles that Guide the Province of British Columbia's Relationship with Indigenous Peoples as a code of conduct to support the implementation of both the Truth and Reconciliation Commission of Canada's Calls to Action and the UN Declaration as legislated by the *Declaration Act*.



WORKING TOGETHER

Draft Principle 10: The Province of British Columbia recognizes that a distinctions-based approach is needed to ensure that the unique rights, interests and circumstances of Indigenous peoples in B.C. are acknowledged, affirmed, and implemented.

The foundation to successfully implementing the *Declaration Act* is the Province's legal obligation to do so in consultation and cooperation with Indigenous peoples in B.C.

The Province's approach to consultation and cooperation must continually consider the distinctions-based rights and diversity of Indigenous peoples – including First Nations, Métis and Inuit – in B.C. It also considers the unique needs, interests and perspectives of intersectional populations, including Indigenous Elders, women, youth, children, 2SLGBTQQIA+¹ peoples, peoples with disabilities and Indigenous people living in urban settings. This is consistent with the Province's focus on gender equity (gender-based analysis plus) and is in alignment with article 22 of the UN Declaration.

It should be noted that during the period of this report, the Province has had to balance the work to implement the *Declaration Act* in collaboration with Indigenous peoples with the demands placed on all governments and citizens by the COVID-19 pandemic. The Province, First Nations leadership and Indigenous organizations have been focused on the urgency of the ongoing pandemic response. As such, engagement with Indigenous peoples in B.C. on the *Declaration Act* has been adapted to meet the public health orders related to the pandemic, with public health needs prioritized.

The unprecedented nature of the pandemic has frequently required creative approaches to honour the Province's commitment to consultation and cooperation. These approaches have been imperfect given that collaborative implementation of the *Declaration Act* is new for everyone, and the pandemic has taken precedence for all governments and leadership throughout the province.

¹ 2SLGBTQQIA+ refers to two-spirit, lesbian, gay, bisexual, transgender, queer, questioning, intersex, asexual and other sexually and gender diverse people.



PROGRESS AND NEXT STEPS

This section speaks to progress made over the past year to implement key priorities of the *Declaration Act*, which include alignment of B.C.'s laws with the UN Declaration and development of an action plan to achieve the objectives of the UN Declaration.

Alignment of Laws (Section 3)

The *Declaration Act* mandates the Province to align provincial laws with the UN Declaration. The alignment of laws, and the process to achieve it, must be done in consultation and cooperation with Indigenous peoples in B.C., and will require transformative and systemic changes.

The shifts needed to align the Province's laws are profound. Not only must the provincial government ensure consistency with the UN Declaration, but must also take a new approach to how laws are both developed and implemented. The differing levels of success in advancing legislation in accordance with the *Declaration Act* during the reporting period reflects the magnitude of the task.

Through this ongoing experience, the Province continues to learn important lessons. Ministries received new and constructive input on their proposed legislation, in circumstances where previously they would not have sought input from Indigenous partners. Sometimes this resulted in changes to the proposed legislation. Ministries also continue to adapt their efforts to consult and cooperate with Indigenous peoples. Where the experience identified that improvement is needed, the Province is committed to make the necessary changes.

The ongoing work to modernize the *Emergency Program Act* over the past year is being considered through the framework provided by the *Declaration Act*. It is supported through a robust Indigenous engagement plan guided by a committee comprised of First Nations Leadership Council representatives and Indigenous emergency management practitioners, as well as direct engagement with title and rights holders, Treaty Nations and Indigenous partner organizations.

Highlight

Emergency Management BC (EMBC) identified additional actions to support the implementation of the *Declaration Act*:

- Implement an Indigenous-led, self-organizing approach to the Partnerships Tables, which bring together ^{s.13} Nations annually for dialogue on emergency management practices and improvement;
- Incorporate Indigenous knowledge in emergency management systems and processes; and
- Increase the number of emergency management staff receiving cultural safety and humility training to build trust-based relationships that support the advancement of reconciliation.



The Premier tasked the Minister of Indigenous Relations and Reconciliation in November 2020 to bring forward a plan for Cabinet consideration by the end of 2021 to create a dedicated secretariat to coordinate government's work on reconciliation. The secretariat will support the Province in meeting the obligations and opportunities of the *Declaration Act*, including improving consultation and cooperation with Indigenous peoples on provincial legislation and policy. It will also provide oversight and guidance on the alignment of legislation and policies with the UN Declaration.

Initial work to develop the secretariat is underway. There is growing consensus that the secretariat must ensure integrated, cross-government alignment and accountability on the work of implementing the *Declaration Act*. In addition, it will be essential for the composition of the secretariat to be credible with Indigenous peoples in B.C. The Province has heard from many First Nations, First Nations leaders and Indigenous partners that they would like the secretariat in place as soon as practicable.

Action Plan (Section 4)

A key priority of the past year has been the work to develop the first action plan to achieve the objectives of the UN Declaration under the *Declaration Act*. It was important to balance the desire to release an action plan as soon as possible with the need to develop it in meaningful collaboration with Indigenous peoples in B.C. The Ministry of Indigenous Relations and Reconciliation has been guiding development of the action plan, with participation from all provincial ministries and agencies, in consultation and cooperation with Indigenous peoples in B.C.

Between March and July 2020, the Province undertook an early analysis of known Indigenous-identified priorities across government and had preliminary meetings with First Nations, Indigenous leaders and Indigenous organizations to prepare for an informed engagement process. This early work made sure engagement to develop the action plan started from a place of shared understanding and recognition of the Indigenous expertise already provided through years of advocacy and dialogue.

Analysis during this phase identified groups of Indigenous people whose priorities needed to be better understood by the Province – including Elders, women, youth, 2SLGBTQIA+ peoples, peoples with disabilities and Indigenous people living in urban settings. This analysis also clearly demonstrated that while the action plan is important, priorities of many Indigenous peoples – particularly First Nations – are focused on the Province's obligations under section 3 of the *Declaration Act* to align provincial laws with the UN Declaration.

Following the early analysis, the Province conducted initial engagement with a range of Indigenous partners between July 2020 and February 2021 to inform the work to develop the draft action plan. This included First Nations, First Nations political leadership, First Nations organizations, historical and modern treaty nations, Métis Nation BC and Indigenous service organizations. The purpose of this early engagement was to identify, clarify and validate



priority actions to include in a draft of the action plan. This engagement was carried out by ministries and agencies from across government. It focused on honouring established relationships and agreements with Indigenous partners through existing tables, engagement processes and governance structures. This included direct engagement with modern treaty nations and the Alliance of BC Modern Treaty Nations Alliance to honour the government-to-government relationships and accountabilities established through treaty.

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almost every provincial ministry held more than 80 separate meetings with over 75 Indigenous partners. All engagement took place during the global pandemic, with public health measures limiting gatherings and travel. In order to adhere to public health orders, methods of engagement included teleconferences, virtual meetings and written submissions. The Province received 30 written submissions, as well as input from engagement with 11 First Nation organizations carried out by the First Nations Leadership Council (FNLC), which represents the BC Assembly of First Nations, First Nations Summit and Union of BC Indian Chiefs.

While extensive, this early engagement was relationship-based and focused on ministries upholding their obligations to work directly with Indigenous partners. As a result, early engagement was limited to those Indigenous partners with whom ministries already had a relationship, so not all Indigenous peoples, organizations and governments were included. A more extensive engagement process is needed to obtain feedback from Indigenous peoples in B.C. to ensure the final action plan has been developed through meaningful consultation and cooperation with Indigenous peoples.

This is planned to take place in 2021, to seek input from First Nations and Indigenous peoples and organizations on proposed actions in a five-year draft action plan. The Province's goal with this extensive engagement is to achieve broad endorsement for the final action plan anticipated to be complete later in 2021.

It is important to note that the action plan is not intended to include all reconciliation work with Indigenous partners underway across government. Many initiatives are in progress that contribute to reconciliation and the implementation of the UN Declaration, including steps to align laws, and this work will continue whether or not it is included in the action plan.

"[B.C.] was the first government in our country, and one of the first in the world, to embrace the Declaration on the Rights of Indigenous Peoples. That gave us enormous responsibility to carry out what can only be described as a generational task and a challenge — work to start undoing 175 years of colonialism in our part of this world. The bill was an historic milestone, but it was just one step. Now we're into the real work, the real implementation."

Murray Rankin, Minister of Indigenous Relations and Reconciliation



INITIATIVES TO IMPLEMENT THE UN DECLARATION

The intention of the *Declaration Act* is to implement the UN Declaration in B.C. In addition to the efforts described above, the Province has also made progress to implement the UN Declaration through other key initiatives^{s.13}

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reporting on these initiatives provides transparency and accountability for these significant areas of work to implement the UN Declaration. These accomplishments demonstrate what can be achieved together through collaborative leadership and initiative, and critical self-reflection. They also offer insights on how the provincial government can improve efforts in the implementation of the *Declaration Act* and the UN Declaration.

COVID-19 Pandemic Response and Recovery

UN Declaration Article 21.1: “Indigenous peoples have the right, without discrimination, to the improvement of their economic and social conditions, including, inter alia, in the areas of education, employment, vocational training and retraining, housing, sanitation, health and social security.”

In March of last year, the unprecedented impacts and challenges of COVID-19 on everyone in the province quickly became evident. The provincial government needed to take immediate action to support people in B.C. to manage through the pandemic, and Indigenous peoples in particular.

Indigenous peoples have historically faced much higher risks from past epidemics. Evidence shows that Indigenous peoples are disproportionately impacted by COVID-19, in the rate of positive cases, hospitalizations and deaths.



Indigenous communities, particularly in remote areas, have faced unique circumstances and had specific needs in responding to the pandemic, which the Province needed to take into account. To meet significant demands for support, the Province set up partnership and engagement tables, as well as communication pathways to help make sure Indigenous communities had the supports and information they needed. In addition, through Emergency Management BC (EMBC), the Province allocated needed provincial relief funding. These actions helped support First Nations and Indigenous organizations to provide critical services to keep people safe during a time of extreme uncertainty.

In addition, provincial and regional emergency operations centres brought together First Nations leadership, regional health authorities and EMBC staff to coordinate support for communities directly in responding to positive COVID-19 cases, clusters and outbreaks.

Consistent with other emergencies, First Nations governments have been eligible to be reimbursed for emergency response costs under the *Emergency Program Act* as outlined in EMBC's Policy 5.13: COVID-19 Pandemic Response Task Number. In fall 2020, in response to their advocacy, EMBC worked directly with representatives from the T̓silhqot'in National Government and Nuuchahnulth Tribal Council to revise and co-develop components of Policy 5.13. These efforts enshrined the role of Nations' to self-determine when to implement measures such as public health checkpoints, used to restrict access into communities to reduce the transmission of COVID-19. The collaborative efforts to revise Policy 5.13 was acknowledged as a success of government-to-government partnerships.

B.C.'s COVID-19 Immunization Plan was released in January 2021. In alignment with the National Advisory Committee on Immunization recommendations, Indigenous peoples and communities have been prioritized. Indigenous partners have all had an integral role in supporting vaccine immunization clinics that are culturally safe and respectful.

Other actions undertaken by the Province to advance reconciliation during the pandemic included:

- Signing information-sharing agreements with nine First Nations, as the result of advocacy by Nuuchahnulth Tribal Council, T̓silhqot'in National Government and Heiltsuk Nation to obtain more information to help community leaders make more informed decisions to keep their communities safe. Though the agreements did not provide the level of information being sought, they were the first such agreements to share such health data directly with First Nations.
- The Office of the Provincial Health Officer connected weekly with Métis Nation British Columbia (MNBC) to ensure Métis COVID-19 case rate and testing information was shared. They also involved MNBC in the messaging and planning for vaccination roll out and age-specific notifications.



- Providing pandemic response funding to support friendship centres inundated with needs for services for Indigenous peoples living in urban areas. The funding supports the critical, culturally appropriate services that friendship centres have been providing during the pandemic.
- Making emergency financial assistance available to Indigenous post-secondary students experiencing financial pressures. This support was available through all 25 public post-secondary institutions in B.C., as well as Native Education College.
- Creating the BC Indigenous Tourism Recovery Fund, which provided grants up to \$45,000 to support 140 Indigenous tourism businesses through the impacts of COVID-19, and investing in 60 projects through the Community Economic Recovery Infrastructure Program to build or upgrade Indigenous tourism infrastructure such as resorts, interpretive centres, trails and campgrounds. These projects generate revenue for Indigenous communities, employ Indigenous workers and tell the stories of Indigenous people.

Anti-Indigenous Racism in the Health Care System

UN Declaration Article 2: “Indigenous peoples and individuals are free and equal to all other peoples and individuals and have the right to be free from any kind of discrimination, in the exercise of their rights, in particular that based on their indigenous origin or identity.”

UN Declaration Article 24.1: “Indigenous peoples have the right to their traditional medicines and to maintain their health practices, including the conservation of their vital medicinal plants, animals and minerals. Indigenous individuals also have the right to access, without any discrimination, to all social and health services.”

Adrian Dix, B.C.’s Minister of Health, issued a statement in June 2020 about allegations of racism in the healthcare system and announced an independent investigation to be led by Mary Ellen Turpel-Lafond. In November 2020, the report [In Plain Sight: Addressing Indigenous-specific Racism and Discrimination in B.C. Health Care](#) was released. The report made 24 recommendations to address systemic racism in B.C.’s healthcare system.

“Many of the accounts we heard were deeply disturbing, had clearly caused significant harm, and created lasting mistrust and fear of the health-care system. I thank Indigenous people and health-care workers across B.C. for having the courage to share their stories and to help us to shine a light on this important issue.”

Hon. Dr. Mary Ellen Turpel-Lafond (Aki-Kwe), Independent Reviewer

The review was informed by the voices of nearly 9,000 Indigenous patients, family members, third-party witnesses and healthcare workers, as well as an unprecedented analysis of health data. The report found that Indigenous peoples in B.C. are exposed to widespread individual and systemic racism deeply rooted in colonialism. This often resulted in negative experiences when receiving health care, unequal medical treatment, physical harm and even death.



The Minister of Health and all health authority board chairs formally apologized to Indigenous peoples in November 2020 and committed to support the implementation of these recommendations. In alignment with the report's recommendation #13, the position of Associate Deputy Minister of Indigenous Health was created and filled in January 2021.

"We need to get to the root of these problems, and that begins with an understanding that racist attitudes and actions have a real and devastating impact on health outcomes, creating trauma that can affect generations. Everyone who comes to our hospitals deserves and should be able to expect access to respectful and culturally safe care."

Adrian Dix, B.C. Minister of Health

Significant collaboration with Indigenous partners also occurred in early 2021 to prepare for the launch of a task team to guide implementation of the recommendations. These include:

- establishing a senior-level policy and accountability table with MNBC and direct health authorities to enter into letters of understanding with MNBC and Métis Chartered Communities;
- working with Indigenous organizations to improve the health system's patient complaint processes to address individual and systemic Indigenous-specific racism;
- developing a new approach to cultural safety and humility training for B.C. healthcare workers; and,
- amending existing legislation and regulations to support and enable the systemic changes that are needed.

Mental Health and Wellness Memorandum of Understanding

UN Declaration Article 23: "Indigenous peoples have the right to determine and develop priorities and strategies for exercising their right to development. In particular, Indigenous peoples have the right to be actively involved in developing and determining health, housing and other economic and social programmes affecting them and, as far as possible, to administer such programmes through their own institutions."

Through an agreement among the First Nations Health Council, the Province and Indigenous Services Canada, continued progress was made on the shared commitment to support Indigenous-led solutions to mental health and wellness. A total of \$7.2M was allocated in 2020/21 for an additional 17 First Nations-led initiatives that involve 61 communities across B.C.

As of March 2021,^{s.13} million has been allocated to^{s.1} First Nations-led initiatives with a total of s.13 communities participating in the process. This work has been successful in facilitating active collaboration among communities based on their shared language,



culture, and own history of collaboration. As set out in the agreement, this work is meant to advance healing, Nation rebuilding and Nation-based approaches to mental health and wellness.

A key feature of this new approach has been to provide flexible, multi-year funding based on the needs, capacity and priorities of communities. By pooling federal and provincial resources, communities are better able to address the root causes that contribute to poorer mental health and wellness outcomes without the need to make multiple proposals. This new approach has allowed communities to design and deliver services that integrate clinical and cultural approaches to mental health and wellness.

s.13

The provincial government recognizes that sustainable and predictable funding is required to enable systemic change and address inequitable access to mental health and substance use services.

Indigenous Justice Initiatives

UN Declaration Article 34: “Indigenous peoples have the right to promote, develop and maintain their institutional structures and their distinctive customs, spirituality, traditions, procedures, practices and, in the cases where they exist, juridical systems or customs, in accordance with international human rights standards.”

As part of the BC First Nations Justice Strategy released in March 2020, the Province and the BC First Nations Justice Council (BCFNJC) have partnered to create Indigenous justice centres throughout the province. The centres are focused primarily on criminal law and child protection issues, with three opened in 2020/21.

The centres provide supports to:

- keep Indigenous people safe by reducing incarceration;
- divert Indigenous people to a healthy path away from justice involvement;
- make the justice system experience more Indigenous; and
- make it easier for Indigenous people to navigate justice and obtain support.

Indigenous justice centres have opened in Merritt, Prince George and Prince Rupert. The Province is currently working with BCFNJC to determine locations for the other centres throughout B.C., with the council planning to develop up to 15 centres.

The opening of the Williams Lake Indigenous Court is another way the Province is supporting First Nations’ work towards restoring First Nations law and justice systems. Indigenous courts offer more culturally appropriate sentencing processes by recognizing the unique circumstances of Indigenous offenders, honouring Indigenous ways of justice and adding cultural components, such as having Elders participate in the proceedings.



The management of B.C.'s Gladue report program transitions from Legal Aid BC to BCFNJC in April 2021. The BCFNJC will work closely with impacted individuals and Gladue writers to prepare reports for use in sentencing, bail, appeals, long-term offender hearings, dangerous offender hearings and parole hearings.

"We are proud to be leading the way, in partnership with the Province and First Nations, and look forward to continued collaboration as we clear the path towards addressing the over-representation and incarceration of our people, using alternative measures and self-determination through justice [...] Most importantly, the transition of Gladue services to the BCFNJC allows the removal of barriers related to requesting a Gladue report. As of April 1, 2021, any First Nations, Métis or Inuit person can request a Gladue report, whether or not they have a private lawyer or are a client of Legal Aid BC."

Douglas White III (Kwulasultun), chair, BCFNJC

First Nations Children and Youth in Care Protocol

UN Declaration Article 14.1: "Indigenous peoples have the right to establish and control their educational systems and institutions providing education in their own languages, in a manner appropriate to their cultural methods of teaching and learning."

The Province, First Nations Leadership Council and First Nations Education Steering Committee signed the First Nations Children and Youth in Care Protocol on May 26, 2020, committing to work together to improve the educational outcomes and well-being of First Nations children and youth in care and former youth in care through legislative, policy and practice reform.

The goal is to ease transitions into the school system, from grade to grade, and through post-secondary. The protocol is also intended to ensure supports and services are tailored to the needs of each child and their specific circumstances, in a way that connects them to their language and culture.

The new protocol commits all signatories to develop a strategic plan and meet twice a year to review progress toward the common goal of addressing systemic barriers facing First Nations students^{s.13}



Indigenous Language Revitalization

UN Declaration Article 13.1: “Indigenous peoples have the right to revitalize, use, develop and transmit to future generations their histories, languages, oral traditions, philosophies, writing systems and literatures, and to designate and retain their own names for communities, places and persons.”

s.13

B.C. has incredible language diversity, and is home to 34 First Nations languages, which make up more than half of all Indigenous languages in Canada. These are the original languages of this land and contribute to the unique diversity of the cultures of B.C.

"All I want for our kids is for them to have that identity and be able to talk to other speakers and know that those connections are there. I hear kids saying 'ki! Kwak'wala' (speak Kwak'wala), and so they are reminding each other to speak in the language, and that's huge for me."

Language Apprentice in the Mentor Apprentice Program and Manager/ Principal of Kwanwatsi Language Nest, s.13

Since the Province's multi-year investment of \$50 million in 2018 for language revitalization, the response from Indigenous communities has been remarkable. Even with the challenges of COVID-19, First Nations in B.C. completed over 470 language revitalization projects funded by the First Peoples' Cultural Council (FPCC) in 2020/21. The FPCC is a provincial Crown corporation formed in 1990 to support the revitalization of First Nations languages, arts and cultural heritage in B.C.

Communities have developed language revitalization plans, trained staff and implemented programs that are making a difference by documenting the languages and creating new speakers. Communities have created capacity to not only continue this work but to build on this foundation so that First Nations languages can be passed on to future generations.

"The Reclaiming my Language program is one of the best. The 'domino effect' does not quite capture the words I am struggling with expressing. In 10 short weeks our community members were able to make paradigm shifts. Sometimes these shifts take a lifetime to understand, address and change. This was an opportunity for miracles to happen. Miracles happened."

Language Manager, Upper Nicola Band, s.13

s.13



Indigenous Language Fluency Degree

As of March 2021, a partnership between the En'owkin Centre, the Nicola Valley Institute of Technology (NVIT), and UBC Okanagan (UBCO) gives students the opportunity to receive a new bachelor's degree of Nsyilxcn language fluency. This is the first bachelor's degree of its kind in B.C. under a newly designed provincial framework for Indigenous language learning.

This work was initiated by the First Nations Education Steering Committee (FNESC) and Indigenous Adult and Higher Learning Association (IAHLA) and stems from a commissioned discussion paper prepared by Dr. Jeannette Armstrong, a knowledge keeper of the Syilx Okanagan Nation and Associate Professor of Indigenous Studies at UBCO.

"Once again, En'owkin Centre is leading the way for our institutes and with this milestone is showing the potential of meaningful, reconciliatory partnerships between First Nations and public post-secondary institutions. I'm excited about the potential of this new fluency degree to support community efforts to strengthen and revitalize our languages, consistent with the vision set out in articles 13 and 14 United Nations Declaration on the Rights of Indigenous Peoples and Call to Action 16 of the Truth and Reconciliation Commission which calls upon the post-secondary institutions to create degree and diploma programs in Aboriginal languages."

Tyrone McNeil, president, First Nations Education Steering Committee

Currently, pilots are underway in five other communities with programming being either developed or delivered:

- Lake Babine Nation and Nicola Valley Institute of Technology: Bachelor of Nad'uten Language Fluency.
- Lillooet Tribal Council and Nicola Valley Institute of Technology: Bachelor of Northern St'át'imcets Language Fluency.
- The Nicola Bands and Nicola Valley Institute of Technology: Bachelor of Nt̓e?kepmxcín Language Fluency.
- Wilp Wilxo'oskwhl Nisga'a Institute and the University of Northern BC: a Bachelor of Nisga'a Language Fluency.
- The W̱SÁNEĆ School Board and University of Victoria: Bachelor of SENĆOŦEN Language Fluency.

The Indigenous Language Proficiency/Fluency Degree Framework provides a pathway for communities, Indigenous institutes and public post-secondary institutions to collaboratively establish ladder community-based Indigenous language degree programs leading to fluency. This approach is designed to create fluent graduates who can then continue their learning and work in education, social services, culture, tourism and resource management positions. Graduates will have the ability to support the language revitalization efforts by working in their First Nations community with the choice of pursuing multiple career paths.



Students will be able to transfer their community-based diplomas and certificates to a Bachelor of Language Fluency degree in their respective Indigenous language.

“The approval and delivery of this degree builds on decades of hard work between Indigenous institutes and their partners to develop the relevant and responsive language programming needed to address the critical state of First Nations languages in B.C. and move toward true reconciliation. We look forward to leveraging the strengths of these partnerships in order to build the capacity of our institutes and instructors to meet the growing need for language instruction within our communities.”

Verna Billy Minnabarriet, vice-president of strategic partnerships, NVIT, and chair, IAHLA

Collaborative Stewardship Initiatives

UN Declaration Article 29.1: “Indigenous peoples have the right to the conservation and protection of the environment and the productive capacity of their lands or territories and resources. States shall establish and implement assistance programmes for indigenous peoples for such conservation and protection, without discrimination.”

Working with Indigenous peoples to restore Indigenous stewardship and embrace Indigenous knowledge in natural-resource management is a tangible example of the collaborative work on the ground to implement the UN Declaration.

More than 100 First Nations are working together in regional forums across B.C. on stewardship projects that support resource management and information that leads to better decisions. These include the Environmental Stewardship Initiative (ESI), Collaborative Stewardship Framework, Marine Plan Partnership, and Great Bear Rainforest implementation forum.

Each of these forums co-designs and implements priority stewardship projects that are meaningful to all parties. Below is a sample of their accomplishments from the past year.

- The ESI’s new data management strategy provides an understanding of how to manage and govern information being collected to support stewardship work, including the appropriate consideration of Indigenous knowledge.
- The ESI Skeena Sustainability Assessment Forum completed three “State of the Value” reports for grizzly bear, fish and fish habitat, and wetlands. These reports reflect both western science and Indigenous knowledge. They provide a shared understanding of these values, as well as the baseline status, which will help guide future management decisions to ensure these important resources are managed well for future generations.



- A new Cultural Indicators Report will bolster the understanding and application of Indigenous knowledge in monitoring and assessing the five ESI Skeena Sustainability Assessment Forum values – grizzly bear, fish and fish habitat, wetlands, moose and traditional/medicinal plants. Cultural indicators that are based on cultural practice, and tied to overarching cultural well-being objectives, will guide the partners to make sure that decisions affecting the territories of the Skeena First Nations can be tracked over time and the effects managed more effectively.
- The 3Nations Collaborative Stewardship Framework Forum completed a Co-Management Report and Recommendations to support a framework for co-managing species of shared interest and concern. One of those species – moose – was the focus of a new Moose Stewardship Plan developed with B.C. Fish and Wildlife staff, and the Conservation Officer Service, which includes habitat and population objectives. 3Nations includes Kaska Dena Council (Daylu Dena Council and Dease River First Nation), Taku River Tlingit First Nation and Tahltan Nation.
- The Nicola Collaborative Stewardship Framework Forum completed and released a Watershed Characterization Report this year and established a new Nicola River Drought Levels Committee to work with B.C. to establish hydrological flow needs that combine Indigenous worldviews and perspectives, with regional water demand pressures. The forum includes Lower Nicola Band, Upper Nicola Band, Coldwater Band, Shackan Band and Nooaitch Band.
- The Province, Coastal First Nations and Nanwakolas Council co-developed terms of reference for a program review in 2021, which will develop consensus recommendations for future work. The review will involve the Province and 26 First Nations, as well as input from industry, environmental groups and other stakeholders.
- The Marine Plan Partnership completed annual monitoring for selected marine ecosystem health indicators in the region, including kelp. The partnership also completed two pilot projects to advance collaborative management of marine and shoreline archeological, heritage and cultural sites and to explore economic development projects in the coastal environment, including biophysical and feasibility assessments for shellfish and marine plant aquaculture.

"The unique partnership between our communities and British Columbia is a powerful example of reconciliation in action. It's exciting to see the progress we have made as we identify and address marine-related issues with creative and positive solutions. We are so inspired and hopeful for the future."

Christine Smith-Martin, Coastal First Nations-Great Bear Initiative



These initiatives create a platform for reconciliation built on a commitment to collaborative governance and outcomes. The approach brings together science-based practices with unique Indigenous knowledge and practices. Relationships fostered through the collaboration create a deeper understanding of cultural values and interests. This has led to advancing reconciliation through dialogue on important resource management issues affecting Indigenous peoples and stakeholders.

Agreements between the Province and First Nations

UN Declaration Article 4: “Indigenous peoples, in exercising their right to self-determination, have the right to autonomy or self-government in matters relating to their internal and local affairs, as well as ways and means for financing their autonomous functions.”

The Province continues to support innovative new approaches to government-to-government relationships with First Nations by making agreements together that advance reconciliation.

The Province signed a number of important agreements with First Nations in 2020/21 that support self-government and self-determination and economic development:

- Lake Babine Nation, B.C. and Canada, signed a landmark new reconciliation agreement that sets out a 20-year journey to implement and recognize Lake Babine Nation’s section 35 rights and transform its relationship with B.C. and Canada. This innovative and exemplary Foundation Agreement outlines how all parties will work together to implement Lake Babine self-governance, Aboriginal title and other rights, boost economic development, become true partners in major land and resource management, and promote community health and well-being. The Foundation Agreement also confirms that this implementation work will be guided by the UN Declaration.
- As part of treaty negotiations with the Northern Secwepemc te Qelmucw (NStQ), in August 2020 the Province purchased a ranch, along with its Crown land range tenure, cattle, hay and equipment, to be transferred to Xatśúll First Nation (Soda Creek Indian Band). Ensuring these historically important lands are productive for the Nation over the course of negotiations is helping to cement the Province’s relationship with NStQ and opening up new paths to long-term reconciliation.
- The Skwxwú7mesh (Squamish) and Lílwat Nations, the Province, the Municipality of Whistler and Whistler Blackcomb signed an agreement to create new economic opportunities in the region. The agreement will also help establish stronger relationships and cooperation between partners through a spirit of reconciliation. The agreement’s framework includes development opportunities for the Nations, a land exchange between the Nations and the municipality, and potential collaborations on employee housing.



- Snuneymuxw First Nation and the provincial government reached two agreements in September 2020 that foster economic development and support a strong and stable future for Snuneymuxw and its members. The reconciliation and land transfer agreements set out a plan for strengthening government-to-government relations and provide clarity and predictability for people, businesses and governments across Snuneymuxw territory.
- When a 3.4-hectare private property adjacent to the Esquimalt Nation reserve came up for sale in View Royal, it presented a rare chance to include lands with housing and commercial development opportunities in reconciliation discussions with Esquimalt Nation. The Province purchased the property, to be transferred to Esquimalt Nation after a land transfer agreement is negotiated.

"The agreements signed today with Snuneymuxw and British Columbia mark a major step forward. [...] This is an improved relationship that opens the door to meaningful cooperation and collaboration based on the United Nations Declaration on the Rights of Indigenous Peoples, including steps for land reconciliation in relation to a return of our traditional territory. [...] Like we have always done, Snuneymuxw people welcome new relationships, support prosperity and business development in the mid-Island area and will work with all of our partners to bring new opportunities. This step today was made possible by the leadership of our people for many generations and will serve to support our children and grandchildren to know our identity, Nation and lands are recognized and supported by all."

Chief Mike Wyse, Snuneymuxw First Nation

Connectivity

UN Declaration Article 23: "Indigenous peoples have the right to determine and develop priorities and strategies for exercising their right to development. In particular, Indigenous peoples have the right to be actively involved in developing and determining health, housing and other economic and social programmes affecting them and, as far as possible, to administer such programmes through their own institutions."

The Province is committed to expanding high-speed internet services to Indigenous communities throughout B.C. to increase opportunities to learn, do business, access services, respond to emergencies and stay connected. Connectivity has been identified as one of the key elements that supports Indigenous self-government.

Since 2017, the Province has invested \$180 million towards connectivity infrastructure projects, including the expansion of the Connecting British Columbia program in 2020, with a \$90 million one-time grant as part of StrongerBC for everyone: BC's Economic Recovery



Plan. This has been the province's largest-ever funding opportunity for connectivity projects and the first-time service providers have been able to apply for grants to support investments in cellular.

Some of the recent advances include:

- Cellular service is being expanded along Highway 16 through a co-funding arrangement between the Province, Canada and Rogers where the Connecting British Columbia program will contribute \$2.25 million to the \$11.6 million project. By October 2022, the full length of the 'Highway of Tears' will have complete cellular connectivity. Solving the problem of cellular gaps along the stretch of highway was among the Highway of Tears Symposium Report's 33 recommendations and is part of the Provincial response to the National Inquiry into Missing and Murdered Indigenous Women and Girls. The investment is key to ensuring women, especially Indigenous women, who are not safe can call for help and receive the services they need to ensure their safety and security.
- Cellular coverage will be extended along Highway 14 on Vancouver Island, benefitting communities along the highway, including Pacheedaht First Nation. This is funded with a \$4.9 million Connecting British Columbia program grant.
- \$10.3 million in grants to CityWest will improve high-speed internet access to communities within the territory of the Haida Nation, Nuxalk Nation, Ehattesaht First Nation and Klahoose First Nation.
- The Connecting British Columbia program helped with the costs of connecting Williams Lake First Nation to high-speed fibre internet in 2020.
- Internet access in South Hazelton is helping the Gitxsan Development Corporation grow the region's economy and create family-supporting jobs.
- Grants from the Connecting British Columbia program continue to support investments in connectivity benefitting people in Indigenous communities throughout B.C.

The Connected Communities program continues to support the digital readiness of local governments, First Nations and rural communities. Under this program, the Ministry of Citizens' Services works with communities to help them better understand how to achieve the economic, environmental and social benefits that accompany high-speed internet. For example, the ministry's Connected Communities team works closely with Coastal First Nations and its member communities on connectivity-planning priorities to prepare for the launch of the Connected Coast project.



Cannabis

UN Declaration Article 5: “Indigenous peoples have the right to maintain and strengthen their distinct political, legal, economic, social and cultural institutions, while retaining their right to participate fully, if they so choose, in the political, economic, social and cultural life of the State.”

A first of its kind in B.C., Williams Lake First Nation and the Province entered into a government-to-government agreement under section 119 of the Cannabis Control Licensing Act. The agreement supports Williams Lake First Nation’s interests in operating retail cannabis stores that offer a diverse selection of cannabis products from licensed producers across Canada, as well as a cannabis production operation that offers farm-gate sales of its own craft cannabis products.

“We have expressed a desire to have a government-to-government arrangement around our participation in the cannabis industry for several years and it is gratifying to finally formalize this agreement. We’re particularly excited about being the leaders in farm-gate cannabis sales. The WLFN craft cannabis farm-gate facility that is currently under construction will create jobs and stimulate tourism and represents a significant boost for the region’s economy.”

Chief Willie Sellars, Williams Lake First Nation

The agreement-making provision was included in provincial cannabis legislation to allow some flexibility within the provincial framework to address an Indigenous government’s community-specific interests.

Entering an agreement under section 119 allows Williams Lake First Nation to pursue its vision for participation in the cannabis industry while also upholding the public health and safety principles of federal and provincial cannabis laws. It also shows by working together the provincial government can find solutions that allow the Province and Indigenous nations to achieve individual and shared goals with respect to cannabis legalization. This is another important step in supporting economic development across B.C. and the new agreement will create jobs, boost the local economy and help diversify B.C.’s cannabis industry.



MEASURING PROGRESS

To support accountability and transparency on implementation of the *Declaration Act*, the Province will develop indicators for measuring progress on the alignment of laws and implementation of the action plan. To measure progress in a way that is meaningful to Indigenous peoples, this must also be done in consultation and cooperation with Indigenous peoples. The Province will work with Indigenous peoples to identify suitable tools, indicators, and measures for monitoring, assessing, and reporting out on progress on the implementation of the *Declaration Act* in subsequent annual reports.

CONCLUSION

The Province respectfully acknowledges with gratitude the contributions of Indigenous peoples, organizations and governments over the past year to this shared work, particularly given the additional pressures and limitations imposed by the pandemic.

Meaningful progress to implement the *Declaration Act* was achieved in 2020-2021. At the same time, the Province recognizes there is still much work to be done. The Province remains committed to continued implementation of *Declaration Act* in ongoing consultation and cooperation with Indigenous peoples in B.C.

"B.C. is a leader in Canada in advancing reconciliation, and we remain committed to working together with Indigenous peoples on this important priority. The historic legislation we passed [in 2019], developed in partnership with Indigenous peoples, provides a path forward for all of us, one that respects Indigenous peoples' human rights and creates clarity and predictability for everyone who lives in British Columbia."
Premier John Horgan





BRITISH
COLUMBIA

**MINISTRY OF PUBLIC SAFETY AND SOLICITOR GENERAL
COMMUNITY SAFETY AND CRIME PREVENTION BRANCH
INFORMATION BRIEFING NOTE**

PURPOSE: For **INFORMATION** for Mark Sieben,
Deputy Solicitor General, Ministry of Public Safety and Solicitor General.

ISSUE: Disposal of Firearms and Antique Firearms.

SUMMARY:

- Any property forfeit under court order for offences under provincial jurisdiction are managed by the director of the Criminal Asset Management Act.
- A person whose firearms were forfeit claims that three of the firearms are antique firearms and requests that they be put up for sale by public auction.
- By law the director cannot sell firearms, but the law does not prohibit the sale of antique firearms.
- The director has no policy in place for dealing with the storage or disposal of antique firearms; therefore,^{s.13}
s.13

BACKGROUND:

- Firearms, some of which are said to be Antique Firearms, were seized by the West Vancouver Police Department (WVPD) from ^{s.22} in April 2012.
- In December 2013, these firearms were ordered forfeit to the government.
- WVPD advised^{s.22} that all but four of the firearms were destroyed.
- The director has confirmed that WVPD is in possession of 4 firearms, which they believe are Antique Firearms.
- ^{s.22} has written to the Seized Property Management Directorate (SPMD) and the Solicitor General (BC) requesting that they be auctioned.
- The Criminal Asset Management Act (CAMA) gives the director management rights over property forfeit under offences subject to provincial jurisdiction, including firearms.
- This forfeiture is under provincial jurisdiction; therefore, management does not fall to SPMD.

- s.22 asserts that the director can auction the firearms since they are exempted by the Criminal Code.
- The director confirms there is nothing legally preventing the sale of Antique Firearms.
- As the director has no policy on the transportation, storage or assessment of Antique Firearms, a cross-jurisdictional survey will be conducted with police, other provincial directors and SPMD to determine what policy to enact for the handling and disposal of Antique Firearms.
- This cross-jurisdictional survey will include exploring the possibility of the Antique Firearms being donated to a museum for educational purposes. This option is contingent on (1) the firearms being authentic antiques and not replicas and (2) a museum willing to take the Antique Firearms.
- The Civil Forfeiture Office reached out to three museums, none of which have accepted to take the Antique Firearms. The RCMP Depot Museum (Regina) declined, the Royal BC Museum and the Canadian Museum of History have not responded.
- In the event the option to donate the Antique Firearms to a museum is not available to the CFO then the director will thereafter dispose of the firearms in accordance with the law and policy.

INDIGENOUS PEOPLES CONSIDERATIONS:

- N/A

OTHER MINISTRIES IMPACTED/CONSULTED:

- N/A

PREPARED BY:

Jerad Larson
Director
Community Safety and Crime Prevention
250-356-1822

APPROVED JUNE 29, 2021 BY:

Taryn Walsh
Assistant Deputy Minister
Community Safety and Crime Prevention
778-572-5231

ATTACHMENT

Appendix A

Appendix A

The following table outlines the public bodies to be added to section 8(1) of the Regulation and the types of information that would be shared:

Public Body	Unit in Public Body	Types of Information
Ministry of Public Safety & Solicitor General	Community Safety Unit	Investigative material, and information on administrative monetary penalties or other penalties taken
	Liquor and Cannabis Regulation Branch	Investigation material, and information on licensing statuses
BC Securities Commission		

**MINISTRY OF PUBLIC SAFETY AND SOLICITOR GENERAL AND
MINISTRY OF FINANCE
GAMING POLICY AND ENFORCEMENT BRANCH
INFORMATION BRIEFING NOTE**

PURPOSE: For INFORMATION for
Mark Sieben, Deputy Solicitor General
And
Douglas S. Scott, Deputy Minister of Finance

ISSUE: Background on unregulated online gambling

SUMMARY:

- The unregulated online gambling market has been prevalent in BC for many years.^{s.13}
s.13
- s.13; s.14
- There are initiatives that are proceeding in Ontario, and at the federal level, that
s.13 Initiatives include the
legalization of single event sports betting^{s.13}
s.13 and Ontario's decision to proceed to implement a
licensing model.

BACKGROUND:

- GPEB estimates there are over 2,200 unregulated websites that offer online gambling platforms to British Columbians.
- The British Columbia Lottery Corporation's (BCLC) PlayNow.com is the only provincially regulated online gambling website in B.C. Unregulated offshore websites operate outside of federal and provincial statutory requirements and do not contribute to provincial gambling revenue.
- GPEB has been actively working to address issues related to the unregulated online market for several years.
s.13; s.14
- An historical timeline of work related to online gambling is included as Appendix A.

DISCUSSION:

The Criminal Code

- In Canada, most aspects of gambling and betting are unlawful due to Part VII of the *Criminal Code*.
- However, under section 207(1)(a) of the *Criminal Code*, a province may 'conduct and manage' lottery schemes in that province.
- In B.C. gambling is regulated under the *Gaming Control Act*. The B.C. government conducts and manages gambling through its statutory agent, the B.C. Lottery Corporation (BCLC).

s.14

Ontario Licensing Model

- In March 2019, Ontario announced as part of the budget that it plans to consult with stakeholders to develop an online gambling market that reflects consumer preferences, fosters an exciting gaming experience, and minimizes the burden on business while ensuring that appropriate protections are in place.
- In November 2020, the Ontario government committed to introducing legislation to allow third-party service providers to obtain licenses to offer online gambling in the province.
- Ontario also announced that it had mandated the Alcohol and Gaming Commission of Ontario (AGCO) to act as the commercial "conduct and manage" entity for Ontario's online gambling market, rather than the Ontario Lottery and Gaming Corporation (OLG).
- Ontario established a subsidiary of the AGCO to conduct and manage a new iGaming market. Under the new model, the AGCO will continue its role as the regulator for all areas of gambling in Ontario.
- Ontario is currently considering a revenue sharing model in which the AGCO subsidiary would enter into commercial agreements with private operators to offer games directly to consumers within a regulated framework. The operator will receive a defined revenue share in exchange for their services.
- Ontario will be engaging with stakeholders on the proposed model. It is expected that new legislation for online gambling will come into force in Fall 2021.

BCLC Position

s.13

- BCLC is predicting 136 percent growth of PlayNow.com in 2020/21 and estimates that it will provide \$371 million in revenue.
- BCLC does not support the adoption of a licensing model that would allow third party service providers to offer online gambling in BC. BCLC has taken the position that allowing third party service providers would impact provincial revenue.
- Pending proposed legislation to legalize single-event sports betting in Canada, BCLC is planning to enhance sports offerings on PlayNow.com and integrate them into experiences across both land-based retail and casino facilities.
- BCLC estimates generating \$125 to \$175 million in additional revenue through online and land-based opportunities if single-event sports betting was legalized.
- BCLC advised it is having difficulties securing suppliers for sports betting as many suppliers are expecting BC to adopt a third-party service provider licensing model similar to what is being proposed in Ontario. However, it is likely that BCLC is experiencing difficulties attracting sports suppliers as these suppliers already have active successful online platforms and consider BCLC a competitor.

Bill C-218

- The Canadian Gaming Association estimates that Canadians wager approximately \$10 billion annually on sports betting through illegal bookmaking operations in Canada, usually operated by organized crime. More than \$4 billion is wagered through offshore online sports wagering sites. Currently, only \$500 million is wagered through legal provincial sports lottery products offered to Canadians.
- The Criminal Code currently does not allow bets on a single sporting event or on fights and races.
- Currently, players must wager on a minimum of two sport events. Players engaging in single event sports betting currently use unregulated offshore websites and illegal sportsbooks. There are many unregulated online gambling sports sites that Canadians may use to place bets on a single sporting event².
- On February 25, 2020, a bill decriminalizing single-event sports betting in Canada was introduced in Parliament through a Private Member's Bill C-218 *An Act to amend the Criminal Code (sports betting)*.
- B.C. is supportive of the proposed amendments to the *Criminal Code*. In April 2020, Minister Eby wrote a letter to the federal Minister of Justice and Attorney General of Canada, the Honourable David Lametti, to indicate B.C.'s support for Bill C-218.
- The Bill passed third reading in the House of Commons and a second reading took place in the Senate on May 4, 2021. The Bill is expected to be passed.

¹ This data has not been independently assessed.

² Examples include: Betway.com; Bodog.com; 10bet.com; Spinsports.com; and Sportsinteraction.com. Page 47 of 98 PSS-2021-15682

INDIGENOUS PEOPLES CONSIDERATIONS:

- The BC First Nations Gaming Revenue Sharing Partnership has an interest in impacts to provincial revenue as they receive 7% of BCLC's net gaming revenue.
- Kahnawake First Nation from Quebec has proposed additional amendments to the *Criminal Code* to permit an Indigenous governing body to conduct and manage lottery schemes under an agreement with the federal government.

s.13; s.14; s.16

s.13; s.16

- While their proposal was not accepted by the Committee, it has prompted the federal government to initiate further discussion with Indigenous Nations regarding the role of Indigenous nations in the regulation of gambling.
- The federal government has reached out to provinces and Indigenous Nations to engage in consultation on matters related to gambling. See Appendix B for the letter from Minister Lametti, Minister of Justice.

PREPARED BY:

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APPROVED [May 25, 2021] BY:

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Appendix A – Historical Timeline of Unregulated Online Gambling

GPEB Analysis of Regulatory Options

- s.14
- s.13; s.14
- s.16
- s.14
- ASC response is administratively burdensome and requires that each advertisement be provided as a separate submission. After reviewing four examples, ASC advises that some of the examples are expired and that other included a '.net.' web address, and therefore does not constitute gambling advertising.
- In 2018, responsibility for GPEB is transferred from the Ministry of Finance to the Ministry of the Attorney General. GPEB provides a presentation to the Attorney General (AG) and to the Associate Deputy Minister to outline online gambling models around the world, and to identify GPEB's concerns with unregulated online gambling sites. The AG asks GPEB to identify options to bring unregulated gambling operators into the regulated framework.
- s.14
-
-

- s.14

- The options put forward in the memorandum are not pursued.

Quebec Superior Court Ruling

- In 2016 Quebec passed provincial legislation under the *Consumer Protection Act* to compel Internet Service Providers (ISP's) to block external online gambling platforms. The statute is passed but the requirements are not put into force.
- The amendments to the Act are challenged by the Canadian Wireless Telecommunications Association which argues that building a firewall to prevent access to unregulated sites is costly and impractical and would require networks to be rebuilt and would have significant implications for infrastructures. They indicated that these costs would be passed on to consumers.
- The Quebec Superior Court ruled in July 2018 that the legislation was unconstitutional citing net neutrality rules and emphasizing that interfering with digital signals is limited to network threats.
- Quebec files an appeal to the Superior Court ruling in September 2020.
- The Superior Court ruling in Quebec sets a case precedent for other provinces in Canada and prevents any provincial legislation or regulations from blocking internet service providers to address issues related to online gambling.

GPEB Market Assessment

s.13; s.14

Online Gambling in Ontario

- On April 11, 2019 Ontario released its budget stating it intends to establish a competitive market for online legal gambling.
- s.16

- The Fall 2020 Ontario budget announces the AGCO will be responsible to 'conduct and manage' online gambling.
- s.16

FPT Work on Online Gambling

- In 2014 Quebec produces a report on gambling harms and notes availability of unregulated online gambling sites. Quebec proposed a portal model to restrict access to unregulated sites for Quebec citizens. Under this model external service providers would offer their platform through a Lotto Quebec portal.
- s.16

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-

Appendix B – Letter to Provinces from the Federal Minister of Justice

April 20, 2021

The Honourable David Eby Q.C., M.L.A.
Attorney General and Minister Responsible for
Housing Government of British Columbia

(Sent via email)

Dear Minister:

On November 26, 2020, I introduced into the House of Commons Bill C-13, *An Act to amend the Criminal Code (single event sport betting)*, and announced my intention to engage with Indigenous nations, communities, and organizations, as well as with my provincial and territorial counterparts, on gaming issues. Bill C-218, *An Act to amend the Criminal Code (sports betting)*, which also proposes to decriminalize single event sport betting, continues to progress through the parliamentary process.

Further to my comments, I am writing you today to seek your views on the participation of Indigenous nations and communities in the gaming industry and in its regulation across Canada. I am also writing to inform you of my intention to begin exploratory discussions with Indigenous nations, communities, and organizations on these issues. These exploratory discussions are meant to inform future decision making and ensure that I have a proper understanding of views across Canada.

In addition, I would like to obtain your views on the recent proposals to decriminalize single event sport betting in Canada.

Jurisdictions across Canada have taken various approaches to the role of Indigenous nations and communities in the gaming industry since our governments entered into agreements on gaming regulation in 1979 and 1985. Examples include the Saskatchewan Indian Gaming Authority and the Ontario First Nations (2008) Limited Partnership. However, while there are certainly successful models in place in certain parts of Canada, some Indigenous peoples feel excluded or express dissatisfaction with the status quo.

2

Given this upcoming process, I am seeking your jurisdiction's position on the following:

1. Would your jurisdiction support a discussion on the role of Indigenous nations and communities in relation to gaming?
2. If such a discussion were to be held, what would be the appropriate format, who should participate, and when should this discussion occur?
3. What topics would your jurisdiction be prepared to address in this discussion?

Recently, the House of Commons Standing Committee on Justice and Human Rights concluded its study of Bill C-218 and reported it with amendment. Given its potential to expand the definition of a "lottery scheme" under the Criminal Code, I would appreciate your views on the Bill.

In addition to this correspondence and future conversations we might have on these topics, departmental officials, through the Coordinating Committee of Senior Officials-Criminal Justice, will be raising single event sport betting and my forthcoming engagement process. I would appreciate your support as we continue to move forward on these important issues.

Thank you for your time. I look forward to discussing these matters with you soon.
Respectfully,

A handwritten signature in black ink, appearing to read 'D. Lametti', with a stylized flourish at the end.

The Honourable David Lametti, P.C., Q.C., M.P.
(he/him)

Minister of Justice and Attorney General of Canada

Enclosures: Copy of 1979 & 1985 Federal-Provincial Lotteries Agreements
Copies of Bills C-218 and C-13

**MINISTRY OF PUBLIC SAFETY AND SOLICITOR GENERAL
GAMING POLICY AND ENFORCEMENT BRANCH
DECISION BRIEFING NOTE**

PURPOSE: For **DECISION** of Mike Farnworth,
Minister of Public Safety and Solicitor General.

ISSUE:

British Columbia Gaming Industry Association (BCGIA) request for^{s.13}
s.13

RECOMMENDATION:

s.13

SUMMARY:

- In March 2021, government notified gaming facility operators that it would not charge fees during the 2020/21 fiscal year because gaming facilities had been closed for the year due to the COVID-19 pandemic.
- s.13

•

BACKGROUND:

Gaming Services Provider and Gaming Worker Fees

- The Gaming Control Regulation (GCR) requires gaming services providers and their senior officials and employees to pay an annual fee ("anniversary fee") equal to the fee they are required to pay for their registration application and renewal.
- Gaming services providers include facility operators (casino, community gaming centre and bingo hall operators), gaming suppliers, and ancillary providers (e.g., janitorial, food services).
- Gaming services providers' anniversary fees range from \$250-\$100,000, with the highest fees being paid by casino operators. These fees are intended to cover the cost of regulation.
- Senior officials and employees pay a \$250 anniversary fee. In practice, these fees are paid by gaming services providers that employ senior officials and employees.
- On June 3, 2021 the BCGIA requested (see Appendix A) government pro-rate business, liquor license and other fees to reflect the period they were not able to operate in 2021/22 due to COVID-19.

COVID-19: Industry Impacts and Government Response

- On March 16, 2020 the minister responsible for the BC Lottery Corporation (BCLC)¹ ordered the temporary closure of all gaming facilities on the advice of the Provincial Health Officer (PHO), and facilities have remained closed since that date.
- The gaming industry is one of the few industries in BC that has been required to close throughout the pandemic. The extended closure has caused significant hardship and approximately 98 percent of gaming workers have been laid off or furloughed during this period.
- In March 2021, government waived gaming facility operators' 2020/21 fees, which provided approximately \$1.188M in financial relief. GPEB's general manager used the *COVID-19 Related Measures Act* to extend gaming registrations to December 31, 2021.
- As part of Step 3 of BC's Restart Plan, gaming facilities will be able to reopen while following PHO requirements as early as July 1, 2021.

DISCUSSION:

s.13

INDIGENOUS PEOPLES CONSIDERATIONS:

- s.16

¹ Until November 2020, the Minister responsible for BCLC was Minister Eby.

- Three First Nations host gaming facilities on their land but do not operate the facilities: s.16
s.16

RECOMMENDATION: s.13

s.13

Pros:

s.13

Cons:


s.13

OTHER MINISTRIES IMPACTED/CONSULTED:

s.13; s.14

DECISION:

DECISION IS APPROVED ☒ NOT APPROVED ☐



Mike Farnworth
Minister of Public Safety and Solicitor General

July 13, 2021

Date

PREPARED BY:

Jillian Hazel
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Gaming Policy and Enforcement Branch
778 698-2223

APPROVED June 30, 2021 BY:

Sam MacLeod
Assistant Deputy Minister
Gaming Policy and Enforcement Branch
778-698-3843

APPROVED JULY 5, 2021 BY:

Mark Sieben, Deputy Solicitor General

ATTACHMENTS

- Appendix A - BCGIA Request Letter
- Appendix B – Estimated Fiscal Impact of Proposed Reduction

Appendix A: BCGIA Request Letter

The Honourable Selina Robinson
Minister of Finance
FIN.Minister@gov.bc.ca
The Honourable Mike Farnworth
Minister of Public Safety and Solicitor General
PSSG.Minister@gov.bc.ca

June 3, 2021

Dear Minister Robinson and Minister Farnworth:

The BC casino industry is looking forward to a safe reopening on July 1st as a part of Step 3 of the Province's reopening plan. We appreciated the response from the Honourable Mike Farnworth, Minister of Public Safety and Solicitor General, with regards to registration and fees under the Gaming Control Act (attached response).

Given the extended closure of casinos in BC, there will be lasting impacts on our workers and our businesses. To help mitigate these impacts, we are asking you to consider prorating business, liquor license and other fees to account for the closure period. Many operators have paid for liquor license renewals, casinos renewals and business license renewals during the mandated shutdown. We would appreciate it if you would consider applying the amounts paid towards the respective future fees and renewals. We believe this is appropriate because the services and purposes for which those fees were intended, were not applicable during the closure period.

I would like to respectfully request a meeting to discuss this critical issue and potential solutions at your earliest convenience. I can be reached at ssstuart@gatewaycasinos.com or 604-970-3242 to arrange a date and time that would best suit your schedule.

Sincerely,

Shiera Stuart
Chair, BCGIA

Page 58 of 98

Withheld pursuant to/removed as

s.13 ; s.17

**MINISTRY OF PUBLIC SAFETY AND SOLICITOR GENERAL AND
MINISTRY OF FINANCE
LIQUOR AND CANNABIS REGULATION BRANCH AND
LIQUOR DISTRIBUTION BRANCH
DECISION BRIEFING NOTE**

PURPOSE: For **DECISION** of Mike Farnworth,
Minister of Public Safety and Solicitor General
and
Selina Robinson, Minister of Finance

ISSUE:

Sale of single-serve pre-mixed beverages packaged by licensee for off-site consumption with purchase of a meal

DECISION REQUIRED/ RECOMMENDATION:

Amend the Liquor Control and Licensing Regulation (LCLR) and Liquor Distribution Regulation (LDR) to allow Liquor Primary (LP) and Food Primary (FP) licensees to sell single servings of pre-mixed beverages (i.e., cocktails) they have packaged for off-site consumption with the purchase of a meal on a permanent basis.

SUMMARY:

- The Business Technical Advisory Panel (BTAP) has requested that LPs and FPs be allowed to sell cocktails (i.e., pre-mixed beverages like margaritas) to patrons for off-site consumption with the purchase of a meal.
- LCRB will consult further with industry over the summer to develop a recommendation for government on whether to expand the authorization to include single servings of neat spirits, wine, draught beer, cider and refreshment beverages with the purchase of a meal.

BACKGROUND:

- LP and FP licensees have been permanently authorized to sell liquor packaged by a manufacturer to patrons for off-site consumption with the purchase of a meal.
- BTAP recommended to government that LPs and FPs be permitted to sell pre-mixed beverages to patrons for off-site consumption with the purchase of a meal.
- The pandemic has had severe economic consequences in the hospitality sector with multiple restrictions and closures over the last 15 months.
- The financial viability of many hospitality establishments continues to be uncertain.

DISCUSSION:

- BTAP recommended to government that LPs and FPs be permitted to sell cocktails to patrons for off-site consumption with the purchase of a meal.
- It will provide licensees with an additional revenue stream to assist with the viability of their business and support the employment of hospitality workers.
- With respect to packaging, Section 76 of the *Liquor Control and Licensing Act* permits the transport of liquor in motor vehicles provided certain requirements are met. LCRB

will establish terms and conditions regarding packaging in accordance with s. 76(3)(b) to ensure containers would not be considered open liquor by law enforcement.

- LCRB will also establish requirements regarding container labelling that will include listing the type and amount of alcohol in the beverage as well as non-liquor ingredients.
- Ensuring licensees comply with packaging will be challenging for liquor inspectors to enforce and it is likely enforcement would be on a complaint-basis only.
- Legal Services Branch advise that amendments to the LCLR and LDR are required to authorize LPs/FPs to package and sell pre-mixed beverages for off-site consumption.
- LCRB has confirmed with Canada Revenue Agency that the authorization as proposed will not be considered as “manufacturing” under federal law and therefore will not result in additional requirements and taxation provided packaging used does not have the appearance of a pre-packaged (e.g., manufactured) product.
- Although LCRB is not recommending volume limits (e.g., two standard drinks per meal ordered) at this time, they can be implemented by term and condition should Compliance and Enforcement issues or consumption patterns become concerning.
- As noted below, other jurisdictions offer a broader range of beverages to be sold in single servings with a meal for take out or delivery.
- Some stakeholders have expressed interest in authorizing LP/FPs to sell single servings of beverages such as neat spirits, draught beer, cider and refreshment beverages to go. This requires further consultation with industry before a recommendation can be made. LCRB will return with a decision note in the fall to address this additional scope.
- There are no revenue implications for the Liquor Distribution Branch.

Other jurisdictions:

- Alberta and Ontario have permanently allowed the sale of pre-mixed beverages and single-serving spirits, wine and beer packaged by the licensee.
- Alberta Gaming, Liquor and Cannabis Commission estimates only a small percentage of licensees are selling these beverages currently which may be due in part to implementation costs related to packaging, while Ontario has seen licensee uptake but is unable to provide details as to the percentage of licensees selling these beverages.
- To help ensure these beverages are consumed safely by patrons at home, Alberta requires drinks packaged by the licensee be in tamper-proof/tamper-evident containers and labelled with the volume of liquor and other non-liquor ingredients.
- In the United States more than 30 states have permitted pre-mixed beverages for off-site consumption.

Health considerations:

- Allowing the sale of pre-mixed beverages packaged by the licensee will increase access to liquor. It is challenging to say what impact this would have on consumption as more people may order alcohol if they are able to order a single serving, however some may drink less if able to order a single serving as opposed to a full bottle which is the current requirement.

- Sales data through December 2020 shows a total increase in *per capita* consumption of 3.2% across the population. The Ministry of Health (HLTH) advises this will result in an additional \$26.6 million in direct annual alcohol-attributable health costs and \$9.9 million in additional direct criminal justice costs.
- HLTH also cautions that some pre-mixed beverages may be sweetened alcohol beverages which would be more appealing to younger people.

INDIGENOUS PEOPLES CONSIDERATIONS:

- There are no anticipated direct impacts on Indigenous communities. The proposal does not impact the Government's commitment to reconciliation.

Decision 1:^{s.13}

s.13

Decision 2:^{s.13}

(if option #1 above is approved)

s.13

OTHER MINISTRIES IMPACTED/CONSULTED:

- Ministry of Health
- Legal Services Branch
- Liquor Distribution Branch

DECISIONS:

1) Option number 1 approved by Minister Farnworth

2) Option number 1 approved by Minister Farnworth



Mike Farnworth
Minister of Public Safety and Solicitor General

June 10, 2021

Date

1) Option number ____ approved by Minister Robinson

2) Option number ____ approved by Minister Robinson

Selina Robinson
Minister of Finance

Date

PREPARED BY:

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APPROVED JUNE 8, 2021 BY:

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REVIEWED BY:

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APPROVED JUNE 8, 2021 BY:

Mark Sieben
Deputy Solicitor General

APPROVED JUNE 9, 2021 BY:

Douglas Scott
Deputy Minister
Crown Agencies Secretariat

**MINISTRY OF PUBLIC SAFETY AND SOLICITOR GENERAL AND
MINISTRY OF FINANCE
LIQUOR AND CANNABIS REGULATION BRANCH AND
LIQUOR DISTRIBUTION BRANCH
DECISION BRIEFING NOTE**

PURPOSE: For **DECISION** of Mike Farnworth,
Minister of Public Safety and Solicitor General
and
Selina Robinson, Minister of Finance

ISSUE:
Sale of single-serve pre-mixed beverages packaged by licensee for off-site consumption
with purchase of a meal

DECISION REQUIRED/ RECOMMENDATION:
s.13

SUMMARY:
s.13

BACKGROUND:

- LP and FP licensees have been permanently authorized to sell liquor packaged by a manufacturer to patrons for off-site consumption with the purchase of a meal.
- BTAP recommended to government that LPs and FPs be permitted to sell pre-mixed beverages to patrons for off-site consumption with the purchase of a meal.
- The pandemic has had severe economic consequences in the hospitality sector with multiple restrictions and closures over the last 15 months.
- The financial viability of many hospitality establishments continues to be uncertain.

DISCUSSION:
s.13

Other jurisdictions:

- Alberta and Ontario have permanently allowed the sale of pre-mixed beverages and single-serving spirits, wine and beer packaged by the licensee.
- Alberta Gaming, Liquor and Cannabis Commission estimates only a small percentage of licensees are selling these beverages currently which may be due in part to implementation costs related to packaging, while Ontario has seen licensee uptake but is unable to provide details as to the percentage of licensees selling these beverages.
- To help ensure these beverages are consumed safely by patrons at home, Alberta requires drinks packaged by the licensee be in tamper-proof/tamper-evident containers and labelled with the volume of liquor and other non-liquor ingredients.
- In the United States more than 30 states have permitted pre-mixed beverages for off-site consumption.

Health considerations:

- Allowing the sale of pre-mixed beverages packaged by the licensee will increase access to liquor. It is challenging to say what impact this would have on consumption as more people may order alcohol if they are able to order a single serving, however some may drink less if able to order a single serving as opposed to a full bottle which is the current requirement.

- Sales data through December 2020 shows a total increase in *per capita* consumption of 3.2% across the population. The Ministry of Health (HLTH) advises this will result in an additional \$26.6 million in direct annual alcohol-attributable health costs and \$9.9 million in additional direct criminal justice costs.
- HLTH also cautions that some pre-mixed beverages may be sweetened alcohol beverages which would be more appealing to younger people.

INDIGENOUS PEOPLES CONSIDERATIONS:

- There are no anticipated direct impacts on Indigenous communities. The proposal does not impact the Government's commitment to reconciliation.

Decision 1:s.13

s.13

Decision 2: s.13

(if option #1 above is approved)

s.13

OTHER MINISTRIES IMPACTED/CONSULTED:

- Ministry of Health
- Legal Services Branch
- Liquor Distribution Branch

DECISIONS:

- 1) Option number ____ approved by Minister Farnworth
- 2) Option number ____ approved by Minister Farnworth

Mike Farnworth
Minister of Public Safety and Solicitor General

Date

- 1) Option number ____ approved by Minister Robinson
- 2) Option number ____ approved by Minister Robinson

Selina Robinson
Minister of Finance

Date

PREPARED BY:

Kathleen Jones
Senior Policy Analyst
Liquor and Cannabis Regulation Branch
778-974-3951

APPROVED JUNE 8, 2021 BY:

Jillian Rousselle
Executive Director
Liquor and Cannabis Regulation Branch
(250) 953-3355

REVIEWED BY:

Erin McEwan
Executive Director
Corporate Strategic Services
Liquor Distribution Branch
604 252-7443

APPROVED JUNE 8, 2021 BY:

Mary Sue Maloughney
Assistant Deputy Minister & General Manager
Liquor and Cannabis Regulation Branch
778 974-4695

REVIEWED BY:

Blain Lawson
General Manager and CEO
Liquor Distribution Branch
604 252-7411

APPROVED JUNE 8, 2021 BY:

Mark Sieben
Deputy Solicitor General

APPROVED JUNE 9, 2021 BY:

Douglas Scott
Deputy Minister
Crown Agencies Secretariat

**MINISTRY OF PUBLIC SAFETY AND SOLICITOR GENERAL
LIQUOR AND CANNABIS REGULATION BRANCH
INFORMATION BRIEFING NOTE**

PURPOSE: For **INFORMATION** for Mike Farnworth,
Minister of Public Safety and Solicitor General.

ISSUE:

There are two applications for non-medical cannabis retail stores (CRS) within the University Endowment Lands (UEL). The unique governance structure of the UEL complicates the local government (LG) recommendation process for these applications.

SUMMARY:

- Burb Cannabis Corp. and Atheneum Cannabis Corp. have submitted applications for CRSs within the UEL.
- The LG approval role in CRS applications within the UEL is complex and involves the Metro Vancouver Regional District (MVRD), local UEL authorities, residents within the UEL and within UBC lands, and the Ministry of Municipal Affairs (the "Minister"), which administers the UEL.
- For applications in the UEL the Province is both the retail cannabis regulator via the General Manager of the LCRB, and the local government decision-maker for zoning of cannabis stores via the Minister of Municipal Affairs.

BACKGROUND:

Cannabis Control and Licensing Act:

- Section 33 of the CCLA requires a positive LG recommendation before a CRS licence can be issued.
- Under the CCLA, the UEL is not an LG. However, the UEL is located within the jurisdiction of the MVRD, and the MVRD, as an LG under the CCLA, is the only LG that can provide a recommendation for an application within the UEL.

UEL Governance Structure:

- The MVRD has jurisdiction over unincorporated areas within Greater Vancouver known as Electoral Area A, which includes the UEL and UBC Lands.
- The Minister of Municipal Affairs is the administrator of the UEL for everything except regional parks and emergency management (administered by the MVRD) and to a lesser extent UBC Lands (the Minister's role in UBC Lands relates to land use planning). This includes decisions on zoning in the UEL.
- The UEL Manager has broad delegated powers but not final decisions on zoning for land use, which are for the Minister alone.
- Electoral Area A residents (UEL residents and residents on UBC Lands) elect a Director to represent them on the Metro Vancouver Regional District Board.
- The UEL has two local advisory bodies:
 - An Advisory Design Panel (ADP) of non-elected residents and professionals that make land use recommendations to the Manager.

- A Community Advisory Council (CAC) of elected residents to advise the Manager on matters related to community services.
- The MVRD is involved in the cannabis licensing process because the CCLA requires that the LG for the area in which the establishment is proposed consider whether or not to give comments or a recommendation respecting the application to the LCRB. As the UEL is not an LG for the purposes of the CCLA, the responsibility for providing comments or recommendations (or not), falls to the MVRD. If the MVRD intends to give comments or a recommendation to the LCRB, they must first gather the views of residents of the area.
- In doing this work the MVRD is using a committee that includes mayors from across Greater Vancouver. This committee has delegated gathering the views of residents to the UEL and will take those views into account when making their recommendation to the LCRB.

DISCUSSION:

The cannabis licensing framework purposefully provides a critical role for LGs in recommending whether and where cannabis may be sold within each LG jurisdiction. In this case the process followed to obtain a CCLA section 33 recommendation is unusual and complicated.

CRS Licence Process and CCLA section 33 LG recommendation within the UEL:

1. In an April 6, 2021 amendment to the comprehensive neighbourhood plan, the Minister of Municipal Affairs approved a policy which would explore allowing one CRS within the UEL's U Hill Village area (the location of the proposed CRS), subject to necessary zoning.
2. The LCRB received an application from Burb Cannabis Corp on September 4, 2020 for a proposed store at 5784 University Boulevard. The MVRD accepted the application on December 17, 2020.
3. Burb Cannabis Corp applied to the UEL for rezoning to allow for the store.
4. To fulfil section 33(3) of the CCLA, the UEL, on behalf of the MVRD, gathered the views of local residents within the UEL. They did so after briefing the Minister of Municipal Affairs on the process. Gathering views closed on 9 June 2021.
5. For this application the MVRD and UEL combined the views of local residents for both the rezoning application and views about a CRS.
6. Due to the unique governance mix between UEL, UBC Lands and the MVRD, some UBC Lands (campus) residents near the proposed UEL store location provided comment, as did UBC administration.
7. The rezoning application was considered by the UEL ADP on June 15, 2021.
8. s.13
- 9.
- 10.
- 11.

Timelines:

s.13

Second CRS application

s.13

INDIGENOUS PEOPLES CONSIDERATIONS:

s.13; s.16; s.17

OTHER MINISTRIES IMPACTED/CONSULTED:

- The Ministry of Municipal Affairs' UEL Manager has been consulted to ensure accuracy of this note.

PREPARED BY:

Terry Rowsell
Issues Manager, Licensing
Liquor and Cannabis Regulation Branch

APPROVED JUNE 28, 2021 BY:

Dugald Smith
Deputy General Manager
Liquor & Cannabis Regulation Branch

APPROVED June 28, 2021 BY:

Mary Sue Maloughney
Assistant Deputy Minister & GM
Liquor & Cannabis Regulation Branch

APPROVED JUNE 28, 2021 BY:

Mark Sieben
Deputy Solicitor General

APPENDIX 1 – UEL Licence Applicants

Burb Cannabis Corp.

- Two CRS licenses in Port Coquitlam
- One in Port Moody

In addition to their application within the UEL, Burb Cannabis also has:

- Two CRS applications for locations in Vancouver
- One in Maple Ridge
- One in Saanich

s.13

The Liquor Distribution branch had approached the UEL about opening a government cannabis store but backed out when Burb Cannabis applied for rezoning in the general location the LDB was interested in.

**MINISTRY OF PUBLIC SAFETY AND SOLICITOR GENERAL
POLICING AND SECURITY BRANCH
DECISION BRIEFING NOTE**

PURPOSE: For **DECISION** of Mike Farnworth,
Minister of Public Safety and Solicitor General.

ISSUE:
Recommendations related to the South Coast BC Transportation Police Services Board appointment.

SUMMARY:

- The South Coast BC Transportation Police Services Board (the Board) has one vacant position.
- Pursuant to s.40.1(d) the *Police Act*, the Director of Police Services (the Director) has the statutory responsibility to make recommendations to the Minister of Public Safety and Solicitor General (the Minister) about appointments to boards.

BACKGROUND:

- Twelve BC municipalities are policed by eleven municipal police departments as established under section 23 of the *Police Act (the Act)*. The municipal police departments are: Vancouver, Victoria (which polices the municipalities of Victoria and Esquimalt), Saanich, Central Saanich, Oak Bay, Delta, Abbotsford, New Westminster, West Vancouver, Nelson and Port Moody. The City of Surrey is currently in transition from an RCMP to a municipal police department model.
- These municipal police departments are governed by a municipal police board whose role is to provide oversight and general direction to the department, in accordance with relevant legislation and in response to community needs and priorities. Each police board consists of civilians and is chaired by the municipality's mayor; one board member is appointed by the municipal council and up to seven people appointed by the provincial government.
- The Ministry consults with the Translink Security Management LTD (TSML) Board of Directors on candidates prior to making new board appointments or reappointments, in accordance with section 4.1(9) of the *Act*. The Minister may thereafter appoint persons to the Board for terms considered suitable.
- Appointment process guidelines and qualifications for the police board member is attached in Appendix A.

SCBCTA Police Board

Position	Name	Appointed	Expiry
Chair - PT	Ms. Sara Levine	2011-06-30	2021-12-31
Translink Appointee	Mr. Murray Dinwoodie	2017-11-21	2023-06-30
Member – PT	Mr. Ali Pejman	2014-06-30	2021-12-31
Member – PT	Chief Constable Adam Palmer	2014-06-30	2023-06-30
Member – PT	Mr. Shan Parmer	2018-10-29	2021-12-31
Member – PT	Ms. Marnie Larson	2020-04-02	2023-06-30
Member – PT	Ms. Carla Hotel	2020-08-10	2023-06-30
Member – PT	Mr. George Madden	2020-08-10	2022-06-30
Member – PT	Vacancy (RCMP)		

VACANCY:

- The membership of the Board has historically included a Chief Constable of a Municipal Police Department and an Assistant Commissioner and Lower Mainland District Commander.
- In December 2020, provincially appointed member and Assistant Commissioner Stephen Thatcher retired from the RCMP and the Board.
- In March 2021, Maureen Levy was newly promoted as Assistant Commissioner and Lower Mainland District Commander to succeed Stephen Thatcher. (Appendix B)
- The Director recommends the appointment of Assistant Commissioner and Lower Mainland District Commander Maureen Levy to fill the immediate RCMP vacancy on the Board.
- A letter from the TSML Board endorsing the appointment of Maureen Levy is attached in Appendix C.
- PSB staff are working with the Board on a board succession plan and identifying a future Board Chair to succeed Sara Levine in 2022.
- PSB and CABRO staff are working on increasing diversity and indigenous representation on the Board.

INDIGENOUS PEOPLES CONSIDERATIONS:

- Representation of Indigenous Peoples on municipal and designated police unit boards furthers the Province's commitment to reconciliation and the implementation of UNDRIP through involvement in decisions that impact them and ensures police boards reflect the diversity of the community they represent.

OPTIONS:

Option 1 – (Recommended):

- Appoint Maureen Levy to the SCBCTAPS Board for a term ending on June 30, 2020.

Option 2:

- Do not appoint, Direct the Director to provide new recommendations.

OTHER MINISTRIES IMPACTED/CONSULTED:

- None

DECISION:

OPTION NUMBER 1 APPROVED



Mike Farnworth
Minister of Public Safety and Solicitor General

July 17, 2021

Date

PREPARED BY:

Artem Kuznetsov
Sr. Governance Advisor
Policing and Security Branch
778 698-8328

APPROVED BY:

David Pilling
Director, Police Governance
Policing and Security Branch
778 698-8375

APPROVED BY:

Wayne Rideout
Assistant Deputy Minister
And Director of Police Services
Policing and Security Branch
250 387-1100

APPROVED JUNE 7, 2021 BY:

Mark Sieben
Deputy Solicitor General

ATTACHMENTS:

Appendix A – Appointment Guidelines
Appendix B – RCMP Letter & Profile
Appendix C – TransLink Letter

APPENDIX A: Appointment Guidelines

Overview of Police Boards

- Twelve municipalities in BC are policed by eleven municipal police departments as established under s. 23 of the Police Act. The municipal police departments are: Vancouver, Victoria (which polices the municipalities of Victoria and Esquimalt), Saanich, Central Saanich, Oak Bay, Delta, Abbotsford, New Westminster, West Vancouver, Nelson and Port Moody. The City of Surrey is currently in transition from an RCMP to a municipal police department model.
- These municipal police departments are governed by a municipal police board (police board), whose role is to provide oversight and general direction to the department, in accordance with relevant legislation and in response to community needs and priorities. Each police board consists of civilians and is chaired by the municipality's mayor; one board member is appointed by the municipal council and up to seven people appointed by the provincial government.
- In addition, there are three Designated Policing Units: South Coast BC Transportation Authority Police Service (SCBCTAPS), Stl'atl'imx Tribal Police Service (STPS), and the Organized Crime Agency of British Columbia (OCABC) with police boards. The SCBCTAPS and OCABC boards are appointed by the Minister under the Police Act while the STPS board is appointed by the ten individual band councils whose communities are served by the STPS.

Appointment Term

- Under subsection 4.1(9) of the *Police Act*, the Minister may appoint persons to designated police boards for terms considered suitable.
- Appointments are usually staggered in order to have some continuity from year to year on the respective boards. The Director will make recommendations related to terms in individual cases to ensure staggering of terms and shorter initial terms for new board members in order to assess their fit and suitability.

Appointment Process

- When a vacancy is identified either by resignation, member reaching maximum term or appointment not renewed, PSB drafts a Notice of Position (NOP) to be posted on the Crown Agency and Board Resourcing Office (CABRO) website. PSB also liaises with Government Communications and Public Engagement to determine if vacancy advertisements can be placed in local newspapers.
- PSB liaises with the board chair to determine skillset and competencies required of the board for the appointment and provides notification to the board.
- PSB solicits and receives names of interested and suitable candidates. Additionally, the Director will consider any recommendation made by the Minister when an

application is submitted online. Once the NOP has closed, CABRO routes all online applicants to PSB for screening and to identify suitable candidates to interview.

- PSB staff interview candidates and provide a short-list of recommendations to the Director, who then conducts secondary suitability interviews.
- Police Record Checks and personal reference checks are conducted and the Director then makes a recommendation to the Minister pursuant to section 40(1) (d).
- The Ministry consults with the Translink Security Management Ltd. (TSML) Board of Directors on candidates prior to making new board appointments or reappointments, as per section 4.1(9) of the *Police Act*.
- Appointments to the designated police boards are made by Ministerial Orders.

Reappointment Process

- As per appointment guidelines, several months prior to expiration, the Director notifies the police board chair in writing of the upcoming expiries and requests the following:
 - Advise PSB if the incumbent is interested in being reappointed;
 - If willing to serve, the Chair will complete a performance appraisal on whether the person has performed satisfactorily and is recommended for reappointment;
 - If TSML appointment, resolution from TSML conveying support for reappointment is required. Factors that should be addressed include the following:
 - Appointee's contribution to the police department's goals, objectives and priorities;
 - Core competencies and skill set required by the board;
 - Number of extra committees served on, attendance rates, other accomplishments as a board member.
- In accordance with the designated policing unit application and section 4.1(9), the Ministry consults with TSML prior to making reappointments to the Board.

Qualifications of Police Board Members

- The Director recommends appointments under the overriding principle of merit. This is an objective assessment of the fit between the skills and qualifications of the prospective candidate and the needs of the board as identified by the Chair and by PSB in their role of superintending policing. Generally prospective board members should possess the following personal attributes:
 - willingness to submit to a criminal record review and personal interview;
 - knowledge about, and interest in, the community;
 - ability to understand the complexities of policing;
 - high ethical standards and integrity in professional and personal dealings;

- able and willing to raise potentially controversial issues in a manner that encourages dialogue;
 - capable of a wide perspective on issues;
 - ability to listen and work as a team member;
 - no direct or indirect conflict of interest with the member's responsibility to the organization;
 - strong reasoning skills;
 - commitment to protecting fairness, avoiding conflict of interest and maintaining neutrality and objectivity; and
 - willingness, ability and availability to meet time commitments (10-40 hours a month, varies by board) related to board duties.
- Preference is for board members to have a residence and/or business interests in the municipality served by the board.
- Collectively, the board should comprise the following core competencies relevant to the operation of the department including:
 - strategic management and organizational change;
 - operations;
 - internal control and accounting;
 - technology;
 - communications;
 - public sector administration;
 - human resources;
 - governance;
 - labour relations;
 - risk management;
 - financial expertise;
 - legal expertise;
 - knowledge of government and the public sector environment;
 - knowledge of current and emerging issues affecting the organization and its industry or sector; and
 - knowledge of the community served by the organization.
- Consideration is also given to promotion of diversity of gender, cultural background community make-up and knowledge of the communities served by the department.
- In addition, the Director will consider any specific attributes and qualifications identified by the Minister.

May 17th, 2021

David Pilling
Director, Police Governance
Policing and Security Branch
Ministry of Public Safety and Solicitor General
PO Box 9285 Stn Prov Govt
Victoria, BC V8W 9J7

Dear David Pilling,

Thank you for letter dated April 22nd, 2021 regarding the recommended appointment of Assistant Commissioner Maureen Levy to the SCBCTAPS Police Board for an initial term ending June 30, 2022.

TransLink Security Management Ltd. fully supports the appointment of Assistant Commissioner Maureen Levy for an initial term ending June 30, 2022.

Thank you for seeking our input on this important matter.



Gigi Chen-Kuo
Chair, TransLink Security Management Ltd.

c: Sara Levine, Chair, SCBCTAPS Police Board
Annabelle Donovan, Director, Chair, TransLink Security Management Ltd.



Royal Canadian Mounted Police Gendarmerie royale du Canada
District Commander Commandant de district

March 24, 2021

Dear Lower Mainland Mayors and Chief Administrative Officers, Province of BC Police Services,

I am writing to officially introduce myself as the newly promoted Assistant Commissioner and Lower Mainland District (LMD) Commander.

I am honoured to have been recently selected for this position and have served as the LMD Operations Officer and Assistant District Commander since November of 2019. My current position oversees police service delivery to your respective communities and I have a dedicated and talented team here in the Lower Mainland District Office. This, coupled with a dedicated team of detachment and integrated team commanders, numerous support staff and our frontline members, enables the Lower Mainland District to proudly provide critical and timely policing services on a daily basis. I am humbled to have the opportunity to lead such a dynamic and capable team and look forward to working alongside each of you in my new role.

This announcement follows the departure of Assistant Commissioner Stephen Thatcher who recently retired from the RCMP after a truly distinguished and remarkable career. I will continue along Stephen's path of creating and enhancing cohesive and collaborative relationships which are underpinned with mutual respect and trust.

I look forward to the upcoming Mayors Forum this April and my contact information is in my signature block below.

Respectfully,

Maureen Levy, Assistant Commissioner
Lower Mainland District Commander, 'E' Division
Royal Canadian Mounted Police
maureen.levy@rcmp-grc.gc.ca
Office: 778-290-2030
Cell: s.22

**CANDIDATE PROFILE
AND DECLARATION**
*for Governing Boards***INSTRUCTIONS**

- To save the completed form, choose File > Save As Other > Reader Extended PDF > Enable More Tools (Includes Form Fill-in & Save).
- For you to be considered for appointment to a governing board of a British Columbia public sector organization, the Crown Agencies and Board Resourcing Office is required to collect your personal information.
- The "Organization" is the entity to which you are applying to serve.
- If you require more space, attach a separate sheet.
- Please send back to respondent who requested this form.

Freedom of Information and Protection of Privacy Act (FOIPPA)

The personal information on this form is collected for the purpose of administering a variety of statutes that authorize the appointment of individuals to public sector organizations under the authority of section 26(a) of the FOIPPA. Information on the authority for a specific appointment is available on request. All information provided to us will be considered as supplied in confidence. Under certain circumstances some information may be released subject to the provisions of the FOIPPA. The Crown Agencies and Board Resourcing Office is the office of record for this form. Questions about the collection or use of this information can be directed to the Crown Agencies and Board Resourcing Office by email at abc@gov.bc.ca or by telephone at 604 660-0465.

Enter the name of the Organization you are applying to serve on the board of:

South Coast BC Transportation Authority (SCBCTAPS) Police Services Board

PART A – PERSONAL INFORMATION

FULL LEGAL NAME (include first, middle and last name)

PREFERRED NAME (if different than full legal name)

Maureen^{s.22} Levy

Maureen

RESIDENTIAL ADDRESS (include street or PO box)

CITY

PROVINCE

POSTAL CODE

s.22

Surrey

BC

s.22

HOME TELEPHONE NUMBER

CELL PHONE NUMBER

WORK TELEPHONE NUMBER

s.22

s.22

778-290-2030

EMAIL ADDRESS

DATE OF BIRTH (required to verify background information)
DD / MMM / YYYY

s.22

s.22

PART B – BACKGROUND INFORMATION

1. Educational background (provide a chronology):

INSTITUTION	DEGREE/DIPLOMA OBTAINED	TERM ATTENDED (MMM/YYYY)	
		FROM	TO
s.22			

2. Professional and employment background (provide a chronology):

ORGANIZATION	POSITION	TERM OF SERVICE (MMM/YYYY)	
		FROM	TO
RCMP	District Commander - Lower Mainland	04/1988	Present
	District in British Columbia		
	(Assistant Commissioner)		

3. Board directorship/community/volunteer activities (*provide a chronology*):

ORGANIZATION	POSITION	TERM OF SERVICE (MMM/YYYY)	
		FROM	TO

4. Professional designations/memberships in professional organizations (*provide a chronology*):

PROFESSIONAL ORGANIZATION	DESIGNATION (<i>if applicable</i>)	TERM OF MEMBERSHIP (MMM/YYYY)	
		FROM	TO

5. Are you currently involved in lobbying activity? s.22 YES s.22 NO If **YES**, complete the following table.

s.22

6. Have you authored any published works? (*includes books, articles, blogs, professional journals*): s.22 YES s.22 NO
If **YES**, please list below. If you require more space attach a separate document.

s.22

PART C – FINANCIAL ACUMEN

Indicate if you have previous experience with each of the following:

- | | | |
|--|----------|---------|
| 1. Reading and interpreting financial statements | s.22 YES | s.22 NO |
| 2. Reading and interpreting budgets | YES | NO |
| 3. Familiarity with audit reporting | YES | NO |
| 4. Service in the capacity of a treasurer or finance committee member or chair | YES | NO |

PART D – CONFLICT OF INTEREST: DISCLOSURE STATEMENT

A conflict of interest exists for a board member who has a private or personal interest that appears to influence the board member's judgement in making decisions in the Organization's best interest.

A conflict of interest may take a number of forms:

- Financial or non-financial;
- Direct or indirect; and
- Professional or family related.

A conflict of interest may arise from:

- Employment or board appointments;
- Professional practices including consultative services;
- Financial interests in business enterprises;
- Share ownership;
- Beneficial interests in trusts;
- Private equity interests;
- Real estate property interests;
- Existing or proposed transactions with the Organization;
- Holding elected office;
- Existing professional or personal associations with the Organization;
- Personal associations with other groups or organizations; and
- Family relationships (a connection by blood, by marital or common law relationship, or by affinity).

Every appointee or potential appointee to the Organization must disclose any obligation, commitment, relationship, or interest that might conflict or might be perceived to conflict with his or her duty or interest to the Organization.

Additional information regarding the conflict of interest assessment and the ethical code of conduct is available at: [General Conduct Principles for Public Appointees](#)

Below, describe any real and/or perceived conflicts of interest with the Organization:

☒ NOT APPLICABLE

PART E – CHARTER OF EXPECTATIONS FOR APPOINTEES TO GOVERNING BOARDS

Board Appointees owe the Organization they serve a commitment to making the best possible decisions. Appointees must carefully adhere to these principles and responsibilities. They must strive for high standards of accountability and fiduciary duty.

PRINCIPLES

Compliance

- You must ensure compliance with all accounting and audit principles;
- Take all necessary and reasonable measures to ensure compliance with laws, regulations and policies that apply to the Organization; and
- Know the Organization's mandate.

Accountability

- You must ensure the accuracy of financial information;
- Base your decisions upon facts and reliable information; and
- Properly inform yourself before taking action.

Integrity

- In making decisions, you must always act in the best interests of the Organization;
- Ensure integrity in all dealings with and on behalf of the Organization, including via social media platforms;
- Maintain the confidentiality of information received by you in your capacity as board member both during and after your appointment;
- Maintain the ongoing responsibility to disclose real or perceived conflicts of interest; and
- Avoid real or perceived conflicts between your own private interests and the best interests of the Organization.

RESPONSIBILITIES

Strategic Planning

- Provide input to management on emerging trends and issues; and
- Review and approve management's strategic plans, including significant capital allocations and expenditures.

Performance Monitoring and Reporting

- Monitor corporate performance against strategic and business plans; and
- Evaluate corporate performance reporting.

Organizational Leadership

- If legislation allows, appoint, monitor and evaluate the performance of the CEO/President;
- If legislation allows, replace CEO/President if necessary; and
- Ensure succession planning.

Risk Assessment

- Identify principal risks to the Organization's operations and ensure that appropriate systems are in place to manage and monitor these risks; and
- Review and approve material transactions not in the ordinary course of business.

Public Policy

- Understand the significance of the role of the Organization as an instrument of public policy; and
- Monitor performance of the Organization in relation to the strategic objectives of the shareholder.

Governance

- Ensure the Organization aligns with the taxpayer accountability principles;
- Establish appropriate governance structures to ensure efficient and prudent stewardship of the Organization;
- Assess the board's own effectiveness including monitoring the effectiveness of individual board members; and
- Participate as appropriate on board committees including: Audit, Finance, Risk Management, Governance and Human Resources.

I certify that I have read the above Charter and agree to abide by it for the duration of my service.

☒ I AGREE

PART F – INTEGRITY AND PUBLIC ACCOUNTABILITY

NOTE: An affirmative answer to any of the questions below does not automatically disqualify an applicant from being appointed. Each candidate's background will be considered in relation to the specific requirements of the appointment.

1. In your employment, business or personal affairs, have you, or any company in which you have a direct or indirect controlling interest, in B.C. or elsewhere:

(a) Been charged with or convicted of an offence under the Criminal Code of Canada?	s.22 YES	s.22 NO
(b) Been charged with or convicted of an offence under any other Federal statutes or regulations, including the <i>Income Tax Act</i> , the <i>Controlled Drugs and Substances Act</i> or others?	YES	NO
(c) Been the defendant of any civil action in which allegations of fraud, theft or defamation were made against you?	YES	NO
(d) Have any outstanding charges against you, including civil action?	YES	NO
(e) Been charged with or convicted of any offence under any Provincial statutes or regulations?	YES	NO
(f) Been cited with or disciplined, censured, suspended or disqualified by any professional association or body?	YES	NO
(g) Had any improper dealings with government (e.g. improper solicitation of contracts, improper lobbying or representations)?	YES	NO
(h) Been involved in any issue or controversy that has gone, or is likely to go, to litigation or public review?	YES	NO
(i) Made an assignment or lodged a proposal under the <i>Bankruptcy and Insolvency Act</i> ?	YES	NO
(j) Been discharged, suspended or asked to resign from any employment?	YES	NO

If **YES**, please describe:

s.22

2. Have you or any organization or group that you are associated with promoted or encouraged hatred against people or persons on the basis of ethnicity, language, colour, religion, culture, gender or sexual orientation?

s.22 YES s.22 NO

If **YES**, please describe:

s.22

3. Generally, are you aware of any facts or matters which, if publicly disclosed, could cause the government embarrassment or hinder your performance of your duties as a board member?

s.22 YES s.22 NO

If **YES**, please describe:

s.22

4. The Crown Agencies and Board Resourcing Office is responsible for ensuring awareness of all relevant information related to potential appointees. We are asking you to use this section to disclose any issues that may be of public interest in the event you are appointed to serve. Such issues can include civil lawsuits, criminal charges or convictions.

Below, describe any issues:

s.22

s.22

PART G – BIOGRAPHY

I agree that if I am appointed to serve, the Crown Agencies and Board Resourcing Office (CABRO) and the Organization may publish a biography of me. Please include a 200 word biography below:

PART H – REFERENCES (OPTIONAL)

Please provide a minimum of two references:

NAME	TITLE	CONTACT NUMBER	EMAIL ADDRESS
------	-------	----------------	---------------

s.22

PART I – DECLARATION

I understand that the Crown Agencies and Board Resourcing Office and the Organization may verify relevant information with respect to all candidates for potential appointments.

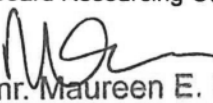
By signing below, I authorize the Crown Agencies and Board Resourcing Office to verify or obtain any personal information about me directly from organizations or references referred to in this form and from any person, government education institution, police force, military authority or governing body for the purpose of evaluating my ability to serve. I also consent to the disclosure of my personal information to such persons or organizations when such disclosure is necessary to evaluate my suitability for appointment.

If, at any time following the signing of this form, there are changes to the information given herein regarding conflict of interest, or any other part of this form, either by way of addition or deletion, within 14 calendar days of this change, I will submit an updated Candidate Profile and Declaration form to the Crown Agencies and Board Resourcing Office an describing such change.

I solemnly promise that the information provided is true and complete.

I acknowledge and agree to adhere to the Crown Agencies and Board Resourcing Office Best Practices Guidelines.

SIGNATURE (type your name to sign electronically)


A/Commr. Maureen E. Levy, O.2575
District Commander
Lower Mainland District, "E" Division

DATE SIGNED
DD / MMM / YYYY
2021-04-16

Clear Form

Submit Form

**MINISTRY OF PUBLIC SAFETY AND SOLICITOR GENERAL AND
MINISTRY OF INDIGENOUS RELATIONS AND RECONCILIATION
GAMING POLICY AND ENFORCEMENT BRANCH
DECISION BRIEFING NOTE**

PURPOSE: For **DECISION** of Mike Farnworth, Minister of Public Safety and Solicitor General And
Murray Rankin, Minister of Indigenous Relations and Reconciliation

ISSUE: Federal government engagement with Indigenous Nations on issues related to gaming.

DECISION REQUIRED / RECOMMENDATION:

s.13; s.16

SUMMARY:

s.16

s.13

- BC is currently focused on ^{s.13} and on developing an action plan to support collaboration with Indigenous partners on matters related to gaming^{s.16}
s.16

BACKGROUND:

Proposed Amendments to the Criminal Code

- *Bill C-218 An Act to amend the Criminal Code (sports betting)* proposes to decriminalize single event sport betting and wagering on fights and races¹. The Bill awaits Third Reading in the Senate.

• ¹ The *Criminal Code* does not allow bets on single sporting events or on fights and races. Players must place parlay bets, meaning they must wager on the outcome of at least two events.

- During consultation on *Bill C-218*, the Mohawk Council of Kahnawake (the Mohawk Council) in Quebec requested additional amendments to permit Indigenous organizations to conduct and manage lottery schemes.

Letter from Federal Justice Minister

- The Federal Justice Minister sent a letter to provinces (see Appendix A):
 - 1) To seek provincial views on Bill C-218; and
 - 2) To ask the provincial government if they are supportive of a discussion on the role of Indigenous Nations and communities in relation to gaming, and to advise on the appropriate format and topics for discussion
- Letters were also sent to Indigenous Nations² to determine interest in a discussion with the federal government, and what topics should be addressed.

DISCUSSION:

Mohawk Council of Kahnawake Response to Bill C-218

- s.14

- The Mohawk Council proposed additional amendments to Bill C-218 to House and Senate Committees to permit an Indigenous governing body to ‘conduct and manage’ lottery schemes under an agreement with the federal government.

- s.13; s.16

- Under this model, the provinces would generally retain responsibility to ‘conduct and manage’ provincial gambling; however Indigenous governing bodies could also engage directly with the federal government to conduct, manage, and regulate gambling activities.

Implications for Provincial Gaming Revenue and Revenue Sharing

- In BC, 7% of provincial gaming revenue is shared with BC First Nations (through a Limited Partnership) under the Long Term BC First Nations Gaming Revenue Sharing and Financial Agreement (the Long Term Agreement).

- s.13; s.16

²BC recipients of the letter from the Federal Minister of Justice include: The BC Assembly of First Nations; The BC First Nations Gaming Revenue Sharing Limited Partnership; The Union of BC Indian Chiefs; The First Nations Summit; (all parties to the gaming revenue sharing agreement); the Metis Nation of BC; and the St. Mary’s Indian Band.

- Under the Long Term Agreement, the Province must consult with the Union of BC Indian Chiefs, the BC Assembly of First Nations, and the First Nations Summit, through their representative, the First Nations Gaming Commission³ (the Gaming Commission), before giving effect to a 'change event'⁴.
- s.14

Anticipated Response from BC Indigenous Organizations

- s.13; s.16

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³ The Gaming Commission operates under the authority of the First Nations Leadership Council.

⁴ A 'change event' is defined under the agreement as an act or omission of the Province that may adversely impact the principle of preserving and maintaining the certainty of a revenue stream to BC First Nations equivalent to the revenue stream that would have been generated by the annual receipt of the Annual Gaming Revenue Entitlement over the Term if the Change Event had not occurred (the "Principle of First Nations Gaming Revenue Sharing"). This would include, among other things, the amendment of Provincial legislation or the imposition of a tax, fee or regulation on gaming that has the effect of materially reducing or eliminating the Annual Revenue Sharing Entitlement.

s.13

• s.13

Proposed Response to the Federal Minister of Justice

- BC supports discussions between the federal government and Indigenous Nations on matters related to gaming at the appropriate time.
- BC is currently focused on significant amendments to the *Gaming Control Act* to modernize the Act and implement Dr. Peter German's recommendations.
- The amendment process include appropriate consultation as required by the *Declaration on the Rights of Indigenous Peoples Act* (the *Declaration Act*).
- BC is also developing an action plan, including establishing a secretariat to coordinate government's reconciliation efforts, to support collaboration with Indigenous Partners to achieve the objectives of the *Declaration Act*.
- BC is interested in participating in the discussion between the federal government and First Nations in BC. BC requests that the federal government consider ongoing provincial initiatives related to reconciliation and the participation of First Nations organizations in gaming when establishing a timeline for federal consultation on related issues.

OTHER MINISTRIES IMPACTED/CONSULTED:

Legal Services Branch has been consulted.

RECOMMENDATION:

s.13

DECISION:

DECISION IS APPROVED ☒ NOT APPROVED ☐



Mike Farnworth
Minister of Public Safety and Solicitor General

July 05, 2021

Date



Murray Rankin
Minister of Indigenous Relations and Reconciliation

July 5, 2021

Date

PREPARED BY:

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ATTACHMENTS:

APPENDIX A: Letter to Provinces from the Federal Minister of Justice

APPENDIX B: Proposed Letter to the Federal Minister of Justice

APPENDIX C: Letter to Indigenous Nations from Federal Minister of Justice

APPENDIX A: Letter to Provinces from the Federal Minister of Justice

April 20, 2021

The Honourable David Eby Q.C., M.L.A.
Attorney General and Minister Responsible for
Housing Government of British Columbia

(Sent via email)

Dear Minister:

On November 26, 2020, I introduced into the House of Commons Bill C-13, *An Act to amend the Criminal Code (single event sport betting)*, and announced my intention to engage with Indigenous nations, communities, and organizations, as well as with my provincial and territorial counterparts, on gaming issues. Bill C-218, *An Act to amend the Criminal Code (sports betting)*, which also proposes to decriminalize single event sport betting, continues to progress through the parliamentary process.

Further to my comments, I am writing you today to seek your views on the participation of Indigenous nations and communities in the gaming industry and in its regulation across Canada. I am also writing to inform you of my intention to begin exploratory discussions with Indigenous nations, communities, and organizations on these issues. These exploratory discussions are meant to inform future decision making and ensure that I have a proper understanding of views across Canada.

In addition, I would like to obtain your views on the recent proposals to decriminalize single event sport betting in Canada.

Jurisdictions across Canada have taken various approaches to the role of Indigenous nations and communities in the gaming industry since our governments entered into agreements on gaming regulation in 1979 and 1985. Examples include the Saskatchewan Indian Gaming Authority and the Ontario First Nations (2008) Limited Partnership. However, while there are certainly successful models in place in certain parts of Canada, some Indigenous peoples feel excluded or express dissatisfaction with the status quo.

Given this upcoming process, I am seeking your jurisdiction's position on the following:

1. Would your jurisdiction support a discussion on the role of Indigenous nations and communities in relation to gaming?
2. If such a discussion were to be held, what would be the appropriate format, who should participate, and when should this discussion occur?
3. What topics would your jurisdiction be prepared to address in this discussion?

Recently, the House of Commons Standing Committee on Justice and Human Rights concluded its study of Bill C-218 and reported it with amendment. Given its potential to expand the definition of a "lottery scheme" under the Criminal Code, I would appreciate your views on the Bill.

In addition to this correspondence and future conversations we might have on these topics, departmental officials, through the Coordinating Committee of Senior Officials- Criminal Justice, will be raising single event sport betting and my forthcoming engagement process. I would appreciate your support as we continue to move forward on these important issues.

Thank you for your time. I look forward to discussing these matters with you soon. Respectfully,

A handwritten signature in black ink, appearing to read 'D. Lametti', with a stylized flourish at the end.

The Honourable David Lametti, P.C., Q.C.,
M.P. (he/him)

Minister of Justice and Attorney General of Canada

Enclosures: Copy of 1979 & 1985 Federal-Provincial Lotteries
Agreements Copies of Bills C-218 and C-13

APPENDIX B: Proposed Letter to the Federal Minister of Justice

Cliff: 619754

June 17, 2021

The Honourable David Lametti, P.C., Q.C., M.P.
Minister of Justice and Attorney General of Canada

Dear Minister:

Thank you for your letter of April 20, 2021 seeking our jurisdiction's views on the participation of Indigenous Nations and communities in the gaming industry and in its regulation in Canada. I understand you have also reached out to Indigenous organizations across BC seeking their perspective on these matters.

As the first province to pass legislation to implement the UN Declaration on the Rights of Indigenous Peoples, British Columbia is deeply committed to reconciliation with Indigenous Nations. As part of this commitment, in 2019 British Columbia amended the *Gaming Control Act* to share 7% of net gaming revenues with First Nations in the province through the BC First Nations Gaming Revenue Sharing Limited Partnership.

Further to our government's commitment to reconciliation, British Columbia is supportive of discussions between the federal government and Indigenous Nations in British Columbia on matters related to gaming. Indigenous Nations and organizations in the province would be best positioned to identify the appropriate format for the discussions. Our government would welcome opportunities to participate in these discussions with Indigenous organizations in British Columbia at the appropriate time.

BC is undertaking significant reform of the *Gaming Control Act* to modernize the regulatory framework. The amendment process includes appropriate consultation with Indigenous Nations as required by BC's *Declaration on the Rights of Indigenous Peoples Act* (the *Declaration Act*).

The Province is also currently focused on developing an Action Plan, in collaboration with Indigenous partners, to achieve the objectives of the *Declaration Act*, as well as establishing a dedicated Secretariat to coordinate government's reconciliation efforts. We do not envision engaging in discussions on matters related to gaming until later next year.

BC would request that the federal government consider ongoing provincial initiatives related to reconciliation and the participation of First Nations organizations in gaming when establishing a timeline for federal consultation on related issues.

Thank you for the opportunity to provide input on these matters.

Sincerely,

Mike Farnworth
Minister of Public Safety and Solicitor
General

Appendix C – Letter to Indigenous Organizations from Federal Minister of Justice

Board of Directors

Indigenous Gaming Regulators Inc.

To whom it may concern:

I am writing to you and your organization today on behalf of the Government of Canada. I am seeking your views on the participation of Indigenous peoples in the gaming industry and the regulation of that industry across Canada.

In 1979 and 1985, the Government of Canada entered into agreements with the provinces to clarify roles and responsibilities in relation to the regulation of gaming activities.

Copies of these agreements are enclosed. At the same time, I am aware that numerous Indigenous nations, communities, and organizations have expressed their desire to discuss opportunities to enhance their participation in the conduct and regulation of gaming in Canada.

Currently, I am seeking your views on the following:

1. Would you support a discussion on the role of Indigenous nations and communities in relation to gaming?
2. If such a discussion were to be held, what would be the appropriate format, who should participate, and when should this discussion occur?
3. What topics would you want discussed?

I will also be speaking to my provincial and territorial counterparts and obtaining their views on participating in discussions on the role of Indigenous nations and communities in relation to gaming and betting.

At this time, I hope you will provide me with initial feedback, as outlined above, which will permit me to gain a better understanding of views across Canada. I invite you to respond at [**gamingengagement-mobilisation.jeuxetparis@justice.gc.ca**](mailto:gamingengagement-mobilisation.jeuxetparis@justice.gc.ca) or [**gamingengagement@justice.gc.ca**](mailto:gamingengagement@justice.gc.ca). Kindly submit any feedback by June 30, 2021.

I have taken the liberty of enclosing a copy of an open letter to all interested Indigenous nations, communities, and organizations. While I would prefer to be able to reach out to each nation or community individually, I will not be in a position to do so through this process. Given your organization's role, I would appreciate it if you would consider circulating the open letter to your membership and any other Indigenous nations or communities with which you maintain relationships.

Thank you for your time. I look forward to receiving your response.

Respectfully,

A handwritten signature in black ink, appearing to read 'D. Lametti', with a stylized flourish at the end.

The Honourable David Lametti, P.C., Q.C., **M.P.**

(he/him)

Minister of Justice and Attorney General of Canada

Enclosures

