



*We are*  
**FASKEN**

Equity, Diversity & Inclusion  
PROGRESS REPORT 2022





**We Are:** Being the Change We Want to See [3](#)

**We Are:** Making Change Happen with Intention, Awareness, and Action [4](#)

**Charting the Path Forward**

**We Are:** Committed to Our Mission [6](#)

**We Are:** Building From Within [7](#)

**We Are:** Visioning Forward [9](#)

**Our Commitments in Action**

**We Are:** Raising the Bar [12](#)

**We Are:** Driving Change, Together [13](#)

**We Are:** Speaking Our Truths and Creating Space to Listen [21](#)

**We Are:** Driving Change, Moving Forward with Purpose [24](#)

**Join Us on Our Journey**

**We Are:** Here to Connect [26](#)

# We are Being the Change We Want to See

## MESSAGE FROM PETER

Firm Managing Partner

The success of any law firm rests on two key pillars: its people and its culture. At Fasken, developing and maintaining an equitable, diverse and inclusive workplace is an intrinsic aspect of our vision and values. We firmly believe that a diverse, engaged pool of bright, talented and collegial people can lead us to better outcomes and greater success.

Over the years, we have learned that achieving true equity, diversity and inclusion (EDI) requires more than good intentions and ad hoc policies. Driving real impact in EDI requires a structured, integrated approach – similar to any of our other business priorities – with clearly defined goals, well-rounded strategies, data-based decisions, and rigorous progress measurement.

One of our first strides in this direction was hiring Chief EDI Officer Sandeep Tatla to guide our efforts in a strategic and sustainable manner. The “I am Fasken” survey and focus groups have also provided valuable insights to solidify our EDI agenda. The Partnership Board and the Management Team studied this feedback carefully before developing robust strategies to make our workplace more equitable, diverse and inclusive. Our commitment is further reinforced by the Firm-wide EDI Committee, led by Katherine Pollock, the Chair of our Partnership Board.

Survey results do not always tell us what we want to hear, but they do tell us what we need to hear if we are to make meaningful progress. We all greatly appreciate the transparency and clarity on our status, accomplishments and opportunities to improve. This report shares some of the results of the work we have done so far, and outlines our path forward to meaningful, sustained change in our Firm – and in the profession as a whole.



I AM  
PETER  
FELDBERG  
(HE/HIM)

I am  
FASKEN

# *We* are Making Change Happen with Intention, Awareness, and Action

## MESSAGE FROM SANDEEP

Chief Equity, Diversity, and Inclusion Officer

Making change happen with intention, awareness and action is important to Fasken – and to me personally. Since joining the Firm, I have been grateful for the committed support and action of our leadership and firm members. My focus has been on using a data-driven, programmatic approach to ensure we hold ourselves accountable as we evolve into a more equitable, diverse and inclusive organization.

A critical part of this journey is giving our people a voice and actively listening to what they have to say, with the intent of understanding all of our different experiences.

Hearing what our firm members have to say has helped us develop a sustainable, integrated Equity, Diversity and Inclusion (EDI) strategy, strengthen our EDI programs with a lens on learning and authenticity, and review our policies and processes for opportunities for greater inclusion.

I'm excited to share our first EDI report with you: it outlines our focus, commitment, and future direction in this space. While we still have some distance to cover, I am personally grateful to everyone who has helped us reach this important milestone – and I look forward to continuing the work that lies ahead.



I AM  
SANDEEP  
TATLA  
(SHE/HER)

*I am*  
FASKEN



# CHARTING THE PATH FORWARD



*I am*  
**FASKEN**

I AM  
**KATHERINE  
POLLOCK** (SHE/HER)

Chair of Fasken's Partnership Board, Chair of EDI Committee,  
and Founding Member, Fasken Pride Network

“Not only do we seek to build upon our strengths, but we also aim to ensure timely and meaningful advancement of our EDI opportunities and programming. The ongoing conversations and action-oriented approach of Fasken’s EDI Committee continues to inspire and embed the spirit of inclusion in the fabric of our Firm.”

# We are Committed to Our Mission

Our mission is to provide exceptional legal and strategic advice to our clients. We achieve this together as a team that is committed to:



**Empowering and providing** a voice to all our people



**Ensuring equitable access and opportunity** to advance and succeed at the Firm and in the profession



**Actively listening and engaging** in efforts within the profession and in the communities we operate in to address issues of inequity

We believe fostering equity, diversity, and inclusion requires intentional action, ongoing learning, and constructive engagement to drive meaningful change. **We are guided by the following principles:**

### An Actionable, Measurable, and Data-Driven Approach

Drive meaningful change by measuring and monitoring impact through robust governance structure



### A Common Ground

Create common ground where we are called to show up with authenticity, intention, and humanity



### Including Everyone in the Firm

Reflect the diversity of all our people within our strategy, leaving no one behind



### A Global Mindset, Local Execution

Balance global needs with regional realities to create sustainable and meaningful change





# We are Building from Within

## ROADMAP TO OUR STRATEGY

Our people's unique experiences and perspectives pave the way for our Equity, Diversity, and Inclusion (EDI) strategy. Built both by and for our people, it aims to inspire a future state where everyone feels like they can belong and thrive.

**Reflecting Back:**  
Our Starting Point

Taking time to  
listen and learn

**Visioning Forward:**  
Our Aspiration

Setting intention to  
grow and evolve

**Bridging the Gap:**  
Our EDI Journey

Taking aligned action  
to drive change

EDI Survey

Interviews and  
Focus Groups

Talent Flow  
Analysis

Representation  
Analysis

EDI Maturity  
Assessment

MENU



# We are Building from Within

## OUR CURRENT STATE

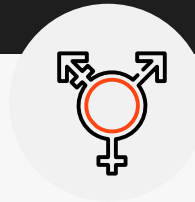
The diverse voices and perspectives of our people have led to seven clear emerging themes, which serve as the foundation from which our strategic action plan was created.



### Leadership and Partner Accountability

**Our Priority:**

Continue to strengthen EDI accountability and ownership by Firm leaders and partners



### Gender Inclusion and Representation

**Our Priority:**

Continue to advance gender inclusion and representation



### Expanding Beyond Gender

**Our Priority:**

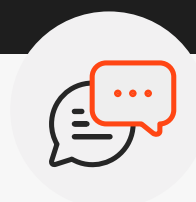
Move beyond gender to focus on representation of visible minorities, Indigenous people, people with disabilities and LGBTQ2S+



### Talent Management

**Our Priority:**

Strengthen talent management processes



### Listen-in and Speak-up Culture

**Our Priority:**

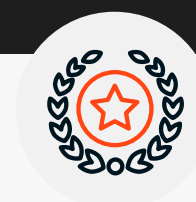
Cultivate a listen-in and speak-up culture



### Inclusive Social Events and Networking

**Our Priority:**

Reimagine how we connect in a way that cultivates a greater sense of belonging



### Differentiated Experience

**Our Priority:**

Ensure colleagues at all levels of the firm feel valued



# We are Visioning Forward

## OUR ASPIRATION

Our plan to achieve greater equity, diversity, and inclusion (EDI) means:

**Our Partners and Leaders “Act”...**  
as owners of the EDI strategy and role models of inclusive leadership capabilities.

**Our People “Can”...**

drive EDI through their everyday actions and decisions; they feel confident speaking up and being their authentic selves.

**Our Processes “Are”...**

equitable for all – supporting all aspects of the talent lifecycle, enabling a listen-in and speak-up culture, and breaking down barriers.

### INCLUSIVE LEADERSHIP



### MAKING CHANGE HAPPEN

**Our Communities “Feel”...**

we show up as EDI leaders with authenticity, cross-cultural competency, and action-backed commitments.

**Our Clients “See”...**

EDI leaders in the legal industry with a team that reflects the diversity of their communities and anticipates unique client needs.

**Our Progress “Shows”...**

a strong EDI infrastructure woven into the fabric of the Firm that drives the way we engage with our people, clients, and community.

# We are FASKEN

## REPRESENTATION

### OVERALL REPRESENTATION\*



### REPRESENTATION OF WOMEN\*\*



\*The demographic data above represents self-identification responses from our 2021 "I am Fasken" survey. The response rate was 78%.

\*\* Representation as of June 30, 2022



# OUR COMMITMENTS IN ACTION



*I am*  
**FASKEN**

I AM  
**ALIX  
HERBER** (SHE/HER)

Partner and Chair, Ontario Women's Network

"The purpose of the Ontario Women's Network is to foster inclusivity, connection, support and growth of our members and clients - both personally and professionally."

# We are Raising the Bar

COMMITTED TO DIVERSE LEADERSHIP

We recognize that diversity must exist at all levels of the Firm and maintain a strategic focus on advancing diversity in our leadership positions. To that end, we have committed to the following:

## Mansfield Rule



We are one of the original law firms to commit to the Mansfield Rule Project which aims to increase diverse representation in leadership positions. Our Firm received 4.0 Certification Plus for successfully reaching an underrepresented lawyer representation of **30 percent** confirming at least 30 percent women, underrepresented racial/ethnic groups, LGBTQ2S+, and lawyers with disabilities were considered for significant leadership and governance roles.

## BlackNorth Initiative Law Firm Pledge



In 2020 we signed the **BlackNorth Initiative Law Firm Pledge**, committing to eight goals to move Canada toward ending anti-Black systemic racism. Some of the actions that we have taken towards the goals set out in the pledge include:

- Implemented Firm-wide demographic data tracking to measure progress on our EDI agenda.
- Achieved the 2025 target of at least **5%** of our student workforce being from the Black community.
- Engaged in 8 sponsorships and multi-year partnerships providing support to Black organizations with a value of more than **\$400,000**.

# We are Driving Change, Together

COMMITTED TO MEANINGFUL ACTION

We believe in taking action to create meaningful impact. The following are some examples of our ongoing work to drive change:

## Taking Action Through Fasken's EDI Committee

In 2020, we refreshed our EDI committee with a more diverse representation of backgrounds and perspectives. The committee serves to identify and address issues that impede the success of the Firm's under-represented groups.





# We are Driving Change, Together

COMMITTED TO MEANINGFUL ACTION

## Taking Action Through Affinity Groups

### Fasken Pride Network

The award-winning Fasken Pride Network has brought members and allies of the LGBTQ2S+ community together for nearly a decade, fostering inclusion and understanding, and increasing representation and retention of LGBTQ2S+ lawyers and staff.



*“With a lens on bringing your authentic self to work, the Fasken Pride Network is a truly interconnected nexus of LGBTQ2S+ members across our offices. As ambassadors of the Firm, we also engage in business development and support community organizations and are particularly motivated to do more work at the intersection of LGBTQ2S+ and racial, gender and other identities.”*

Partner and Chair, Fasken Pride Network



I AM  
SHANE  
TODD  
(HE/HIM)

I am  
FASKEN

# We are Driving Change, Together

COMMITTED TO MEANINGFUL ACTION

## Taking Action Through Affinity Groups

### Women's Networks

Each of our women's networks – BC Women's Network, the Force Féminine Fasken (F3) group, Calgary Women's Initiative Committee, and Ontario Women's Network (OWN) have been instrumental in supporting and enriching women within our Firm, industry, and the communities we serve. Our initiatives are focused on promoting business development initiatives for women, increasing women's outreach through networking opportunities or peer engagements, enhancing female leadership skills and increasing the retention of our women lawyers.



*“The Force Féminine Fasken (F3) group promotes business development initiatives organized by women for women and aims to increase women's outreach by engaging with their peers throughout the business and legal community in Québec.”*

— Associates and Co-Presidents, Force Féminine Fasken (F3) —

*I am*  
**FASKEN**

I AM  
**ALEXANDRA  
FREEDMAN**  
(SHE/HER)

I AM  
**FELICIA  
JIN**  
(SHE/HER)

*I am*  
**FASKEN**



# We are Driving Change, Together

COMMITTED TO MEANINGFUL ACTION

## Taking Action Through Pro Bono

Our Firm provides pro bono services to many organizations in our communities. An example of this is the work being done at our Johannesburg office, which committed to advocating for the rights of women through our pro bono and Corporate Social Investment projects. Our lawyers and staff regularly participate in internal and external engagements that focus on issues of women's empowerment, eliminating gender-based violence and advocating for gender equality and women's rights, rendering 70,000 pro bono hours over the past ten years. Ongoing conversations on the challenges faced by women in our industry and communities enable us to continue our advocacy and work in the area of women's rights. Our engagement also includes standing up against violence perpetrated towards LGBTQ2S+ women of colour.

*"At Fasken we believe that our story is our legacy. So, we strive to empower communities, individuals, and small businesses by rendering pro bono legal services, setting up empowerment projects, and embarking on advocacy. By pioneering sustainable corporate social investment community projects, we want to create a sustainable impact for a better tomorrow. We hope that the Fasken legacy will continue to live in the hearts of those it has touched through the pro bono work and corporate social investment projects undertaken by the Firm."*

Partner and Member of EDI Committee

I AM  
SUSHILA  
DHEVER  
(SHE/HER)

I am  
FASKEN





# We are Driving Change, Together

COMMITTED TO MEANINGFUL ACTION

## Taking Action to Build a Pipeline of Future Diverse Lawyers

We are committed to helping build a more inclusive profession and have partnered with several organizations to help develop and support underrepresented groups join and thrive in the legal profession.

### Canadian Association of Black Lawyers (CABL) Early Career Program

We partner with CABL to provide early career development and advancement for young Black lawyers through a customized program for first to third year associates.

*“Insight on the business side of law is usually acquired on the job. Having access to information about the different models through professional development can make a big difference towards career advancement. There is an immediate need for early career professional development and Fasken is proud to partner with CABL to make this happen.”*

Partner



I AM  
ANDREW  
ALLEYNE  
(HE/HIM)

I am  
FASKEN

# We are Driving Change, Together

COMMITTED TO MEANINGFUL ACTION



## ICON Talent Partners

We partner with ICON Talent Partners to create a scholarship for incoming Black and Indigenous students attending Canadian law schools. The program offers ten \$2000 bursaries in addition to mentorship from a Fasken lawyer, a series of skills building workshops, and a career development opportunity at one of the Firm’s Canadian offices during the summer.



## The Grad Star Award and Bursaries

In Johannesburg, we partner with universities with historically disadvantaged student populations to provide bursaries and opportunities to work at Fasken during their vacations.



## Black Future Lawyers Program (BFL)

We are part of a newly formed partnership of leading Canadian law firms that have committed \$1.75 million to the ground-breaking BFL Program. The organization provides support and engagement opportunities to Black undergraduate students who aspire to become lawyers, including mentoring programs. The goal is to increase the number of Black students who attend law school and join the legal profession.



# We are Driving Change, Together

## COMMITTED TO RECONCILIATION

The Truth and Reconciliation Commission of Canada's Final Report published Calls to Action, including ones that target the legal profession and the corporate sector. We recognized that we needed to do something in response to the Calls to Action and established a Reconciliation Action Plan Committee in the summer of 2020. The Committee was comprised of people from all our Canadian regions and represented different facets of the Firm, including Indigenous background.

**On Canada's first National Day for Truth and Reconciliation, Fasken launched a Firm-wide Reconciliation Plan.**

Fasken's Reconciliation Plan is built around eight goals outlined on the following page that succinctly describe our aspirations in different, but interrelated, subject areas that we hope will have a positive contribution to reconciliation. In order to operationalize our goals, we set out broad actions that we commit to undertake and against which we will report and hold ourselves accountable.

*"This Committee worked hard for over a year to gain historical understanding of the issues and possible action in response. We collaborated with the EDI Committee, the Firm's Chief EDI Officer, and engaged with Kim Baird, the former Chief of the Tsawwassen First Nation who has significant expertise and experience in advising companies on the development of their reconciliation plans."*

Partner and Chair, Reconciliation Plan Committee



I AM  
KEVIN  
O'CALLAGHAN  
(HE/HIM)

I am  
FASKEN



# We are Driving Change, Together

## COMMITTED TO RECONCILIATION

Fasken's Reconciliation Goals:

### TRAIN

- 1 Advance our individual and collective Indigenous cultural competency, including our knowledge and understanding of the histories, cultures, laws and practices of local Indigenous peoples, the legacy of residential schools, and the ongoing process of reconciliation in Canada.

### RECRUIT AND RETAIN

- 2 Attract, recruit, retain and advance Indigenous students, staff, and lawyers to and within the Firm, while fostering an inclusive, culturally welcoming workplace that supports growth, development, and advancement for all Indigenous firm members.

### PRO BONO

- 3 Provide pro bono and alternate fee services to Indigenous peoples and organizations.

### ADVOCACY

- 4 Declare our commitment, collectively and individually, to reconciliation and to advocacy for reconciliation in Canada generally, and in the legal community in particular.

### PROCUREMENT

- 5 Support both local and national Indigenous businesses and artists through our procurement of goods (including art) and services.

### ACKNOWLEDGEMENT

- 6 Ensure that local Indigenous territories are appropriately acknowledged at Firm functions and that the Firm communicate positively, sensitively and supportively about Indigenous history and cultures.

### PHILANTHROPIC INITIATIVES

- 7 Support Indigenous initiatives that advance reconciliation through our philanthropic efforts, including donations of time or money.

### IMPLEMENT AND REPORT

- 8 Transparently implement the Reconciliation Plan in a way that meets these goals, and report on our progress in meeting these goals. Seek out engagement opportunities with local Indigenous communities and organizations to advance our commitments under our Reconciliation Plan.

# We are Speaking Our Truths and Creating Space to Listen

## COMMITTED TO COURAGEOUS CONVERSATIONS

*“Conversation is one of the most powerful ways to build knowledge, awareness, and empathy, and ultimately effect change.”*  
- Dr. Robert Livingston

We believe courageous conversations and ongoing dialogue are imperative in making true progress towards understanding and fostering greater inclusion. We embody an awareness-building and continuous call to action approach through sustained internal and external conversations on a range of EDI topics, in partnership with experts, Firm leaders and our Fasken community.

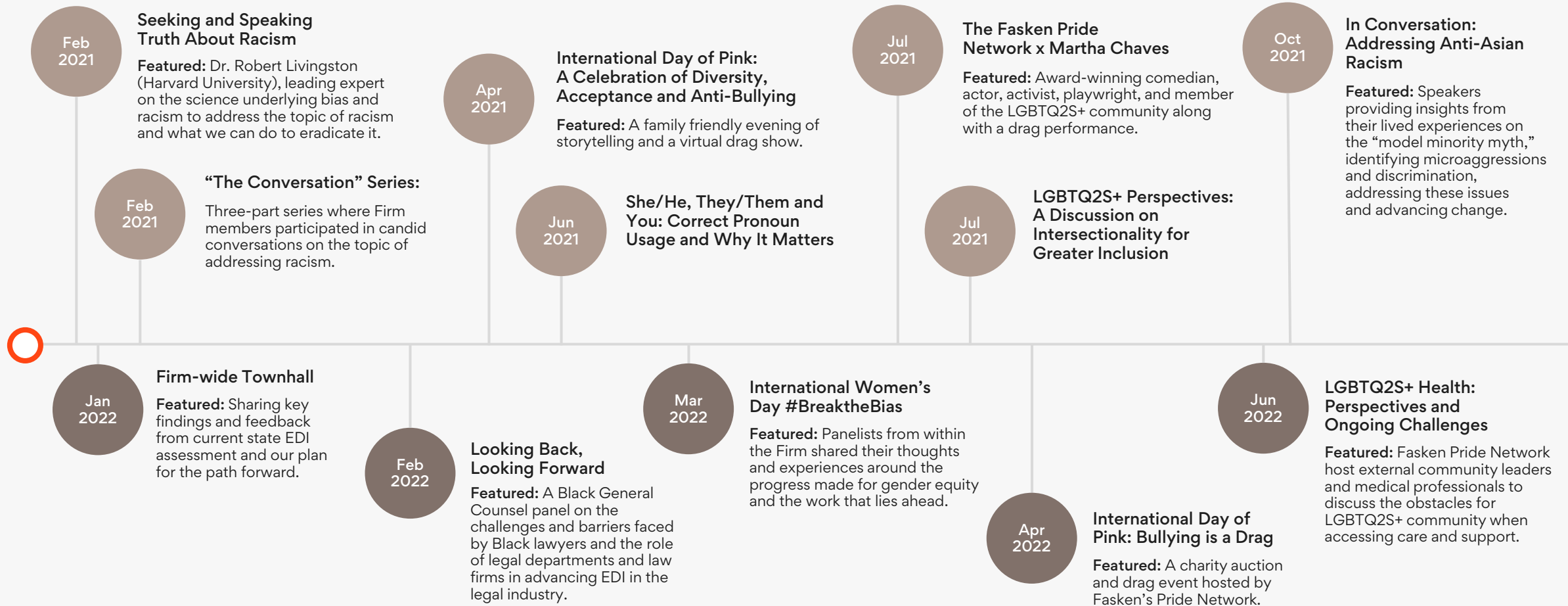
*“Fasken is dedicated to normalizing discussions about gender at the Firm and being respectful and inclusive of all gender identities. As someone who speaks openly about regularly being misgendered, I was encouraged to build tools to help create a Firm culture where we enable a safe space for all- avoiding accidental usage of pronouns-based assumptions of voice, appearance or name. I partnered with Firm members to help produce resources on how to add your pronouns to your email signature as well as a guide to pronoun usage. Needless to say, none of this progressive work would be possible without support from the Firm and its members.”*

Associate and Member of EDI Committee



# We are Speaking Our Truths and Creating Space to Listen

COMMITTED TO COURAGEOUS CONVERSATIONS





# We are Driving Change, Moving Forward with Purpose

As part of our commitment, we regularly partner with and sponsor organizations advancing diversity and inclusion. Here's a glimpse into some of our partnerships and sponsorships:



We partner with Pride Toronto as their Official Legal Services Provider, providing legal services in-kind for the duration of the three-year agreement. Pride Toronto is a not-for-profit organization that supports the LGBTQ2S+ communities and organizes the largest Pride Festival in Canada.



We are a national partner of Pride at Work Canada, an organization that encourages businesses to support authenticity and create workplaces where lesbian, gay, bisexual, and trans identified employees can thrive and be more productive.



We provide a financial donation along with in-kind legal services to Hackergal, a charitable organization that inspires and encourages girls across Canada to explore opportunities as coders.



We host events, offer our support and take part in the annual diversity survey of Black Solicitors Network which represents and promotes the interests of the UK's existing and aspiring Black solicitors.



### Nisaa Institute for Women's Development

Partnering with the NISAA Institute for Women's development, our Johannesburg office provides holistic legal services (including legal and psychosocial support) to survivors of gender-based violence, while also raising funds for the women's shelter for restoring and uplifting vulnerable communities.



### URBAN SOCIETY FOR ABORIGINAL YOUTH

In Calgary, we partner with the USAY, whose mission is to "enrich the lives of all urban Indigenous youth by nurturing self-empowerment and fostering healthy collaboration and communication to ensure healthy future generations."

# We are Driving Change, Moving Forward with Purpose



We are the official legal services provider for Black Boys Code, a non-profit organization dedicated to introducing Black youth to STEM disciplines and empowering them to thrive in the digital world. Our financial donation along with in-kind legal services has helped BBC become Canada's largest provider of computer science education to Black youth in the country.



We are a member of Ascend Canada, the largest non-profit Pan-Asian organization dedicated to the professional development of Pan-Asian business professionals in Canada.

Our engagements are not limited to these organizations, and we partner with several other organizations, including the South Asian Bar Association (SABA) and the Federation of Asian Canadian Lawyers (FACL).

*"Fasken has been a long-term supporter of the Federation of Asian Canadian Lawyers, where several Firm members are taking leadership roles in the organization to advance EDI agenda on behalf of Asian Canadian lawyers and students. We also strongly voiced support for the fight against anti-Asian racism, which has sadly become prevalent since beginning of the COVID-19 pandemic."*

Partner and Board Member, Federation of Asian Canadian Lawyers



I AM  
JACK  
YU  
(HE/HIM)

I am  
FASKEN

# JOIN US ON OUR JOURNEY



*I am*  
**FASKEN**

I AM  
**ZOHAIB  
MALADWALA** (HE/HIM)

Partner and Member of EDI Committee

“The EDI Committee is moving forward in a manner that is accountable, transparent and impactful, but also realistic in our awareness of the challenges that we face and seek to improve. I am very optimistic that by continuing to prioritize our EDI initiatives and encouraging all Firm members to contribute and participate in the EDI journey, we will see substantive and positive change that will be of great benefit to our Firm.”



# We are Here to Connect

*Reach out to learn more and get engaged.*



**SANDEEP  
TATLA**

(SHE/HER)

Chief Equity, Diversity,  
and Inclusion Officer  
[statla@fasken.com](mailto:statla@fasken.com)



**KATHERINE  
POLLOCK**

(SHE/HER)

Chair, Equity, Diversity,  
and Inclusion Committee  
[kpollcock@fasken.com](mailto:kpollcock@fasken.com)



**KEVIN  
O'CALLAGHAN**

(HE/HIM)

Co-Chair, Reconciliation Plan  
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**BRENDEN  
HUNTER**

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