

REPORT

TOGETHER AS ONE

**2018 Community Advisory Group
Engagement Report**



**Ontario
Human Rights Commission**
**Commission ontarienne des
droits de la personne**

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Ontario Human Rights Commission

June 2019

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Contents	
Overview	2
Engagement between summits	2
The second annual summit	3
What we heard	4
A. Environmental factors	4
Marginalization of human rights	4
Cultivating public support for human rights	5
B. Feedback on current OHRC initiatives	6
Reconciliation	6
Criminal Justice	7
Poverty	8
Education	8
C. Evaluation	10
Appendix	12

Overview

The Ontario Human Rights Commission (OHRC) recognizes that a strategic, meaningful, consistent, accessible and sustainable approach to stakeholder engagement strengthens its mandate to promote and enforce Ontario's *Human Rights Code* (*Code*).

In 2017, the OHRC established a new Community Advisory Group (CAG) under section 31.5 of the *Code*. In 2018, the OHRC approved a new Community Engagement Strategy, *Communities for change*, and [released](#) the Strategy along with its 2017 Inaugural Community Advisory Group Summit Report. The OHRC remains committed to the core activities outlined in *Communities for change*.

This report offers highlights of our engagements with CAG members throughout the year, including during our second annual CAG summit.

Engagement between summits

Between the 2017 and 2018 summits, the OHRC reached out regularly to seek input or involve various CAG members in many activities including:

- The OHRC's Indigenous dialogue event and *To dream together* report (CAG members sat on the organizing panel that guided all aspects of planning and implementation and reviewed the final report; members also presented and shared their wisdom and reflections during the three-day event)
- Focus groups on racial profiling in policing (CAG members identified possible law enforcement participants and organized focus groups with Indigenous community members)
- OHRC Commissioner and staff training focusing on poverty (CAG members took part as panelists and recommended speakers with lived experience as well as opportunities for experiential learning)
- Inquiry into racial profiling and racial discrimination of Black persons by the Toronto Police Service (several CAG members were invited to attend a meeting to update Black community leaders about progress on the inquiry and to attend the launch of the interim report, *A collective impact*)
- The *Jahn* consent order on the use of solitary confinement in provincial corrections (a CAG member was recommended and approved for the role of Independent Expert under the terms of the order)
- The *Gallant* case on the use of Indigenous-themed mascots (a CAG member provided expert testimony during the hearing, and CAG members reviewed and helped disseminate a letter to 40 municipalities about the harmful impact of Indigenous-themed sports logos)
- Youth engagement (CAG members assisted with recruiting and organizing focus groups to get youth input on human rights education and racial profiling).

The OHRC regularly informed CAG members of ongoing initiatives and activities, including holding a briefing session for members before releasing a new OHRC *Policy on accessible education for students with disabilities* in August 2018. The OHRC also sought and secured CAG member endorsements for several key submissions and recommendations, including the OHRC's submission to the Independent Street Checks Review and recommendations to improve education outcomes for students with disabilities.

Mid-year, the OHRC surveyed CAG members on what they were most concerned about in the current environment, and strategies the OHRC and CAG members might adopt to address these concerns. CAG members discussed these and other issues during the second annual summit, summarized below.

The second annual summit

The OHRC held its second annual CAG summit from November 19 to 21, 2018. The summit theme was *Ne-maam-mweh*, an Ojibwe term that means, "we are all together as one."

Twenty-eight CAG members representing diverse communities took part in the summit. OHRC Commissioners and senior managers also attended. All OHRC staff took part in the opening session and many staff attended all or some of the summit. Unfortunately, some CAG members from outside the greater Toronto area were not able to attend because of government restrictions on reimbursements for travel expenses, while other members attended without seeking reimbursement for related expenses. Indigenous members and members from organizations with smaller budgets were particularly affected, significantly limiting both the diversity and geographic reach of the voices heard.

At the outset, Nancy Rowe, a traditional knowledge-keeper from the Mississaugas of the New Credit First Nation, welcomed participants to the territory, shared a teaching and led a smudge. Assistant Deputy Attorney General Irwin Glasberg offered words of welcome and recognized the importance of the CAG in connecting the OHRC to realities on the ground.

In her welcome to CAG members, OHRC Chief Commissioner Renu Mandhane spoke about the significance of the summit theme "*Ne-maam-mweh*/We are all together as one." She commented that it reflects the universality of human rights, the power of working in solidarity, and the opportunity that coming together offers for learning from and encouraging one another. She talked about the summit's goal to bring the OHRC and CAG members together to share and discuss experiences, concerns and ways to advance the protection and promotion of human rights. She hoped that participants would leave with a greater understanding of one another and a renewed commitment to walk forward together as one.

The summit program was designed together with CAG members with specific input sought from First Nations and Métis members (see the Appendix for the full agenda).

The event began with two optional education sessions. First, OHRC staff delivered a primer on human rights and systemic discrimination. Next, staff from the Ontario Federation of Indigenous Friendship Centres (OFIFC) delivered a session based on its full-day Indigenous Cultural Competency Training. Nineteen CAG members attended these optional sessions.

OHRC staff helped to facilitate circles, presentations and small and large group discussions to ensure CAG members had an opportunity for meaningful participation and engagement. Knowledge-keeper Nancy Rowe provided guidance, teachings and reflections throughout the three days.

The summit provided opportunities for both in-person and online networking. CAG members were encouraged to continue their conversations on social media using the hashtag #OHRCommunity.

What we heard

A. Environmental factors

With a view to identifying environmental factors and critical and emerging issues, CAG members shared what they were most concerned about in the current environment.

They also identified strategies that the OHRC and members might adopt to address these concerns. Several main themes emerged, including:

Marginalization of human rights

CAG members noted the rise in extremism and the amplification of hate activity, both online and in communities across the province. Members observed that the politics of division and the notion of “otherness” are leading communities to look inward and adopt knee-jerk strategies to protect themselves, like devaluing and attacking others. Members further noted that many hate incidents and incidents of racism and discrimination are not reported.

Members were concerned about the increased marginalization of the rights of Indigenous peoples, including ongoing inequitable access to justice and education for Indigenous



Mojdeh Cox
@MojdehCox
Thank you
@OntHumanRights
for the opportunity
to speak about
the work of
@CanadianLabour &
our Anti-Islamophobia
Initiative.
#Islamophobia follows
Muslims to work. Let's
collaborate &
dismantle religious
discrimination to
make workplaces safe
for all. #canlab
#OHRCommunity

peoples in the north. They were troubled by the cancellation of writing sessions involving Indigenous community partners in developing the Indigenous curriculum. They were also disappointed that the government is still not using the *UN Declaration on the Rights of Indigenous Peoples (UN Declaration)* as the framework for addressing human rights issues affecting Indigenous communities.

Members noted the intensification of attacks and devaluation of organizations that promote human rights. They further observed an increase in public discourse framing human rights activities as political, rather than non-partisan work to protect and promote long-standing universal norms codified in law.

Members worried that cuts to public-sector spending could result in the inability of government agencies to deliver positive social outcomes. Members observed that decreases in funding for community programs and social services would have the biggest impact on people with limited voice and power. This includes people experiencing poverty and homelessness, children and youth, people with disabilities and people in conflict with the law, many of whom are unaware of their rights.

Cultivating public support for human rights

CAG members identified the need to increase and foster support for human rights among the broader public, noting that this will involve reaching people who are open to changing their minds. While recognizing the need to safeguard spaces for continued dialogue about unique identities, members spoke of the importance of finding ways to ensure that messages about human rights are accessible to people from various backgrounds across the province.

Members emphasized how hearing personal stories of lived experience can effectively shed light on the reality of human rights violations. They noted the importance of identifying and leveraging allies, and of using social media strategically to reach a broader audience. Members also stressed the need to ensure that the human rights message reaches children and youth by fostering a culture of human rights through the education system.

Finally, members recognized that while they each have their own part to play in building support for human rights, there is value in finding ways to work together.



Catherine Soplet

@Soplet

**#InclusionMeans
putting people and
their #HumanRights
at the centre.**

**@Peel Poverty put
#PeelYouthCharter
/#DICharter
/#WithYouPeel**

**values expressed
@OntHumanRights
at the centre of its
#TheoryOfChange
2018-2028 Peel
#Poverty Reduction
Strategy
#OHRcommunity
#PovertyFreePeel**

B. Feedback on current OHRC initiatives

CAG members were asked to provide feedback and advice on specific OHRC initiatives in each of its four strategic focus areas – Reconciliation, Criminal justice, Poverty and Education.

Reconciliation

In February 2018, the OHRC brought together diverse Indigenous people and members of the human rights community to take part in a dialogue to discuss a vision of human rights that reflects Indigenous perspectives, world views and issues. A key theme, reflected in the OHRC's [*To Dream Together*](#) dialogue report, was the critical role of the *UN Declaration* in understanding, interpreting and implementing the human rights of Indigenous peoples.

In response, the OHRC developed a strategy to ensure that the *Code* is interpreted in a way that gives effect to the *UN Declaration*. CAG members provided feedback on the development of this strategy.

Members suggested that the strategy include activities to raise awareness about the *UN Declaration* among both Indigenous and non-Indigenous communities. They also felt that a particular focus should be placed on women's rights, including the issue of missing and murdered Indigenous women and girls.

CAG members noted that any advisory group supporting the strategy will have an important role as a bridge or translator between diverse Indigenous cultures and legal conceptions of human rights. They recommended that the group include perspectives of First Nations (on- and off-reserve), Inuit and Métis peoples, and representation from across the province, including the north. Members further emphasized the importance of seeking guidance from grandmother circles and other Elders, noting that that this will require travel to communities.

Members advised that engagements should include meetings with both representative groups and people with lived experience. They stressed the value that Indigenous people place on hearing directly from the grassroots and the likelihood that different issues would be raised at each gathering.

The OHRC has been guided by CAG member advice when forming an Advisory Group for the *UN Declaration* strategy. In addition, CAG member suggestions on educational activities, focus issues and the nature and scope of engagements with Indigenous communities will be brought to the attention of the *UN Declaration* Advisory Group for their consideration.

Criminal justice

In its *Strategic Plan*, the OHRC commits to working towards ending racial profiling in policing. The OHRC is developing detailed policy guidance on steps to prevent and address racial profiling in the area of policing and law enforcement.

CAG members were asked if they had any experience or knowledge of resources related to two issues being considered for inclusion in the policy guidelines: under-policing as a type of racial discrimination experienced by Indigenous people and racialized people living in certain neighbourhoods, and the use of artificial intelligence to augment or replace human judgment in policing. In addition, CAG members were asked for ideas on how to promote the guidelines, including target audiences, techniques and collaborations.

On the issue of under-policing, the Ontario Federation of Indigenous Friendship Centres reported it is conducting a focus group with Indigenous community members to learn more about lived experiences. CAG members suggested that inquiries into missing and murdered Indigenous women and girls would shed more light on their experience of under-policing. Members also noted that the Human Rights Legal Support Centre and specialty legal clinics might be able to share some information about accounts of under-policing without breaching confidentiality. Members further suggested examining data on police response times, closed cases and complaints made to the Office of the Independent Police Review Director, to identify whether there are trends for particular communities.

On the potential use of artificial intelligence, members indicated that the John Howard Society may have looked at the issue in the context of parole or bail conditions. They did not know of any other research being conducted in Canada, but knew of the work of Simone Browne in the United States.

CAG members also said that promotion efforts should focus on raising awareness among both police officers and policing organizations, as well as community members affected by racial profiling and their allies. To reach police audiences, members suggested seeking endorsements from police associations, attending police conferences and reaching out to allies in police services across the province to identify approaches that might be effective.

CAG members recommended that training would be an effective way to reach affected communities by empowering people to understand their rights and take action. Infographics and videos were suggested as formats that would allow community members to access information quickly with maximum impact. Finally, members suggested law and criminology



JohnHowardSociety

@ReducingCrime

What a great experience! Yes, please do check out our work:

<http://policerecordhub.ca/> and

<http://johnhoward.org/n.ca/download-category/research-reports/> ...

Thank you

@OntHumanRights

@RenuMandhane

and #OHRCommunity

professors and students, ethnocultural lawyers' associations and legal clinics as possible allies in advancing change.

CAG member suggestions have guided OHRC research in the areas of under-policing and the use of artificial intelligence. In addition, the OHRC will consider member advice on awareness-raising and training when developing plans for communicating and promoting policy guidance.

Poverty

In its *Strategic Plan*, the OHRC states that it will “[a]dvance the field of human rights law by making clear how systemic discrimination causes and sustains poverty, and addressing poverty within a human rights framework.” CAG members were asked to identify activities that the OHRC could engage in to ensure that “Freedom from poverty is recognized and experienced as a fundamental human right in Ontario.”

CAG members proposed several actions related to municipal and provincial poverty reduction strategies. They suggested that the OHRC call for reframing the strategies using a rights-based approach. They also recommended that the OHRC monitor progress in meeting existing indicators and consider developing its own rights-based indicators.

Members recommended that the OHRC act to make sure people living in poverty know about their rights. They suggested developing plain-language documents and other education products to promote understanding about the commitments government has made by ratifying international human rights instruments.

Members suggested that the OHRC could shine a light on the personal and social impacts of poverty by facilitating a safe space for people with lived experience of poverty to tell their stories. Members noted that the initiative could be modeled on Scotland's Poverty Truth Commission that brings together people living in poverty and key decision-makers to work towards overcoming poverty.

Finally, some CAG members discussed whether the OHRC should seek to intervene in litigation related to residents being displaced from the Heron Gate rental community in Ottawa. They commented that many of these residents are new immigrants and low-income earners paying affordable rents, and are being displaced to make way for the redevelopment of the property.

Over the past year, the OHRC has engaged in several activities that align with CAG members' advice related to poverty. The OHRC made 44 recommendations in seven submissions to government calling for human rights protections involving, among other areas: social assistance reform, the supply of affordable housing, Canada's national housing strategy, Canada's Third Universal Periodic Review, and pay transparency

legislation. The OHRC also publicly supported legislation that would add “social condition” as a protected ground of discrimination.

This year, the OHRC expects to form an Advisory Group to guide its poverty work for 2019 and 2020. It plans to release a short background paper and begin public dialogue on human rights and poverty. This will include amplifying the voices of people with lived experience of poverty and seeking opportunities for legal intervention.

Education

In its *Strategic Plan*, the OHRC states that it will “promote and strengthen a human rights culture in Ontario that encompasses both rights and responsibilities, with a special focus on educating children and youth....” The plan commits the OHRC to work towards making sure that “[h]uman rights are a regular part of children’s and youth’s education, including in the curriculum.” CAG members were asked to review the OHRC’s resource guide for educators, [Teaching human rights in Ontario](#), and provide feedback on ways it could be improved.

Members suggested several content updates including:

- Information about why the *Human Rights Code* was enacted
- The scope of the prohibited grounds of discrimination
- The process for bringing a claim (called an application) to the Human Rights Tribunal of Ontario (including the age restrictions)
- The relationship between the *Code* and other human rights laws and instruments at the domestic and international levels (e.g. the *Canadian Charter of Rights and Freedoms* and the *UN Declaration on the Rights of Indigenous Peoples*).

Members also suggested developing age-appropriate content for different grade levels and updating case law examples to reflect issues that youth face today. They recommended developing new role-play and other interactive exercises, including the use of music and drama. They also suggested developing digital methods of delivery such as videos and apps to complement the text.

Members suggested measures to increase the likelihood that the enhanced materials will be used in classrooms. Recognizing that teachers are under significant pressure to meet existing curriculum requirements, members recommended that the OHRC clearly identify in its resources how the content links to specific courses and learning expectations in the provincial curriculum. They advised that introducing the resource to teacher candidates at faculties of education and working with unions to reach current classroom teachers would help to increase their comfort with the material.

When developing new materials, members also suggested that the OHRC work with school board equity leads, teacher unions, curriculum writers and other organizations engaged in developing human rights education supports.

The OHRC is developing a plan to enhance and adapt *Teaching human rights in Ontario* to better serve the needs of today's teachers and students. It is considering ways to incorporate CAG members' suggestions on content updates, new delivery methods, and potential partners for resource development and promotion in this plan.

C. Evaluation

Overall, CAG members were very satisfied with the quality and level of their engagement with the OHRC. Members appreciated receiving advance notice of major announcements and new products, as well as prompts for social media engagement. They emphasized the importance of the CAG continuing to meet in-person to foster effective information exchange and collaboration. However, they noted the need to find a way to support participant cost-recovery so that more members can attend from across the province.

Going forward, members encouraged the OHRC to make sure that it is capitalizing on the ability of CAG members to connect directly with people with lived experience and to include those voices in conversations.

CAG members showed significant support for the value of the OHRC's human rights work to communities, and the need to make sure that the work continues. They emphasized the importance of the OHRC continuing to have a presence across the province. They noted the need for the human rights message, as well as deeper human rights capacity-building, to reach communities outside Toronto. They stressed that, in some cases, in-person interactions will be necessary to achieve these goals in a meaningful way. It will be necessary to look at ways the OHRC can work with communities to make this happen.



UppalaC @UppalaC
So happy to be here this week at the OHRC Community Advisory Group Summit! Thank you @RenuMandhane & @OntHumanRights for engaging with us and collaborating with us to promote #HumanRights and #MentalHealth!



((((ihsaan))) @ihsaan
Honoured to participate in the discussion, workshops and training sessions & grateful to the incredible team at @OntHumanRights for putting this Summit together #communitymeans #inclusionmeans #OHRCCommunity

Over the course of the discussion, CAG members observed that while their work may focus on different issues, in different sectors and on behalf of different communities, they are united by the common aim of advancing human rights, equity and social justice. CAG members expressed an interest in looking at ways to continue to build networks of solidarity and to communicate their human rights message with each other and with others in a more coordinated way.

Appendix

Ne-maam-mweh / All of us together as one
2018 Community Advisory Group Summit

Agenda

Education sessions: November 19, 2018

- 8:45 a.m. Registration**
- 9:00 a.m. Opening/land acknowledgment**
Human rights essentials – Rita Samson, OHRC
Systemic discrimination – Shaheen Azmi, OHRC
- 12:00 noon Lunch break**
- 1:00 p.m. Rebuilding relationships and reconciliation**
– Lorena Garvey, Ontario Federation of Indigenous Friendship Centres (OFIFC)
- 4:00 p.m. Reflections/debrief**
– Nancy Rowe, Traditional Knowledge Keeper, Mississaugas of New Credit

Day One: November 20, 2018

- 8:30 a.m. Registration**
- 9:00 a.m. Opening/land acknowledgment**
– Michael Harris, Master of Ceremonies, OHRC
Welcome to territory/Smudge (optional)
– Nancy Rowe, Traditional Knowledge Keeper, Mississaugas of New Credit
Chief Commissioner’s welcome – Renu Mandhane
Assistant Deputy Attorney General’s welcome – Irwin Glasberg
Participant introductions
- 10:15 a.m. Morning break**
- 10:30 a.m. Review of [CAG Summit report](#) commitments and actions**
– Renu Mandhane

- 10:45 a.m. Environmental scan**
– CAG members, Nancy Rowe, Renu Mandhane
- 11:55 a.m. Group photograph**
- 12:00 noon Lunch break**
- 1:15 p.m. OHRC work: A year in review:**
- **Introduction** – Raj Dhir, Executive Director, OHRC
 - [Child welfare inquiry](#) – Shaheen Azmi
 - [Toronto Police Services inquiry](#) – Sunil Gurmukh
 - [Indigenous dialogue](#) – Rita Samson
 - [E-Learning on racism and racial discrimination](#) – Dora Nipp
 - [Jahn v Ministry of Community Safety and Correctional Services](#)
– Insiya Essajee
 - **Social media** – Alicia Pereira
- 1:45 p.m. CAG members' questions and answers**
- 2:20 p.m. Afternoon break**

CAG feedback on OHRC operational commitments

- 2:35 p.m. Small group discussions**
- **Reconciliation – Strategy to realize the vision of *UN Declaration***
– Rita Samson, Darlene Kaboni *[8th Floor Boardroom]*
 - **Criminal justice – Racial profiling guidelines**
– Shaheen Azmi, Christopher Williams *[8th Floor Boardroom]*
 - **Poverty – Mapping exercise**
– Jagtaran Singh, Jeff Poirier, Reema Khawja
[9th Floor North Boardroom]
 - **Education – *Teaching human rights in Ontario***
– Dora Nipp *[9th Floor South Boardroom]*
- 3:50 p.m. Report back** – Everyone in 8th Floor Boardroom
– Michael Harris
- Reflections**
– Nancy Rowe

Day Two: November 21, 2018

- 8:45 a.m. Registration**
- 9:00 a.m. Welcome and introduction of new attendees**
– Michael Harris
- 9:15 a.m. Jeopardy!**
(on [Policy on accessible education for students with disabilities](#))
- 10:15 a.m. Morning break**

Sharing CAG members' work: Part one (*Speakers appear in alphabetical order*)

- 10:30 a.m. 1. Uppala Chandrasekera**
Director of Public Policy, Canadian Mental Health Association Ontario
- 2. Jeewan Chanicka and Ken Jeffers**
Superintendent, Equity, Anti-Racism & Anti-Oppression
and Senior Manager, Equitable and Inclusive System Culture,
Toronto District School Board
- 3. Lisa Cirillo**
Executive Director, Downtown Legal Services
- 4. Mojdeh Cox**
National Director of Anti-Racism and Human Rights, Canadian Labour
Congress
- 5. Kenneth Hale**
Director of Advocacy and Legal Services, Advocacy Centre for
Tenants Ontario
- 12:00 noon Lunch break**

Sharing CAG members' work: Part two (*Speakers appear in alphabetical order*)

- 1:15 p.m. 6. Safiyah Husein**
Policy Analyst, Centre of Research, Policy and Program Development,
John Howard Society
- 7. Robert Lattanzio**
Executive Director, ARCH Disability Law Centre
- 8. Elizabeth Mclsaac**
President, Maytree
- 9. Juliette Nicolet**
Policy Director, Ontario Federation of Indigenous Friendship Centres
- 10. Catherine Sople**
Peel Poverty Action Group

- 2:20 p.m.** **Reflections** – Nancy Rowe
- 2:30 p.m.** **Afternoon break**
- 2:45 p.m.** **Discussion on ongoing role of CAG in the**
[OHRC's community engagement strategy](#)
 - Introduction: Renu Mandhane
 - Facilitator: Michael Harris
- 3:45 p.m.** **Final comments, remarks** – CAG members
- 4:15 p.m.** **Closing reflections** – Nancy Rowe
Closing remarks – Renu Mandhane