

Moving forward with Truth, Reconciliation and Treaty Implementation



An action plan for the Law Society of Saskatchewan

July 2023

**Prepared together with Law Society of Saskatchewan Community of
Practice**

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Introduction and Background

The Law Society of Saskatchewan (LSS), in collaboration with the Office of the Treaty Commissioner (OTC), has developed the following implementation plan to continue their work towards Truth and Reconciliation Through Treaty Implementation (TRTI). This plan will help the LSS strengthen their efforts to support the needs and interests of Indigenous peoples¹, address systemic injustice and discrimination, as well as integrate Indigenous values, language and ways of knowing into the organization. It is part of a larger strategic direction aimed at being more inclusive of equity deserving groups and those who have traditionally been marginalized or excluded.

This plan is a continuation of the Law Society's collaboration with the OTC to use the TRTI framework to map and advance the journey towards reconciliation. The 38 recommendations put forward by the OTC and the LSS Community of Practice have been transformed into areas of focus, key strategies, goals, actions, and measurement indicators, that will help to inform decision-making and planning to embed the TRTI framework into the organization.

The Law Society is well positioned to become a provincial and national leader in advancing Truth and Reconciliation. We hope that this action plan contributes to creating a more inclusive and equitable organization that supports the interests and needs of Indigenous peoples in Saskatchewan.

The Process

This action plan is part of the larger TRTI partnership between the Office of the Treaty Commissioner and the Law Society of Saskatchewan. The mapping phase (phase I), which took place between March and June of 2022, included an assessment of where the LSS is in its reconciliation journey, and resulted in 38 recommendations on how to advance its path. Input was provided by the Community of Practice consisting of members of the staff and board, along with guidance from Indigenous Elders.

Included in the process was a review of the strengths and challenges to be considered when moving forward as well as a discussion about the current operating environment in which this plan would evolve. The recommendations were then reviewed and refined by the TRTI team and summarized in the *Assessing and Advancing Law Society of Saskatchewan's Journey Towards Truth, Reconciliation and Treaty Implementation* report.

¹ This action plan places a special focus on Indigenous people in support of Truth and Reconciliation, but the plan aims to be reflective of broader equity, diversity and inclusion goals for all equity deserving groups.

The action planning phase (Phase II) focused on turning the recommendations into specific goals and concrete actions. For this, the Community of Practice met with the TRTI team on two occasions to focus the previous work into an actionable draft plan, assigning priority to the actions and identifying key people who would be involved in moving the plan forward.

A small working group refined the draft plan, condensed the content, reviewed indicators and provided specific information to make the plan focused and clear, moving it closer to the final version. In June of 2023 the Community of Practice met one last time to review the draft plan, provide further input and to finalize the Moving Forward plan and the TRTI process.

Focusing the Action

As a result of the input received, the 38 recommendations evolved into key goals and actions that logically fell into five key focus areas. This realignment of the recommendations provides clarity and direction for implementing the TRTI framework while considering LSS organizational structure from high-level strategies, all the way to concrete ideas for successful implementation. The five areas of focus are the following:

1. Policy Review and Reform
2. Capacity Building
3. Service and Accessibility
4. Collaboration and Engagement
5. Communication

Endorsement, Evaluation and Reporting to Stakeholders

The Board of Directors and senior staff of LSS are committed to implementation of this plan and endorse the direction being taken, knowing that as the plan evolves, priorities may shift and others may be added.

It is important to note that although not present in the areas of focus, there are two transversal elements that are deemed essential for the successful implementation of the TRTI framework: funding and evaluation tools and frameworks.

In terms of funding, The Law Society of Saskatchewan performs an annual review of its budget, which will consider appropriate resources to ensure the plan's successful implementation. For evaluation, LSS will use OTC's TRTI indicators to capture data and include the findings within its annual reporting. Periodic independent evaluation of progress on TRTI implementation will be undertaken by the Office of the Treaty Commissioner and will consider progress, results and impact of the key elements of the plan.

The Board of Directors acknowledges, with great appreciation, the time and insight provided by all involved, and are grateful for the inclusive process used to establish and engage the Community of Practice. Our partnership with the Office of the Treaty Commissioner is one that informs, assists and supports our work, and for that we are also appreciative.

Law Society of Saskatchewan's key areas of focus

Policy Review and Reform

Overarching indicator: LSS policy is current, relevant and inclusive of TRTI.

Specific indicators:

- All relevant policies have been reviewed and are updated.
- Indigenous participation at all levels and roles within LSS has increased.
- Human resources, processes, and supports are in place to ensure implementation of the TRTI framework across LSS departments.

Goals and actions

Goal 1: Review and reform LSS strategic planning and policies using an equity lens

Action 1: Review and create enabling policies to ensure they are reflective of the TRTI recommendations and are embedded using an equity lens. Existing policy documents include:

- Code of Conduct
- Rules of the Law Society of Saskatchewan
- Office Policy Manual
- Governance Policy Manual

Timeframe:²

- Short term: an updated strategic plan will be completed by the end of year and include TRTI.
- Short term: the Office Policy Manual will be reviewed with external support.
- Medium-long term: additional policy documents will be reviewed and updated.

Goal 2: Adopt the United Nations Declaration on the Rights of Indigenous Peoples

Action 1: Publicly and formally adopt the United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP).

² For the purposes of this document timeframes should be considered as follows. Short term: Less than two years. Medium term: between two and five years. Long term: more than five years for implementation.

Action 2: Develop enabling policies within LSS to support UNDRIP principles.

Timeframes:

- Short term: the LSS Statement of Commitment to Reconciliation references UNDRIP and will be publicly released following stakeholder engagement.
- Medium-long term: policy documents will be reviewed for alignment with UNDRIP.

Goal 3: Expand decision-making and LSS leadership

Action 1: Continue to have meaningful consultation with Indigenous stakeholders in decision-making including:

- Ensuring best practices and legal parameters are met respecting when and how to meaningfully consult with Indigenous stakeholders (for example UNDRIP and consideration for Free and Prior Informed Consent).
- Continuing to develop relationships with bodies such as OTC, Federation of Sovereign Indigenous Nations, and Métis Nation Saskatchewan.

Action 2: Include more positions/roles for Indigenous people within the LSS including:

- Increasing diversity on the board (for example, consider dedicated Indigenous position or removing barriers for Indigenous participation).
- Increasing participation of Elders in meetings and ensuring honorariums are provided for their participation.

Timeframes:

- Medium term: continued consultation and development of meaningful relationships.
- Medium term: governance structures and representation by Indigenous people are reviewed.

Goal 4: Reform and update procurement and services policy

Action 1: Create a policy and targets for procurement of goods and services from Indigenous owned/supported organizations.

Timeframes:

- Medium term: developments monitored related to Indigenous verification processes for procurement and incorporated in policy.

Goal 5: Remove barriers, expand, and diversify Human Resources

Action 1: Complete an internal review of all jobs, hiring, retention, and promotion processes and systems, identifying and removing barriers for Indigenous people.

Action 2: Enable recruitment, retention, and advancement strategies as well as other positive measures to increase the number of Indigenous people working with the LSS.

Action 3: Develop policies and processes allowing staff to take time off for ceremony and spiritual wellness.

Timeframe:

- Short term: policy and processes developed for ceremony and spiritual wellness.
- Medium term: internal review completed and strategies and developed.

Capacity Building

Overarching indicator: LSS has increased its knowledge on truth, reconciliation, and Indigenous ways of knowing, and improved its capacity to engage with Indigenous people in a respectful and meaningful way.

Specific indicators:

- A training plan is developed and effectively implemented including mechanisms to monitor knowledge improvement.
- Resources have been developed and are used regularly to support LSS's efforts to engage with First Nations and Métis Elders, institutions, and organizations.
- The calendar of events and volunteer opportunities have been expanded.

Goals and actions

Goal 1: Build LSS capacity

Action 1: Continue to develop a training plan that includes protocols and relationship building and incorporates:

- Consideration for phase one training recommendations for board and staff as well as continuing professional development for members.
- A process for regular review to take account of evolving priorities.

Timeframe:

- Short term: training plan developed and reviewed annually based on feedback and monitoring of training.

Goal 2: Strengthen resources and staff development

Action 1: Develop toolkits and resources to better engage with First Nations and Métis Elders, institutions, and organizations to build relationships.

Action 2: Expand the calendar of events to include Indigenous events and provide staff a volunteer day to attend/help.

Timeframe:

- Short term: calendar of events developed and volunteer day encouraged.
- Medium term: toolkits and resources developed.

Services and Accessibility

Overarching indicator: There is a representative increase in the accessibility of programs and regulatory processes for Indigenous people in all aspects of LSS.

Specific indicators:

- Services have been reviewed and barriers to accessibility have been removed.
- Support services for well-being and mental health are in place.
- LSS Indigenous language capacity has increased and is used as appropriate on a regular basis.
- Spaces have been modified to learn about and include Indigenous protocol and Indigenous art has been incorporated within LSS.

Goal 1: Remove barriers to increase accessibility

Action 1: Review processes to determine what the barriers are for Indigenous communities when accessing services and supports and where there may be bias or discriminatory practices.

Action 2: Remove barriers to regulatory processes for Indigenous communities and ensure they are relevant and trauma informed including:

- Supporting legal information and assistance for Indigenous people.
- Accessibility to admissions / complaint / adjudicative services, which can include elements such as language and oral traditions.

Action 3: Review investigative and adjudicative processes to recognize legal standards like Gladue that aim at removing bias and discriminatory practices.

Action 4: Explore opportunities to support initiatives that increase access to legal services for Indigenous people.

Action 5: Identify partners that allow LSS to support families of MMIWG2S+ people.

Timeframe:

- Short term: Gladue considerations are incorporated into adjudicative processes.
- Medium-long term: Admissions and professional responsibility processes are reviewed through an equity lens via work with the Anti-Racism Network and barriers are addressed.
- Long term: Initiatives and partners are identified to support legal information and assistance in priority areas.

Goal 2: Increase support for Indigenous students and practitioners

Action 1: Work with stakeholders like the College of Law, Indigenous Bar Association, and Canadian Bar Association to increase the support services for Indigenous law students and practitioners.

Action 2: Continue to develop a mentorship program for practitioners and ensure Indigenous participation, with consideration for virtual and organizational supports.

Action 3: Engage with partners to support information for youth on the potential for a legal career.

Timeframe

- Short-medium term: supports are increased through work with stakeholders.
- Medium term: a mentorship program is operational.
Medium term: relationships with partners are developed to support engagement with youth on legal careers.

Goal 3: Build supports, resources, and spaces for Indigenous people

Action 1: Increase cultural awareness and language capacity within LSS programs, services, staff, and communications by:

- Commissioning language guides to inform LSS work on Saskatchewan's five main Indigenous languages: Cree, Dene, Michif, Saulteaux, Siouan (Lakota, Dakota and Nakota).
- Developing a roster of translators with assistance from organizations who might have expertise in the subject.³
- Translating key documents such as the LSS's Statement of Commitment to Reconciliation with consideration for written and oral versions.

³ The following is a non-extensive list of potential partnerships: the Office of the Treaty Commissioner, Open Door Society, Saskatchewan Intercultural Association, University of Regina's Language Institute, Legal Aid, Public Legal Education Association of Saskatchewan, and Saskatchewan Indigenous Cultural Centre.

Action 2: Enable Indigenous mental health, trauma-informed, and well-being supports by:

- Adapting complaint and wellness related initiatives.
- Allocating resources for Indigenous practitioners regarding mental health supports and support from Knowledge Keepers or Elders.

Action 3: Allocate spaces and places for learning and practice of Indigenous protocol including:

- Indigenous ways of knowing and ceremony during Oath ceremonies and communicating options to law and articling students.
- Incorporating Indigenous ceremonies in meetings and hearings where appropriate / desired.

Action 4: Expand the representation of Indigenous art and symbols within the LSS.

Timeframe:

- Short term: translator roster and language guides developed.
- Short term: display Indigenous art, treaty medals, and other symbols within the LSS.
- Medium term: communications and spaces are inclusive of Indigenous languages, ceremonies, and protocols.
- Medium-long term: wellbeing supports are operational.

Collaboration and Engagement

Overarching indicator: Increased collaborations have been established to enhance the work being done by the LSS on TRTI.

Specific indicators:

- An engagement strategy has been developed and is successfully implemented in a mutually beneficial way.
- Elders and Indigenous leaders are involved in LSS activities on a regular and permanent basis.

Goal 1: Develop and implement an engagement strategy that acknowledges LSS history and relationships with Indigenous people.

Action 1: Develop an engagement strategy, that includes identifying key Indigenous organizations, institutions, and Elders/Knowledge Keepers; establishing relationships; and identifying how these partnerships can be unique and mutually beneficial.

Action 2: Communicate the LSS's Statement of Commitment to Reconciliation and Action Plan to members, stakeholders, and the public, including:

- Identifying mechanisms for hearing back from communities on how to improve relationships and seeking feedback.

Action 3: Increase awareness with key Indigenous stakeholders about what LSS does and why it is relevant.

Timeframe:

- Short term: LSS Statement of Commitment to Reconciliation released.
- Medium term: engagement strategy developed with feedback mechanisms and mutual awareness raised.

Goal 2: Enhance services and support to increase accessibility

Action 1: Develop collaborations with LSS stakeholders and Indigenous organizations to improve access to LSS services based on their specific needs, including:

- Raising awareness of legal rights, how to obtain legal advice, etc.
- Developing a multiyear plan for relationships to grow and expand and considering opportunities to work with other stakeholders and their initiatives.

Action 2: Include Elders and Indigenous leaders wherever possible in LSS services and events.

Timeframe:

- Short term: potential partners and needs identified.
- Short term: Indigenous leaders included more regularly within LSS events.
- Medium-long term: relationships and partnerships developed.

Goal 3: Develop and maintain mutually beneficial partnerships

Action 1: Formalize partnerships through MOUs / agreements that are mutually beneficial and identify shared priorities.

Action 2: Develop a mechanism that enables relationship management as well as reporting on partnerships and collaboration.

Timeframe:

- Medium-long term: agreements formalized and mechanism developed for collaboration around shared priorities.

Communication (internal and external)

Internal Communication

Overarching indicator: Staff are well informed on TRTI implementation and the LSS is visibly communicating its efforts on inclusion and Indigenous engagement.

Specific indicators:

- An internal communication strategy is developed, implemented, monitored, and updated regularly to ensure it remains current.
- Land acknowledgement is included in LSS communication.
- LSS is recognized as an organization committed to TRTI in its communication and messaging.

Goal 1: Develop and update an internal communication strategy

Action 1: Develop an internal communication strategy focusing on information sharing, and to strengthen LSS understanding and attitudes towards equity, diversity, inclusion and truth and reconciliation, including:

- Encouraging staff to cite their ancestry and relationship to treaties as part of formal introductions in meetings.
- Using land acknowledgements during meetings, on electronic signatures/email, etc.

Action 2: Maintain and update the internal communication strategy with actions taken to implement TRTI including:

- Ensuring adequate processes and structures are in place for its implementation.

Timeframe:

- Medium term: internal communication strategy developed.
- Long term: internal communication strategy regularly reviewed and updated.

External Communication

Overarching indicator: LSS is visibly and successfully communicating its efforts, successes, and challenges on TRTI.

Specific indicators:

- An external communication strategy is developed, implemented, monitored, and updated regularly to ensure it remains current.

- LSS has publicly acknowledged its role in colonization and systemic discrimination and is communicating what is being done to address these issues.
- LSS is recognized as an organization respectful of Indigenous ways of knowing and protocols to TRTI in its communication and messaging.

Goal 1: Develop an external communication strategy

Action 1: Develop an external communication strategy focusing on the goals of this action plan and strengthened diversity and accessibility overall.

Action 2: Maintain and update the external communication strategy with actions taken to implement TRTI, including:

- Ensuring adequate processes and structures are in place for its implementation.
- Developing processes for the creation and release of statements and other communication material with the public.

Timeframe:

- Medium term: external communication strategy developed.
- Long term: external communication strategy regularly reviewed and updated.

Appendix A: Community of Practice members

Sidney Fiddler - Elder

Doug Pee-Ace – Knowledge Keeper

Law Society of Saskatchewan:

Adam Touet – Law Society Board Member

Alan Kilpatrick – Co-Director of Legal Resources & Reference Librarian

Allison Williamson – Manager of Member Services

Amanda Irvine – Library Technician

Christine Johnston – Admissions and Education Counsel

Crystal Norbeck, KC (now Justice Norbeck) – Law Society Board Member

Foluke Laosebikan, KC – Law Society Board Member

James Fyfe, KC – Law Society Board Member

James Korpan, KC – Law Society Board Member

Jenna Faris – Administrative Assistant

Jody Martin – Director of Regulation

John Morral (now Justice Morral) – Law Society Board Member

Julie Ann Wriston – Law Society Board Member

Julie Sobowale – Director of Communications

KaraDawn Jordan, KC – Deputy Executive Director and Director of Strategy & Governance

Laura Cahill – Complaints Intake Officer

Laurie Johnson – Director of Human Resources

Liz Lynchuk – Corporate Executive Assistant

Lynda Kushnir-Pekrul – Law Society Board Member

Pamela Harmon – Director of Finance and Chief Financial Officer

Pamela Kovacs – Senior Policy Counsel

Paul Westgate – Project Director

Riva Racette – Truth and Reconciliation Advisory Group Member

Rochelle Wempe – Law Society Board Member

Tim Brown, KC – Executive Director

Tim Huber – Deputy Executive Director and General Counsel

Valerie Payne – Director of Professional Responsibility

TRTI Team:

Alex Campbell – OTC Consultant and Facilitator

Dawn Deguire – OTC Consultant and Facilitator

Flo Frank – OTC Consultant and Facilitator

Francisco Urrutia – OTC Truth and Reconciliation Process Coordinator

Joni Brass – OTC Truth and Reconciliation Data Coordinator

Rhett Sangster – OTC Director of Reconciliation and Community Partnerships