

Anti-Racism Action Plan: Progress Report

Issue 1 (June 2021)
Canadian Human Rights Commission



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droits de la personne

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ISSN 2564-1255

This publication is available on the CHRC's website at: www.chrc-ccdp.gc.ca

TABLE OF CONTENTS

Introduction..... 1
First Pillar: Being clear, open and accountable 2
Second Pillar: Advancing equality and inclusion as an employer 4
Third Pillar: Improving access to justice 7
Fourth Pillar: Advocating for Change 10

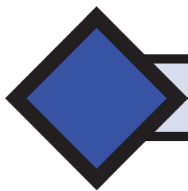
Introduction

In the first published draft of the Canadian Human Rights Commission's [*Anti-Racism Action Plan*](#), we committed to being open and transparent by reporting on our anti-racism efforts and results achieved.

Over the last few years, the Canadian Human Rights Commission (CHRC) has taken a close look at every facet of our work, our internal organization, and the services we provide to the public. It has all been part of an ongoing commitment by the Chief Commissioner and our senior staff to “walk the talk” of addressing the possible impacts of systemic racism across our various roles — as a human rights advocate, a human rights service provider and regulator, and as a federally regulated employer. Our *Anti-Racism Action Plan* is an evergreen, foundational document that will continue to guide our ongoing and evolving anti-racism efforts, both within and outside our organization.

This Progress Report is the first of many that will detail the various milestones and achievements we've made in our anti-racism efforts. It draws upon our most recent anti-racism efforts up to March 31, 2021. As our *Anti-Racism Action Plan* will continue to evolve with changing contexts and valuable input, so will the structure of the Progress Reports. During this first reporting period, a first draft of our Action Plan was circulated for feedback from CHRC staff and unions. This vital feedback, including welcomed and awaited feedback from stakeholders, will be incorporated into a new 2.0 version of the *Anti-Racism Action Plan* to be published later in 2021.

As the milestones evolve, the motivation behind our Action Plan and Progress Reports will remain unchanged: the CHRC is dedicated to meeting the highest standards of equality and non-discrimination, inclusion, dignity and respect, and is committed to being a fierce ally in the fight against racism in Canada. As this Progress Report will show, we are more committed than ever to ensuring that anti-racism is imbedded in all that we do and all that we are, as Canada's national human rights institution.



First Pillar: Being clear, open and accountable

Results Achieved

September 2020: Appointment of Senior Lead

We appointed a senior executive to coordinate the development of the CHRC's *Anti Racism Action Plan*, and lead the implementation of key pieces of the work, with the support of designated partners within the CHRC.

Year-round: Public reporting

We publicly reported on the CHRC's anti-racism work, throughout the year, using a variety of tools and channels, including:

- ◆ June 25, 2020 statement: [Walking the Talk: It's time for all of us to address systemic racism and discrimination — inside and out.](#)
- ◆ July 16, 2020 news release: [CHRC to audit the representation of racialized people in the federal public service.](#)
- ◆ September 2020: released the Mark Hart report, [Strengthening the Commission's Handling of Race-Based Cases](#); and also the publication, [Canadian Human Rights Commission Dialogue Session with Racialized Communities on Advancing Racial Equality in Canada.](#)
- ◆ April 2021: presented our anti-racism efforts in our [2020 Annual Report to Parliament.](#)

January 2021: Internal committee

We established, in discussion with unions, an internal consultation committee comprising Indigenous, Black and other racialized people to seek input on the CHRC's anti-racism work. The inaugural meeting of this consultation committee was held in early April 2021.

March 2021: Ensuring external review of complaints *against* the CHRC

We finalized the work of establishing an external mechanism for screening complaints against the CHRC. We have entered into an inter-delegation agreement with a provincial human rights commission to allow for the independent screening of human rights complaints against the CHRC.

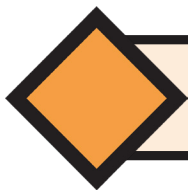
October 2020: Creating safe space for feedback

We hired an external facilitator to meet with Indigenous, Black and other racialized employees to gain their perspectives and views on institutional and structural barriers that may exist within the CHRC, with the goal of instituting anti-racist organizational change.

The external facilitator continues to hold private interviews with staff and has met with several union representatives. The target date for the final report is August 31, 2021.

January 2021: Internal audit

The CHRC hired an external consultant to undertake an independent audit on the CHRC's compliance with the nine requirements of the Employment Equity Act. The final audit report was received on March 31, 2021 and those results will be published on our website in Summer 2021.



Second Pillar: Advancing equality and inclusion as an employer

Results Achieved

Year-round: Training

Dating back to 2019, we have regularly provided training to CHRC staff and management, as well as Commissioners, with the goal of improving anti-racism knowledge, and facilitating meaningful and safe anti-racist dialogue across the organization.

- ◆ 2019: Mandatory all-day offsite unconscious bias training led by Dr. Rachel Zellars and provided to all staff and Commissioners.
- ◆ 2019: Antisemitism and Islamophobia training delivered to staff by The Centre for Israel and Jewish Affairs (CIJA) and The National Council of Canadian Muslims (NCCM).
- ◆ 2020: CHRC management, Commissioners and staff participated in the screening of two films about the lived experiences of Black and racialized people: “Briser le code” by Fabrice Vil and “The Skin We’re In” by Desmond Cole. Each screening was followed by an extensive discussion period.
- ◆ February 2020: A session on unconscious bias and anti-Black racism was delivered to Commissioners and senior management by Fo Niemi, Executive Director of the Center for Research-Action on Race Relations, and Anthony Morgan, Manager of the City of Toronto’s Confronting Anti-Black Racism Unit.
- ◆ February 2020: A session on unconscious bias and anti-Black racism was delivered to staff by Anthony Morgan, Manager of the City of Toronto’s Confronting Anti-Black Racism Unit.
- ◆ 2021: To mark the Week of Solidarity with the Peoples Struggling against Racism and Racial Discrimination, staff were invited to a screening of “Walking in Two Worlds,” the story of Chloe Dragon Smith, followed by a discussion of the film featuring Mr. Mohammed Hashim, Executive Director of the Canadian Race Relations Foundation (CRRF).
- ◆ 2021: CHRC Library Services compiled an anti-racism resource list and offered to purchase an anti-racism book for each employee, and make them available to employees to facilitate further learning and participation in employee book clubs.
- ◆ 2021: Seminar “Avoiding Harm when Discussing Racism; background knowledge and best practices,” delivered to CHRC Directors in February 2021, and then to rest of staff throughout March and April.
- ◆ 2020 – 2021: several training sessions delivered by Mark Hart to CHRC Complaints Services staff (human rights officers) on how to strengthen the Commission’s handling of race-based cases. See Third Pillar: Improving Access to Justice for more detail.

Year-round: Diversity in CHRC's Commission members

Understanding that the appointment of the CHRC's Commissioners is done through the Governor in Council, we are continuing to advocate for the appointment of Indigenous, Black or other racialized Commissioners. For example, this was one of the recommendations noted by the Global Alliance of National Human Rights Institutions' Sub-Committee on Accreditation during the CHRC's last accreditation review, in May 2016. Following the accreditation review, we reiterated this important priority in our follow-up letter to the Minister of Justice.

Ongoing: Mental health of staff

The Director of Human Resources and the Mental Health Champion are developing a proposal to request Health Canada's EAP services to identify counsellors with expertise in dealing with discrimination-related trauma and ask for that service to be consistently and reliably available to employees.

In addition, extended counselling services have been made available since February 1, 2021.

Year-round: Diverse hiring of staff

In an effort to ensure diversity in staffing, the CHRC is committed to diversifying the composition of our hiring boards, particularly where employment equity gaps exist. Specifically, during this period, Indigenous and racialized Executives from the CHRC have participated in three hiring boards.

Ongoing: Recognizing religious holidays in our systems

In an effort to ensure awareness of major religious and spiritual observances, we are expanding the calendars of all CHRC staff to ensure they are aware of all major religious observances during this reporting period, and going forward. Instructions to import these days into personal calendars have been shared with all Executives who, in turn, shared this with their teams. As well, consideration is also being given by IT on how to incorporate other days of significance into employee calendars.

March 2021: Assessing how inclusive our health and safety protocols are

In consultation with employees, we have completed a preliminary assessment to examine how inclusive our compliance with [The National Standard of Canada for Psychological Health and Safety in the Workplace](#) is to the perspectives and experiences of Indigenous, Black and other racialized employees. Additional consultations with employees are underway to validate and prioritize which factors will form the basis of the updated mental health action plan. Next steps will include a final report that will be shared with management, and will inform a revised CHRC mental health action plan by March 2022, which will be developed in consultation with the CHRC's Indigenous, Black and other Racialized internal consultation committee.

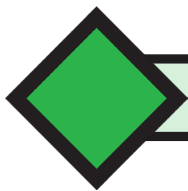
Underway: Data strategy

In an effort to ensure that the collection of disaggregated race data is part of our anti-racism platform, we have taken the first steps required to enable our case management system to collect and report this type of data. We have completed our initial assessment of data points and are in the midst of developing the business case and proposed work-plan that will include forming a Working Group to lead our data strategy over the next two to three fiscal years.

Underway: Horizontal audit of diversity in public service management positions

The first phase of the horizontal audit looking at the employment of racialized federal public servants in management and executive positions was completed in November 2020. We sent our employment equity survey to some 47 departments and agencies with more than 500 employees.

We selected 18 departments and agencies to participate in the second phase of the audit and reviewed the submission indexes and evidence that we received from these organizations in February 2021. Interviews with employees from the 18 departments and agencies are currently underway.



Third Pillar: Improving access to justice

Results Achieved

Underway: Retroactive data collection

Work is underway on our initiative to collect voluntary retroactive disaggregated race data of the people who used our complaints system during 2019–20. Following consultation with internal and external stakeholders on our survey script and methodology, we have undertaken a survey to collect disaggregated demographic data as well as information about other social and economic indicators from complainants who filed complaints based on race, colour or national or ethnic origin over the course of 2019–20. We are establishing a working group to guide the analysis of the survey results, and to develop options for how to enhance the data collection of disaggregated demographic information for all new complaints going forward.

November 2020: Monitoring and reporting on discrimination complaints related to race

In November 2020, we launched our newly developed statistical tool to allow us to monitor and report on the outcomes of complaints filed on the ground(s) of race, colour, and/or national or ethnic origin. In addition, we are establishing regular monitoring of the complaints dashboard at Complaint Support Committee, specifically to monitor complaints of this nature.

December 2020: Revised screening tools

In December 2020, Human Rights Officers were trained on our newly updated complaints screening tools, which have been revised to ensure that the necessary evidence, both individual and systemic, is effectively gathered and considered. Ongoing training of Human Rights Officers will be provided pursuant to review and assessment of needs.

In addition, similar training was provided to Legal Services Division and Policy, Research & International Division in February & March 2021 on screening of complaints grounded in race, colour and national or ethnic origin.

March 2021: Training for staff involved in assessing complaints

The CHRC's team of Human Rights Officers in our Complaints Services Branch, as well as supporting legal and policy Advisors, received further training to build upon past training on conscious and unconscious/implicit bias and systemic racism.

- ◆ March 8, 2021: Understanding Racial Trauma (English session and French session).
- ◆ March 2021: "The Four Pillars of Trauma" course, delivered by Myrna McCallum to the Complaints Services Division
- ◆ 2020–21: Training sessions by Mark Hart (eight in total) "Strengthening the Commission's handling of Race-based Cases" (2020-21)

Ongoing: Policy expertise on complaints

In an effort to support effective screening of race, colour and/or national or ethnic origin complaints, CHRC policy and legal Advisors continue to be assigned to each complaints screening team and can be accessed as needed.

Ongoing: Enhancing our online complaint form

Our commitment to enhancing our online complaint form will be a continual one, especially as technology improves and evolves. We know that keeping our online complaint form as efficient and user-friendly as possible is one of the most fundamental ways we can improve access to justice.

November 2020: Renewing our early triage process

Together, with all attending triage members, we re-solidified our early triage process by reviewing and updating the guiding Terms of Reference to ensure a people first approach.

November 2020: Supporting human rights legal support in the community

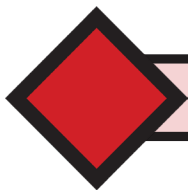
Our Legal Services Division provided training to students who will be participating in legal clinics under the Indigenous Human Rights Program, launched in 2020. The program — being led by Pro Bono Students Canada and the Ontario Federation of Indigenous Friendship Centres — will offer legal clinics in Friendship Centres in Ottawa and Toronto to Indigenous people requiring support in accessing human rights justice. The CHRC has been an outspoken supporter of the program since its inception. That is why, in 2020, we once again endorsed Pro Bono Students Canada's application to the Law Foundation of Ontario to continue and expand this work.

Ongoing: Participation in complaints related to race at Tribunal

While the CHRC is not funded to participate in the litigation of all complaints before the Canadian Human Rights Tribunal, we remain committed to public interest advocacy and supporting access to justice. During this first quarter of the implementation of our Anti-Racism Action Plan, (January 1, 2021 – March 31, 2021), the CHRC participated in the litigation of a number of cases before the Tribunal, Courts and other Boards involving allegations of racism.

Our participation includes but is not limited to:

- ◆ Complaints alleging the federal government has engaged in systemic discrimination by failing to adequately fund or support the delivery of various **services to First Nations people on reserves**, including education, health, community living, and child and family services, as well as policing.
- ◆ Complaints alleging the **federal correctional system** discriminates against Indigenous, Black and other racialized prisoners in various ways, including:
 - ◆ using inappropriate actuarial tools,
 - ◆ over-using isolation,
 - ◆ failing to provide appropriate mental health services,
 - ◆ failing to provide culturally-appropriate programming, and
 - ◆ failing to provide substantively equal access to spiritual practices and advisors.
- ◆ Complaints alleging that systemic and discriminatory barriers exist to the hiring or **career advancement of Black or other racialized candidates** or employees, in settings that include the federal transportation industry, and various federal government departments or agencies.



Fourth Pillar: Advocating for Change

Results Achieved

Ongoing: Advocating for changes to the Employment Equity Act

Following a 2019 submission in which we highlighted to the UN Committee on Economic, Social and Cultural Rights the need for a comprehensive review of the Employment Equity Act, the CHRC continues to press for substantive change, including through:

- ◆ Ongoing participation of a representative of the Policy, Research and International Division in the Government of Canada's inter-departmental working group on the use of the term "visible minority".
- ◆ Participation by a CHRC representative in the Office of the Chief Human Resources Officer's self-identification modernization initiative, at which we re-iterated the importance of collection and reporting of disaggregated data for designated groups, amongst other input provided to this initiative.

In January 2021, we welcomed the identification of Employment Equity Act reform in the Supplementary Mandate Letter to the Minister of Labour: *"With the support of the President of the Treasury Board and the Minister of Diversity and Inclusion and Youth, launch a review of the Employment Equity Act, as we advance work on equity, diversity and inclusion for women, LGBTQ2 Canadians, Indigenous Peoples, Black and racialized Canadians, persons with disabilities and other underrepresented groups."*

As we await word on next steps, the CHRC will work with stakeholders on possible proposals that can be recommended as part of the review of the Act.

Ongoing: Being a national voice and public advocate against racism and intolerance in Canada, and shedding light on issues identified by racialized stakeholders

In joint-messages with provincial and territorial human rights organizations (CASHRA):

- ◆ released an open letter highlighting the importance of disaggregated data collection, and in particular race-based disaggregated data (2020).
- ◆ issued a statement expressing concern about the rise in hate incidents (2020).

In our submissions to UN bodies:

- ◆ The Committee on the Elimination of Discrimination against Women prior to their development of the List of Issues Prior to Reporting for Canada's next periodic review (2019).
- ◆ The Committee on Economic, Social and Cultural Rights prior to their development of the List of Issues Prior to Reporting for Canada's next periodic review (2020).
- ◆ The Committee on the Rights of Persons with Disabilities prior to their development of the List of Issues Prior to Reporting for Canada's next periodic review (2019).
- ◆ The Committee on the Rights of the Child prior to their development of the List of Issues Prior to Reporting for Canada's next periodic review (2020).
- ◆ In September 2019, the CHRC appeared before the UN Committee on the Rights of Persons with Disabilities and highlighted in particular the situation of Indigenous peoples.
- ◆ In October 2020, the CHRC appeared before the Committee on the Rights of the Child and highlighted in particular the issue of discrimination against Indigenous children.

In our Chief Commissioner's 2020 and 2021 speaking engagements and live addresses to audiences across Canada:

- ◆ Remarks to McGill Law School celebrating black history month, Fred Christie, and legal advances on racial equality (February)
- ◆ Remarks at the Federal Black Employee Caucus AGM (February)
- ◆ Participation in Canada School of Public Service Panel: Enduring Lessons from the Fred Christie case (February)
- ◆ Opening remarks at the UN Decade for Persons of African Descent "Push" Coalition Event: "Human rights impacts of COVID-19 measures on Black and racialized people living in Canada" (May)
- ◆ Opening remarks at a press conference for the launch of the "Fight COVID Racism website" (May)
- ◆ Opening Keynote address at the Act2EndRacism Network's community consultation event (August)
- ◆ Co-hosted with the Anti-Racism Secretariat of the Department of Canadian Heritage a national virtual conference on "Confronting racism and addressing human rights in a pandemic; opening and closing remarks by Chief Commissioner (September)
- ◆ Opening remarks at the Public Policy Forum's panel on "Human rights in a digital world; online hate" (September)

- ◆ Presentation: “A human rights approach to decision-making” to Members of the Eastern Region of the Immigration and Refugee Board of Canada (September)
- ◆ Presentation: “How racism can manifest itself and influence our daily work” to the Black Employees Network (B.E.N.) of the Treasury Board of Canada Secretariat (October)
- ◆ Remarks at Vanier College Annual Symposium on Holocaust & Genocide; title of remarks: “Confronting the truth about Canada and racism” (November)
- ◆ Remarks at meeting of Federal, Provincial and Territorial Ministers responsible for human rights, and called on them to prioritize anti-racism initiatives (November)
- ◆ Presentation: “How racism can manifest itself and influence our daily work” to Transport Canada senior management (November)
- ◆ Remarks at the Fighting Antisemitism Together (FAST) conference on International Human Rights Day (2020).
- ◆ Remarks at Chinese Canadian National Council of Toronto Press Conference following the shooting in Atlanta; “Anti-Asian hate has no place in Canada” (March 2021)
- ◆ Participation at meeting with Global Affairs Canada’s Deputy Ministers’ Advisory Committee on Anti Racism (March 2021)

In our public statements and news releases published on our website, across our social media platforms, and in the media:

- ◆ Statement: Racism in response to COVID-19 harms us all (April 8, 2020)
- ◆ Statement: Anti-Black racism in Canada: time to face the truth (June 02, 2020)
- ◆ Statement: Walking the Talk: It’s time for all of us to address systemic racism and discrimination — inside and out (June 25, 2020)
- ◆ News release: CHRC to audit the representation of racialized people in the federal public service (July 6, 2020)
- ◆ Statement: The time to address anti-Indigenous racism is long past due (October 2, 2020)
- ◆ Statement: Building back better means leaving no one behind (December 10, 2020)
- ◆ Statement: Black history is Canada’s history (February 1, 2021)
- ◆ Statement: It’s time to step up to end racism (March 19, 2021) to mark the International Day for the Elimination of Racial Discrimination.

In our media appearances:

- ◆ The Chief Commissioner appeared on CTV power and politics with Evan Solomon and CBC news hour with Rosemary Barton to speak about systemic racism in Canada (July 2020)
- ◆ The Chief Commissioner spoke to Peter Van Dusen on CPAC's primetime politics about the new government's need to address racism in Canada (October 2020)
- ◆ The Chief Commissioner was interviewed by CTV International on the crisis of anti-Asian hate (March 2021)

Spring 2021: Opening communication channels between new Federal Housing Advocate and racialized groups

Work has begun to design and implement a public submission process that will allow the Federal Housing Advocate to gain a better understanding of housing challenges faced by vulnerable populations, including Indigenous, Black and other racialized people. Consultations have begun with stakeholder groups, other governmental departments, and key opinion leaders in support of the development of the submission process.

Ongoing: Ensuring we approach our new role in monitoring the UNCRPD from intersectional and anti-racism lens

As we continue to lay the groundwork for our role in monitoring Canada's implementation of the Convention on the Rights of Persons with Disabilities, we are ensuring that we apply an intersectional lens, and that we work to engage the voices of Indigenous, Black and other racialized people with disabilities.

2019: We raised issues specific to Indigenous and racialized persons with disabilities in our submission to the UN Committee on the Rights of Persons with Disabilities in advance of the Committee's development of the List of Issues Prior to Reporting for Canada's 2nd periodic review.

2019–2020: In creating an Advisory Body to work with the CHRC on the design and administration of a survey on CRPD monitoring, membership included Indigenous and racialized individuals.

June–July 2020: In reaching out via a survey to hear directly from Canadians with disabilities about how they want us to approach our monitoring role, we collected demographic data, including race and Indigenous identity data, to measure the extent to which our survey online was reaching these individuals. As a result, in a follow-up to the survey, we worked with stakeholders to encourage the particular participation of Indigenous, Black and other racialized individuals in our virtual engagement sessions. The resulting engagement sessions included a diverse range of participants as a result.