

UNIFORM LAW CONFERENCE OF CANADA CONFÉRENCE POUR L'HARMONISATION DES LOIS AU CANADA

DIVERSITY AND INCLUSION COMMITTEE RECOMMENDATIONS TO EXECUTIVE COMMITTEE PROGRESS REPORT

February 2025

Background

At the 2020 annual meeting of the Uniform Law Conference of Canada (ULCC), the ULCC voted to adopt a <u>Statement of Policy on Diversity and Inclusion</u> (Statement of Policy). Following a period of study, in November 2023, the ULCC Diversity and Inclusion Committee submitted a <u>report to the ULCC Executive Committee</u> containing 13 recommendations for meeting the objectives of the Statement of Policy. The Executive Committee accepted the report and tasked the Diversity and Inclusion Committee with supporting the implementation of the recommendations.

Progress Report

Following the acceptance of the November 2023 report, considerable work has been done to implement the recommendations of the Diversity and Inclusion Committee. Due to the nature of the objectives sought to be achieved, a significant number of the recommendations relate to shifts in organizational practices and require ongoing attention and action.

The Diversity and Inclusion Committee has assessed the current status of the implementation of the November 2023 recommendations. The Committee's views regarding progress made in relation to each recommendation are set out below.

Recommendations

Jurisdictional Representatives, Delegations, Working Groups & Communications

1) Wherever possible, the Executive Committee should encourage jurisdictions to send diverse and inclusive delegations to the annual meeting and should encourage consideration and debate in relation to diverse and inclusive issues and projects. To this end, the ULCC Statement of Policy on Diversity and Inclusion should be clearly referenced in any communications between the ULCC and jurisdictions, including in:

- the fall and spring Communiqués;
- the request to appoint Jurisdictional Representatives;
- the call-out letter for resolutions in the Criminal Section; and
- the registration package circulated in advance of the annual meeting.

Implementation of this recommendation is underway and ongoing. The Executive Committee has encouraged the Executive Director and the chairs of both the Civil and Criminal Sections to incorporate and reference the Statement of Policy in external communications with jurisdictions wherever appropriate and feasible.

2) Although the Executive Committee does not play an active role in Working Group formation, the Executive Committee should, where possible, encourage those individuals involved in forming Working Groups to strive for diverse membership.

Implementation of this recommendation is underway and ongoing. The Executive Committee has taken steps to clearly communicate this message to the members of the Advisory Committee on Program Development and Management (ACPDM), as well as to the Jurisdictional Representatives (JRs) at both the 2024 Mid-Year JRs' meeting, as well as at the 2024 Annual Meeting.

3) The Executive Committee should review the current Communiqué distribution list to determine if there are any gaps in the groups that currently receive it. By ensuring a wide and diverse audience, the ULCC may prompt interest from new individuals or groups in joining working groups and delegations and may lead to diverse organizations voicing support for ULCC uniform legislation.

Implementation of this recommendation is complete. The Executive Committee has discussed and considered the Communiqué distribution list with a view to ensuring effective dissemination to appropriate audiences.

4) The Executive Committee should prepare or endorse a form letter that can be utilized by Jurisdictional Representatives as a starting point or template when extending invitations to individuals or groups to participate as part of a delegation.

Implementation of this recommendation is complete. The Executive Committee has endorsed template form letters for both the Civil and Criminal Sections prepared by the Diversity and Inclusion Committee. Jurisdictional Representatives have been informed of the availability of these resources.

Diversity Analysis

1) The Executive Committee should encourage, where feasible, the use of the Gender-based Analysis Plus (GBA Plus)¹ analytical process, or other similar tool, throughout

¹ "GBA Plus is an analytical process that provides a rigorous method for the assessment of systemic inequalities, as well as a means to assess how diverse groups of women, men, and gender diverse people

the development of ULCC initiatives. Where a GBA Plus analysis, or an analysis using a similar tool, has been conducted, the Executive Committee should encourage that the results be clearly documented.

Implementation of this recommendation is underway and ongoing. The Executive Committee has taken steps to clearly communicate this message to the members of the ACPDM, as well as to the JRs at both the 2024 Mid-Year JRs' meeting, as well as at the 2024 Annual Meeting.

Demographics

1) The Executive Committee should continue the practice of circulating a voluntary survey to determine the levels of diversity and inclusion of those in attendance at the annual meeting². The results of the survey should be used to inform future actions of the Executive Committee as they relate to diversity and inclusion, and the Executive Committee should ensure that time is scheduled at each annual meeting for a report to be delivered based on the results of the previous year's survey.

Implementation of this recommendation is underway and ongoing. The Executive Committee has continued to support the distribution of a demographic survey, which has been conducted annually starting in 2021. The Executive Committee has also prioritized setting aside time during a joint session at each annual meeting to allow the Diversity and Inclusion Committee to provide a report to delegates on the results of the survey.

Language

Inclusive Language

- 1) The Executive Committee should adopt a policy encouraging the use of gender-inclusive language, wherever possible. The policy should apply to all work of the ULCC, including working group reports and draft legislation, and to all types of communications oral or written, formal or informal, or addressed to an internal or external audience. The following resources may be of use in the development of such a policy:
 - United Nations (English)
 - United Nations (French)
 - Government of Canada Translation Bureau (English)
 - Government of Canada Bureau de la traduction (French)

may experience policies, programs and initiatives...GBA Plus considers many other identity factors such as race, ethnicity, religion, age, and mental or physical disability, and how the interaction between these factors influences the way we might experience government policies and initiatives." (Government of Canada – What is Gender-based Analysis Plus)

² A survey was developed and circulated to all attendees from the 2021 and 2022 Annual Meetings. Results of the 2021 survey were shared with those in attendance at the 2022 Annual Meeting. The development and circulation of the survey have been made possible through the generous and ongoing support of the Newfoundland and Labrador Statistics Agency.

- Government of Yukon (English)
- Government of Yukon (French)
- Government of Ontario (English)
- Government of Ontario (French)
- Office of the Parliamentary Counsel United Kingdom

Implementation of this recommendation is outstanding.

2) The Executive Committee should examine the current constitution and bylaws of the ULCC with a view to updating them to use inclusive language throughout.

Implementation of this recommendation is underway, particularly as it relates to the French version of the bylaws, and is expected to be completed by the 2026 annual meeting.

Bilingual Work

1) The Executive Committee should review the basic operational documents of the ULCC to ensure that they clearly reflect that the ULCC is bijural and bilingual in its work, and to update the basic operational documents, as needed, to encourage that work be done contemporaneously in both official languages wherever possible.

Implementation of this recommendation is underway and ongoing. The Executive Committee has prioritized a thorough review of all ULCC Guide documents which is targeted for completion in advance of the 2025 annual meeting.

2) The Executive Committee should take steps to ensure that the basic operational documents of the ULCC are regularly reviewed and updated, and that they are made easily accessible to all interested parties.

Implementation of this recommendation is underway and ongoing. The Executive Committee has prioritized a thorough review of all ULCC Guide documents and has discussed strategies for making the documents more easily accessible in advance of the 2025 annual meeting.

Policies and Rules of Procedure

1) The Diversity and Inclusion Committee recognizes the work currently underway to develop policies and rules of procedure for the Civil Section to promote greater transparency, accountability, diversity, and inclusion, and recommends that the Executive Committee continue to encourage the development of this initiative, and other similar initiatives, to enable the ULCC to create the best products possible.

Implementation of this recommendation is complete. The Executive Committee encouraged and supported the development of rules of procedure for the Civil Section, which have been finalized and adopted.

Mentorship

1) The Executive Committee should continue to encourage the use of mentorship practices in both the Civil and Criminal Sections to ensure that new Jurisdictional Representatives, and new attendees at the annual meeting, are provided with appropriate information and support before, during and after the annual meeting.

Implementation of this recommendation is underway and ongoing. The Executive Committee has continued to encourage the use of mentorship practices in both the Civil and Criminal Sections and has taken steps to provide relevant information to new JRs and delegates.

Recognition

1) The Executive Committee should continue to ensure that the formal recognition of those involved in the work of the ULCC is appropriate, fair and transparent.

Implementation of this recommendation is underway and ongoing. The Executive Committee has continued to communicate with JRs to ensure that delegates and working group members who have reached long service milestones are appropriately recognized for their contributions.

Report approved by the Executive Committee on May 28, 2025.