

<b>TITLE: Legal and Strategic Policy Counsel</b>	<b>CLASSIFICATION: Band 5</b>
<b>POSITION NUMBER: 00134087</b>	<b>SUPERVISOR TITLE: Representative for Children and Youth</b>

### ORGANIZATIONAL CONTEXT

The Representative for Children and Youth (RCY), an independent officer of the B.C. Legislature, works to influence positive change to B.C.'s child-, youth- and young adult-serving systems. The Representative's Office provides advocacy support to people dealing with the service system and advocates directly on behalf of children, youth and young adults, monitors and reviews government services to children and youth and reviews and sometimes investigates deaths and critical injuries of children and youth who are receiving services.

RCY functions within a complex and dynamic socio-cultural, legislative and practice context. Drawing on multiple sources of information and knowledge, RCY continually assesses and identifies opportunities to inform and advocate for improvements to the child-, youth- and young adult-serving systems and establishes strategic priorities and takes action accordingly.

Two interconnected priorities for RCY are to: 1) identify, recommend and advocate for ways to reduce the number of First Nations, Métis, Inuit and Urban Indigenous children and youth in government care, and to improve child welfare and other designated services to those Indigenous children and families who come into contact with the Ministry of Children and Family Development and/or Indigenous Child and Family Service Agencies and 2) meaningfully, ethically and sustainably engage with children, youth, young adults, and the family, community and Nation members who care about and for them, toward enhancing RCY's understanding about their lived and living experience, especially with systems of care.

To support these priorities, RCY is committed to becoming a more culturally aware and agile organization, integrating Indigenous ways of knowing and being into our daily practice, and ensuring that our work highlights concerns and bright spots. Through this, RCY identifies opportunities to improve the experience of and outcomes for First Nations, Métis, Inuit and Urban Indigenous children and youth in need of services. RCY supports all staff to develop a critical understanding of the history of First Nations, Métis, Inuit and Urban Indigenous Peoples within Canada and the impact of colonization on the contemporary experience of children, youth, families, and communities and on current systems, structures, and politics. Meaningful

relationships with Indigenous leaders, young people, organizations, and communities are of vital importance to RCY.

In addition, RCY is committed to centring and lifting up the voices and lived and living experience of children, youth, families and young adults who are or have engaged with B.C.'s child-, youth- and family-serving systems.

## **JOB OVERVIEW**

Under the overall direction of a Deputy Representative for Children and Youth, the Legal and Strategic Policy Counsel will sit on RCY's Executive and be responsible for provision of expert legal, legislative, and strategic policy advice to the Office of the Representative for Children and Youth. The incumbent may recruit and supervise law students.

The position requires excellent interpersonal skills to create and maintain constructive and respectful working relationships with colleagues in the office and with those outside the office. The Legal and Strategic Policy Counsel therefore must consistently bring to bear high integrity, good judgement, tact, respectfulness, and professionalism in all matters.

## **ACCOUNTABILITIES**

The Legal and Strategic Policy Counsel's key responsibilities in providing expert legal and strategic policy advice are as follows:

### **RCY Act and Mandate**

- Establishes expertise in the interpretation of the *Representative for Children and Youth Act* (RCY Act) and all other areas of law related to the Representative's jurisdiction, and provides legal advice on such matters, including in relation to statutory reviews of the RCY Act and liaison and advice in relation to amendments to that and related legislation.
- Provides training and support to RCY staff on relevant aspects of the RCY Act and *Regulations* and related legal matters, including to support the individual advocacy, systemic advocacy (monitoring), and reviews and investigations functions under the RCY Act.
- Drafts correspondence for the Representative, Deputy Representatives, or executive team members or, as appropriate, directly responds to external legal counsel and others on legal matters or inquiries.
- Provides legal advice to the Representative, Deputy Representatives, and RCY executive members in complex individual advocacy situations and for individual stories reviewed and investigated by the Reviews and Investigations team.
- Provides legal advice on corporate services support and administrative matters. Such matters may include contract and other procurement, financial, human resources, and freedom of information and privacy matters.
- Maintains a consolidated electronic legal reference library of legal advice and legal materials related to the RCY.

- Collaborates and provides legal and policy advice to special RCY projects or projects that the RCY partners on.
- Contributes to the preparation and completion of Investigative and Special reports issued by the Representative.

### **Federal and International Legislation**

- Provides expert legal and strategic policy advice and opinions to the Representative, Deputy Representatives, and the executive team of RCY on matters related to designated and reviewable services for children and youth, young adults, and families, as well as other relevant legislation, including matters arising from the application of the federal *An Act respecting First Nations, Inuit, and Métis children, youth and families* and the *Youth Criminal Justice Act* in the provincial context.
- Provides expert legal and strategic policy advice and opinions to the Representative, Deputy Representatives, and the executive team of the RCY on matters related to international human rights instruments relating to children and youth, including The United Nations Convention on the Rights of the Child (UNCRC), the United Nations Convention on the Rights of Indigenous Peoples (UNDRIP) and the United Nations Convention on the Rights of Persons with Disabilities (UNCRPD).
- Monitors and advises on emerging legal issues and trends in other Canadian and international jurisdictions in all matters relevant to the RCY's jurisdiction, including those relating to individual advocacy, systemic advocacy, reviews, monitoring, and investigations respecting services for children, youth and young adults.

### **BC Legislation**

- Provides advice to the Representative, Deputy Representatives and RCY executive members on interpretation of legislation that is relevant to the ongoing work of the RCY including the *Declaration on the Rights of Indigenous Peoples Act*, *Child, Family and Community Services Act*, *Adoption Act*, *Community Living Authority Act*, *Youth Justice Act*, *the Child Care BC Act*, *the Child Care Subsidy Act* and *Mental Health Act*.
- Briefs the Representative, Deputy Representatives, and executive members on relevant legislative reform initiatives as well as proposed or passed legislative amendments. Informs and prepares RCY submissions on legislative reform in relevant areas of law, including child rights, child welfare, youth justice, mental health, Indigenous rights and jurisdiction and regulation of professionals working with vulnerable children and youth .
- Reviews draft public reports and other documentation to ensure legislative provisions and legal matters are appropriately described and communicated effectively.
- Provides legal advice to ensure compliance with all enactments and other relevant legal requirements, including natural justice and procedural fairness rules.

## External Partnerships

- Establishes strong and respectful working relationships with legal counsel and advisors in the Public Services Agency, Ministry of Attorney General and other independent offices of the Legislative Assembly who have complementary knowledge and expertise on legal matters that may arise in the RCY.
- Where required and approved by the Representative and/or Deputy Representatives, retains and instructs contracted external legal counsel.

## Jurisdiction

- Monitors the legislative, legal and strategic policy developments in B.C. and across Canada associated with the rights of First Nations, Inuit and Métis peoples to exercise jurisdiction over child and family services, the establishment of Indigenous Governing Bodies (IGBs) and the restoration of Indigenous laws respecting child and family well-being.
- Advises the Representative and Deputy Representatives on opportunities to support jurisdiction

Assumes other responsibilities related to the provision of legal and strategic counsel services as assigned from time to time by the Representative or Deputy Representatives. The incumbent will recruit and supervise law students as necessary and appropriate for priority projects.

## JOB REQUIREMENTS

### Education and related experience

This position may be of interest to individuals who have the following **required** qualifications:

- An LLB, JD or JD/JID from a recognized university that has strong academic standing.
- A practising member of the Law Society of British Columbia or be eligible for admission as a practising member.
- Practise in the legislative, legal and/or strategic policy field for a minimum of 5 years.

**Preference may be given to applicants who are Indigenous, Black or racialized, LGBTQ2S+, people with diverse gender identities or expressions, and/or people with disabilities.**

If you self-identify as having one or more of the identities listed above or have another identity typically under-represented in the public service, please indicate this in your application to assist us in the review process. We will hold your application in strictest confidence, sharing it only with the hiring panel.

Preference may also be given to individuals with one or more of the following types of experience:

- Experience in child, youth, young adult and family services designated under the *RCY Act*.
- Experience working with Indigenous Governing Bodies and governance structures generally and more specifically working within these structures to support the resurgence of jurisdiction and implementing inherent rights and traditional laws.

- Experience in human rights law, constitutional law, administrative law and/or strategic policy.
- Strong working knowledge, in British Columbia or another jurisdiction, of relevant child, youth, young adult and family serving ministries and public bodies such as those providing child-care, education, child welfare, health, mental health, substance use, community living, housing, and justice services.
- Strong working knowledge, in British Columbia or another jurisdiction, of independent offices or public bodies with oversight responsibilities such as the Ombudsperson, Information and Privacy Commissioner, Human Rights Commissioner, Public Guardian and Trustee, Coroners Service, Provincial Health Officer or service quality/patient advocacy.
- Experience working in an advisory role, with or as a member of an executive leadership team.
- Experience in mediation and assisting parties to find common ground and resolutions in the face of divergent perspectives and conflict.
- A practising member of a law society in Canada for at least 3 years in the last 10 years.

### **Knowledge, skills & abilities**

- Knowledge of the *RCY Act*, and knowledge of the legislation related to reviewable and designated services under the *RCY Act*, in particular the *Child, Family and Community Services Act*, *Adoption Act*, *Mental Health Act*, *Youth Justice Act*, and *Community Living Authority Act*, as well as *An Act respecting First Nations, Inuit and Métis children, youth and families*, and other federal and provincial legislation related to services to children and youth.  
**Please note:** applicants from other jurisdictions are welcome to apply with knowledge of similar legislation.
- Knowledge of relevant international human rights instruments, in particular the United Nations Conventions on the Rights of the Child, the United Nations Declaration on the Rights of Indigenous Peoples, and the United Nations Convention on the Rights of Persons with Disabilities.
- Demonstrated experience in the evolving work of Indigenous peoples as they assert their inherent rights under S. 35 of the *Constitution Act* and resume jurisdiction for child welfare under the federal *An Act respecting First Nations, Inuit and Métis children, youth and families*, in accordance with Indigenous laws.
- Knowledge of child, youth and family service systems, in particular the child welfare system and Indigenous child welfare systems, laws and customs.
- Excellent research, analytical and writing skills, with the ability to communicate complex and sensitive legal information and advice in a clear, readily understandable and effective manner, both verbally and in writing.
- Strong organizational skills, with demonstrated ability to work independently and to prioritize high volumes of time-sensitive work, and to successfully meet tight operational deadlines.
- Strong collaborative approach and interpersonal skills, with demonstrated ability to build positive working relationships and respectfully work with colleagues from diverse backgrounds, and with external organizations, service providers and people with lived expertise.
- Demonstrated ability to work with anti-racist, trauma informed, restorative approaches.

- Ability to consistently exercise a high degree of sound judgment, tact, and diplomacy in dealing with RCY colleagues and with others, including on issues that may involve communication of information that could have a significant public impact on RCY's reputation and credibility.
- Successful completion of British Columbia Public Service security screening requirements, which may include criminal records check or a *Criminal Records Review Act* check, or both, and may include enhanced security screening checks as considered necessary.

### Competencies

- **Indigenous-Centred Service Approach** is a desire to serve Indigenous peoples, focusing one's efforts on understanding their interests in order to increase the quality of the service and produce better outcomes.
- **Cultural Agility** is the ability to work respectfully, knowledgeably and effectively with Indigenous peoples.
- **Change leadership** is championing the achievement of real change that meets the enduring vision of Indigenous self-determination in British Columbia. It involves collaboratively developing and implementing ideas to achieve positive change.
- **Integrity** refers to actions that are consistent with what one says are important, and that welcome openness and honesty even in difficult situations.
- **Decisive Insight** combines the ability to draw on one's own experience, knowledge and training and effectively problem-solve increasingly difficult and complex situations. It involves breaking down problems, tracing implications and recognizing patterns and connections that are not obviously related. It translates into identifying underlying issues and making the best decisions at the most appropriate time. At higher levels, the parameters upon which to base the decision become increasingly complex and ambiguous and call upon novel ways to think through issues.
- **Executive Presence** involves knowledge and skills in influencing others and having an observable impact at the executive level, through personal credibility, leadership, confidence, and an understanding of other people's perspectives and interests.

For more information on competencies, see:

[Competencies for Interviews & Hiring - Province of British Columbia](#)

[Indigenous Relations Behavioural Competencies - Province of British Columbia](#)