Royal British Columbia Museum

Report to British Columbians

June 29, 2021
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Message from the Board

The Board of the Royal British Columbia Museum wishes to begin by recognizing that the Museum is sited on the traditional lands of the Lekwungen peoples, today represented by the Songhees and Esquimalt Nations. We extend our appreciation to them for allowing us to work, live and learn on their territories.

The Royal British Columbia Museum, which includes the BC Archives, is a provincial organization that needs to be rethought and rebuilt. The Museum needs to demonstrate cultural humility, seek out multiple perspectives on BC identity, broaden existing cultural narratives and foster inclusivity.

The Board of Directors acknowledges the colonial history of the Museum and the systemic racism inherent in that history. We recognize and apologize for the way the Museum has treated individuals within our workforce and the communities we serve.

The Board of Directors accepts with humility the difficult learnings of the past 12 months. We are humbled by and thank Lucy Bell for speaking out last July. We thank and appreciate the employees who wrote and spoke up about changes needed at the Museum, whether directly in correspondence with the Board, as participants in the independent investigator’s work, or by candidly responding to our workplace culture survey. We also thank the many people and organizations beyond the Museum who came forward to express their perspectives and concerns. We particularly wish to thank the Indigenous people who shared their truths and lived experiences with us prior to and during this process. We need to, we must, and we want to do better.

The past year has dramatically shown the failings of the Museum, failings that have hurt individuals and communities. Those failings must be acknowledged, confronted and addressed. The whole Museum must be reimagined and decolonized to ensure that we do better as we work to earn back the confidence and trust of those who were made to feel unsafe, excluded, isolated, or unwanted.

There are a number of opportunities to support this work: the principles of the United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP), the Truth and Reconciliation Commission’s (TRC) Calls to Action, and the B.C. Declaration on the Rights of Indigenous Peoples Act (DRIPA) offer new approaches to Indigenous partnerships; the provincial government has pledged to modernize the Museum through both a new physical structure and a new operating approach; the Board is searching for a new CEO; and there are vacancies at the executive level.

A key to moving the Museum from its colonial past is to align our activities and actions with DRIPA. DRIPA creates a path forward by emphasizing that we work with Indigenous peoples in a transparent and predictable way to align our practices with UNDRIP. We must accelerate our efforts in this direction.
The Board is also committed to adopting leading-edge governance systems that fully support equity, diversity, inclusion and accessibility (EDIA) at the Museum. A thoroughly revised Board and governance structure is one of many fundamental changes taking place at the organization, aimed at enacting a new future, where the workplace is psychologically and culturally safe so its employees can assist in preserving and telling a more complete story of BC’s natural history, its records and the histories of its many peoples.

Achieving these changes will take continuous effort and will require the support of the provincial government, community stakeholders, our employees, our volunteers and the people of British Columbia. We will need to engage all the Nations, communities and people that make up British Columbia today. We want them to tell us what they want their Museum to be and how they want the Museum to share their stories with BC and the world.

The Board is committed to continuing and intensifying our conversations with Indigenous peoples and all the communities of British Columbia. We are exploring ideas and options to engage more communities in BC in meaningful dialogue and future announcements will speak to that work.

Today, however, we are focused on acknowledging and apologizing for our errors of the past, acknowledging those who spoke their truths and shared their experiences, and beginning the work and healing that is so necessary. This is an important first step in what will be a journey of transformation at the Royal British Columbia Museum.

Dr. Daniel F. Muzyka
Chair, Board of Directors
Royal British Columbia Museum
Executive Summary

- The Board of Directors acknowledges the colonial history of the Museum and the systemic racism inherent in that history. We apologize for the way the Museum treated the many individuals within our workforce, as well as the communities and Nations we serve. We are humbled by and thank the individuals and organizations who, through many different channels, shared their truths with us. The Board of Directors accepts with humility the difficult learnings of the past 12 months. We must do better.

- The Royal British Columbia Museum acknowledges that for 135 years it has been a colonial institution whose history, collections and exhibits have focused on promoting the colonization of BC by European settlers.

- We want to be a museum where every person feels safe, welcome and appreciated when they walk in the front door. We are committed to aligning our operations with the aspirations, principles and relevant obligations outlined in DRIPA. In collaboration with our Indigenous Advisory and Advocacy Committee (IAAC), the Museum is reviewing every aspect of the organization, from governance, staffing, HR policies and remuneration, to collections, research, exhibits, repatriation and the Museum Act (2003). This work will help move the Museum toward compliance with UNDRIP and DRIPA.

- Over the past 12 months, the Museum has taken a multi-dimensional approach to identifying and addressing the problems in our workplace culture. The pillars of this approach have included:

  - organizational review and realignment,
  - intervention in the form of education and training,
  - reviewing policies and procedures,
  - increased vigilance, and
  - adopting leading-edge governance systems required to support EDIA throughout the organization.

- Over the coming years, the Museum will replace its outdated human history galleries with inclusive new exhibits that reflect the diversity of the province’s people and histories. This work will involve incorporating the experiences and contributions of contemporary Indigenous people, as well as Canadians from other cultural heritages including Chinese, Japanese, South Asian and Black communities that have been underrepresented or ignored at the Museum.

- In 2025, the Museum will open a new Collections and Research Building (CRB) designed with the help of the communities we serve. The CRB, located in Colwood, will provide 14,000 square metres of space to house the Museum’s research department, the BC Archives, and the Museum’s collections. The research facility will provide improved community access to the Museum’s seven million objects and extensive archival materials and ensure the collections are safeguarded for generations to come.

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1 The CRB’s design incorporates the valuable feedback the Museum received through two engagement processes and presented in two reports, What We Heard and Indigenous Voices: A Report on Indigenous Community Engagement on the Modernization of the Royal BC Museum. Site preparation has been underway since fall 2020, with construction slated to begin in early 2022. The CRB is expected to open in early 2025.
• The Museum must and will redefine how it serves BC moving forward. This will be achieved by applying DRIPA and aligning with UNDRIP, including creating a new senior position responsible for this. The Museum will also deliver the new CRB, recruitment of a new CEO and a renewed executive team, development of a new workplace culture based on EDIA principles, and the coming redevelopment of its downtown site.

• The Museum is committed to reaching out and engaging with Indigenous peoples and all British Columbians in meaningful dialogue on what the new Museum should look like and how it should share the stories of BC and the people who call our province home. Announcements about this extensive engagement will be made in coming months.

• In this report, we have included background information that is essential to understanding the full extent of the issues the Museum is addressing. This information includes:
  – The History, Role, Mandate and Work of the Museum
  – BC Archives
  – *B.C. Declaration on the Rights of Indigenous Peoples Act* (DRIPA)
  – Structure of the Museum
  – Inclusion and Psychological Safety Audit Survey 2020
  – Summary of Evidentiary Review Conducted by the Independent Investigator (Attached summary produced by the Independent Investigator and provided by the PSA.)
  – Museum Modernization
Issues

In July 2020, Lucy Bell, the Museum’s Head of Indigenous Collections and Repatriation, resigned citing racism she experienced at the Museum as one of the reasons for her departure. Lucy Bell’s resignation was a watershed moment for the Museum and its Board, which, in accordance with the Public Service Act, immediately called on the PSA to carry out an independent investigation into the matter.

In addition to initiating a PSA investigation, the Board promptly committed the Museum to accelerating an already active review of its workplace culture, leadership, HR practices, management practices, staff training and education. To lead that process, the Museum directed a diversity and inclusion consultant to conduct a comprehensive review of the organization and improve its EDIA practices. Their work began with a survey of Museum staff and volunteers regarding the workplace. The Museum also invited employees to anonymously share any concerns or comments they had through the Board-led whistleblower program. It also retained outside expertise to make recommendations on how the Museum could align its policies and activities with DRIPA. Feedback was also solicited, and received passively, from individuals and organizations outside the Museum.

This work and these contributions identified numerous systemic and cultural challenges that the Museum and its Board acknowledged need to be corrected, including:

- There have been acts of racism and discrimination at the Museum. Indigenous team members and members of other equity-seeking groups were subjected to microaggressions and acts of discriminatory behaviour.
- The behaviours and the conditions that fostered some of these acts were not effectively handled by persons in positions of responsibility.
- The Museum has not moved quickly or sufficiently to apply the articles of UNDRIP or the TRC calls to action that are now reflected in DRIPA.
- The Museum has not been as culturally sensitive or inclusive as it should have been.
- EDIA principles were not given the necessary priority and resources.
- For 135 years, the Museum has been a colonial organization in which the human history exhibits have largely focused on promoting the story of the European settlement of BC.
- The Museum’s core galleries, particularly the human history exhibits, are outdated, some displays are offensive, and they all attempt to reinforce the colonial history of the province.
- Not all Indigenous Nations in BC are properly represented.
- The experiences and contributions of many of BC’s communities are absent from the Museum’s exhibits and collections, including those of Chinese, Japanese, South Asian, Black, First Nations, Métis and Inuit originating from other parts of Canada and other communities that are under-represented or not represented at all at the Museum.
- The Museum is under-resourced given the requirements of the Museum Act (2003), the mandate from the BC Government and management’s stated goals. This mismatch between resourcing levels, and goals and service ambitions that exceed the organization’s capacity, has made matters worse.
Changes

Over the past year, an ongoing assessment of the Museum’s operations by the Board and executive team identified the need for changes to priorities, organizational structure, resource allocation, staffing and culture. That review, which included facilitated discussions with employees about the needs of the organization, was guided by several key priorities including:

- Making the Museum a safer and more culturally inclusive place for everyone.
- Accelerating the decolonization of the Museum and its galleries.
- Aligning operations and practices with the applicable articles of UNDRIP and DRIPA and the Calls to Action of the TRC.
- Fostering a culture shift that prioritizes staff psychological safety, wellness and healing, anti-discrimination (anti-racism and anti-sexism), and a positive and supportive culture across the organization.
- Ensuring EDIA is at the forefront as a focus of the organization and that it is permanently embedded in the Museum’s culture at all levels.
- Enhancing cross-departmental collaboration.
- Implementing training and education for the Board, employees and volunteers in all areas, especially Indigenous history, DRIPA, the TRC and EDIA.
- Supporting the modernization of the Museum, including its policies, practices and procedures, as well as its physical infrastructure.

Based on these priorities, the following actions were undertaken in key areas:

**Equity, Diversity, Inclusion and Accessibility (EDIA)**

The Museum initiated a participative process, guided by the external EDIA consultant, to address organizational issues involving cultural safety, racism and discrimination. This included:

- An external consultant was brought in to carry out an assessment and survey of the organization’s culture focused particularly on issues of EDIA, and to conduct a series of dialogues with Museum leadership and staff. The firm was subsequently contracted to design and deliver a series of education and training activities commencing in early 2021.
- An Anti-Discrimination Policy Task Force, composed of volunteer staff members and department heads, was established to provide the executive team with a range of recommendations for policy and process changes. Between November 2020 and March 2021, the Task Force met 14 times in sessions facilitated by the Museum’s EDIA consultant.
- The Museum is establishing a permanent EDIA Steering Committee composed of staff and external experts. The Committee will be responsible for reviewing, revising and monitoring structures, practices and processes in order for the Museum to become a more inclusive and diverse organization where everyone feels valued. It will advise and oversee further work on EDIA.
- To provide ongoing support for EDIA activities, a Human Resources Planner with a specialized focus on EDIA is being added to the HR Team.
Indigenous Collections and Repatriation (ICAR)

To support ICAR and its ongoing work with Indigenous peoples across BC related to collections, repatriation and other initiatives, the Museum is adding the following resources to the department:

- A Director or Vice President of Indigenous Partnerships and DRIPA Implementation will be hired. This position will report to the CEO and be a permanent member of the Executive Committee. This position will be supported by the Head of Indigenous Collections and Repatriation.
- A Repatriation Specialist has been hired.
- A Collections Manager has been hired to focus on the Indigenous audio-visual collections.
- BC Archives: A new Indigenous archivist will be hired.
- Museum Collections: Two Indigenous Collections Managers will be hired to provide an Indigenous lens on the collections.
- Indigenous Advisory and Advocacy Committee (IAAC): An Administrator/Researcher will be hired to support IAAC and support DRIPA implementation work.
- Modernization Project: Two Indigenous Liaison and Cultural Advisors, from the Songhees Nation and Esquimalt Nation, have been included on the project team.
- The ICAR department overall is being reviewed to identify and address any additional needs.

Training

Training is an important part of changing workplace culture, especially when combined with changes in leadership, strategy and organizational policy and practices. The following is a summary of actions underway regarding training:

- EDIA Training Program: This multi-year program is being provided to all staff and leadership. It includes workshops on a wide range of topics, including Indigenous relations, allyship, intercultural skills, microaggressions, professional communication, psychological safety, trust-building, and unconscious bias. Training for the executive team has already included additional workshops and coaching. Staff and leadership are also being provided with access to additional resources and courses offered by the House of Indigenous Learning (HoIL) through the PSA Learning Centre and other providers.
- Between July 2020 and June 2021, the Museum delivered the following EDIA-related training:
  - Fierce Conversations: The two-month training program offered by PSA supports people in having conversations that matter and addressing conflict in a productive manner.
  - Fostering Inclusion Literacy Workshops: The workshops focused on literacy around diversity and inclusive excellence and facilitating conversations about a more diverse or inclusive workplace.
  - Active Bystander Workshops: The workshops provided employees with skills and training regarding intervention, how to overcome fear of retaliation or embarrassment, and how to disrupt aggression.
  - Professional Communication 101
  - Trust-building 101: Fostering Trust within a Team
These courses are the first part of an ongoing training program.

**Volunteers**

Each year, the Museum’s 650 dedicated volunteers contribute 46,000 hours in all areas of the organization and play an important role in representing the Museum. The recent staff survey highlighted that the Museum has few volunteers who are Indigenous or from equity-seeking groups, and only 15% are under 60 years of age. Over the past few months, the Museum’s review of its volunteer corps has included a review of how individuals are recruited, trained and monitored. Although no volunteers have worked on-site at the Museum since March 2020, upon their return:

- The Museum will increase its emphasis on diversity in the recruitment of volunteers.
- Cultural agility and diversity awareness will be a required competency for all volunteer positions.
- Orientation for new volunteers will include a focus on EDIA principles, behavioural expectations and a fulsome and explicit review of Museum policies.
- Volunteers will receive mandatory training around psychological safety, microaggressions, unconscious bias, and what it means to be an ally to equity-seeking groups.
- There will be increased monitoring of volunteer performance, with a new incident reporting and response process to address any complaints.

**Community Relations**

Community relations and dialogue are being enhanced through the following actions:

- An executive level position has been established to oversee our community engagement.
- Strengthening relationships with Indigenous groups, including creating a senior position dedicated to Indigenous partnerships (referenced above), and supporting further work towards repatriation, decolonization and the integration of Indigenous knowledge.
- Actively engaging with the full diversity of British Columbians whose lived experiences need to be included in the Museum.
- Enhancing community engagement and partnerships (local and international), and expanding the profile, scope and reach of our learning and publishing offerings.
- Ensuring province-wide engagement with communities, however they define themselves, whether by race, language, religion, geography, sexuality, scientific focus or the many other aggregations of like interests.
- Delivering a community and future-focused collections and research strategy.
Governance

The Board of Directors acknowledges that it must overhaul its governance structure and practices to provide stronger leadership to the Museum and enhance its stewardship and oversight of the organization’s culture. To date, its methods of governance, stewardship and oversight have proven inadequate for meeting obligations related to DRIPA and the TRC and ensuring EDIA thrives in every part of the Museum. This Board is committed, and has commenced the work necessary, to becoming a leader in the adoption and execution of governance practices that place as high a priority on UNDRIP, DRIPA and EDIA principles as has previously been reserved for financial and strategic oversight.

At present, the Museum’s executive financial officer provides direct and confidential reporting to the Board. Their work is guided by established metrics for success and overseen through independent auditor reports given to the Board. A similar structure is being established for the vice president whose responsibilities include human resources, which will provide direct and independent reporting to the Board. This aspect of the life of the organization will be a key metric for the hiring, monitoring and assessment of the new CEO.

The Board will also establish new policies and practices for the Board and direct the Museum’s leadership to establish strategies and programs for the organization that provide for a culturally safe environment. The Board will ensure that the Museum’s commitments to DRIPA and EDIA are reflected in those strategies and programs, as well as in the leaders who are hired, staff training, development and evaluation processes, resource allocation, and the full range of human resources practices throughout the organization. An important part of this process will be strengthening and formalizing linkages between IAAC and the Board. These governance links will continue to evolve as noted below in the discussion of DRIPA.

All policies and practices of the Museum will be reviewed and revised to ensure the goals of equity, anti-racism, anti-harassment and anti-discrimination are achieved, that processes are in place to enable anyone to speak up without fear of retaliation, and that discipline is prompt and proportionate.

As has been outlined in this report, many corrective actions have already been taken. Actions, such as staff and leadership training, are underway and ongoing, and some (e.g., appointment of a new CEO and renewed leadership team), will take place in in the coming months. Additional actions, such as re-envisioning the nature of the Museum and how it interacts with British Columbians will evolve over the coming years under our new leadership.

The Board is committed to establishing timeframes for these actions and holding itself accountable to stakeholders and the broader public through regular, transparent reporting on the progress of key issues.

Search for a New Chief Executive Officer

Since February 2021, Board Chair Daniel Muzyka has served as the Museum’s Acting Chief Executive Officer (CEO). The Board has retained an executive search firm to assist in the search for a new CEO. Consultations are underway with employees and stakeholders about the most essential qualities of the new leader. There is general agreement that the role will be very challenging, and that it will require a deep understanding of DRIPA and EDIA principles. It comes at a time of opportunity as the Museum asks British Columbians what the Museum should be doing, how it should be doing that work, and how it should be communicating with the people in BC.
Background Information

The History, Role, Mandate and Work of the Museum

The Royal British Columbia Museum was founded in 1886, starting out as a single room adjoining the Provincial Secretary’s office in the Capitol Buildings. In 1898, the museum was relocated to the newly constructed Legislative Buildings, where, in 1913, the provincial government proclaimed the Museum Act (2003), giving the Museum formal operating authority and defining its objectives:

- To secure and preserve specimens illustrating the natural history of the province.
- To collect anthropological material relating to the Indigenous peoples of the province.
- To obtain information respecting the natural sciences, relating particularly to the natural history of the province, and diffuse knowledge regarding the same.

Over the next 50 years, the institution grew. In 1969, the Museum moved to its current location with the BC Archives opening in 1970. Just as the Museum’s collections and popularity have steadily expanded over the years, so have its roles and responsibilities. In 2003, a new Museum Act was proclaimed establishing a Crown corporation responsible for the provincial museum, the BC Archives, Helmcken House, St. Ann’s Schoolhouse, the Netherlands Centennial Carillon, Thunderbird Park, and Mungo Martin Big House (Wawadit’la).

Under Section 4 of the Museum Act (2003), the purposes of the Corporation are:

- to secure, receive and preserve specimens, artifacts and archival and other materials that illustrate the natural or human history of British Columbia;
- to hold and manage the archives of the government;
- to increase and communicate knowledge of the natural and human history of British Columbia by research, exhibits, publications and other means;
- to serve as an educational organization;
- to develop exhibits that are of interest to the public;
- to manage, conserve and provide access to the collection;
- on the request of the government, to manage cultural and heritage facilities designated by the government;
- to perform functions usually performed by a museum.

To accomplish its mission, today’s Museum provides six key functions:

- Acquiring, caring for and providing access to a provincial museum and archives collection of specimens, artifacts and records related to BC;
- Exhibiting the collections onsite, online or throughout BC or making them available for exhibition by others;
- Exhibiting material not in the collection that relates to BC’s past, and providing an occasional “window on the world” by presenting touring exhibitions from international museums;
- Conducting or assisting in research relating to BC human history and natural history;
- Disseminating information relating to BC’s history, and to the museum and archives and their functions; and
- Developing and implementing opportunities for community investment to support the Museum including volunteer opportunities, philanthropy, sponsorships and commercial activities.

The Museum also contributes to many different areas in the provincial government, such as:

- Providing curriculum-based interactive education materials onsite, in communities and online;
- Strengthening relations with BC’s Indigenous communities;
- Providing information and advice to ministries that make up BC’s natural resource sector;
- Acting as a repository for cultural belongings under the Heritage Conservation Act, and fossils under the Fossil Management Framework;
- Providing an online platform for data on BC births, deaths and marriages (in partnership with the BC Vital Statistics Agency).

Although the Museum’s main buildings are in Victoria, it reaches every region of the province through its website, exhibitions, partnerships and services. This includes sharing stories through exhibitions, displays, education programs, public talks, events, websites, publications, and social media. Today the Museum is a hub of connections across British Columbia, allowing the sharing of expertise and collections in natural history, records and artifacts.
Established in 1908, the BC Archives is responsible for preserving and providing access to millions of archival records that document the activities, decisions and responsibilities of government and contribute to an understanding of the history and culture of the province. Its authority and responsibilities are governed by the Information Management Act (IMA).

The BC Archives also holds a significant number of records relating to Indigenous peoples and communities. Many are provincial or colonial government records created by settlers about First Nations, but there are also a number of records that contain first-hand Indigenous accounts, including audio recordings of songs and ceremonies, photographs of communities and people, and transcripts of interviews with Indigenous people.
**Repatriation**

The Royal British Columbia Museum is home to thousands of spectacular photographs, films, recordings and cultural treasures that represent up to 10,000 years of Indigenous history from across the province. The Museum acknowledges that many of those Indigenous belongings, records and remains were unethically acquired or stolen, and that many of those Indigenous materials are personal belongings that represent the devastating damage inflicted on Indigenous families and cultures through colonization, the *Indian Act*, the Potlach Ban era and residential schools.

The Royal British Columbia Museum recognizes that Indigenous peoples have the right to the restitution of their ancestors and cultural, intellectual, religious and spiritual property taken under cultural and economic duress and in violation of their laws and traditions.

The Museum actively works with Indigenous communities on access and repatriation initiatives. In 2017, the Museum co-hosted a symposium on repatriation with the First Peoples’ Cultural Council. That event led to the creation of the *Indigenous Repatriation Handbook* (RBCM 2019), a collaboration between Lucy Bell and Lou-ann Neel from the Museum’s Indigenous Collections and Repatriation department and Nika Collison from the Haida Gwaii Museum at Kay Llnagaay. The Handbook has been widely praised by communities, collectors and museums involved in repatriation initiatives.

**B.C. Declaration on the Rights of Indigenous Peoples Act (DRIPA)**

On November 2019, Bill 41 – *B.C. Declaration on the Rights of Indigenous Peoples Act* (DRIPA) was unanimously passed by the Province of BC. DRIPA confirms the requirement of the government to work in consultation and cooperation with Indigenous peoples in BC and to take all measures necessary to ensure the laws of BC are consistent with the United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP).

The Museum recognizes the significance of DRIPA and is deeply committed to working with the provincial government to honour the aspirations, principles and obligations outlined in this landmark legislation. In collaboration with IAAC, the Museum is reviewing every aspect of the corporation, from governance, staffing, HR polices and remuneration, to collections, exhibits, and repatriation and even the *Museum Act* (2003) itself, in relation to UNDRIP and DRIPA. In collaboration with an Indigenous consultant, IAAC is developing recommendations with respect to the implementation of UNDRIP at the Museum, as per DRIPA, which will be presented to the Museum’s Board.

**Structure of the Museum**

The Royal British Columbia Museum is a Crown Corporation governed by an 11-member Board of Directors, appointed by the Province of BC, and accountable to the Minister of Tourism, Arts, Culture and Sport. Daniel Muzyka was elected Board Chair in May 2020. The other Members of the Board are Wendy King (Vice Chair), Karen Aird, Nika Collison, Nanon de Gaspé Beaubien-Mattrick, Carole James, Robert Jawl, Lenora Lee, E. Michael O’Brien, Ratana Stephens and Peeter Wesik.

The Board of Directors is responsible for appointing the CEO who in turn is responsible for selecting, in consultation with the Board, vice presidents. At present, the Museum has 144 employees and 651 volunteers. Supporting the work of the Museum is IAAC. Board Chair Daniel Muzyka has served as the Acting CEO since February 2021.
Inclusion and Psychological Safety Audit Survey 2020

The Museum retained the services of Inclusive Excellence Strategy Solutions Inc. (IESS) in July 2020. Following Lucy Bell’s truth telling, the Museum redirected and prioritized IESS’s efforts toward investigating and making recommendations about workplace psychological safety. Accordingly, IESS conducted an Inclusion and Psychological Safety Audit Survey. The design of the questions was research-based around what employees need to feel included: (e.g., when employees feel they are treated fairly; when their uniqueness is valued and appreciated while having a sense of belonging; and when they feel they have a voice and are confident to contribute to problem-solving, ideation and giving feedback.) The survey also included questions around psychological safety, experiences of discrimination, and the complaint process at the Museum.

In December 2020, the results of the survey were presented by the IESS team at an all-staff meeting. During the presentation, staff were provided with information about the survey’s methodology, demographics, key findings and recommendations. Prior to the presentation to staff, IESS presented the survey’s findings and recommendations to the Board, as well as the executive team. Those presentations included dozens of anonymous but specific comments made by survey respondents related to the workplace culture, its leadership, HR and management practices at the Museum, and staff experiences of racism and sexism. As some of the comments collected in the survey contained allegations regarding specific personnel at the Museum, they cannot be shared publicly because of privacy rights enshrined in legislation.

Of the 221 respondents, 70 self-identified as employees (from 144 employees, including auxiliary staff), 89 self-identified as volunteers (from 651 volunteers), 35 chose “Prefer Not to Say”, and 27 dropped out of the survey before getting to the “What is your level of position in your organization?” question. The 35 respondents who chose “Prefer Not to Say” were assumed to be employees, based on an analysis of their responses throughout the survey. The response rate was approximately 73 per cent for staff and 14 per cent for volunteers.

For IESS, the 73 per cent participation rate for staff was good considering employee morale at the time, concerns around confidentiality and participant skepticism about any potential impact. The employee participation rate benefitted from assurances that IESS would administer the survey, and results and themes would be delivered in aggregate.

Based on survey responses, IESS reported the following conclusions:

• Employees fear retribution or negative consequences for speaking out.
• Levels of psychological safety are critically low.
• Many employees are not happy at work and do not feel safe.
• Members of equity-seeking groups struggle to be themselves at work.
• Employees are experiencing extremely high levels of stress.
• People of diverse backgrounds are not treated fairly.
• There are flaws in the complaints process, which likely exacerbates the low levels of psychological safety.
• Women experience a less inclusive and psychologically safe workplace than men (specifically in fairness of work distribution, being diverse, feeling respected, having a sense of belonging, and speaking out).
• Based on the responses to the open-ended questions, the Museum is a dysfunctional and “toxic” workplace with a culture of fear and distrust.
Themes Summary

Overall: The Museum is a dysfunctional and “toxic” workplace, characterized by a culture of fear and distrust

A. Poor Leadership and Management: Overall, management is seen as ineffective and unwilling or unable to support employees.
   - Staff have experienced bullying and abuse from management.
   - Professional elitism excludes some staff.
   - Employees stifled by top-down, hierarchical culture.
   - Employees feel undervalued and under-credited.
   - Poor communication between management and staff.
   - Staff are stressed, unsupported, and under-resourced.
   - Employees do not trust management or HR.

B. Individual and Structural Discrimination, Tokenism: Discrimination against and lack of support for marginalized groups make the Museum and its cultural efforts feel inauthentic.
   - A racist, anti-Indigenous and colonial space.
   - A sexist and psychologically unsafe space for women.
   - A lack of sensitivity and understanding of LGBTQ2S+ people and issues.
   - Museum is not accessible to all, especially those with disabilities.
   - Staff have experienced discrimination based on age.

Preliminary Recommendations

The following recommendations include immediate actions, beyond the following initiatives that are currently underway at the Museum to address psychological safety and inclusion:

- Formation of a permanent EDIA committee.
- Inclusion training for all staff.
- Executive training for all senior leadership.
- EDIA training for staff and Heads.
- Developing a new Senior Level, Indigenous Relations role.
The Museum needs to act and make BOLD moves:

- The situation cannot be allowed to continue or get worse.
- Senior Leaders are responsible for the safety of the workplace (Bill C-45).
- Addressing the extremely low levels of psychological safety, inclusion and the gender disparity will require a BOLD response.
- Employees are experiencing trauma working at the Museum but are unable to leave because of their attachment to their job and slim job prospects in the field.

Set goals for inclusion, equity and psychological safety:

- It is recommended that the Board establish targets for the CEO around inclusion, equity, and psychological safety.
- Communicate these goals to all staff.
- Communicate on the immediate steps being taken.
- Commit to participating in the achieving of these goals by participating in mandatory, on-going anti-racist, anti-oppression, decolonization and Indigenous cultural safety education.

Creation of a new human resources position with focused responsibility for the organizational culture and EDIA:

- Responsible for the Museum’s organizational culture, establishing psychological safety, and the rebuilding of trust and confidence of the staff in their leadership.
- Responds to and handles complaints of racism, sexism, abuse, bullying, elitism and a toxic workplace, and works with the PSA to re-establish public service workplace standards.

Acknowledge the extremely low levels of psychological safety:

- Acknowledge failure of many members of senior leadership to provide adequate leadership and deliver a safe work environment for employees.
- Acknowledge the employees’ experiences of a toxic, abusive and psychologically harmful workplace.
- Enact consequences for failing to meet the Museum’s values and basic obligations for creating a safe work environment for its employees.
- Improve communications by providing staff with weekly updates on the actions being undertaken to resolve the extremely low levels of psychological safety.
- This situation may require an intervention from WorkSafe BC. Psychological safety is not included in the standards set by WorkSafe BC.
Establishment of an EDIA Advisory Committee:

- Creation of a robust EDIA committee composed of leadership, staff and members of the community (including youth, socio-economic diversity), with representation of BIPOC people.
- Reporting to the CEO and the executive responsible for Human Resources.

Commit resources and time towards the development and implementation of a workplace culture strategy.
Summary of Evidentiary Review Conducted by an Independent Investigator Retained by the B.C. Public Service Agency
Summary of Evidentiary Review
Royal British Columbia Museum (The “Organization”)

BACKGROUND

1. On or about September 3, 2020, the Public Service Agency (the “PSA”) engaged us to investigate reports of racism or racial discrimination made by a staff member of the Organization. Those reports involved several other staff members at various levels of the organization as respondents.

2. During the investigation, witnesses we spoke to reported similar experiences of racial discrimination by some of the same respondents and some new or additional respondents (collectively the “Respondents”). In or around January 2021, those witnesses advised they wished to also be included as complainants in the investigation and our mandate was expanded by the PSA to include all complainants (the “Complainants”).

3. This investigation centred on the reports of racial discrimination experienced by the Complainants while working at the Organization, and accordingly it was not intended to focus on issues relating to systemic discrimination by the Organization generally. However, the Complainants’ reports did include personal experiences of systemic or institutional-level discrimination which affected them, so we did consider those reported issues as well.

4. In this regard, it is important to address the context of this investigation. The Organization has a history in colonialism. It has custody and control of what some label as “artifacts” and others describe as “belongings” of Indigenous communities across BC. The Organization acknowledges in its policy on repatriation that “many cultural materials were alienated from Indigenous peoples during the period when the potlatch and other indigenous cultural practices were illegal under the Indian Act”¹. It also holds the ancestral remains of Indigenous people which, until recently, have been acquired by the Organization through “a variety of circumstances and from a variety of sources including anthropological collecting, archaeological excavations, the Coroner’s Office and the RCMP”.²

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1 Indigenous Collections and Repatriation Policy | Royal BC Museum and Archives | Victoria, BC, Canada
2 Ibid.
5. It has been clearly established through the Truth and Reconciliation Commission of Canada (“TRC”) that Canada’s relationship with and treatment of Indigenous peoples has caused harm which is ongoing and impacts successive generations. For many Indigenous people, the Organization is much more than just emotionally triggering, it represents the continued suffering and dismantling of their cultures, communities and families. A further important component of the backdrop to this investigation is the Organization’s mandate; its 201718 mandate letter from government specifically stated: “Please ensure that going forward your organization incorporates the UNDRIP3 and Calls to Action4, given the specific mandate and context of your organization.” In this context, there is a heightened and significant cultural sensitivity in which the Complainants’ reports of discrimination must be considered.

6. In light of the foregoing, our mandate in this investigation was to consider, on the basis of the evidence gathered, whether on a balance of probabilities the events reported by the Complainants occurred and if so, whether they constituted a breach of legislation or of applicable workplace policies and mandates of the public service or the Organization.

METHODOLOGY/PROCESS

7. Overall, this was a large, complex and time-consuming investigation which included complainants and respondents who were all employees of the Organization at the material times. After interviewing the Complainants and Respondents (collectively, the “Parties”), we also interviewed thirty-three (33) witnesses. All of the Parties and some of the witnesses were interviewed more than once to obtain all their evidence or ask follow-up questions. All of the Parties were given opportunities to provide their responses to new or contradictory information disclosed to us in the course of the investigation. A total of thirty-one (31) allegations and forty-three (43) examples were investigated. The scope of this investigation was limited to the witnesses and evidence that we reviewed and does not provide a complete review of the whole of the Organization, its policies, or its employees.

8. All witnesses and the Parties were advised of their right to bring an uninvolved support person or representative of BCGEU or the Excluded Employees’ Association, as applicable, to the interviews.

9. In response to the Provincial Health Officer requiring social distancing due to the COVID-19 pandemic response, persons being interviewed were given the choice of meeting in person where social distancing could be implemented, or via videoconferencing using Zoom.

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4 In 2015, the TRC published its final report on the experiences of Indigenous people who went through the residential school system, recording testimony from more than 6,000 residential school survivors about the impacts those experiences had on them. Along with its final report, the TRC published 94 Calls to Action to work toward reconciliation with Indigenous peoples in Canada, which included actions to be taken in child welfare, education, health, justice, language, culture, and museums and archives, among others.
10. All but ten interviews were conducted by the lead investigator, who took handwritten notes and did not record any of the interviews. Those notes were then transcribed and emailed to the interviewee to review and make any corrections, after which they were asked to either sign a statement or send a reply email confirming the accuracy of the notes. We note that certain individuals significantly added to the notes, notwithstanding our advice to simply identify any necessary corrections. Also, some individuals did not respond to the request to review the notes for various reasons. Because of time constraints, ten (10) witness interviews were conducted by the second investigator on the investigation team; those interviews were all via Zoom and were video recorded, with the interviewee’s permission, for the lead investigator’s later review.

11. In addition to speaking with individuals, we reviewed hundreds of documents, including email and text message communications between or regarding the Parties and the reports we were investigating, HR documents, Organization policies, financial documents including budgets, spreadsheets, invoices, minutes of various meetings, calendars, notes taken by Parties or witnesses, videos, news articles and publications, and photographs. These documents were provided to us by Parties and witnesses after interviewing them. The Parties and witnesses were also given our contact information to communicate with us if any they had further information to share, some of whom did.

12. All individuals interviewed were cautioned about the need to maintain strict confidentiality throughout this investigation and to not disclose any information pertaining to the complaints, our interviews or this investigation process. The issue of retaliation was also addressed, and the Parties and witnesses were advised to notify the PSA, BCGEU and/or the investigators if they experienced any form of reprisal due to the investigation.

13. To incorporate the principles of a trauma-informed, survivor-centered approach into the investigation, it was important to ensure that the Complainants had what can be described as “voice, choice and control”. In this regard, with certain less material information we provided the Complainants with the choice of how, when and if we shared the applicable respondents’ evidence. Where there were material or credibility issues, that information was put to the Complainants with their permission and after they indicated they felt fit to receive the information.

14. We reviewed the Complainants’ reports and all the evidence within a legal framework guided by the BC Human Rights Tribunal (BCHRT), the Canadian Human Rights Commission (CHRC), other provincial human rights tribunals, and Canadian courts including the Supreme Court of Canada.

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5 This was not because of any concerns about the process or regarding the quality of the notes but because they said they did not have time or considered it too emotionally difficult.

6 Ultimately this resulted in relatively minor adjustments in my process and was at all times balanced against the need to ensure procedural fairness and avoid preference given to one party over another.
15. The applicable legislation we considered included the Human Rights Code, RSBC 1996, c 210 (the “Code”); the Declaration on the Rights of Indigenous Peoples Act, 2019, c 44 (“DRIPA”); and the Workers Compensation Act, RSBC 2019, c 1 (the “Act”). The engagement of DRIPA in this case meant that we were also obligated to consider relevant sections of UNDRIP and the TRC’s 94 Calls to Action. We also note that in 2016, the Organization released a formal public response to the TRC’s Final Report which stated: “In line with the recommendations of the Truth and Reconciliation Commission, we are further revitalizing our policies and responsive practices.”

16. The evidence associated with each of the Complainants’ reports was evaluated strictly according to the established test for discrimination set out in human rights case law and upheld by the Supreme Court of Canada, which has ultimate jurisdiction over the decisions of human rights tribunals in Canada on appeals. That test examines the presence of three factors to determine whether there has been prima facie (or “on its face”) discrimination, on a balance of probabilities, and if that test is met and the respondent has no viable defence, the correct finding is that there has been discrimination. To find that there has been discrimination under the Code, the following factors must be established:

a. The complainant has a personal characteristic (or is perceived to have a personal characteristic) which is protected under the Code;
b. The complainant experienced an adverse or negative effect; and
c. The personal or protected characteristic was a factor in the adverse or negative effect.

17. Regarding the first element of this test, the protected personal characteristic (in this case, race) need only have been a factor in the respondent’s conduct or the impact of that conduct on the complainant; it does not have to be the sole factor, or even the primary motivating factor.

18. The second component of the test set out above is dependent on the context; in this case, the Complainants must establish that they experienced a negative effect in the employment context. The Tribunal has identified “a negative effect in the employment context” as including refusing to hire; denying a promotion; discipline; denying benefits; refusing to return someone to work; harassment based on a personal characteristic that negatively affects the work environment or leads to negative job-related consequences; and ending employment.

19. There is no requirement to establish that a respondent intended to contravene the Code as a prerequisite to finding that their conduct was discriminatory. Accordingly, the courts have eliminated the distinction between so-called “direct” and “indirect” discrimination because that distinction is rooted in the respondent’s intent; at this first stage of the analysis, the evidence is to be evaluated through the lens of the complainant’s experiences and the adverse impact they are alleging. The Supreme Court of Canada has noted that maintaining a distinction between direct and indirect discrimination may act to legitimize systemic discrimination, because so-called neutral policies and practices can have an unjustifiable adverse impact on a protected class of people.
20. The third component of the test – the connection between the adverse effect and the protected characteristic – is typically the most difficult to establish. Whether a protected characteristic is a factor in an adverse treatment is largely a question of fact. The BCHRT remarked on the difficulty of proving racism in *Mezghrani v. Canada Youth Orange Network (CYONI) (No. 2)*, 2006 BCHRT 60, and noted that racial discrimination “is frequently subtle” and “direct evidence of racial discrimination is rarely available”, such that the discrimination “must often be inferred from the conduct in issue” and may, in some cases, “only reveal itself gradually over a series of events.”⁷ According to the BCHRT’s recently published report *Expanding Our Vision: Cultural Equality & Indigenous Peoples’ Human Rights*, “the burden of proof may be well beyond the capabilities of individual Indigenous complainants.”⁸ The standard of proof requires only that the inference be more probable than not.

**SUMMARY OF THEMES AND FINDINGS**

21. The Complainants’ reports had similar themes and, in some cases shared respondents. We further heard about reports of discrimination by former employees of the Organization, which were determined to be beyond the scope of this investigation except where they involved Respondents who knew about the behaviour and failed to act to stop it and protect the safety of racialized employees in the workplace. We heard from Complainants that part of their frustration and hurt from the discriminatory acts of employees stemmed from their acquired understanding that reporting those acts would not lead to positive change or a reduction of harm.

**Summary of Complaints**

22. As such, the complaints fell into the following general themes: Respondents were reported to have engaged in: tokenization of the Complainants and their department; condoning misconduct and supporting a culturally unsafe environment; directly discriminating against the Complainants or otherwise promoting and sustaining the existing systemic issues in the Organization; personal acts of racial discrimination directed at the Complainants including microaggressions and harassment, creating a toxic work environment by discriminating against other people who they knew or ought to have known were connected to a Complainant; and failing to acknowledge, remedy or act on the misconduct of subordinate employees against a Complainant.

23. One of the Respondents was specifically reported to have engaged in retaliation against a Complainant in an incident which happened after this investigation commenced.

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⁷ See, for example, *Gichuru v. Pallai (No. 2)*, 2010 BCHRT 125 at para. 95 and *Ibrahim v. Intercon Security Ltd.*, 2007 BCHRT 201 at paras. 71-80.
Summary of Findings – Unsubstantiated Complaints

24. There were a few reports that we found were not substantiated based on the evidence before us. Regarding the retaliation complaint, upon applying the test for retaliation in Gichuru v. Pallai, 2018 BCCA 78, we found that the third stage of the test (that there was a connection between the impugned conduct and the previous complaint) was not met based on the evidence. However, we found that the conduct complained of was harmful and contributed to a culturally unsafe workplace.

25. A Respondent was reported to have made an inappropriate or sexual invitation to a Complainant. We applied the test for sexual harassment from Mahmoodi v. University of British Columbia and Dutton, 1999 BCHRT 56 at paras. 140-141 and found that while the behaviour in question was inappropriate in the circumstances, it was not egregious enough to amount to sexual harassment.

26. An allegation pertaining a departmental budget was unsubstantiated due to a lack of evidence to support the allegation.

27. One Respondent was reported to have made false allegations that a Complainant misused their sick time. We found there was no evidence to substantiate this allegation.

28. One Respondent was reported to have failed to address concerns of discrimination reported to them by some of the Complainants. We found that the evidence showed the Respondent did address those concerns when they were made aware of such concerns but noted that the Complainants did indicate the complaint process was not clear to them. The Respondent acknowledged that the process might be unclear, but we accepted their evidence that the information was provided to the Complainants in multiple locations at the Organization.

Summary of Findings – Partly Unsubstantiated Complaints

29. A small number of reports were found to be unsubstantiated only in part. These partly unsubstantiated allegations were distinguished by the fact that they were relatively minor components of larger reports of discrimination which were substantiated. One Respondent was reported to have engaged in a number of microaggressions towards some of the Complainants. We found that one specific incident report was not substantiated because the evidence in support of it was insufficient and unreliable. However, we found that the majority of the reported microaggressions from that Respondent did most likely occur.
30. Another Respondent was alleged to have engaged in actions that negatively impacted the ability of the museum to hire Indigenous persons. On the evidence before us, we found that this Respondent took reasonable steps to assist the Complainant regarding the specific issue of the internship positions, and that component of the complaint was unsubstantiated. However, we found that conduct did create a barrier to hiring qualified Indigenous candidates more generally, and that the complaint was substantiated in that respect.

31. One Respondent was reported to have engaged in behaviour that was disrespectful, insubordinate and caused a Complainant to feel unsafe. In one reported incident, this Respondent was alleged to have spoken to the Complainant in a demeaning manner about the need to receive training. We found that this report was unsubstantiated because while in the circumstances, the Complainant may have been offended by the Respondent’s actions, they were not discriminatory or harassment.

Summary of Findings – Substantiated Complaints

32. We found that the remainder of the allegations we investigated were substantiated by the evidence, on a balance of probabilities. We found that the Complainants were subjected to multiple microaggressions from certain Respondents.

33. Except where noted above, several Respondents did not do an adequate job of following up on multiple reports of discrimination the Complainants made, did not make an appropriate effort to ensure the Complainants had a culturally safe work environment once they were made aware of the harms the Complainants were experiencing and/or intervene when they observed it.

34. The staff within the department in question, who were trying to operate a busy department in the Organization and meet high demands on their time and expertise, were not adequately supported in their work and had voiced needs regarding staffing, resources, financial processes, onboarding, workload management, and stressors from being a “public face” of the Organization. We found that this affected the entire department as well as interested stakeholders including Indigenous communities, to the point that the Organization was not meeting its mandate or obligations under DRIPA, UNDRIP or the TRC Calls to Action.
CONCLUSIONS

35. Notwithstanding that the Organization has expressed its intentions since at least 2016 of “further revitalizing [its] policies and responsive practices” through a lens of reconciliation, and the further reality that the Organization has been required by both its mandate letter and the passing of DRIPA to do so, this investigation has identified that the Organization as a workplace is not a culturally safe environment, and it seems likely that significant work will be needed to bring the Organization into compliance with its mandate to follow DRIPA and implement new practices reflecting the requirements set out in UNDRIP and the TRC Calls to Action. This situation has arisen partly from the acts of individuals, and partly from the way the Organization is structured and operated, either causing or drawing attention to ineffective leadership at the executive level, a lack of effective onboarding, and a feeling among employees and mid-level management that there is a lack of resources to support them in their work and the organization as a whole.

36. This has been felt most acutely in the areas of the Organization which deal with the collections of Indigenous cultural materials and ancestral remains. The nature of their work with communities and repatriation, which we have learned requires a great deal of personal interaction and navigation of individual First Nations’ cultural practices, creates a burden of emotional labour on top of the “typical” volume of work they have as a part of the Organization.

37. Several staff along with one of the Complainants have clearly called out for support, and the current situation they exist in is unsustainable. Based on the evidence in this investigation, if the Organization is to move from a token commitment to reconciliation, repatriation work and its obligations under DRIPA, there must be significant effort and results which have not yet been in evidence from responsible parties in leadership of the Organization.
Museum Modernization

Built in 1967, the Royal British Columbia Museum buildings have not been substantially renovated in more than 50 years. They were designed to host 100,000 visitors a year, but today typically host more than 880,000 people per year. With the current buildings at over-capacity and the collections having outgrown the available space, the Museum’s ability to collect, research and provide access is severely limited.

A seismic assessment of the Museum buildings revealed other troubling issues, including: the buildings are located in a tsunami zone; they have aging infrastructure, which includes approximately $50M in deferred maintenance; they do not meet today’s accessibility standards; and the collections are stored in areas that were not built for that purpose, such as below-sea-level vaults, putting them at risk of environmental damage or possible flooding in case of a medium-sized seismic event.

With the support of the provincial government, the Museum has launched a once-in-a-generation modernization program to address not just its physical structures but every aspect of how it operates. For the Museum, the modernization program is an opportunity to address its role as a museum that is mandated to represent all of BC and its people. It is also an opportunity to incorporate 21st-century best practices that are being adopted by leading museums worldwide.

As part of the modernization, the Museum’s highest priorities include:

- Replacing outdated core galleries, which focus primarily on the colonization of BC by European settlers and replacing them with new exhibits that more accurately reflect the province’s people, history and diversity.
- Reflecting the cultural diversity of the province by including the experiences and numerous contributions of South Asian, Black, Chinese, Japanese, First Nations, Métis, Inuit and other communities in BC that are under-represented or not represented at all at the Museum.
- Ensuring Indigenous communities lead on the interpretation of their culture and incorporating contemporary voices into exhibits to include the experiences and stories of more Indigenous communities in BC.
- Updating the natural history gallery to include more information about BC’s biodiversity, climate change and other environmental issues and incorporate Indigenous knowledge.
- Expanding community and research access to the Museum’s seven million objects and 28 kilometres of archival materials.
Collections and Research Building (CRB)

The first major step to modernize the Royal British Columbia Museum will be a new state-of-the-art Collections and Research Building in Colwood. Located on a 3.2-hectare property at the Royal Bay development and built to meet CleanBC energy efficiency standards, the mass timber facility will provide the Museum with 14,000 square-metres of space to house the Museum’s research department, the BC Archives, and the Museum’s collections, including birds and mammals, botany, fish, entomology, history, paleontology, and modern history. Moving the collections to the CRB will ensure they are safeguarded for generations to come, housed in spaces that meet rigorous conservation and security requirements, in a seismically sound and environmentally sustainable manner.

It is important to note that the CRB will be a research and access facility, not a museum. It will serve as a community venue that showcases the work of the Museum (collecting, conservation, research, community engagement, sharing of knowledge and digitization). It will also facilitate encounters with real things in a community setting and offer learning opportunities for the widest possible variety of audiences, including those with additional needs, in-person and online.

The building will be organized around distinct narratives: starting with cultural heritage, continuing through natural heritage and into deep time. Every space in the building will be considered in terms of its primary function (collection care) and how it can serve to facilitate public access and conversations.

The CRB’s design will incorporate the valuable feedback the Museum received through two engagement processes that asked British Columbians how a modern provincial museum could most effectively collaborate with, and tell the stories of, BC’s diverse communities. The feedback from this initial broad engagement was presented in two reports; What We Heard and Indigenous Voices: A Report on Indigenous Community Engagement on the Modernization of the Royal BC Museum. Additional community engagement is underway and will continue throughout the project. Site preparation has been underway since fall 2020, with construction slated to begin in 2022. The CRB is expected to open in early 2025.

Victoria Museum Precinct

IMAX Victoria

As part of long-term planning to modernize the Museum’s downtown precinct, in August 2020 the Museum purchased the IMAX Victoria theatre through a grant from the Province of BC. The purchase will provide the Museum with opportunities to integrate theatre operations into Museum programming and use the theatre for educational opportunities.

Downtown Museum Site

The Museum in downtown Victoria will continue to serve as the main museum and public galleries. The BC Government has committed to redeveloping the Museum and will be announcing more on this project later in 2021.