

Proposed Anti-racism Data Legislation

September 2021

Agenda

Introductions

Background

Legislative policy areas

Timelines

Public engagement

Implementation

Next steps

Mandate Commitments

- In November 2020, the Ministry of Attorney General was mandated to:
- Work with the Office of the Human Rights Commissioner and other key partners to introduce legislation that will help reduce systemic discrimination and pave the way for race-based data collection essential to modernizing sectors like policing, health care and education.
- Conduct a full review of anti-racism laws in other jurisdictions and launch engagement to inform the introduction of a new Anti-Racism Act that better serves everyone in B.C.

Background

- Government has committed to two pieces of anti-racism legislation
 - Anti-racism data legislation (Spring 2022)
 - A more broad anti-racism act (Fall 2023)
- Expedited legislative process for the anti-racism data legislation
- The Anti-racism data legislation will be enabling, with detailed requirements set out primarily in regulation/ministerial order
- Similar approach to Ontario, but modeled for BC's needs

Key Policy Areas – Request for Legislation

Based on partner and stakeholder feedback received to-date and cross-jurisdictional research, core areas under consideration for the legislation include:

Building trust with racialized communities

Indigenous involvement and alignment with the *Declaration Act*

Protections, privacy, and security considerations for those who provide data

Independent oversight, governance, and community involvement

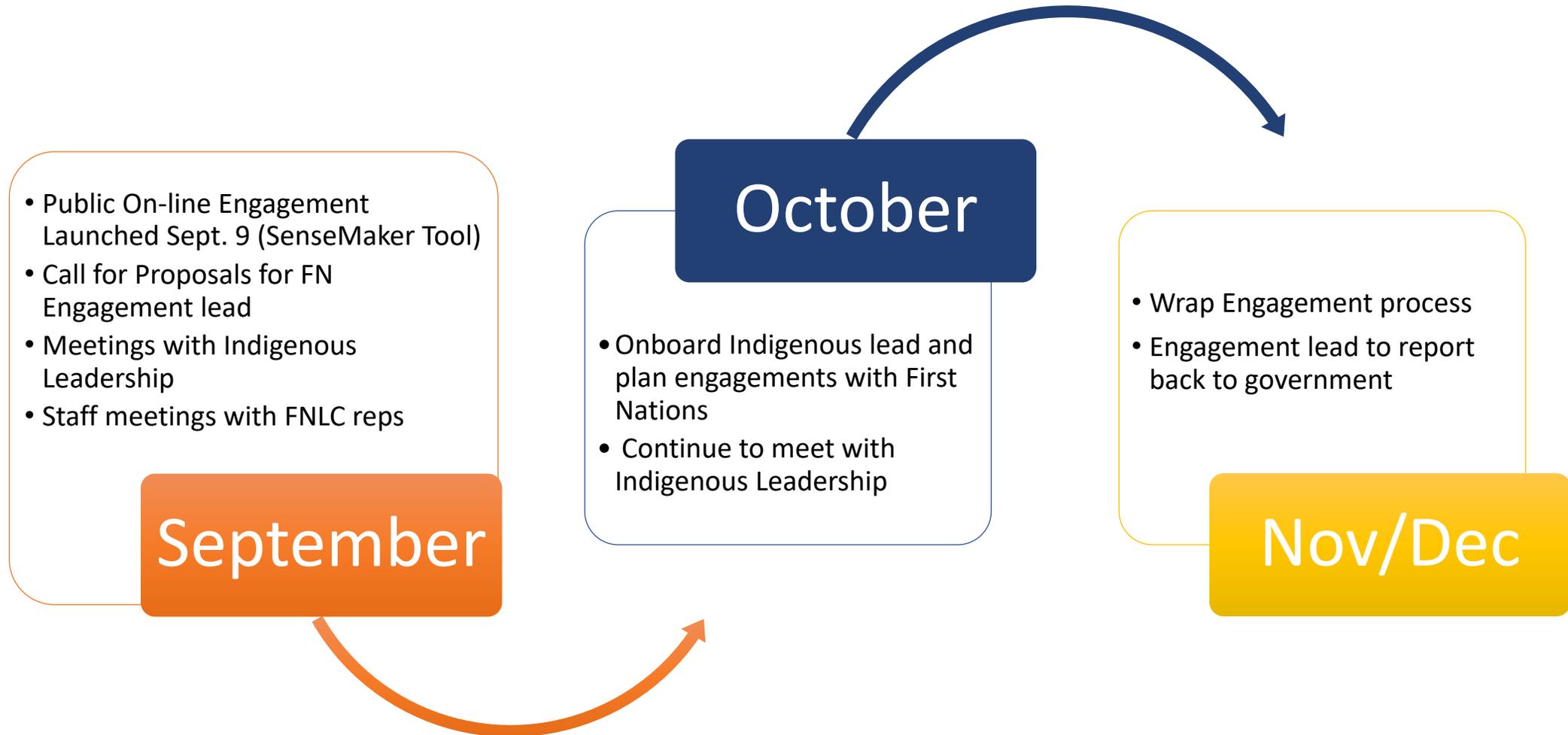
Collection, use, storage and disclosure of data

Scope of application of the Legislation

Legislative Timeline



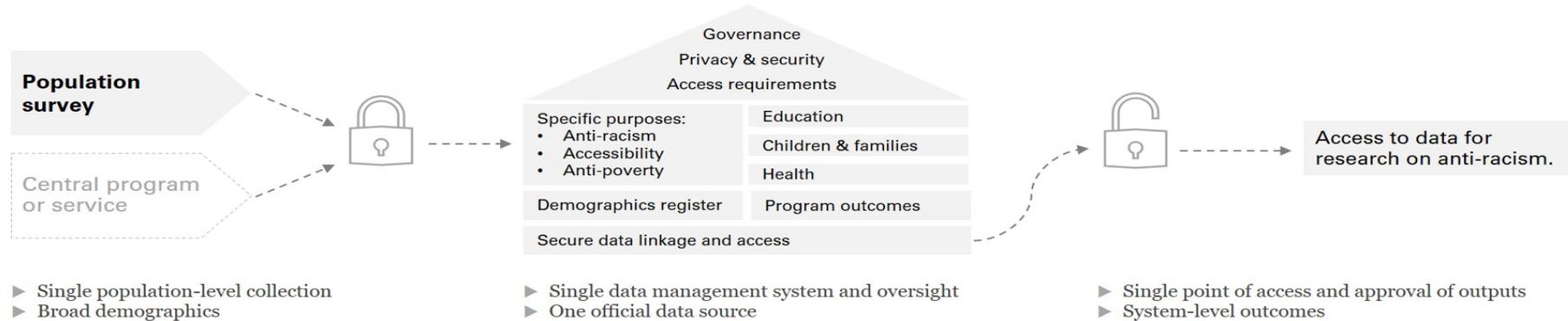
Anti-Racism Data Legislation Consultation and Collaboration



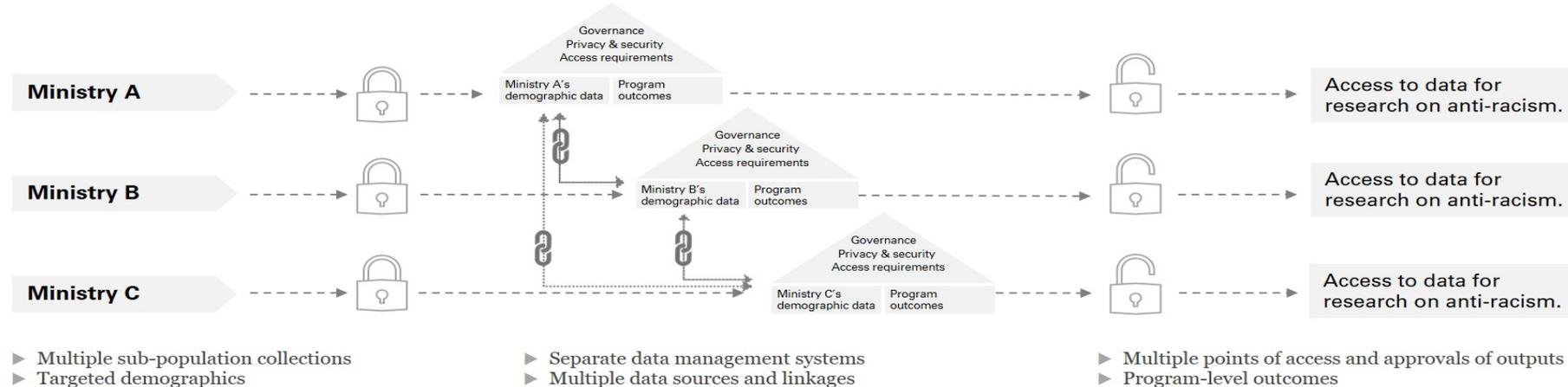
Implementation

Two options for the **collection, housing and access for use** of anti-racism data in B.C.

1: Coordinated Model



2: Distributed model



Initial Questions for Discussion

- What are your key concerns around the collection, use and storage of data?
- Are there certain principles/elements of UNDRIP that you would like to see referenced in the legislation?
- How can we ensure there is strong alignment between UNDRIP's principles/BC *Declaration Act* and this new piece of legislation?
- What risks are you concerned about regarding this piece of legislation right now? – how can we work together to mitigate them?

Next Steps

- Development of the Request for Legislation, including a three-column document
- Ongoing policy analysis in key policy areas
- Ongoing collaboration and consultation with key partners on the legislation and implementation