



# RESPONDING TO ANTI-BLACK HATE CRIME A TOOLKIT



A PUBLICATION OF THE AFRICAN CANADIAN LEGAL CLINIC





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COMMITMENT



DISCIPLINE



ENDURANCE



FAITH IN GOD



FRIENDSHIP



GREATNESS



GUARDIAN



HOPE



INTELLIGENCE



JUSTICE



LEARNING



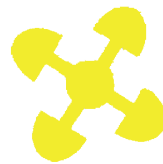
PEACE MAKING



SAFETY



SECURITY



UNDERSTANDING



UNITY



WISDOM



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# Preface

## What is the purpose of this Tool-kit?

This Tool-kit provides information, advice, and practical solutions to effectively respond to incidents of anti-Black hate. It aims to:

- raise awareness about the impact of hate crimes and how these acts jeopardize a community's sense of safety and well-being;
- educate the public, community groups, African Canadian communities and public institutions about the menacing and destructive force of hate crimes, and offer tips and strategies to confront them;
- provide a resource guide for African Canadian communities across the country;
- promote discussions;
- provide training; and
- recommend practical and effective responses.

This kit can be used as a general resource by the public, particularly by public institutions, community groups, agencies, and advocates. It uses historical context to illustrate the staying power of racism, and to establish information and strategies useful to tackling contemporary hate against African Canadians.

The information contained in this Tool-kit is meant to be practical. It also provides contact information and links to national and regional organizations, community resources, and government bodies, many of which have collaborated to develop programs and services to combat anti-Black hate.



## Why a Tool-Kit on Anti-Black Hate?

Through its legal work to support victims of hate crimes, the African Canadian Legal Clinic (ACLC) became increasingly concerned with the lack of broad-based resources to raise awareness and empower individuals and communities affected by anti-Black hate. This vacuum was highlighted during cross-country consultations that the ACLC conducted in 2006-2007 as part of its National African Canadian Initiative Project (NACI). The information collected upheld the overwhelming statistical data identifying African Canadians as one of the primary victims of hate crimes (particularly violent crime), and prompted the development of this Tool-kit.

While many Canadians understand that certain crimes are committed due to anti-Black hate, there often exist few support systems in place to help individuals and groups identify hate-motivated activities, and confront and resist the persistent attacks. For this reason, the ACLC recognizes the importance of providing practical resources for all Canadians, as we take collective responsibility to fight anti-Black hate.



DISCIPLINE





# Recognizing and Understanding Hate

Beyond its obvious impact on the targeted individual or group, hate-motivated activity poisons society. Hate activity demeans difference. It breeds suspicion, mistrust, alienation, and fear, and promotes exclusion and sets up barriers to communication among various social groups. A critical first step toward eliminating hate-motivated activity is to recognize its various manifestations, and understand some of the root causes of the behaviour.

## I. THE BASICS OF HATE CRIMES

### 1. What are hate crimes?

The *Criminal Code of Canada* recognizes two categories of hate crimes: Sentence-based hate crimes is a broad category that affects sentencing; hate propaganda concerns any spoken, written, drawn, or gestured public statements that aim to convey hate.

#### a) *Sentence-based hate crimes*

- BIAS + CRIME = HATE CRIME  
Hate crimes are all criminal offences motivated by hatred against a person's race, colour, sexual orientation, language, mental or physical, disability, national or ethnic origin, religion, and any other similar personal characteristic.
- It is sufficient that the hate was one motivating factor. In other words, hate does not have to be the main or most prominent cause of the crime. If there is evidence that the crime was partly or wholly motivated by hate, a judge can consider it as an aggravating circumstance and impose a harsher punishment at sentencing.<sup>1</sup>
- "All criminal offences" means that hate crimes can take many forms, including:
  - damage to property
  - vandalism
  - arson
  - assault
  - sexual assault
  - rape
  - murder.



**b) Hate Propaganda**

The *Criminal Code of Canada* distinguishes between two types of hate propaganda. Perpetrators can be charged under two sections of the *Criminal Code*.

**i. Section 318: Advocating Genocide<sup>2</sup>**

This section involves propaganda that would influence or incite someone to kill or inflict conditions to kill members of a group identifiable by their “colour, race, religion, ethnic origin or sexual orientation,” so to destroy the existence of that group.

**ii. Section 319: Public Incitement of Hatred and Willful Promotion of Hatred<sup>3</sup>**

There are two parts in Section 319 that can be used to convict. Both have four components, all of which must be proven in order to indict someone for the crime:

S. 319(1) Public Incitement of Hatred

- Communication of statements
- In a public place
- that incite hatred against any group identifiable by their “colour, race, religion, ethnic origin or sexual orientation”
- where such words are likely to lead to breach of peace.

S. 319(2) Willful Promotion of Hatred

- Communication of statements
- other than in a private conversation
- where the statements are purposefully made to promote hatred
- against any group identifiable by their “colour, race, religion, ethnic origin or sexual orientation”.



The *Criminal Code* provisions mean that not all incidents involving hate can be legally defined as hate crimes. For example, it is not criminal to use racial slurs, wear clothing with racist or hateful symbols, paint racist words on personal property, or tell racist jokes. But, if these odious actions coincide with a recognized crime, they may serve to characterize the offense as a hate crime. These actions by themselves can also be grounds for a human rights discrimination claim. Such a claim would be non-criminal, meaning punishment can be monetary damages, but not imprisonment.

Though many hate-motivated activities may not violate the *Criminal Code*, they are still a form of racial harassment and must not be minimized. Hate incidents are more commonly encountered than hate crimes. Community organizations, along with the media, schools, and social agencies, can play a crucial role in documenting and publicizing these hate incidents.

Leaving hate incidents unchecked can cultivate an inviting environment for hate crimes. Too often, African Canadians are perceived as offenders of crime, rather than the statistical reality as victims of hate crimes. Knowing the prevalence of hate incidents and/or crimes helps us to combat and prevent future occurrences.

## 2. Who commits hate crimes?

- Hate crimes are committed by a perpetrator who intentionally selects the victim(s) because of his or her identifiable characteristics.
- Some perpetrators may be associated with hate groups, such as neo-Nazis or the Ku Klux Klan (KKK).
- Hate crimes are more likely than other crimes to be committed by strangers.
- Hate crimes are disproportionately committed by men or youth.
- Hate-mongers can be found recruiting on college and university campuses, in schools and prisons, and amongst unemployed youth.
- Hate-mongers prey on lonely, disaffected, alienated, often impressionable and/or young people – many of whom may feel that they are on the margins of society.

## 3. When and where are hate crimes committed?

- Hate crimes can take place anywhere and at any time.
- Hate crimes can be experienced in the workplace, school, public places or home.
- Hate crimes can infiltrate people's lives through the internet, flyers, telephone, graffiti, mail and damage to private or public property.
- Hate crimes often take place during particular commemorative events, such as Black History Month.



#### 4. What is the impact of hate crimes?

- Hate crimes affect not only the attacked individual but also the whole community.
- Hate crimes are more likely than other types of offences to involve violence, serial attacks, and multiple offenders.
- Hate crimes are more likely to be directed at people rather than at property.
- Victims of hate crimes are more likely to be youth.
- Victims of hate crimes are often victimized for more than one characteristic. Someone may be attacked because she is African Canadian and lesbian and Muslim.
- Hate crime victims are more likely than non-hate crime victims to experience:
  - intense feelings of vulnerability, anger, and depression
  - a long recovery time
  - physical ailments
  - learning problems
  - interpersonal conflict
  - post-traumatic stress disorder.



PEACE MAKING



## CASE STUDY ON CYBER HATE CRIMES: THE LAW

The popularity and easy access of the Internet allows perpetrators to wield hate attacks with relative anonymity. Its worldwide audience enables perpetrators to connect with immense numbers of people cheaply and with very little effort. Examples of anti-Black hate that may appear on a website include: defamation of Civil Rights leaders, such as Martin Luther King, Jr. and Rosa Parks. Websites can also be used to incite violence against African Canadians and other victim groups, promote hate messages, and deny or diminish the impact of historic atrocities such as the trans-Atlantic slave trade and the Holocaust. Perpetrators have also been known to hack into legitimate anti-racist, ethno-racial and religious websites in order to interfere and cause disruption.

*Slightly less than one half of Internet hate incidents had a chargeable suspect, which is not surprising given the anonymity often associated with these types of hate crimes. Where the sex was known, the majority were male (86%). Unlike hate crimes in general, Internet-related hate crimes tended to be committed by the young, where the average age of those involved was 22.7 years.*

*- Hate Crime in Canada, 2004 (Statistics Canada)*

In Canada, there is legal precedent to close websites that promote hate, and rulings and convictions are being made.

Section 13 of the *Canadian Human Rights Act* prohibits the communication, by telecommunication means that include the Internet, of messages that are likely to expose a person to hatred or contempt on the basis of: race, national or ethnic origin, colour, religion, age, sex, sexual orientation, marital status, family status, disability, and conviction for which a pardon has been granted.

In January 2002, the Canadian Human Rights Tribunal ordered known white supremacist Ernst Zundel to cease publishing hate messages on his website, *Zundelsite*, because his writings violate Section 13 of the Act. Unfortunately, *Zundelsite* is located in the United States and is, therefore, outside the legal jurisdiction of the Canadian Human Rights Code.

On February 4, 2008, the British Columbia Supreme Court was able to convict a white supremacist who posted materials promoting "hatred against identifiable groups, namely Jews, Blacks, homosexual or gay persons, non-whites and persons of mixed race or ethnic origin" on several websites (*R. v. Noble*, 2008 BCSC 215) under s. 319(2) of the *Criminal Code of Canada*.

Sections 318 and 319 of the Criminal Code clearly apply to online communications that spread hate and hate-related violence since the Internet is a publicly-accessed network.



## II. CANADIAN STATISTICS AT A GLANCE

### 1. Understanding the Government's Data Sources

Since the late 1990s, the Canadian government has recognized the importance of collecting data on hate crimes. Since 2001, the Canadian Centre for Justice Statistics (CCJS) has collected and reported data concerning hate-related crimes. The CCJS relies on two types of data sources – police-reported data (Hate Crime Supplemental Survey and Uniform Crime Reporting Survey) and self-reported victimization data (the General Social Survey).

#### What is the self-reported survey on hate crimes?

The General Social Survey (GSS) on victimization is a sample survey for non-institutionalized individuals, 15 years of age or older, who live in the ten provinces. The GSS studies data from eight offences: sexual assault, robbery, assault, break and enter, theft of personal or household property, motor vehicle/parts theft, and vandalism. People who identified themselves as having been victims of one or more of these offences in the preceding 12 months were asked whether they believed the incident could be considered a hate crime and, if so, to indicate the motivation (i.e., race, gender, disability, etc.).

In 2004, the GSS counted over 260,000 self-identified incidents of hate-motivated crime in the 12 months preceding the survey.

While both police-reported and self-reported sources help the CCJS to better understand the extent of hate crimes in Canada, it is difficult to compare the data because of the different data collection methods. The *Hate Crime in Canada 2006* report found that self-reported victimization surveys yield higher hate crime counts than do police-reported surveys, due to the following factors:

- a. Police-reported surveys collect only those hate crime incidents that have come to the attention of the police, and specifically, those incidents that the police decide to categorize as hate crimes.
- b. Many cases handled by the police may not fall within the police department's definition of hate crime. For example, a break and enter in which the house is vandalized, and a swastika spray-painted on the wall may be recorded simply as a break and enter, and not a break and enter motivated by hate.



- c. Police-reported surveys will sometimes list only one identifiable characteristic per incident. Therefore, it is possible that a police officer would categorize an incident as a hate crime motivated by, for example, the victim's disability, rather than noting both race and disability. In contrast, the self-reported victimization surveys collect multiple motivations for each hate crime incident.

Another potential weakness of the CJSS statistics is the lack of information sharing among the collected police data from each province and territory. There is currently no national or regional databank to record hate crime statistics, and no uniformity in the criteria used for identification.

For African Canadian communities, the difference between these two types of data collection is critical to the under-documentation of anti-Black hate. Many African Canadians, especially immigrants and members of the lesbian, gay, bisexual and transgender (LGBT) community, often hesitate to report hate crime incidents to police or other government authorities. As well, systemic discrimination and the history of anti-Black sentiment in Canada arguably contribute to the downplaying of African Canadian victimization.

## 2. Racially-Motivated Hate Crimes Findings

Despite differences in reporting methods, both police-reported and self-reported victimizations surveys have found that race/ethnicity was the most common motivating factor for hate crimes in Canada.

- In 2006, 61% of hate crimes reported by the police were motivated by race/ethnicity, compared to 66% reported by victimization surveys in 2004.<sup>4</sup>
- In 2006, 48% of the victims of all racially motivated hate crimes were Black. The next highest group was South Asians, at 13%.<sup>5</sup> The 2006 data for Black victims show a disturbing increase from the 2002 statistic of 30%.<sup>6</sup>
- Of the total number of police-reported violent crimes that were motivated by racial/ethnic hate, 48% were committed against African Canadians.<sup>7</sup>



**Chart 2**  
**Police-reported hate crime by type of race/ethnicity, Canada, 2006**

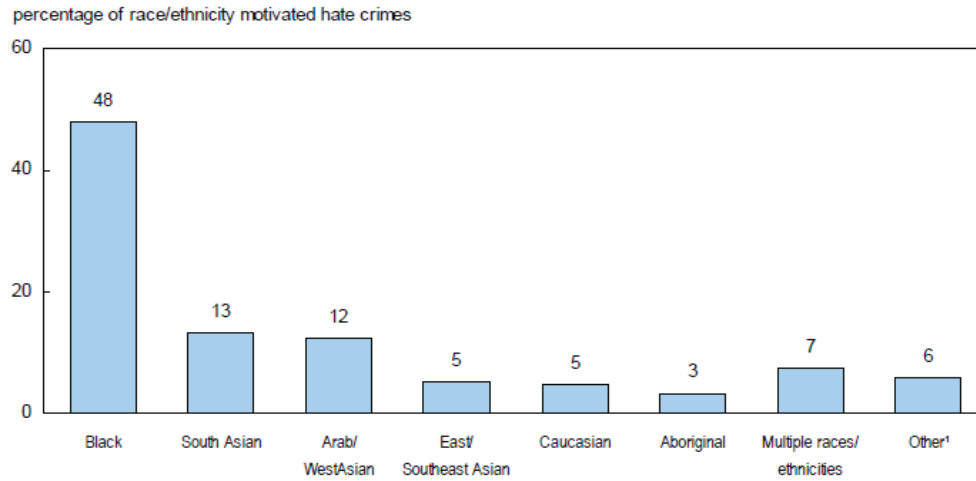
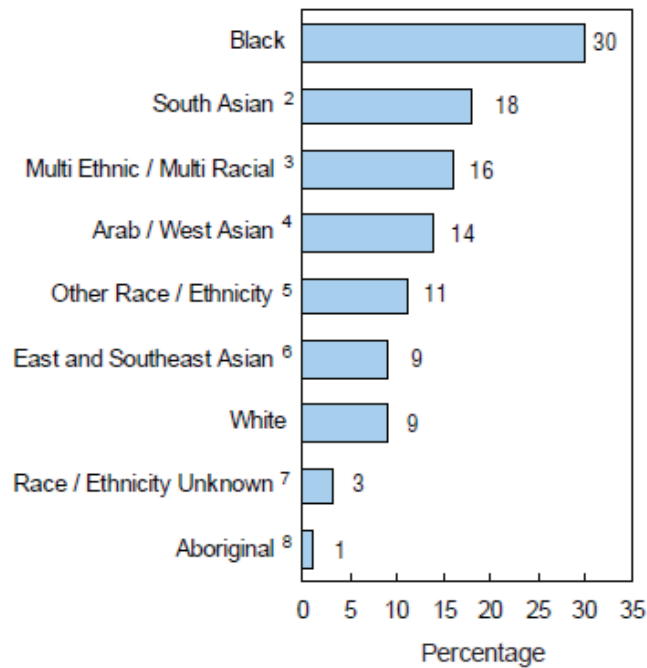


Chart 1. (source: *Hate Crime in Canada, 2006* (Ottawa: Statistics Canada, 2008), p. 12)

**Blacks Most Likely Targetted Among Race Ethnicity Hate Crimes In Twelve Major Police Forces in Canada<sup>1</sup>, 2001-2002**



*Note: Totals may equal more than 100% due to multiple responses.*

Chart 2. (source: *Hate Crime in Canada, 2002* (Ottawa: Statistics Canada, 2008), p. 10)





### 3. Hate Crime Findings Due to Other Identifiable Characteristics

As mentioned above, police-reported surveys only document one motivating factor for each hate crime incident. Given the diversity of African Canadian communities, it is important to examine how hate-related activity was motivated by identifiable characteristics other than race. 2006 statistics show the following:

- police-reported surveys reported that over one-quarter of all hate crimes were motivated by religion.<sup>8</sup>
- over 60% of religion-based hate crimes were committed against Jews and almost one-quarter against Muslims.<sup>9</sup>
- the victimization survey reported that gender was a motivating factor in 27% of hate crimes, whereas it was a factor in only 1% of police-reported hate crimes.
- police-reported surveys and victimization surveys indicate that sexual orientation was a motivating factor in 10% and 11% of cases, respectively.

### 4. Victims and Perpetrators of Hate Crimes

The collected statistics also provide information on victims and perpetrators.

- Youth between ages 12 to 17 are more likely than adults to commit hate crimes.<sup>10</sup>
- In 2006, youth accounted for 38% of people accused of hate crimes, representing double the proportion of youth accused of committing non-hate crimes.<sup>11</sup>
- Youth between the ages of 15 to 24 are more vulnerable than adults to violent hate crime victimization.<sup>12</sup>





### III. THE HISTORICAL CONTEXT OF ANTI-BLACK HATE IN CANADA

In order to understand contemporary anti-Black hate in Canada, it is important to grasp the tenacity of anti-Black racism throughout Canadian history. Canada was by no means innocent to the enslavement, exclusion, and discrimination of African Canadians. The following are but a few examples.

#### ***New France (1600s – 1760s)***

The African Canadian community is one of the oldest non-Aboriginal communities in Canada. African slavery existed in Canada from 1628 until it was abolished in 1843. About 1,500 African slaves were brought to Canada under the French regime,<sup>13</sup> and another 2,000 came to Canada after the American Revolution, because their masters were loyalists.

Most slaves lived in urban areas under their fur trader owners, toiling as housekeepers, cooks, and personal servants. In 1734, Marie-Joseph Angélique, a Portuguese-born slave who was sold to a wealthy French fur trader, was accused of setting the fire which ultimately engulfed 46 buildings in Old Montreal. She was tortured by having her leg bones shattered, after which she confessed, and was sentenced to public hanging and the chopping off of her hands. The royal executioner who carried out the sentence was also an African slave.

#### ***Black Loyalists (1760s – 1860s)***

The Black Loyalists who came to Canada after the American Revolution were free men, but they were denied most of the rights and benefits accorded to their white counterparts. Blacks were denied any right to a jury trial and often received harsh sentences for the same minor crimes, including public lashing, banishment, and forced labour, while Whites would typically receive a fine.<sup>14</sup>

Blacks were paid much less and frequently did not receive the provisions guaranteed by the Nova Scotian government to Loyalist settlers. Nor did Blacks receive the promised farmland. To provide for their families, many Blacks had to indenture themselves to White settlers, which often led to abuse.

#### ***Canada in the 20th Century***

During World War I, many African Canadian men volunteered to enlist in the army. The military was at that point segregated, and the men were refused. Bowing to public pressure, the military finally created an all-Black military battalion, but only in a construction, and not a fighting, capacity.<sup>15</sup>



In 1946, nine years before American Rosa Parks refused to give up her bus seat, Nova Scotian Viola Desmond refused to give up her movie theatre seat on the ground level, which was reserved for whites. For this, she was charged and convicted of tax evasion, because the main level seats cost more than the balcony ones assigned to African Canadians.<sup>16</sup> During the trial, race was not mentioned and the case proceeded as if it was a neutral adjudication of tax evasion. She lost her subsequent legal appeal, suffered financial losses to her beauty parlour business, and lost her faith in the ability of the Canadian justice system to uphold her rights.

Though not as well known as the American one, Canada also had a civil rights movement, spurred by long-standing *de facto* and *de jure* discrimination against African Canadians.<sup>17</sup> One story is Hugh Burnette's. When he returned home to Ontario after serving in World War II, he was denied service at a local restaurant. In 1947, Burnette and some friends pressured the council in the town of Dresden to enact an equality bylaw. This bylaw went to the voters in a referendum, in which the people sided with the restaurant owner. Other minorities joined in the cause and brought their case to the Ontario legislature.

Discrimination in housing and employment became illegal in Ontario in the early 1950s; however, to test the law, two African Canadian patrons returned to the Dresden restaurant and were again refused service. Further similar tests finally shifted the restaurant's policy towards minorities. Although Hugh Burnette was vindicated, no one in town wanted to hire him as a carpenter and his business failed.

In Ontario, another pivotal moment in addressing anti-Black hate occurred during the early 1990s. The Canadian Black community and supporters had consistently raised concerns over a number of police-affiliated injustices, including police shootings that resulted in the separate deaths of eight young African Canadian men in the greater Toronto area. In May 1992, a peaceful march to protest systemic racism and inequity was undermined by an unruly minority, and eventually escalated into conflict and violence on Toronto's Yonge Street. In the aftermath of the Yonge Street riots, Premier Bob Rae appointed Stephen Lewis as his Advisor on Race Relations. Lewis conducted consultations in communities across Ontario. The report on "Racism in Ontario"<sup>18</sup> was submitted to the government during the summer of 1992.



*“First, what we are dealing with, at root, and fundamentally, is anti-Black racism. While it is obviously true that every visible minority community experiences the indignities and wounds of systemic discrimination throughout Southern Ontario, it is the Black community which is the focus. It is Blacks who are being shot, it is Black youth that is unemployed in excessive numbers, it is Black students who are being inappropriately streamed in schools, it is Black kids who are disproportionately dropping-out, it is housing communities with large concentrations of Black residents where the sense of vulnerability and disadvantage is most acute, it is Black employees, professional and non-professional, on whom the doors of upward equity slam shut. Just as the soothing balm of ‘multiculturalism’ cannot mask racism, so racism cannot mask its primary target. It is important, I believe, to acknowledge not only that racism is pervasive, but that at different times in different places, it violates certain minority communities more than others. As one member of the Urban Alliance on Race Relations said: “The Blacks are out front, and we’re all lined up behind.”*

*- Stephen Lewis, “Racism in Ontario” 1992*

Anti-Black hate incidents are still a reality in Canadian society. The following cases give just a small cross-section:

- **Ottawa**  
On an evening in March 1999, Ahmed Ali Hashi, a 41-year-old Somali refugee, was beaten to death by a White man and woman. Both perpetrators were tried for manslaughter in late 2000 and early 2001, but both were acquitted.<sup>19</sup>
- **Kitchener**  
A disabled 33-year-old Kitchener man, an immigrant from Sudan, was viciously beaten by a group of men on July 15, 2006. Francis Pitia was knocked to the ground and was beaten with his own crutches. Four men were charged in the case, one pled guilty to assault. Six years earlier, a young Black Man, Howard Joel Munroe, was beaten to death in the same vicinity by a group of white youth shouting anti-Black racial slurs.



- **Halifax**

"A [2007] celebration of the Black history of a former town in Halifax was marred by the discovery of racist graffiti throughout the park hosting the event. As former residents of Africville and their descendants set up tents and trailers in Seaview Park for the annual event, they discovered at least five picnic benches with disturbing messages scrawled across them. 'Seaview park belongs to Whites,' one read, while another said, 'Kill all black children.'" <sup>20</sup>

Anti-Black racism is often functionally normalized or rendered invisible to the larger Canadian society because it is often either condoned or viewed as not truly existing.

In Canada, people of African descent continue to be identified more as aggressors or criminals than as actual victims of hate crimes. Canadian anti-Black racism in its contemporary form repeats the historical practices of racial segregation, economic disadvantage, and social division.

It is exacerbated by limited access to meaningful employment, decent and affordable housing, education, social, and recreational services. It involves systemic discrimination in government-regulated departments and agencies that deal with immigration and refugee issues, justice, employment and labour, health, education. The long history of Canadian anti-Black racism remains disturbingly, violently, invisibly, alive.



UNITY



## IV. THE GLOBAL PHENOMENON OF ANTI-BLACK HATE

Anti-Black hate crime reaches far beyond Canada and the United States. Placing the Canadian experience in an international context helps to understand some of the universal motivations underlying anti-Black racism. A look at the experience of Black people in other countries may help identify ways Canada may address anti-Black hate.

### 1. Global Reasons for Anti-Black Hate

While there are myriad and complex reasons for anti-Black hate, common factors are a domestic history of racism, anti-immigrant sentiment, and a state's response, or lack thereof, to periods of racial/ethnic tension.

#### 1) *History of Racism*

Notwithstanding a country's legal and policy reforms, the systemic social structures that have historically dehumanized people of African ancestry may remain embedded in the psyche of country's ruling social group.

#### 2) *Anti-Immigrant Sentiment*

The arrival of immigrants in homogenous countries can trigger a fear of the unknown among the citizenry. This fear of difference and a reliance on societal stereotypes can result in feelings of justification for engaging in anti-Black hate crimes. This perceived justification can also be promoted when a society blames Black immigrants for its socio-economic ills.

#### 3) *State Action/Inaction to Racial/Ethnic Tension*

When state agencies engage in acts of racism or fail to deal with overt, subtle, and systemic forms of anti-Black racism, their stance sends a strong message to all citizens that the state tolerates racism. This may lead some citizens to justify their own anti-Black hate-related activity. A country's actions or inactions are often exacerbated by its history of racism.

As you read the country excerpts and the list of global events below, think of how these three factors might have contributed to the occurrences of hate.

#### *United States*

In the United States, the majority of hate crimes are, by far, perpetrated against African-Americans. Targeted attacks on Black churches have strategic significance for white supremacists past and present – churches were and continue to be the centre of African-American community and activism. As well, lynching remains one of the most infamous symbols of racist hate.<sup>21</sup> For Black communities in the United States and in Canada, the noose evokes a terrifying historical legacy of



socially sanctioned murder. Indeed, hate crimes against Black people insidiously impact the entire society, not only for the immediate harm they cause, but also for the racist history they unearth.

### ***South Africa***

One of the most pervasive models of state-sanctioned anti-Black hate was in apartheid South Africa. In 1948, South Africa officially institutionalized its racist, anti-Black practices by passing laws that categorized the country's racial groups, so to mete out or deny legal rights according to the worth of one's skin. Black South Africans experienced the most dehumanizing treatment. South Africa also took a leaf from the Canadian policy of forced Aboriginal reserves: *bantustans*, or homelands, were created to control the migration and citizenship status of Black South Africans. While many socio-economic changes occurred with the dismantling of apartheid in 1994, anti-Black hate persists, and the socioeconomic power imbalance continues to run deep.

### ***Australia***

Australia's indigenous Black population, the Aborigines, have endured persecution that ranges from the loss of land and dignity, to outright attempts to eradicate entire communities through disease, starvation and poisoning. In 2000, a member of the Ku Klux Klan was charged with racist attacks against members of the Aborigine community. The Australian United Skinheads and the World Church of the Creator (WCOTC) (now called The Creativity Movement), an extremist group aligned with the KKK, also committed hate activities against Aborigines. Following reports of race-hate activity in at least four regions, the Queensland Government introduced legislation banning racial vilification.

### ***Russia***

The Sova Information Analytical Centre found that in 2005 alone, 28 people were murdered and 366 assaulted on the basis of race. As police and prosecution authorities frequently prefer to classify hate crimes as so-called acts of "hooliganism," and fail to report or register them, the actual figure could be much higher.<sup>22</sup> The state's law enforcement inaction can lead victims of racially motivated crimes to not report the incidents, resulting not only in undercounting incidents but also in a chilling effect on Black citizens' sense of well-being and safety.



## 2. Global News Events

The following is a snapshot of international hate incidents from around the world. In fact, many hate crimes against Black people remain undocumented.

**Jena, Louisiana:** In September 2006, Black high school students sat under a tree “traditionally” reserved for white students. The next day, three nooses hung from the tree. When three white students were found responsible, the principal recommended expulsion; however, the board superintendent overruled that decision and, instead, gave them each a 3-day suspension.<sup>23</sup>

**St Petersburg, Russia:** Three Africans were killed in suspected race attacks. When Somali civil engineering student, Mukhtar Ahmed Osman, was beaten unconscious in the snow by a gang of teenagers in a Moscow suburb, nobody came to his aid.<sup>24</sup>

**Moscow, Russia:** A Ghanaian man was viciously attacked by four White men. Due to the police’s pattern and practice of not investigating anti-Black hate crimes and generally blaming the victims, the Ghanaian man did not report his attack.<sup>25</sup>

**Nanjing, China:** In December 1988 and January 1989, university students staged protests against visiting African students. The anti-African resentment led to hostility and violence directed against African students.<sup>26</sup>

**Jasper, Texas:** While walking home from his niece’s party on June 7, 1998, James Byrd was abducted by three White men, taken to a remote spot, chained to the back of a pick-up truck, and beaten. Byrd was then dragged behind the pick-up truck for 3 kms, leaving a trail of blood and body parts along the road. The three men were charged and eventually convicted of murder.<sup>27</sup>

**Sasolburg, South Africa:** In August 2000, a white South African, Pieter Odendaal, told the court he couldn’t remember what happened on the night he tied his black employee, Mosoko Rampuru, to the back of his pickup truck by a length of wire, and drove through the industrial outskirts of town until Rampuru’s lifeless body had been stripped of flesh.<sup>28</sup>

**Johannesburg, South Africa:** Four white policemen set their dogs on three black Mozambicans, who were savaged while the officers laughed. A video taken of the attacks was shown at police parties as entertainment. The policemen were sentenced for aggravated assault.<sup>29</sup>

**Johannesburg, South Africa:** In 1999, four white South African men were sent to prison for the racially-motivated killing of two elderly black men. Sixty-two year-old Sam Lebatla, and 56-year-old Andries Songelwa were beaten to death in a conservative farming town near





Johannesburg.<sup>30</sup>

**Rockhampton, Australia:** The chairman of the Palmtree Wataru Aboriginal Corporation reported that the city was plastered with stickers declaring: “White Race Awake - White People Unite.” Aborigines had also received anonymous phone calls that referred to them as “black scum.”<sup>31</sup>

**Darfur, Sudan:** Since 2003, more than 100,000 Black Sudanese have been killed, and one million displaced, due to state sanctioned attacks by militias who identify themselves as Arabs. The militia groups are composed of Arabs who are equally as dark as the Black Sudanese.<sup>32</sup>



SAFETY



## V. LEGAL REMEDIES TO ANTI-BLACK HATE CRIMES

The law can be a powerful tool to redress anti-Black hate crimes. This section provides an overview of the federal, provincial, and international legal remedies available to victims and community members faced with anti-Black hate activity.

### 1. Federal Laws

#### *a) Canadian Charter of Rights and Freedoms*<sup>33</sup>

The *Canadian Charter of Rights and Freedoms* is part of the Canadian Constitution, which supersedes all federal, provincial, and municipal law made in Canada. The principles and rights expressed in the *Charter* guide the creation of new legislation, as well as the government's application of already existing laws. The *Charter* states the basic legal rights of all citizens, including the right to vote, fair trials, freedom of mobility, and due process. In the context of hate activity, two sections of the *Charter* are most relevant.

#### **Section 15 (1): Equality Rights**

"Every individual is equal before and under the law and has the right to the equal protection and equal benefit of the law, without discrimination and in particular, without discrimination based on race, national or ethnic origin, colour, religion, sex, age, or mental or physical disability."

#### **Section 27: Multicultural Heritage**

"This charter shall be interpreted in a manner consistent with the preservation and enhancement of the multicultural heritage of Canadians."

### ***The Charter as a Legal Remedy***

Based on Section 15 (Equality Rights), the *Charter* can be used to strike down a discriminatory law, or a discriminatory application of a law. But to invoke a *Charter* remedy, a person must be able to show that the government, or a government agent, caused the discrimination. Challenging a law is fairly straightforward, since laws are created by the government. It becomes more complicated if the alleged discrimination was done by an institution or agent, such as a hospital, or by a person working in the institution. The relevant test is the degree of control and oversight the government has over the institution.

This is a relatively complex legal point, and using the *Charter* as a legal remedy usually entails considerable legal knowledge and procedure since a *Charter* case is similar to suing the government. The *Charter's* applicability as a hate crimes remedy may also be more remote, as one would have to prove that the government or a government agent violated Section 15 by committing, during the course of its duties, a bias-motivated criminal act.



In the context of hate crime legal strategy, the *Charter* may be more powerfully used to allege discriminatory provision of a specific government public service, such as a police investigation into a hate incident.<sup>34</sup> The caveat remains though, that mounting a case using the grounds of the *Charter* is expensive and complicated.

**b) *Canadian Human Rights Act*<sup>35</sup>**

**Section 5: Denial of good, service, facility or accommodation**

“It is a discriminatory practice in the provision of goods, services, facilities or accommodation customarily available to the general public

- (a) to deny, or to deny access to, any such good, service, facility or accommodation to any individual, or
- (b) to differentiate adversely in relation to any individual,
- (c) on a prohibited ground of discrimination.” [race, national or ethnic origin, colour, religion, age, sex, sexual orientation, marital status, family status, disability and conviction for which a pardon has been granted.]

**Section 12: Publication of discriminatory notices, etc.**

“It is a discriminatory practice to publish or display before the public or to cause to be published or displayed before the public any notice, sign, symbol, emblem or other representation that

- (a) expresses or implies discrimination or intention to discriminate, or
- (b) incites or is calculated to incite others to discriminate...”

**Section 13: Hate messages**

“It is a discriminatory practice for a person or a group of persons ... to communicate telephonically or to cause to be so communicated, repeatedly ... any matter that is likely to expose a person or persons to hatred or contempt by reason of the fact that that person or those persons are identifiable on the basis of a prohibited ground of discrimination.”

***The Canadian Human Rights Act as a Legal Remedy***

Unlike the *Charter's* focus on state actors, the *Canadian Human Rights Act (Act)* applies to discriminatory incidents between private individuals, on matters that are under federal legal jurisdiction. This jurisdiction includes, among other areas, federal government agencies and institutions, telecommunications, banking, mail delivery, aboriginal affairs, patents, and maritime law. So, for example, if a bank employee committed, in the course of his work duties, a discriminatory or hate incident against you, you could seek a remedy under the *Act*.



Again, unlike the *Charter*, invoking a remedy under the Act does not require starting a court case. Instead, a person writes up a complaint detailing the hate or discriminatory incident, and files it with the Canadian Human Rights Commission. The Commission will then:

- Screen the complaint to determine whether the incident falls under the Act's federal jurisdiction.
- If yes, the complaint is investigated by the Commission, which acts to uncover facts, and interview the people involved.
  - Sometimes, the facts uncovered will lead to an early settlement and remedy that the victim and perpetrator can both agree on.
- If the complaint cannot be settled at the early stage, the Commission will then prepare a report.
- The Commission will determine whether to dismiss the complaint for lack of evidence, appoint a mediator, or refer the complaint to the Canadian Human Rights Tribunal.
- The Canadian Human Rights Tribunal is an adjudicative forum like a court, but much more informal and less expensive to prepare for, and without some of the legal complexity that would necessitate hiring a lawyer. The Tribunal would then hear the case from both parties and any witnesses, consider the evidence, and decide on a remedy.

Section 13 has been a particularly useful tool in combatting hate incidents. As part of its investigative role, the Commission has identified and now monitors several telephone lines that have been disseminating hate messages, directed mostly at members of the LGBT communities, people of colour, and Jewish people. Individuals and community groups can alert the Commission to the existence of any anti-Black hate telephone hotlines or websites.

#### **c) Customs Tariff**

Under Section 114 of the *Customs Tariff*<sup>36</sup>, Canadian Customs officials can examine materials entering Canada to determine whether these constitute propaganda under the Criminal Code, (Sections 319 and 320 (8)). The *Customs Tariff* can be invoked to prevent anti-Black hate propaganda from entering Canada.

#### **d) Canadian Radio-Television and Telecommunications Commission (CRTC)**

In accordance with the *Broadcasting Act*<sup>37</sup>, the CRTC can regulate the content of radio and television programming. The CRTC has established two sets of regulations – *Radio Regulations, 1986* and *Television Broadcasting Regulations, 1987* – prohibiting any abusive language or representation likely to expose an individual, group, or class of individuals to hatred or contempt based on race, national or ethnic origin, colour, religion, sex, age or mental or physical disability. Community members can lodge a complaint with the CRTC, which can result in the revocation or suspension of a radio or television license.



### **e) *Canada Post Corporation Act***

Under subsection 43 (1) of the *Canada Post Corporation Act*<sup>38</sup> individuals, organizations, and groups are prohibited from using the mail delivery system to commit an offence, including offences contrary to the hate propaganda provisions of the *Criminal Code*. This provision is only triggered once a complaint has been filed against the sender.

## **2. Provincial and Territorial Laws**

### **a) *Provincial Human Rights Law and Commissions as Legal Remedy***

All of the provinces and territories have human rights laws and government human rights agencies mandated to prevent and adjudicate cases of discrimination. These laws and agencies have legal jurisdiction over all matters not covered by the federal sector. Therefore, most hate and discriminatory incidents will likely be addressed under provincial human rights laws, by the provincial human rights commissions.

While there is some variation among the provincial human rights laws, commissions are generally authorized under their province's statutes to prohibit discrimination or harassment in:

- accommodation (rented or owned)
- provision of services and goods (i.e., education)
- use of facilities (i.e., a park)
- contracts (written or oral)
- employment
- membership in vocational associations and trade unions.

The protected grounds of discrimination are similar to those of the federal Commission:

- race, colour
- ancestry, place of origin, ethnic background
- citizenship
- religion
- sex
- disability
- sexual orientation
- age
- marital or family status.

Community members can file a human rights complaint with the Commission in their province or territory. Be aware though, that a Commission will likely have a limitation period for when the complaint can be filed. In Ontario, for example, the complaint can only be filed within one year of the date of the discriminatory incident. Human Rights Commissions staff can assist in the filing of a complaint.



As with the federal Human Rights Commission, if a complaint is not settled, it may proceed as a case before the province's Human Rights Tribunal. Both parties then have the opportunity to present evidence and witnesses supporting their allegation or defense of the discriminatory incident. A Tribunal Member who is versed in human rights law would hear the case, and decide on a remedy. The Tribunal Member is not a judge, but often has prior legal training, and is obligated to act fairly and impartially.

Although some anti-Black hate incidents may not be deemed criminal offences under the law, they may nonetheless violate federal or provincial human rights laws. Victims and community members should consider filing a complaint with their provincial human rights commission, especially when criminal legal remedies are not available.

### **3. International Treaties**

International law recognizes the importance of human rights and anti-discrimination. Below are the most relevant international treaties which Canada has signed and ratified.

#### ***a) Universal Declaration of Human Rights (1948)***

The Universal Declaration of Human Rights establishes the basic legal framework upon which Canadian anti-discrimination legislation is based, including legislation protecting identifiable groups against hate activity.

#### ***b) International Covenant on Civil and Political Rights (ICCPR)***

The ICCPR specifically prohibits hate propaganda. Article 20 (2) of the ICCPR stipulates, "Any advocacy of national, racial or religious hatred that constitutes incitement to discrimination, hostility or violence shall be prohibited by law."

#### ***c) International Convention on the Elimination of All Forms of Racial Discrimination (CERD)***

CERD is a United Nations organ that explicitly requires signatory states, like Canada, to condemn, eliminate, and legislate against racism and hate propaganda. It also mandates state parties to protect racial minorities and ensure their full social-political participation in the state. Article 4 of CERD stipulates:

- (a) [States] [s]hall declare an offence punishable by law all dissemination, as well as all acts of violence or incitement such as acts against a race or group of persons of another colour or ethnic origin, and also the provision of any assistance to racist activities, including financing thereof.



## International Treaties as Legal Remedy

Using international treaties to gain remedies for domestic hate incidents is problematic because international law usually cannot enforce compliance. In international law, nations are largely seen as sovereign actors with the power to make and enforce their own laws without interference from other states. Therefore, while an international treaty can stipulate that Canada take legal measures to prohibit racial discrimination and hate crimes, no international body exists to legally “punish” Canada if it fails to take those measures. As well, neither the ICCPR nor CERD has a tribunal-like forum to hear cases of racial hate. Given these constraints, it would be very difficult to use the above international treaties to invoke some legal right or remedy owed to a victim of hate crime.

However, these international treaties can be effectively used as lobbying tools. Every five years, Canada attends a CERD session and is required to submit a report on race relations and racial discrimination in Canada. Canadian community organizations can also send a “shadow report,” and make submissions on Canadian racial issues before the CERD Committee at that time.

Afterwards, the CERD Committee issues its report with commendations and recommendations for the Canadian government. These recommendations can shed an unflattering light on Canada, and the ensuing embarrassment from the international rebuke can be a powerful incentive for the government to remedy the identified lapses.

For examples of shadow reports written by community organizations on the occasion of Canada’s 2007 CERD session, see: <http://www2.ohchr.org/english/bodies/cerd/cerds70-ngos-canada.htm>.



FRIENDSHIP



# Individual and Community Action

We are all responsible for stopping hate. While a hate incident may seem like an isolated occurrence, hate-motivated activity is a pervasive social problem that affects individuals and communities alike.

Beyond its obvious impact on the individual victim(s), anti-Black hate crime damages the psychological well-being of Black communities. Hate crimes denigrate difference, promote isolation and exclusion, as well as undermine the importance of diversity in contemporary Canadian society. Hate crimes also breed mistrust, alienation, and fear. Ignoring or denying that a hate incident has occurred gives perpetrators the impression that society condones their actions.

Below are strategies we all can use to voice our condemnation, and to break the cycle of intimidation and violence.

## I. IMMEDIATE RESPONSE TO ANTI-BLACK HATE

The most effective action against hate crimes is to acknowledge that a hate incident has occurred. Sometimes we may not immediately recognize the hate ideologies motivating the incident, or downplay the seriousness and involvement of systemic discrimination. Other times we may not know which person or what resource to turn to. A hate crime victim needs particular supports, and as soon as possible.

This section covers some basic guidelines for those crucial moments following an incident, so victims can get the help they need right away.

### 1. Ensure the Safety and Well-being of Victim(s) of Hate Crimes

Here is a useful checklist for a witness or community member to use when responding to an incident of hate crime. It was put together by the City of Toronto in its report *Hate Activity: Communities Can Respond*.





1. Is there any physical injury?
  - If there has been physical injury, seek immediate medical attention.
  - The victim should be accompanied to the nearest hospital or clinic, or call an ambulance.
  - Ask the doctor or nurse to provide a complete medical report.
2. Is there any physical danger to others?
  - Determine if anyone else in the vicinity of the attack has been harmed or still is at risk of harm.
  - Obtain assistance for or warn others who may face immediate danger.
3. Is there any sign of sexual assault, forcible confinement, or kidnapping?
  - Call the local women's shelter, or rape crisis centre.
  - With the consent of the victim, seek medical attention and inform medical staff of the possibility of a sexual assault.
  - Ask the doctor or nurse to provide a complete medical report.
4. Has someone's property been stolen or damaged?
  - If the incident occurred at someone's house or apartment, ask if the place is safe to enter or stay in. You may need to contact friends or relatives of the victim, or the police to help determine that the property is safe.
  - As appropriate, contact the housing manager or landlord to ensure proper safety of the dwelling.
5. Have the police been contacted, with the consent of the victim?
  - If the police have not yet been notified, ask the victim why, and clarify whether the victim wants police involvement
  - If the police are involved, ask the victim if he or she wants a friend or family member to be present for support during the police interview.
  - Ask if the victim would like a translator present if he or she is not comfortable with speaking English or French at this time.

## 2. Document Hate Incidents

It is important to document the evidence and identities of involved parties to an anti-Black hate incident as soon as possible. The information gathered can be instrumental to filing a report and obtaining an effective legal, media, or community response.



### ***VICTIM WRITTEN RECORD***

As soon as he/she feels safe, a victim should write down everything he/she can remember about the incident, including:

- Statements made by the perpetrator(s) that would indicate that the crime was racially motivated
- Your own perceptions on why you think the crime was racially motivated
- The manner and means of attack
- Date, time, and location of incident
- Use of hate symbols, such as nooses or burning crosses
- Names and contact information of all victims
- Names and contact information of any witness
- Description of the perpetrator(s), including gender, age, height, race, weight, clothes, and any other distinguishing characteristics.

### ***COMMUNITY ADVOCATE'S WRITTEN RECORD***

It might be fruitful to have a person whom the victim feels comfortable with conduct an interview with the victim. An interview can help reveal more details about the incident, and provide an opportunity to further support the victim.

The type of interview may be conducted in person or over the phone. Let the victim tell his or her entire story first, without interruption. When he or she is finished, consider whether the 5Ws – who, what, where, when, and why – are clear. Ask questions to fill in any gaps. Can someone else reading the written record get a vivid picture of what occurred, and why it was racially motivated?

Follow-up interviews with the victim can also be helpful. Try to get more background on the hate incident. For example: how long has the victim lived in the area? Has he or she been the subject of previous attacks? Have other hate crimes occurred in that area? What was the response from police or other agencies? Is the victim involved in the Black community, as well as in other activities relating to nationality, religion, disability, sex, sexual orientation, anti-racism, or community activism? Are there ongoing neighborhood conflicts or problems that may have contributed to the act?

Another option is to interview witnesses. Because some witnesses may be suspicious, or fear they will be targeted for similar hate crimes, be clear about your community organization's anti-racism mandate, and your intentions for the collected information. Emphasize that the discussion is confidential.



## INTERVIEW DO'S AND DON'TS FOR COMMUNITY ADVOCATES

*(Sourced from Hate: Communities Can Respond, Municipality of Metropolitan Toronto)*

### DO'S

- ✓ Be calm
- ✓ Conduct the interview in a quiet, private space
- ✓ Encourage the victim to have a friend or family member nearby if he or she wishes
- ✓ Arrange for a competent translator if needed
- ✓ Respect the victim's wishes for privacy and confidentiality
- ✓ Take notes
- ✓ Listen attentively
- ✓ Be tactful and sincere
- ✓ Be aware of intersecting types of discrimination (e.g., if the person is Black and female and disabled)

### DON'T

- X Don't interrupt
- X Don't start by filling out the incident report or questionnaire
- X Don't be judgmental
- X Don't make assumptions
- X Don't be dismissive or interrogate
- X Don't use a questioning or suspicious tone

## CREATE AN EVIDENTIARY RECORD

### Take Photographs of:

- any physical injuries
- vandalism/damage to property
- location where the incident occurred
- any offensive graffiti.

### Preserve, and if possible, make copies of, Physical Artifacts, such as:

- any notes/hate mail made or sent by the perpetrator(s). Print and save all hate e-mails received.
- damaged clothing, or objects of personal property.
- recordings of hate telephone calls. Note the time and nature of the call, and who received the call. Transcribe the call.



## Medical Records

- Obtain and keep all medical reports of the victim, with his or her consent. This may be important for later media and community action. (Note: Medical staff in emergency wards are required to report to the police suspected assaults and wounds caused by weapons).



LEARNING



## II. REPORTING HATE-MOTIVATED ACTIVITY

This section details how to report a hate incident to the police, the media, or a community advocacy organization. While these three institutions have different organizational procedures and goals, some general strategies to effectively present your case include:

- Have a support person - community leader, clergy, lawyer, friend or family member - nearby when making the report, and emphasize your expectation of a serious response.
- Ask about the policies and procedures in place to address hate-motivated activity.
- Obtain the names of and contact information for the people you have directly contacted.
- For the institution being reported to, address, to the best of your ability, any concerns (e.g., privacy, immigration status) the victim may have with reporting, especially to a governmental institution.
- Be sensitive to the reasons why someone might not want to report or publicly recount the hate incident.

### 1. Police/Law-Enforcement

If the hate-motivated activity physically harms a person or threatens a person's safety, the police will likely be called. The call may be done by the victim him-/herself, a witness, or a concerned family or community member. If the police have not yet been called, and if the victim does not need immediate medical attention, it is important to ask the victim if he or she does want police involvement. Considering the history and ongoing tensions between the police and the African Canadian community, it is not unlikely that a victim may distrust the police. He or she may be concerned about the possible impact discrimination may have on the handling of the hate crime case. Considering the dehumanizing nature of hate-motivated activity, it is important to respect a victim's wishes. Recovering a sense of personal agency and respect can be crucial towards healing from a hate incident.

If the police have been called, or if the victim desires such, here is a typical sequence of events from investigation to potential prosecution:<sup>39</sup>

#### 1) Preliminary Investigation

Upon arriving at the crime scene, police officers will first secure the area; request medical attention for any person harmed; ensure the safety of the victim(s), the perpetrator(s), and any possible witnesses; preserve the crime scene and collect physical evidence; and identify suspected perpetrators and witnesses to the crime.



## 2) Follow-Up Investigation

The police may conduct a follow-up investigation to again interview the victim(s) and witnesses; document the circumstances and apparent motives surrounding the event; and locate and arrest any perpetrators not apprehended at the crime scene.

It might be useful at this stage to provide police officers with the victim's written record and any interviews done by a community advocate. The information can help flesh out the hate motivations underlying the incident, and focus police resources and expertise towards an in-depth investigation of the crime as a hate incident.

As a victim or witness, you are within your right to not answer a police question if you do not want to do so. This may be pertinent if you feel the question is invasive or irrelevant.

## 3) The Decision to Lay Charges

If the perpetrator is identified, and if there is enough evidence linking him to the crime, the police will likely lay charges. The investigating officer will ask the victim to complete a "Victim Impact Statement," which may be later used by the judge to determine the appropriate sentence. Depending on the seriousness of the crime, the accused may be released right away, or held in custody until the trial, or until a bail hearing. If the released accused is known to the victim, or if the victim does not feel safe, you can ask the police to issue a no-contact order.

## 4) The Decision to Prosecute

After the police lay the charge, it is up to the Crown attorney whether to prosecute the case. Depending on the seriousness of the crime and the strength of the evidence, the Crown may drop the case, or decide with the defense attorney that the accused should plea guilty and settle on a sentence. If the Crown decides to take the case to trial, the trial will probably not occur until some time after the crime. The victim will then likely be a witness for the Crown and has the right to meet with the Crown attorney.



## VICTIM'S RIGHTS

Under s. 722 of the *Criminal Code*, a victim has the right to read out, during the accused's sentencing proceeding, a statement detailing the harms and losses suffered as a result of the offence. The judge can then consider the victim's statement when determining the sentence.

Subject to the availability of resources and other reasonable limits, 2(1) of Ontario's\* *Victims' Bill of Rights* (1995) states that a victim should be informed of:

- the services and remedies available to victims of crime
- the protection available to victims to prevent unlawful intimidation,
- the progress of investigations that relate to the crime
- the charges laid with respect to the crime and, if no charges are laid, the reasons why no charges are laid
- court procedures
- the dates, places, and outcomes of all significant proceedings relating to the prosecution,
- the victim's role in the prosecution,
- the interim release and, in the event of conviction, the sentencing of an accused.

\* The Ontario *Bill* is one example. Each province has similar laws for victims of crimes, some even more robust than Ontario's.

## 2. The Media

The media can be a powerful forum to denounce and spotlight racist hate. The general public may gain greater understanding of the reality of anti-Black hate, and other hate incident victims may feel acknowledged that they are not alone. This is particularly pertinent for the African Canadian community, which has been more commonly portrayed by the media as criminals rather than as victims of racist hate. Leaving hate incidents unpublicized risks the impression that the hate activity was not sufficiently serious to evoke a response; the concern is that the incident is somehow condoned as tolerable.

But publicity is a double-edged sword. Coverage of a hate incident may inspire "copycat" offenses, or the incident may be sensationalized by a media outlet to boost ratings or increase sales. Even if unintentional, media coverage will give extra publicity to hate groups, and may provoke more incidents.



One question to keep in mind: what social good can result from the choice to publicize a hate incident? The answer will undoubtedly be different for victims, community advocates, and the media. This section presents some general guidelines for crafting an effective media strategy to address anti-Black hate. Intended for victims, community advocates, and the media alike, these guidelines recognize that fair media coverage of anti-Black hate is a communal responsibility.

### **1) *Building a Story on a Hate Incident***

- Carefully check the facts behind the hate incident. In addition to the police perspective, ask community members and witnesses about issues such as: past hate crimes in the area; past responses from police or other agencies; the victim's involvement in the Black community, and in other activities relating to nationality, religion, disability, sex, sexual orientation, anti-racism, or community activism; and any ongoing neighborhood conflicts or problems that may have contributed to the hate activity.
- As much as possible, obtain the consent of the victim when deciding whether to report, and what to report. Thoughtfully consider his or her privacy and safety concerns.
- Carefully consider the story's choice of words; how the story is framed, or set in context; the background provided; the conclusions reached or suggestions made.

### **2) *Reporting a Story on a Hate Incident***

- For community advocates seeking to publicize an incident: identify a specific target audience and do not assume people will already know facts or anti-racism perspectives that may be obvious to you. Consider that people don't appreciate being talked down to or preached at. Specify what action you want people to take, how they should do it, and why it will effectively denounce the hate incident.
- For victims and community advocates: write an editorial or a letter to the editor.
- For victims and community advocates: consider issuing a press release of the hate incident. The incident should have occurred within the past two weeks, to be timely. Make sure the press release answers the Who, What, When, Where, How, and the Why of racial motivation. Keep the press release short, and include your contact information. If you send the press release by email, place it in the body of the email and not as an attachment.





- For victims and community advocates: consider organizing a press conference or briefing to inform media of the hate incident (see the African Canadian Legal Clinic’s Policy Manual for further details on holding a press conference).
  - Beforehand, contact the media with a “media advisory” summarizing the information to be presented. Follow up with the contacted media two days before the event.
  - Choose a location that is easily accessible and/or relevant to the incident, such as the location where it occurred. The chosen venue should have ample space and enough electrical outlets to accommodate all those attending the event.
  - Hold the press conference between 10:00 a.m. and 11:00 a.m. or 1:30 p.m. and 3:00 p.m.
  - Limit the number of speakers to a maximum four at the most, and carefully consider their speaking order. For example, if the victim speaks, he or she should go first or last.
  - All statements given should be prepared, poignant, and concise.
  - Prepare answers to anticipated questions beforehand.

### 3. Community Organizations

Community organizations are frequently a main resource for victims of hate incidents. Victims may feel more comfortable first reporting the hate incident to a community organization that they know and trust, rather than to the police or the media.

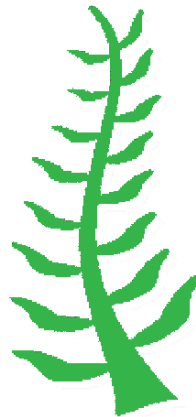
Community organizations are usually prominent among the demographic constituencies which they serve, and often have broad-based mandates that offer programs for youth, community advocacy, education, and social interaction. They may have more experienced insight on the particular needs and culture of their community, and community members may be more willing to see them as trustworthy advocates. Furthermore, some community organizations also have programs and staff that document hate incidents. These qualities make community organizations a powerful partner for victims who (choose to) report their hate incidents.

To our knowledge, there is not yet an African-Canadian community organization that offers formalized services for hate incident victims, or programs that specifically document incidents of anti-Black hate in Canada. That is not to say that informal support networks do not exist, or that African Canadian community organizations are not addressing anti-Black hate. But a more systemic approach is also necessary.



Victims need to know what they can expect if they turn to a community organization for help, and the community organization needs to know how it can effectively offer support and advocacy within the limitations posed by budgets and staffing. How will the victim benefit by reporting to the community organization? How might the community organization use the hate incident as part of its broader, long-term goals to combat anti-Black hate? These are questions that the African Canadian community needs to answer.

But even at this point, we would still encourage victims of hate incidents to reach out to community organizations, and vice versa. We are all invested in fighting anti-Black hate.



FAITH IN GOD



### III. THE ROLE OF PUBLIC INSTITUTIONS

Public institutions are established to guarantee the proper functioning of all communities, as well as to ensure the well-being and development of all community members. Eradicating anti-Black hate activity falls squarely within their mandate. Many of these institutions have established written policies against discrimination and harassment. Institutions of particular relevance to the fight against anti-Black hate include schools, government departments, hospitals, and social service agencies.

#### 1. Educational Institutions

Young people are particularly sought out for recruitment by hate groups. Between the ages of 12 and 25, young people often seek a sense of belonging, making them extremely susceptible to recruitment by hate groups. Recognizing this, schools and universities across Canada have established programs or equity offices to address discrimination issues within their institutions.

- **High Schools**

When dealing with anti-Black hate activity in high schools, community members should approach school principals. In many schools, the principal is able to deal with hate incidents using sanctions established in the school's disciplinary code. Some schools offer counseling services to students who are victims of hate activity.

Community concerns can also be raised with school boards. In accordance with provincial human rights codes, school boards are responsible for maintaining a school environment free of discrimination and harassment. Many school boards have departments and staff responsible for anti-racism and equity work, and can provide resource kits and speaker lists. Community members can also request a copy of the policies and regulations that the school board follows when dealing with anti-Black hate activity.

- **Universities**

All Canadian universities have equity or equal opportunity offices that deal with discrimination on campus. In accordance with provincial human rights codes, these institutions have codes of conduct, specifying the institution's policies and regulations regarding discrimination and harassment. Boards of trustees, which are responsible for the proper functioning of the university and campus life, and student governing boards, should both be considered other points of contact by community members concerned by anti-Black hate activity in university settings. These two types of university boards have regularly scheduled meetings to which community members can be invited.



## **2. Service Agencies**

In accordance with provincial human rights codes, service agencies have a responsibility to provide equal treatment to all community members with respect to services, goods and facilities. As such, these agencies have guiding policies and regulations that ensure their facilities and service deliveries are free of discrimination and harassment.

In addition to their extensive community networking and coalition building activities, service agencies can become important partners to help mobilize and encourage neighborhood strategies that challenge racist behaviour and attitudes. Many agencies also offer direct services to victims of hate crimes, such as conducting home visits, assisting victims in initiating legal action, and liaising with other agencies.

## **3. Local Municipalities**

Many local municipalities across the country support race relations committees, composed of political officials, government staff and community members. These committees are mandated to advise and consult with mayors and town/city councils on race-related issues, including police minority relations, hate activity and public education. These committees also assist community members to access municipal services. They can be important allies as individuals and community groups seek to develop relationships with agencies and other community-based organizations. Individuals or a community group can attend the regular meetings held by these committees to present concerns regarding anti-Black hate activity.

## **4. Police Services**

Police services can play several roles in fighting anti-Black hate, including investigating hate crimes and partnering with communities to prevent hate activity. Many police services have developed internal protocols for addressing hate activity. Recognizing the urgency of the problem in the communities they are mandated to serve and protect, other services have also established special anti-hate crimes units.

Community members should contact their local police services to determine how anti-Black hate activity is being addressed in their police jurisdiction. Many community groups across the country are now working with police services to develop community-based strategies to tackle hate crimes. Developing a good and respectful relationship with a local police department can be useful in ensuring incidents are properly dealt with, in advocating for better data collection, in gaining supportive police presence during a demonstration, and in raising the profile of an incident in the media.



#### IV. LONG-TERM STRATEGIES TO COMBAT ANTI-BLACK HATE

Beyond the immediate aftermath of a hate incident, individuals, communities, and institutions can do much to foster pro-active, creative, strategies to fight anti-Black hate. In this section, we focus on actions in media advocacy, raising community awareness about anti-Black hate, and lobbying law enforcement to pay greater attention to incidents of anti-Black hate.

Each strategy suggests different actions that can be performed by and for individuals, community organizations, and public institutions. The arrows in the graphs that link the three groupings reflect the need for collaboration. They also reflect that we can simultaneously be stakeholders as individuals, members of community organizations, and participants in public institutions.



HOPE



## 1. Media Advocacy

### Individual Action

- Monitor the method, quality, and frequency with which local media cover anti-Black hate and the actions of hate groups.
- Contact local media with a press release detailing the facts of an anti-Black hate incident.
- Get to know the reporters assigned to cover human rights, community relations, and related issues.
- Use e-advocacy: send out news of anti-Black hate incidents to your email listservers, Facebook groups, blogs, etc.
- Write an editorial or a Letter to the Editor.
- Translate press materials for distribution, act as a translator, or give interviews to ethnic media.
- Join a media watchdog group that speaks out against negative stereotypes in the media's commercial products.

### Community Action

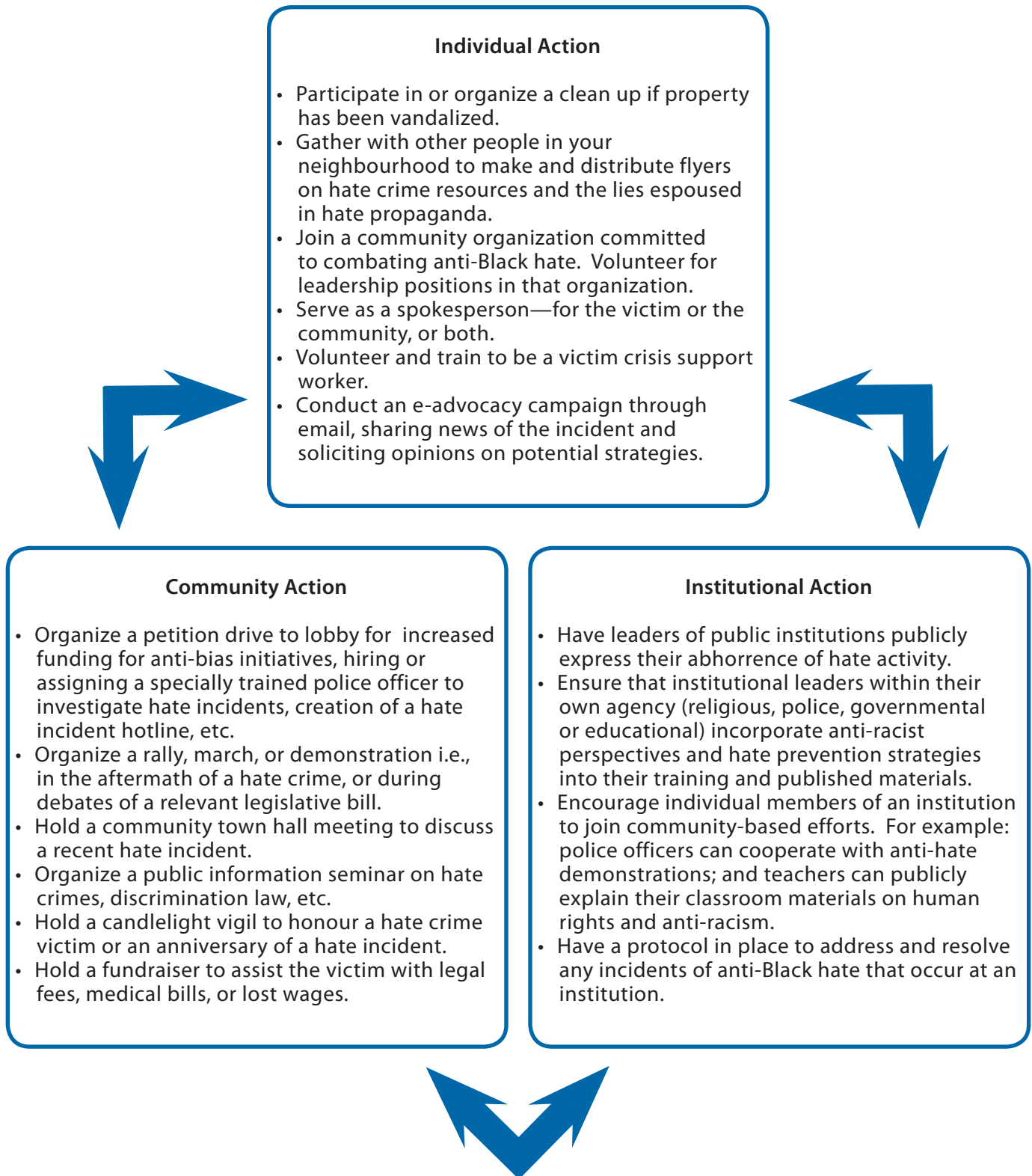
- Pitch ideas to the media for articles on:
  - informative, non-exploitative stories of anti-Black hate
  - in-depth interviews with victims of hate-motivated activity
  - interviews with anti-hate experts.
- Circulate a petition calling for better media coverage of hate incidents.
- Publicize effective anti-hate actions by other community groups and individuals.
- Organize a press conference, which can demonstrate broad community support.
- Become a "go to" organization when the press wants to quote a source from the African Canadian community.

### Institutional Action

- Create educational programming on anti-Black hate for media workers/reporters.
- Ensure that media organizations themselves represent the racial and cultural diversity in Canadian society.
- Attend public licensing meetings of media who promote hate-motivated ideas.
- Create a protocol for how to sensitively and fairly report hate incidents.
- Attend the press conferences and community meetings organized by anti-hate community organizations.
- Work with community organizations to proactively lessen the sensationalistic angle of much hate crime media coverage.

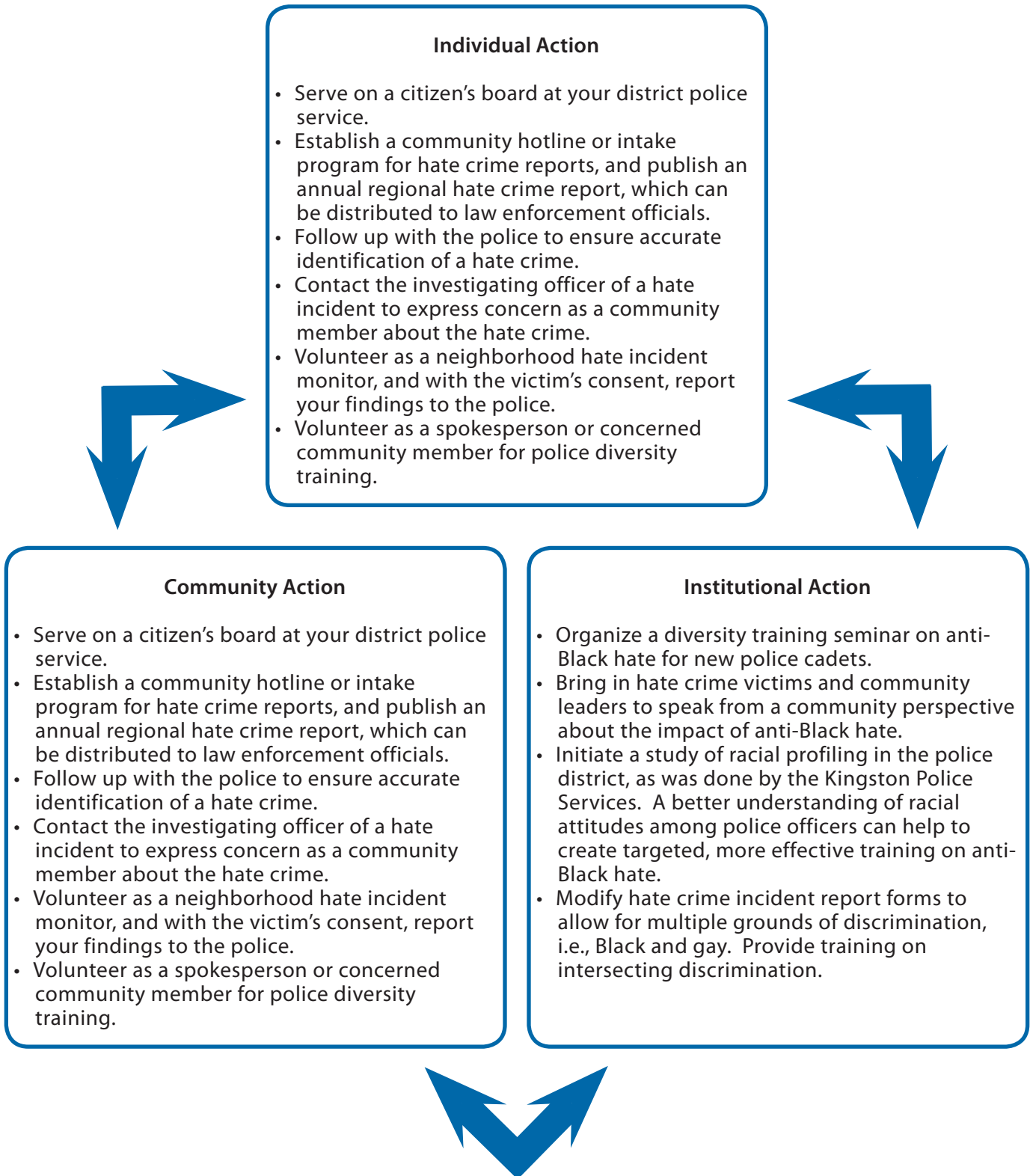


## 2. Raise Community Awareness about Anti-Black Hate





### 3. Lobby Law Enforcement to Pay Greater Attention to Incidents of Anti-Black Hate







## CASE STUDY ON CYBER HATE CRIMES: STRATEGIES TO COMBAT

The following information, from the Media Awareness Network ([www.media-awareness.ca](http://www.media-awareness.ca)), provides several options to pursue when encountering hate or hate propaganda on the Internet.

### ***Contact the Internet Service Provider***

All over the world, Internet Service Providers (ISPs) are being forced to become more proactive about hate material on their servers. Most ISPs now have Acceptable Use Policies that clearly define the guidelines for using their services, as well as the penalties for violating those guidelines.

In Canada, most ISPs belong to the Canadian Association of Internet Providers (CAIP). CAIP's Code of Conduct states that its members will not host illegal content, and will make a reasonable effort to investigate legitimate complaints about illegal content or network abuse—taking appropriate action, if needed. However, ISPs do not have the legal power to decide what material is illegal; and so most are reluctant to remove suspect content from their servers without official direction from a law enforcement agency.

### ***Report online hate to the police***

Some urban police departments now have a High-Tech Crime Unit to investigate online offences. If none exists, a complaint can be made to the local police. It's advisable to attach a copy of the offending material to the letter of complaint.

### ***File a complaint with the Canadian Human Rights Commission***

The Commission's 2002 decision forcing Ernst Zundel (who asserts that the Holocaust did not take place) to "cease and desist" publishing hate material on his website was a landmark. It affirmed that the Commission does have the right to receive complaints and make decisions about hate material on the Internet, as well as in telephone communications.

If the Commission decides that material falls into the legal definition of hate, it appoints an investigator to research the matter and determine whether the case should be pursued. Such a case may be brought before a Human Rights Tribunal, which has the legal authority to subpoena witnesses.

***Check out “hate watch” Web sites***

A number of sites exist to monitor and document illegal material on the Internet. Some notable examples are B’nai Brith Canada’s League for Human Rights, which hosts a hate hotline; and the Simon Wiesenthal Center, which has identified thousands of offensive websites.

Any hate found on a Canadian website is now subject to new legislation—though hate encountered on American sites must be dealt with differently. However, the U.S.-based Simon Wiesenthal Center and the Anti-Defamation League both recommend that Canadian surfers alert them to any online hate content, so that they can try to get the offending material removed. And since the active promotion of tolerance is one of the best responses to hate, check out the online pamphlet, *101 Tools for Tolerance: Simple Ideas for Promoting Equity and Diversity* (c 2000), developed by Tolerance.org, A Project of the Southern Poverty Law Centre, Montgomery Alabama

**WISDOM**



# Glossary of Terms

<b>Acceptance</b>	Affirmation and recognition of those whose race, religion, nationality, values, beliefs, etc. are different from one's own. Acceptance goes beyond tolerance.
<b>Ancestry</b>	A line of people from whom one is descended; also referred to as family descent.
<b>Anti-Black Racism</b>	Racial prejudice, stereotyping and discrimination which is directed toward people of African descent, and which is rooted in their unique history and experience of enslavement. Anti-Black racism is characterized by particularly virulent and pervasive racial stereotypes. It is reflected in the current social, economic, and political marginalization of African Canadians, and manifested in a lack of opportunities, lower socio-economic status, higher unemployment, significant poverty rates and over-representation in the criminal justice system. Canadian courts and various government Commissions have repeatedly recognized the pervasiveness of anti-Black stereotyping and that African Canadians are the primary targets of racism in Canadian society.
<b>Anti-Oppression</b>	Strategies, theories, and actions that challenge the inequalities and injustices that are ingrained in our social institutions, and that are propagated by policies and practices which allow certain groups to dominate over other groups.
<b>Anti-Racism</b>	A proactive and consistent process of change to eliminate individual, institutional, and systemic racism, as well as the oppression and injustice that racism causes.
<b>Anti-Racist Education</b>	A perspective that permeates all subject areas and school practices, aimed at eradicating racism in all its various forms. Anti-racist education can also be taught or learned in both informal and non-formal educational settings.



<b>Antisemitism</b>	Latent or overt hostility or hatred directed towards individual Jews or the Jewish people, leading to social, economic, institutional, religious, cultural or political discrimination. Anti-Semitism is also expressed through individual acts of physical violence, vandalism, organized destruction of entire communities, and genocide.
<b>Assimilation</b>	The full adoption by an individual or group of the culture, values and patterns of a different social, religious, linguistic or national group, resulting in the elimination of attitudinal and behavioural affiliations from the original cultural group. Can be voluntary or forced.
<b>Barrier</b>	A term meaning overt or covert obstacle, and commonly used in employment equity to mean a systemic obstacle to equal employment opportunities or outcomes. An obstacle which must be overcome for equality to be possible.
<b>Bias</b>	A subjective opinion, preference, prejudice or inclination, formed without reasonable justification, that influences an individual's or group's ability to evaluate a particular situation objectively or accurately. Reasonable apprehension of bias exists when there is a reasonable belief that an individual or group will pre-judge a matter and, therefore, cannot assess a matter fairly because of bias.
<b>Bigot</b>	Refers to someone who is stubbornly or intolerantly devoted to his/her biased opinions and prejudices.
<b>Blacks/African Canadians</b>	Refers to people of African descent and those who define themselves as such.
<b>Colonialism</b>	Usually refers to the period of European colonization in the Americas, Asia and Africa from Columbus (1492) onwards. Colonial can take on different forms, such as European settler colonies like Canada, or non-settler colonies such as India during British rule. Colonialism also differs across colonizing nations and across time. For example, French colonialism had different policies from the British, while modern-day colonialism is often defined as part of "globalization", and includes the exploitation of labour and national resources by transnational corporations and the expansion of free trade agreements and trading blocs.



<b>Communities at Risk</b>	Identifiable groups (as outlined in the equality provisions of the Charter and/or Criminal Code provisions relevant to hate crimes), more likely to be marginalized and more vulnerable to being victims of discrimination and hate/bias incidents and crime. (see <b>Designated Groups</b> )
<b>Creed</b>	A professed system and confession of faith, including beliefs, observances or worship. A belief in a god or gods, or a single supreme being or deity is not a requisite.
<b>Cultural Group</b>	Members of a group who have the same beliefs, behavioural norms, values, language, and ways of thinking about the world.
<b>Cultural Racism</b>	Portrayal of Aboriginals, Blacks, and other people of colour in all forms of media, school texts, or literature as inherently, “inferior”, “savage”, “bad”, or “primitive”. The impression given is that these groups have contributed nothing to civilization, and that there was no civilization before Europeans “found” non-white peoples and the lands on which they were living.
<b>Culture</b>	The mix of ideas, beliefs, values, behavioural norms, knowledge and traditions of a group of individuals who share a historical, geographic, religious, racial, linguistic, ethnic or social context. The individuals then transmit, reinforce and modify those ideas and beliefs, passing them on from one generation to another. Cultures change over time and, as a result, conflict and opposition may arise. The term is also applied to workforces, professions or corporations – e.g., police culture, corporate culture.
<b>Designated Groups</b>	Social groups whose individual members have been denied equal access to employment, education, social services, housing, etc. because of membership in the group. The designated groups for employment equity programs are visible minorities, women, Aboriginal peoples, and persons with disabilities.

**Disability**

Inborn or assigned characteristics of an individual that may prevent full participation in educational, social, economic, political, religious, institutional or formal activities of a group, or that may require accommodation to enable full participation. Visible disabilities are readily apparent and consequent discrimination or stigma may be more predictable than with invisible disabilities. Persons with disabilities form one of the designated groups in employment equity programs. An important aspect of this definition is voluntary self-identification.

**Discrimination**

The denial of equal treatment, civil liberties and opportunity to individuals or groups with respect to education, accommodation, health care, employment and access to services, goods and facilities. It can also be defined as behaviour that stems from prejudiced attitudes by individuals or institutions, and results in unequal outcomes for persons who are perceived as different. It includes the denial of cultural, economic, educational, political and/or social rights. Differential treatment may occur on the basis of race, nationality, gender, age, religion, political or ethnic affiliation, sexual orientation, marital or family status, physical, developmental or mental disability. Discrimination is not only done by members of the dominant group, for example, a minority person may discriminate against a minority within his minority, such as a person who is both disabled and Black.

**Diversity**

A term used to encompass all the various differences among people – including race, religion, gender, sexual orientation, disability, socio-economic status, etc. – and commonly used in the United States and increasingly in Canada to describe workplace programs aimed at reducing discrimination, and promoting equality of opportunity and outcome for all groups.

**Dominant Group**

The group considered the most powerful and privileged of all groups in a particular society or context. The dominant group in Canada is White, Christian, male and English speaking. (see **Majority**)



<b>Ethnic Group</b>	Refers to a group of people having a common heritage or ancestry, or a shared historical past, often with identifiable physical, cultural, linguistic and/or religious characteristics. The word 'ethnic' is often used to denote non-dominant or less powerful cultural identities in Canada, although technically everyone belongs to an ethnic group.
<b>Ethnocentrism</b>	The tendency to view others using one's own group and customs as the standard for judgment, and the tendency to see one's own group and customs as the best.
<b>Genocide</b>	Deliberate decisions and actions made by one nation or group of people in order to eliminate, usually through mass murder, the entirety of another nation or group. The term has also been used to refer to the destruction of the culture of a people, as in cultural genocide.
<b>Harassment</b>	Persistent, on-going communication (in any form) of negative attitudes, beliefs or actions towards an individual or group, with the intention of disparaging that person(s). Forms of harassment include: name-calling, jokes or slurs, graffiti, insults, threats, discourteous treatment, and written or physical abuse. Harassment may be subtle or overt.
<b>Hate (hatred)</b>	Emotion of an intense and extreme nature that is clearly associated with vilification and detestation. When exercised against members of an identifiable group, hatred implies that those individuals are to be despised, scorned, denied respect and made subject to ill treatment on the basis of group affiliation (Supreme Court of Canada - <i>R. v. Keegstra</i> ).
<b>Hate Incident</b>	Any act or omission, whether criminal or not, that expresses bias, prejudice, bigotry or contempt toward a vulnerable or disadvantaged community or its members. A 'vulnerable or disadvantaged community' is any group or community identified as such on the basis of characteristics protected by <i>The Canadian Human Rights Act</i> , <i>the Ontario Human Rights Code</i> , <i>Criminal Code of Canada</i> , and Section 15(1) of the <i>Canadian Charter of Rights and Freedoms</i> .



<b>Hate Crime</b>	Any criminal offence committed against a person or property that is motivated, in whole or in part, by bias or prejudice based on real or perceived race, ancestry, national or ethnic origin, language, colour, religion, gender, age, mental or physical disability, sexual orientation or any other similar factor, whether that of a victim or that of associates with whom a victim is closely affiliated. 'Any other similar factor', as specified in the <i>Criminal Code</i> , is interpreted in a manner similar to the 'analogous grounds' in Section 15(1) of the <i>Charter</i> .
<b>Hate Propaganda</b>	Ideologies and beliefs transmitted in written, verbal, or electronic form in order to create, promote, or exacerbate hateful and/or violent attitudes and actions against a specific group or groups of people.
<b>Holocaust</b>	Widespread destruction and loss of life, especially by fire. The term (with a capital "H") specifically refers to the murder of over six million Jews by the Nazis and their collaborators during World War II.
<b>Homophobia</b>	Hostile attitude or negative bias towards gay, lesbian, bisexual or transgendered person(s). The fear and persecution of gay people, rooted in a desire to maintain the heterosexual social order.
<b>Human Rights</b>	Human rights affirm and protect the right of every individual to live and work without discrimination and harassment. Human rights policies and legislation attempt to create a climate in which the dignity, worth, and rights of all people are respected, regardless of age, ancestry, citizenship, colour, creed (faith), disability, ethnic origin, family status, gender, marital status, place of origin, race, sexual orientation or socio-economic status.
<b>Immigrant</b>	One who moves from his/her native country to another with the intention of settling for the purpose of forging a better life or for better opportunities. This may be for a variety of personal, political, religious, social or economic reasons. The word is sometimes used incorrectly to refer, implicitly or explicitly, to people of colour or with non-dominant ethnicities.
<b>Individual Racism</b>	Racism inflicted by an individual to another individual because of the person's group membership and skin colour.





**Institutional Racism** See **Systemic Discrimination**.

**Institutions** Stable social arrangements through which collective actions are taken (e.g., government, business, unions, schools, churches, courts, police). Can also refer to patterned and somewhat predictable ways of doing things over time.

**Integration** The process of amalgamating diverse groups within a single context, usually applied to inter-racial interaction in housing, education, political and socio-economic spheres or activity, or the incorporation of children, defined as disabled, into neighbourhood schools and classrooms. People who are integrated still retain their cultural identity, unlike those who are assimilated.

**Intersectionality** A perspective which holds that discrimination within society, such as that based on race/ethnicity, gender, religion, nationality, sexual orientation, class, or disability, do not act independently of one another, but instead interrelate to create a system of oppression that reflects the “intersection” of multiple forms of discrimination. Intersectionality describes the way specific acts and policies operate together to create further disempowerment for a person who is, for example, Black, female, and immigrant.

**Intolerance** Bigotry or narrow-mindedness which results in the refusal to respect or acknowledge persons of different racial backgrounds or of other inborn or assigned characteristics.

**Islamophobia** A term recently coined to refer to expressions of negative stereotypes, bias or acts of hostility towards individual Muslims or followers of Islam in general.

**Majority** Refers to the group of people within society that is either largest in number, or in a superior social position, or who successfully shapes or controls other groups through social, economic, cultural, political, military or religious power. In most parts of Canada, the term refers to White, English-speaking, Christian, middle- to upper-income Canadians.

**Marginalization**

With reference to race and culture, the experience of persons who do not speak the majority group's language, cannot find work or gain access to social services and therefore, cannot become full and equal participating members of society. Refers also to the process of being "left out" of or silenced in a social group. (see **Communities at Risk, Designated Groups**)

**Minority Group**

Refers to a group of people within a society that is either small in numbers or that has little or no access to social, economic, political or religious power. In Canada, refers to the diverse ethno-racial identities that are not of the dominant White group. In some areas, they are not always in the minority numerically. Minority rights are protected by the Canadian Charter of Rights and Freedoms, human rights Acts and Codes, and the UN Convention on the rights of minorities. The term may imply inferior social position. In common use, Racial or Visible Minority describes people who are not White; Ethnic Minority refers to people whose ancestry is not English or Anglo-Saxon; Linguistic Minority refers to people whose first language is not English (or not French in Quebec).

**Multicultural/  
Multiracial  
Education**

A broad term which refers to a set of structured learning activities and curricula designed to create and enhance understanding of and respect for cultural diversity. The term often connotes inclusion of racial, ethnic, religious, linguistic, national, international and political diversity, and is also inclusive of the culture, heritage, history, beliefs and values of the various peoples people within a pluralistic society.



- Multiculturalism** Canadian federal policy announced in 1971 and enshrined in law in the Multiculturalism Act of 1988, multiculturalism acknowledges the unequal access to resources and opportunities of Canadians who are not of the dominant white group, and urges the recognition of their contributions, the preservation of their cultural heritage and the equal treatment of all Canadians. The existence within one society or nation of two or more non-homogeneous, but equally recognized ethnic, racial, cultural, linguistic or religious groups. Canadian (federal) and Ontario (provincial) policies on multiculturalism ensure this diversity and equal rights for and recognition of all groups. (Although it can and should include anti-racism, there has been an increasing recognition of the limitations of this concept because it does not explicitly acknowledge the critical role that racism plays in preventing the achievement of the vision, and also because it may promote a static and limited notion of culture as fragmented and confined to ethnicity).
- Oppression** The unilateral subjugation of one individual or group by a more powerful individual or group, using physical, psychological, social or economic threats or force, and frequently using an explicit ideology to justify the oppression. Refers also to the injustices suffered by marginalized groups in their everyday interactions with members of the dominant group. The marginalized groups usually lack avenues to express their experienced inequalities and injustices to the more powerful or dominant group individuals and institutions.
- People of Colour** A term describing people who are not seen as White by the dominant group, though generally used by racialized groups as an alternative to the term **Visible Minority**. It emphasizes that skin colour is a key consideration in the “everyday” experiences of their lives. The term is an attempt to describe people with a more positive term than non-White or minority which frames them as opposite to or in the context of the dominant group.
- Persons with Disabilities** Refers to persons who identify themselves as experiencing difficulties in carrying out activities of daily living or experience disadvantage in employment, and who may require some accommodation, because of a long term or recurring physical or developmental condition. (see **Disability**)



- Power** The ability and privilege which allows one group to name and classify subordinate groups and to subject them to differential treatment.
- Prejudice** A state of mind; a set of attitudes held by one person or group about another, tending to cast the other in an inferior light, despite the absence of legitimate or sufficient evidence. Frequently, prejudices are not recognized as false or unsound assumptions or stereotypes, and through repetition become accepted as common sense notions. When backed with power, prejudice results in acts of discrimination and oppression against groups or individuals.
- Privilege** The experience of freedoms, rights, benefits, advantages, access and/or opportunities afforded to members of the dominant group in a society or in a given context, usually unrecognized and taken for granted. Conversely, the same freedoms, rights, benefits, advantages access and/or opportunities are denied to members of the minority or disadvantaged groups.
- Race** Refers to a group of people of common ancestry, distinguished from others by physical Characteristics, such as colour of skin, shape of eyes, hair texture or facial features. This definition refers to the common usage of the term race when dealing with human rights matters. It does not reflect the current scientific debate about the validity of phenotypic descriptions of individuals and groups of individuals. The term is also used to designate social categories into which societies divide people according to such characteristics. Race is often confused with ethnicity.
- Race Relations** The pattern of interaction, in an inter-racial setting, among people who are deemed racially different. In its theoretical and practical usage, the term has also implied harmonious relations, i.e., races getting along. Two key components for positive race relations are the elimination of racial intolerance arising from prejudicial attitudes, and the removal of racial disadvantage arising from the systemic nature of racism.



<b>Racial Minority</b>	A term for people who are not seen as White by the dominant group, including Aboriginal, Black, Chinese, South Asian, South East Asian. Sometimes used instead of Visible Minority. The term that many people now prefer is “people of colour” as a more positive term that does not define groups by comparison to the dominant group. (see <b>People of Colour</b> )
<b>Racial Discrimination</b>	According to the International Convention on the Elimination of All Forms of Racial Discrimination (to which Canada is a signatory), racial discrimination is any distinction, exclusion, restriction or preference based on race, colour, descent, or national or ethnic origin, which revokes or impairs the recognition, enjoyment or exercise of human rights and fundamental freedoms in the political, economic, social, cultural or any other field of public life.
<b>Racialization</b>	The process through which humans of varying races come to be designated as different, and on that basis subjected to differential and unequal treatment. In the present context, racialized groups include those who may experience differential treatment on the basis of race, ethnicity, language, economics, religion, culture, politics, etc. That is, they are treated outside the norm and receive unequal treatment based upon phenotypical (physical) features.
<b>Racial Profiling</b>	Any action undertaken for justifications of safety, security or public protection that relies on stereotypes about race, colour, ethnicity, ancestry, religion, or place of origin rather than on reasonable suspicion, to single out an individual for greater scrutiny or differential treatment. Profiling can occur because of a combination of the above factors, and age and/or gender can influence the experience of profiling.
<b>Racism</b>	Racism is the belief that one race is superior to another. It combines racial prejudice and institutional power to deny or grant people rights, respect, representation and resources based on their race, colour or ethnicity. Racism is manifested through individual action and/or institutional policies and practices. It extends beyond prejudiced beliefs, to actions (whether intended or not) that maintain and ensure the continuation of privileged relationships and supports the racial status quo.



<b>Racist</b>	Refers to an individual, institution, or organization whose beliefs and/or actions imply (intentionally or unintentionally) that certain races have distinct negative or inferior characteristics. Also refers to racial discrimination inherent in the policies, practices and procedures of institutions, corporations, and organizations which, though applied to everyone equally and may seem fair, result in exclusion or act as barriers to the advancement of marginalized groups, thereby perpetuating racism.
<b>Racist slurs</b>	Insulting or disparaging statements directed towards a particular racial or ethnic group. Racist incidents express racist assumptions and beliefs through banter, racist jokes, name-calling, teasing, discourteous treatment, graffiti, stereotyping, threats, insults, physical violence or genocide.
<b>Segregation</b>	The social, physical, political and economic separation of diverse groups of people, particularly as ideological and structural barriers to civil liberties, equal opportunity, and participation by minorities within a majority racial, ethnic, religious, linguistic or social group. Segregation may be a mutually voluntary arrangement, but more frequently is enforced by the majority group and its institutions.
<b>Social Justice</b>	A concept premised upon the belief that each individual and group within society should have equal opportunity, fairness, civil liberties and participation in the social, educational, economic, institutional and moral freedoms and responsibilities valued by the society.



<b>Systemic Discrimination</b>	The institutionalization of discrimination through policies and practices which may appear neutral on the surface, but which have an exclusionary impact on particular groups, such that various minority groups are discriminated against, intentionally or unintentionally. This occurs in institutions and organizations where the policies, practices and procedures (e.g., job requirements, hiring practices, promotion procedures, etc.) exclude and/or act as barriers to racialized groups. Systemic discrimination is also the result of some government laws and regulations.
<b>Targeted Groups</b>	People more likely to be victims of hate/bias crimes and incidents and of hate group activity. (see also: <b>Communities at Risk, Designated Groups</b> ).
<b>Tolerance</b>	Usually meant as a liberal attitude toward those whose race, religion, nationality, etc. is different from one's own. Since it has the connotation of 'put up with', today the term "acceptance" is preferred. Through anti-racism and equity work, we aim to counter not only intolerance, but also to achieve acceptance for all.
<b>Visible Minority</b>	Term used to describe non-dominant groups who are not White. Although it is a legal term widely used in human rights legislation and various policies, currently the terms racialized minority or people of colour are preferred by people labelled by others to be 'visible minorities'.
<b>White</b>	A social colour. The term is used to refer to people belonging to the dominant group in Canada. It is recognized that there are many different people who are "White" but who face discrimination because of their class, gender, ethnicity, religion, age, language, or geographical origin. Grouping these people as "White" is not to deny the very real forms of discrimination that people of certain ancestry, such as Italian, Portuguese, Jewish, Armenian, Greek, etc., also face.
<b>Xenophobia</b>	An unreasonable fear or hatred of foreigners or strangers, their cultures and their customs.



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# Appendices

## APPENDIX A: CANADIAN LAWS

### Criminal Code of Canada

#### Section 318: Hate Propaganda

(1) Every one who advocates or promotes genocide is guilty of an indictable offence and liable to imprisonment for a term not exceeding five years.

#### Definition of “genocide”

(2) In this section, “genocide” means any of the following acts committed with intent to destroy in whole or in part any identifiable group, namely,

(a) killing members of the group; or

(b) deliberately inflicting on the group conditions of life calculated to bring about its physical destruction.

Consent (3) No proceeding for an offence under this section shall be instituted without the consent of the Attorney General.

#### Definition of “identifiable group”

(4) In this section, “identifiable group” means any section of the public distinguished by colour, race, religion, ethnic origin or sexual orientation.

#### Section 319: Public incitement of hatred

(1) Every one who, by communicating statements in any public place, incites hatred against any identifiable group where such incitement is likely to lead to a breach of the peace is guilty of

(a) an indictable offence and is liable to imprisonment for a term not exceeding two years;

or

(b) an offence punishable on summary conviction.

#### Willful promotion of hatred

(2) Every one who, by communicating statements, other than in private conversation, wilfully promotes hatred against any identifiable group is guilty of

(a) an indictable offence and is liable to imprisonment for a term not exceeding two years;



or  
(b) an offence punishable on summary conviction.

#### Defences

(3) No person shall be convicted of an offence under subsection (2)  
(a) if he establishes that the statements communicated were true;  
(b) if, in good faith, he expressed or attempted to establish by argument an opinion on a religious subject;  
(c) if the statements were relevant to any subject of public interest, the discussion of which was for the public benefit, and if on reasonable grounds he believed them to be true; or  
(d) if, in good faith, he intended to point out, for the purpose of removal, matters producing or tending to produce feelings of hatred toward an identifiable group in Canada.

#### Forfeiture

(4) Where a person is convicted of an offence under section 318 or subsection (1) or (2) of this section, anything by means of or in relation to which the offence was committed, on such conviction, may, in addition to any other punishment imposed, be ordered by the presiding provincial court judge or judge to be forfeited to Her Majesty in right of the province in which that person is convicted, for disposal as the Attorney General may direct.

#### Exemption from seizure of communication facilities

(5) Subsections 199(6) and (7) apply with such modifications as the circumstances require to section 318 or subsection (1) or (2) of this section.

Consent (6) No proceeding for an offence under subsection (2) shall be instituted without the consent of the Attorney General.

(7) In this section,

“communicating” includes communicating by telephone, broadcasting or other audible or visible means;

“identifiable group” has the same meaning as in section 318;

“public place” includes any place to which the public have access as of right or by invitation, express or implied;

“statements” includes words spoken or written or recorded electronically or electromagnetically or otherwise, and gestures, signs or other visible representations.



### **Subsection 718.2**

A court that imposes a sentence shall also take into consideration the following principles:

(a) a sentence should be increased or reduced to account for any relevant aggravating or mitigating circumstances relating to the offence or the offender, and, without limiting the generality of the foregoing,

(i) evidence that the offence was motivated by bias, prejudice or hate based on race, national or ethnic origin, language, colour, religion, sex, age, mental or physical disability, sexual orientation, or any other similar factor,

(ii) evidence that the offender, in committing the offence, abused the offender's spouse or common-law partner or child,

(iii) evidence that the offender, in committing the offence, abused a position of trust or authority in relation to the victim,

(iv) evidence that the offence was committed for the benefit of, at the direction of or in association with a criminal organization, or

(v) evidence that the offence was a terrorism offence

shall be deemed to be aggravating circumstances;

(b) a sentence should be similar to sentences imposed on similar offenders for similar offences committed in similar circumstances;

(c) where consecutive sentences are imposed, the combined sentence should not be unduly long or harsh;

(d) an offender should not be deprived of liberty, if less restrictive sanctions may be appropriate in the circumstances; and

(e) all available sanctions other than imprisonment that are reasonable in the circumstances should be considered for all offenders, with particular attention to the circumstances of aboriginal offenders.



## Canadian Charter of Rights and Freedoms

### Section 15: Equality Rights

(1) Every individual is equal before and under the law and has the right to the equal protection and equal benefit of the law without discrimination and, in particular, without discrimination based on race, national or ethnic origin, colour, religion, sex, age or mental or physical disability.

Affirmative action programs

(2) Subsection (1) does not preclude any law, program or activity that has as its object the amelioration of conditions of disadvantaged individuals or groups including those that are disadvantaged because of race, national or ethnic origin, colour, religion, sex, age or mental or physical disability.

## Canadian Human Rights Act

### Section 5: Denial of good, service, facility or accommodation

It is a discriminatory practice in the provision of goods, services, facilities or accommodation customarily available to the general public

- (a) to deny, or to deny access to, any such good, service, facility or accommodation to any individual, or
- (b) to differentiate adversely in relation to any individual, on a prohibited ground of discrimination.

### Section 12: Publication of discriminatory notices, etc.

It is a discriminatory practice to publish or display before the public or to cause to be published or displayed before the public any notice, sign, symbol, emblem or other representation that

- (a) expresses or implies discrimination or an intention to discriminate, or
- (b) incites or is calculated to incite others to discriminate

if the discrimination expressed or implied, intended to be expressed or implied or incited or calculated to be incited would otherwise, if engaged in, be a discriminatory practice described in any of sections 5 to 11 or in section 14.



### **Section 13: Hate messages**

(1) It is a discriminatory practice for a person or a group of persons acting in concert to communicate telephonically or to cause to be so communicated, repeatedly, in whole or in part by means of the facilities of a telecommunication undertaking within the legislative authority of Parliament, any matter that is likely to expose a person or persons to hatred or contempt by reason of the fact that that person or those persons are identifiable on the basis of a prohibited ground of discrimination.

#### **Interpretation**

(2) For greater certainty, subsection (1) applies in respect of a matter that is communicated by means of a computer or a group of interconnected or related computers, including the Internet, or any similar means of communication, but does not apply in respect of a matter that is communicated in whole or in part by means of the facilities of a broadcasting undertaking.



## APPENDIX B: COMMUNITY PROGRAMS AND BEST PRACTICES

Here are some community programs and best practices being used in addressing hate crime victimization.

**519 Community Centre** (Toronto, ON)

**Ajax Pickering News Advertiser** (Ajax, ON): Peace and Community Harmony Project

**Association for the Elimination of Hate** (London, ON)

**Canadian Association of Chiefs of Police: The Law Enforcement Aboriginal and Diversity (LEAD) Network**

**Capital Region Race Relations Committee** (Victoria, BC)

**Council of Agencies Serving South Asians: Say No To Hate**

**Durham District School Board: Anti-racist Education Camp**

**Durham Catholic School Board: Anti-racist Education Camp**

**Halton Diversity Advisory Committee: Diversity Breakfast Series, Speak Up Conference**

**Halton Regional Police Services: Hate Crime and Bias Task Force**

**Halton Multicultural Council: Anti-discrimination workshops for schools; Organizational Diversity Training; Interpretation/Translation Program.**

**Fraser Valley Human Dignity Coalition** (Abbotsford, BC): Implements the Safe Harbour Program

**Nijji Circle Public Education Initiative of Union of Ontario Indians**

**Ontario Federation of Indian Friendship Centres**

**Ottawa Police Services: Liaison Committee for the GLBT Communities**

**Pinecrest-Queensway Health and Community Services** (Ottawa, ON): Provides workshops for junior level students (grades 5 and 6) to address issues of prejudice in their communities.



**Regent Park Community Health Centre** (Toronto, ON)

**Safe Harbour Program** (BC): Coordinates orientations for stores, agencies and institutions on diversity, and how to provide equitable treatment and temporary refuge for those facing discrimination.

**Scadding Court Community Centre** (Toronto, ON): Nuff Said! Hate Crime Project  
<http://www.scaddingcourt.org/>

**Sioux Lookout Race Relations Committee** (Sioux Lookout, ON)

**Town Youth Participation Strategies** (TYPs) (Merrickville, ON): Conducts workshops at the annual youth conference on issues regarding hate crimes, racism, and homophobia. TYPs and local youth centres cooperate with local mental health professionals and police (when possible) regarding these topics.

**York Regional Police - Diversity & Cultural Resources Bureau** <http://www.police.york.on.ca/default.aspx?pg=53e59d02-8429-4b48-b180-3b291e0b98e1>





## APPENDIX C: BIBLIOGRAPHY & ADDITIONAL RESOURCES

### Africa

#### **Center for the Study of Violence and Reconciliation (CSV).**

<http://www.csvr.org.za>

The CSVR is a multi-disciplinary institute involved in policy formation, community interventions, service delivery, education and training, as well as providing consultancy services. The primary goal of the CSVR is to use its expertise in building reconciliation, democracy and a human rights culture and in preventing violence in South African and in other countries in Africa.

### Australia and New South Wales

#### **Australian Human Rights Commission. *What's the Score? A survey of cultural diversity and racism in Australian sport.* October 2007**

[http://www.humanrights.gov.au/racial\\_discrimination/whats\\_the\\_score/index.html](http://www.humanrights.gov.au/racial_discrimination/whats_the_score/index.html)

*What are our national sporting organisations, federal and state government departments, human rights and anti-discrimination agencies and non-government bodies doing to combat racism and prejudice in sport? And what steps have been taken to develop an inclusive, non-discriminatory culture within sport by players, spectators and the broader viewing public?*

The Australian Human Rights Commission conducted a national project, funded by the Department of Immigration and Citizenship (DIAC), to survey these different groups to see what strategies and projects have been put in place to achieve these goals.

The project also gathered any available baseline data on the level of participation by culturally and linguistically diverse communities and individuals in sport. *What's the Score?* A survey of cultural diversity and racism in Australian sport is the report from this project. It aims to provide the basis for these organisations to consider future policy strategies aimed at both addressing racism within sport, as well as promoting an inclusive and non-discriminatory attitude by players, supporters and the public

#### **Social Change Online. (2002). *International Approaches to Anti-Racism Education. Racism. No Way!***

<http://www.racismnoway.com.au>

*Racism. No-Way*, an initiative of the Australian government, is an international approach to anti-racism education that makes use of an interactive website filled with activities and resources. This article from the website is a brief environmental scan of selected countries' definitions of anti-racism education. The article outlines 10 core areas of anti-racist educational focus in the development of policies and programs, and provides a chart measuring compliance with these core areas of focus.



## Canada

**Lund, D. (2004). *Navigating the Media Minefield with School Projects*. Alberta Teachers' Association.**

<http://www.teachers.ab.ca/Issues%20In%20Education/Diversity%20and%20Human%20Rights/Anti%20Racism%20and%20Religious%20Beliefs/Article%20and%20Books/Pages/Lund2.aspx>

This news article from the Alberta Teachers' Association provides information on the activities of Students and Teachers Opposing Prejudice (STOP) as an example of positive use of the media to counteract negative images of young people. Students' anecdotes help to highlight the author's position that youth are capable of being politically involved in public discourse, and that proper engagement with local media serves to benefit fair representation of youth.

**Safe Healthy Schools. (N.D.). *Canadian Education Trend Report: Anti-racism and Multicultural Education*.**

<http://www.safehealthyschools.org/whatsnew/racism.htm>

This report on current anti-racist education activities in Canada spans three levels: the federal, the provincial/territorial, and the NGO. With regards to services provided, each organizational level's activities are assessed for their coordinated approaches, instruction, social support and support services. Each group's activities contain links to supporting documentation.

**Smith, C.C. (2003). *Hamilton at the Crossroads: Anti-Racism and the Future of the City – "Lessons Learned" from Community-Based Anti-Racism Institutional Change Initiatives*. Hamilton, ON: Charles C. Smith Consulting.**

This report reviews how other urban areas have supported community-directed anti-racist organizational change work to confront similar concerns. The report also examines the implications of these initiatives to the Hamilton community and draws upon promising practices developed in urban centres in the United Kingdom, the United States and across Canada. The purpose of this report is to provide references to policies, programs and activities that may be transferable to the Hamilton community.

## European Countries

**Batelaan, P. & Coomans, F. *The International Basis for Intercultural Education including Anti-Racist and Human Rights Education* (2nd ed.). Netherlands: International Association for Intercultural Education.**

<http://unesdoc.unesco.org/images/0012/001248/124830e.pdf>

This document is a collection of two pieces respectively addressing the presence of intercultural education mandates as is found in United Nations and affiliated group



documents, and the implications of these international documents. The first document covers UNESCO directives and resolutions regarding fundamental rights for all children to have non-discriminatory access to education. The second document discusses responsibilities and obligations of international educational bodies and staff, promoting full participation in multicultural education initiatives to foster peace building.

**Crowley, J. & Naves, M-C. (2003). *Anti-Racist Policies in France. From Ideological and Historical Schemes to Socio-Political Realities*. Paris: Interdisciplinary Centre for Comparative Research in the Social Sciences.**

<http://www.feem.it/NR/rdonlyres/1DEEFF83-7E0C-4D61-B9D0-B8FF931609EC/959/9803.pdf>

This paper discusses the universalistic conception of the French Republic and its subsequent depoliticizing of ethnic categories and multiculturalism to socio-economic criteria, and that the French model of integration, which was based on the individual, has been accused of giving way to inequalities and racism. The author contends that the rise of the concept of 'ethnicization' of cultural groups in public debate has inspired political demands that require concrete answers against urban violence and education.

**I CARE. (2000 October 9). Report of working group: Information, Communication and Media. *The NewsPaper*.**

<http://www.icare.to/InterConference/anca1.html>

This brief article outlines a discussion held by the European Conference Against Racism, and talks about various subjects related to anti-racism in the media, including hate speech, the involvement of media in equality and multicultural diversity and cyberspace policing.

**Magenta Foundation. (1999). *Crosspoint Anti Racism*.**

<http://www.magenta.nl/crosspoint/>

The Magenta Foundation, a group working from Amsterdam, The Netherlands, presents this website as one of the largest internet link databases for international human rights groups online. Several listed countries are hyperlinked to specific pages outlining select notable resources available in each country. Along with anti-racism advocacy group homepages, listings of resources related to women's rights, gay/lesbian rights and indigenous rights are also available.

## **The U.K., Ireland and Scotland**

**Black Community Development Project.**

<http://www.bcdp.org.uk/>

This website, specific to the region of Greater Pilton, Scotland, is a community resource for advice, support, advocacy, information, recreational and educational activities for minority ethnic people of all ages. The focus of the group's activities is inclusiveness and access to



services in the community through recognition of harassment and discrimination against minorities. The term black is a collective reference to the various non-white communities through which this project has developed. Community research and conference details are also available on the site.

#### **The Citizens Information Board.**

<http://www.cidb.ie/comhairleVCS.nsf/HTMLPages/HomeNS?Opendocument>

The Citizens Information Board is the state agency responsible for ensuring that citizens have access to accurate, clear and comprehensive information on their rights and entitlements. It also has a role in promoting and supporting voluntary organisations and has set up this database as a resource for the Voluntary and Community Sector in Ireland. On-screen access to the system is designed through a number of alternative routes; full text wordsearch, index, keyword and alphabetical contents listings.

<http://www.knowracism.ie/information/index.html>

#### **Limerick Network Against Racism. (2003)**

<http://www.lnar.org/>

This website contains information on the Limerick Network Against Racism, an affiliation of organizations, groups and individuals based in the mid-West of Ireland. Available on the site are brief tutorials on the meaning and historical transformations of race and racism, as well as the aims, activities and objectives of the network: a) To promote anti-racism work, b) To challenge racism, c) To be a resource for one another in anti-racism work and in challenging racism and, d) To lobby for policy change on anti-racism issues.

#### **Lynam, S. *A Strategy Guide for Community Development Projects, Family Resource Centres and Partnerships*. National Consultative Committee on Racism and Interculturalism. (2007).**

<http://www.nccri.ie/pdf/StrategyGuide.pdf>

In March 2005, the NCCRI and Pobal, in conjunction with the Family Support Agency and the Department of Community, Rural and Gaeltacht Affairs, hosted a conference to advance the objectives of the National Action Plan Against Racism (NPAR), which had been launched by An Taoiseach and the Minister for Justice, Equality and Law Reform earlier that year. The NPAR fulfils a commitment by the Government to the UN World Conference Against Racism in South Africa in 2001.

The conference was an important milestone in supporting the work of the organizations and locating the work within the strategic framework of the NPAR. A key conclusion from the conference was the need to develop tools and supports to strengthen the work, during and after the NPAR (2005-2008) as Ireland moves towards an Integration strategy.



The overall focus of this strategy guide is to support Community Development Projects, Family Resource Centres and Partnerships as key players in the development of locally based antiracism strategies and social inclusion measures to promote diversity. It is hoped that the strategy guide will complement and add value to the work that community development organizations are already engaged in.

**National Union of Teachers. (1999). *Renewing Anti-Racism in Education*. Presented at the 1999 National Equal Opportunities Conference on 1999 November 6, London.**

<http://www.teachers.org.uk/resources/pdf/eoconf.pdf?PHPSESSID=1286081ecdc72a0aca44260a434ddea6>

The proceedings of this conference are presented as a series of workshop summaries, as well as three brief report summaries on The Future of Equality and Diversity in Education, The Role of School Managers, and Implications of the Stephen Lawrence Inquiry. The first two presentations cover the topic of administrative and curriculum-based changes in anti-racist practices, while the third discusses the issue of crime and victimization through direct and institutional racism in education.

### **Residents Against Racism.**

<http://flag.blackened.net/revolt/rar.html>

An advocacy group from Ireland, Residents Against Racism is a democratically-organized voluntary group offering to support and defend victims of racist harassment from the state (Ireland). The website offers links to personal stories of racist incidents, as well as articles and group advocacy information.

## **The United States**

### **Center for Third World Organizing.**

<http://www.ctwo.org/>

The CTWO is a national multi-racial movement centre which community organizations use for skills building in anti-racism, in the areas of analysis, vision, strategy and action. The organization's website focuses on specific programs offered such as Community Action Trainings (CAT), Learning from Emerging New Strategies (LENS), Movement Against Apprenticeship Program (MAAP) and Grassroots Organizing for Welfare Leadership (GROWL). The organization's mandate, as discussed on the website, focuses on a social justice movement for people of colour.

**Civilrights.org. (2002). *Building One Nation: A Study of What is Being Done Today in Schools, Neighborhoods and the Workplace*.**

[http://www.civilrights.org/publications/reports/building\\_one\\_nation/](http://www.civilrights.org/publications/reports/building_one_nation/)

This executive summary is an overview of a 144-page report that provides a context for the discussion of race relations, an examination of the topic's complexity, a summary



of the research on the development of racial attitudes, separate chapters on improving intergroup relations within schools, neighbourhoods and the workplace, as well as community programs in American society.

**Institute for Democratic Renewal. (2000)**

<http://www.cgu.edu/pages/1384.asp>

The Institute for Democratic Renewal looks at organizing and uniting anti-racism efforts across the U.S. Three elements are highlighted as being important to this group's work: acknowledging and undoing racism, building a sense of community, and doing the work of democracy. A tool kit on organizing community efforts is offered in different popular languages, as well as references to group research and publications.

**Institute for Democratic Renewal (IDR) & Project Change (PC).**

<http://www.projectchange.org/publications/>

The IDR/PC is a joint nonprofit organization that focuses on dismantling racism through a variety of means, such as brokering resources to racial justice groups, producing publications advancing the cause of anti-racist community building, and supporting a national network of anti-racism community strengthening training institutes.

The quarterly newsletter and other publications cover activities of the organization's partnerships in southwestern U.S. states, with articles on fair lending practices, small business ownership, and best practices for anti-racist work.

***Moving a Racial Justice Agenda: Naming and Framing Racism.***

<http://www.westernstatescenter.org/resource/MRJANameFrame.pdf>

This document illustrates the importance of being able to define and identify racism and racist practices to gain social favour. It is a primer in explaining the modern climate of racism, and the need to revert to specific campaign-directed terms to address and eliminate racism in society.

**National Conference for Community and Justice. (N.D.). *Denouncing Racism: A Resource Guide for Faith-Based Principles.***

<http://www.nccj.org>

This resource guide presents a collective voice and commitment among faith communities to denounce racism. The guide contains various theological, scriptural and policy statements from all participating denominations and faith-based organizations, inviting people to dialogue and take action on race-related issues within and transcending their faith traditions. The guide also contains a pastoral letter on racism from the Archbishop of Chicago, questioning how individuals might dwell together peacefully.



**Minnesota Churches Anti-Racism Initiative of the Greater Minneapolis and Saint Paul Area Councils of Churches. 1998**

[http://clinton4.nara.gov/Initiatives/OneAmerica/Practices/pp\\_19980729.4699.html](http://clinton4.nara.gov/Initiatives/OneAmerica/Practices/pp_19980729.4699.html)

The Minnesota Churches Anti-Racism Initiative, sparked by the 1992 Rodney King verdict and subsequent disturbances in Los Angeles, engages the Minnesota religious community in efforts to combat institutional and individual racism. This brief overview of the group's activities, on this website, focuses on program operations, outcomes and accomplishments.

***One America in the 21st Century: The President's Initiative on Race Relations (1997-98)***

Anti-racism initiatives were recently acknowledged at the national level through former President Bill Clinton's initiative. Started in June, 1997, this initiative brought together a reputable advisory body and set out to engage Americans in a discourse on race and racism.

As part of this national effort, the year-long effort combined study, constructive dialogue and positive action across regions, states and cities engaging diverse groups and industries. In addition to dialogue, critical substantive areas in which racial disparities have been significant were studied, (e.g., education, economic opportunity, housing, health care and the administration of justice). One result of this initiative has been the publication of promising practices which catalogues online initiatives aimed at improving race relations, thereby, sharing community-based initiatives with all concerned.

In the area of Community Building, there is a listing of approximately 180 initiatives addressing actions being taken by citizens in different regions, states and cities across the U.S. Some of these initiatives include: ***A World of Difference Institute***. This project coordinates diversity education programs for schools, universities, corporations, community organizations, and law enforcement agencies in an effort to combat prejudice, promote democratic ideals, and strengthen pluralism.

**Project Change. *Project Change Anti-Racism Resource Guide.***

<http://www.projectchange.org/publications/guidetext.pdf>

This comprehensive guide covers a large number of anti-racist organizations and resources in the United States. Included in this guide are programs and organizations, anti-racism work funders, renowned training programs, anti-racism resource guides and anti-racism publications, all including contact information.

Antiracismnet is a clearinghouse for the anti-racism group Project Change, offering links to various news media sources containing articles related to racism/antiracism. The website specifically contains information on press releases, action alerts social justice articles, and gender justice articles, with a widespread coverage of both popular and independent media organizations.



**Racematters.org. (N.D.). The Anti-Racism Community Building Institute of South Florida.**

<http://www.racematters.org/antiracismcommblginstsf.htm>

This article reviews the Anti-Racism Community Building Institute of South Florida as one of four projects supported by the Institute for Democratic Renewal, who provided information for the article. The group's activities discussed include narrowing disparities in four areas: 1) Community Development, 2) The Economic System, 3) Education and schools, and 4) The Criminal Justice System.

**National Online Resource Center on Violence Against Women VAWnet. (2004). *Racism, Ethnicity and Gender-Based Violence Intersections.***

<http://www.vawnet.org/>

VAWnet is an advocacy group that explores the intersections between racism, ethnicity and gender-based violence. This list of online resources links websites from several U.S. states, as well as links to U.S. agencies focused on anti-violence advocacy.

**Yeung, B. (2001). "Fighting the Many Faces of Violence." *Colorlines*. 3 (4).**

<http://www.colorlines.com/article.php?ID=352>

This articles focuses on the concerns with depoliticizing race and class in debates on ending domestic violence against women. The author discusses the need for culturally sensitive community crisis centres and similar cultural organizations taking an activist stance. Three groups are mentioned: Korean Women in Need in Chicago, Arkansas Women's Project, and The Esperanza Peace and Justice Center of San Antonio. Each group is discussed in detail with regards to the respective organizers and the constituencies served.





# Endnotes

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- <sup>2</sup> *Criminal Code*, s. 318.
- <sup>3</sup> *Criminal Code*, s. 319.
- <sup>4</sup> Mia Dauvergne, Katie Scrim and Shannon Brennan. *Hate Crime in Canada, 2006* (Ottawa: Statistics Canada, Canadian Centre for Justice Statistics, 2008), p. 11. Available online: <http://www.statcan.gc.ca/pub/85f0033m/85f0033m2008017-eng.pdf>
- <sup>5</sup> *Ibid*, p. 11.
- <sup>6</sup> Warren Silver, Karen Mihorean and Andrea Taylor-Butts. *Hate Crime in Canada, 2002*. (Ottawa: Statistics Canada, Canadian Centre for Justice Statistics, 2004). Available online: <http://www.statcan.gc.ca/pub/85-002-x/85-002-x2004004-eng.pdf>
- <sup>7</sup> *Ibid*, p. 9.
- <sup>8</sup> *Hate Crime in Canada 2006*, supra note 4, p. 6.
- <sup>9</sup> *Ibid*, p. 11.
- <sup>10</sup> *Hate Crime in Canada 2006*, supra note 4, p. 6.
- <sup>11</sup> *Ibid*, p. 14.
- <sup>12</sup> *Ibid*, p. 15.
- <sup>13</sup> Afua Cooper. *The Hanging Of Angelique: The Untold Story Of Canadian Slavery and the Burning Of Old Montreal* (Toronto: Harper Collins, 2006).
- <sup>14</sup> Industry Canada, Canada's Digital Collections Program. *Black Loyalists: Our History, Our People*. Available online: [http://epe.lac-bac.gc.ca/100/200/301/ic/can\\_digital\\_collections/blackloyalists/index.htm](http://epe.lac-bac.gc.ca/100/200/301/ic/can_digital_collections/blackloyalists/index.htm)



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- <sup>17</sup> The National Film Board production, *Journey to Justice* (2000), provides a good examination of the Canadian civil rights movement.
- <sup>18</sup> Stephen Lewis, "Racism in Ontario: Report to the Premier by Stephen Lewis." Ontario Legislative Assembly, *Sessional Papers*, No. 352/073 (1992). Available online: <http://www.geocities.com/capitolhill/6174/lewis.html>
- <sup>19</sup> CBC News, "Two accused found not guilty in beating death." (January 9, 2001). Available online: [http://www.cbc.ca/news/story/2001/01/09/ott\\_hashiverdict010109.html](http://www.cbc.ca/news/story/2001/01/09/ott_hashiverdict010109.html)
- <sup>20</sup> CBC News, "N.S. celebration of black history beset by hate graffiti." (July 28, 2007). Available online: <http://www.cbc.ca/canada/nova-scotia/story/2007/07/28/africville-racist.html?ref=rss>.
- <sup>21</sup> Cause for Concern: *Hate Crimes in America*, 2002 Leadership Conference on Civil Rights/Leadership Conference on Civil Rights Education Fund
- <sup>22</sup> *Racism and xenophobia rife in Russian society*, Amnesty International Report, May 4, 2006.
- <sup>23</sup> Richard G. Jones, "In Louisiana, a tree, a fight and a question of justice." *New York Times* (September 19, 2007). Available online: [http://www.nytimes.com/2007/09/19/us/19jena.html?\\_r=2](http://www.nytimes.com/2007/09/19/us/19jena.html?_r=2)
- <sup>24</sup> Patrick Jackson, "Living with hate race in Russia" *BBC News* website, Moscow. (February 24, 2006). Available online: <http://news.bbc.co.uk/1/hi/world/europe/4737468.stm>
- <sup>25</sup> *Russian Federation: Violent Racism Out of Control*, Amnesty International News Release, May 4, 2006.



- <sup>26</sup> "Nanjing Anti-African Protest," *Economic Expert*. Available online <http://www.economicexpert.com/a/Nanjing:Anti:African:protests.html>
- <sup>27</sup> "3 Whites indicted in dragging death of black man in Texas," *CNN News* (July 6, 1998). Available online: <http://www.cnn.com/US/9807/06/dragging.death.02/index.html>
- <sup>28</sup> "Builder to face trial for murder of driver," *The Daily Dispatch Online News*. (August 28, 2000). Available online: <http://www.dispatch.co.za/2000/08/28/southafrica/CBUILDER.HTM>
- <sup>29</sup> "SA Police charged for dog attacks," *BBC News, Africa*. (November 29, 2001). Available online: <http://news.bbc.co.uk/1/hi/world/africa/1682639.stm>
- <sup>30</sup> "ANC Welcomes The 20 Year Sentence Given To Parys Racist Killers Trio," African National Congress website. (December 13, 2001). Available online: <http://www.anc.org.za/show.php?doc=ancdocs/pr/2001/pr1213e.html>
- <sup>31</sup> Greg Roberts, "Police act on growing race-hate groups," *The Age*, April 16, 2001.
- <sup>32</sup> "Sudan, Rebels sign prisoners release deal," *CNN News*. (February 17, 2009). Available online: <http://edition.cnn.com/2009/WORLD/africa/02/17/sudan.darfur.talks/index.html>
- <sup>33</sup> Canadian Charter of Rights and Freedoms, Enacted as Schedule B to the Canada Act, 1982 (U.K.) 1982, c. 11.
- <sup>34</sup> There is some precedent for this argument from the famed 1998 Ontario Superior Court case *Jane Doe v. Board of Commissioners of Police of Toronto*. *Jane Doe was sexually assaulted by a serial rapist*. She alleged that the police breached her s. 15 equality right, on the basis of gender, because sexist assumptions clouded their investigation of the rapes.
- <sup>35</sup> *Canadian Human Rights Act*, R.S., 1985, c. H-6.
- <sup>36</sup> *Customs Tariff*, 1997, c. 36.
- <sup>37</sup> *Broadcasting Act*, 1991, c. 11.
- <sup>38</sup> *Canada Post Corporation Act*, R.S., 1985, c. C-10.
- <sup>39</sup> Sourced from: National Asian Pacific American Legal Consortium. *Hate Crimes Toolkit – Working with Law Enforcement*. Available online: [http://www.advancingequality.org/files/working\\_with\\_law\\_enforcement.pdf](http://www.advancingequality.org/files/working_with_law_enforcement.pdf)