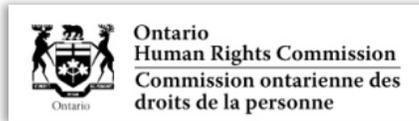
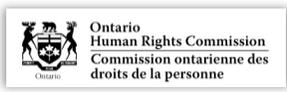

Human Rights Project



Community Training & Consultation Sessions
May 9, 2013

Summary of Discussion and Evaluations



Windsor Police Service Human Rights Project Community Training & Consultation Sessions Summary of Discussion and Evaluations

Thank you to everyone who supported and participated in the training and consultation sessions, including community members, members of community organizations, our presenters Dr. Shaheen Azmi and Ms. Saleha Khan, members of the Windsor Police Service and Windsor Police Service Auxiliary, and the Windsor Public Library and its staff members. We hope you enjoyed participating in the sessions and thank you for the valuable feedback provided during the consultation session. We are encouraged by your participation and support. A copy of this document will be forwarded to the Windsor Police Service Senior Leadership Team and posted on the Service's internal and external websites.

On Thursday, May 9, 2013, the Windsor Police Service Human Rights Project hosted a community human rights training session and community consultation session at the Windsor Public Library, Central Branch. A total of thirty-five community members attended the sessions. Thirty participants were affiliated with community organizations, and five participants were citizens interested in participating in the Project.

The community human rights training session was presented by Dr. Shaheen Azmi, Acting Director of the Policy, Education, Monitoring, and Outreach at the Ontario Human Rights Commission and covered the following topics:

- Ontario *Human Rights Code (Code)*
- Outline of Ontario's human rights system
- 5 Social areas identified under the *Code*
- Prohibited grounds identified under the *Code*
- 3 Key elements to discrimination under the *Code*
- Overview of Ontario Human Rights Tribunal applications in 2011
- Key concepts: equality, discrimination, harassment, accommodation, competing rights, exceptions and exemptions

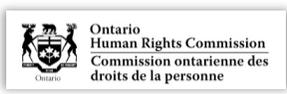
The community consultation session was facilitated by Saleha Khan, Instructor with the Race Relations & Adult Education Unit at the Ontario Police College. Saleha Khan briefly reviewed the WPS 2012 community consultation sessions and then asked participants the following questions:

- Are there any themes missing?
- Is the WPS aware of the expectations and responsibilities that I have for them?
- What can I do for the WPS?

This report includes the following:

1. Human rights training session PowerPoint presentation slides.
2. Community consultation session PowerPoint presentation slides and corresponding notes on the participants' discussion.
3. Summary of the Recruitment Outreach Session Evaluation Form Feedback.





Human Rights Project

Human Rights Essentials

Windsor Police Community Training and Consultation
Presenter Shaheen Azmi, OHRC
May 9 2013

Slide 1

The Ontario *Human Rights Code*

- The *Code* is the law in Ontario prohibiting **discrimination** and **harassment**
- Promotes a climate of understanding and mutual respect for the dignity and worth of each person
- Provides for equal rights and opportunities without discrimination
- Aims to ensure each person feels a part of the community and able to contribute fully

Slide 2

The Ontario Human Rights System

- ❑ Ontario's new human rights system started on June 2008
- ❑ The new system consists of three pillars
 - The Human Rights Tribunal of Ontario
 - The Human Rights Legal Support Centre
 - The Ontario Human Rights Commission

Slide 3

Social areas

- *Code* prohibits discrimination and harassment in 5 'social areas':
 - Employment
 - Services, Goods & Facilities
 - Housing
 - Contracts
 - Membership in vocational and professional associations

Slide 4

The prohibited grounds

- *Code* prohibits discrimination on the basis of certain 'grounds':

➤ Race	➤ Gender identity
➤ Ancestry	➤ Gender expression
➤ Place of origin	➤ Age
➤ Colour	➤ Record of offences (employment only)
➤ Ethnic origin	➤ Marital status
➤ Citizenship	➤ Same-sex partnership status
➤ Creed	➤ Family status
➤ Sex/Pregnancy	➤ Disability (perceived & mental disabilities)
➤ Sexual Orientation	

Slide 5

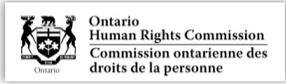
Discrimination under the Code

Must contain 3 key elements:

Identified ground
 +
Social area
 +
Significant Differential Impact
 =
Application (Complaint) (Allegation of Discrimination)

Slide 6





Human Rights Project

Overview of all applications

- The OHRT took in 2740 new applications in 2011
- Typically, employment-related applications (about 75 to 80% annually), followed by applications about services (15 to 20%).
- Typically applications cite:
 - disability as a ground (over 50%)
 - race and related grounds (about 30%)
 - Sex and pregnancy (about 25%)

Slide 7

Key concepts

- Equality
- Discrimination
- Harassment
- Accommodation
- Competing Rights
- Exceptions and Exemptions

Slide 8

Equality

- Substantive equality not formal equality
- Equity / equality

Slide 9

Discrimination

- **Case law:**
 - No formulaic way of applying a test
 - Has “substantive discrimination” been demonstrated in the context
 - a ground under the Code
 - Adverse treatment or impact shown in social area
 - Maybe also require disadvantage relative to others be shown
 - Was the ground under the Code involved
- **Often confirmed where differential treatment is:**
 - associated with a stereotype
 - offensive to human dignity
 - targets a historically disadvantaged community
- **No Intent required:**
 - Discrimination doesn’t have to be intentional

Slide 10

Types of discrimination

- Direct Discrimination
 - Discrimination that is directly perpetrated by individuals or rules even if subtly and covertly
- Indirect Discrimination
 - Discrimination that is perpetrated through a third party
- Adverse impact
 - Rules, policies, procedures, requirements, qualifications or factors that may not be directly or intentionally discriminatory but that have an adverse effect

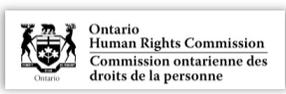
Slide 11

Types of discrimination

- Profiling
 - Acting on stereotype or prejudice to inappropriately scrutinize or act against individual based on or partially based on a human rights code ground identifier
 - Examples: racial profiling, streaming, etc.

Slide 12





Human Rights Project

Types of discrimination

- **Systemic discrimination**
 - consists of patterns of behaviour, policies or practices that are part of the social or administrative structures of an organization, and which create or perpetuate a position of relative disadvantage for people
 - can relate to any ground
 - systemic discrimination is embedded in policies and practices (formal rules and events), and organizational culture (informal aspects)

Slide 13

Harassment

- Harassment – a vexatious course of conduct that is known or ought to be known to be unwelcome
 - Can relate to any Code Ground
 - Eg. Slurs, jokes, email messages etc.
- Poisoned environment – actions or words that poison the environment for others
 - Eg. A Racial slur spoken in a workplace poisons environment for all racialized people

Slide 14

Duty to accommodate

- **Inclusive Design**
 - Ideal is to design inclusively to prevent discrimination and need for accommodation
- **Accommodation - next best solutions**
 - Accommodate rights related to needs associated with Code ground status to allow for substantive equality
 - Often associated with disability, religion, family status
 - Limited by overwhelming necessities not convenience

Slide 16

Duty to accommodate

- Duty is both procedural and substantive
- Procedure
 - a process that is timely and respectful
 - Requires constructive cooperation from all sides
- Substantive
 - Getting it right
 - Very contextual

Slide 17

Undue Hardship

- **Undue Hardship**
 - Must be assessed vs asserted
 - excessive cost (incl. outside sources of funding) threatens viability of organization and its essential service
 - Unreasonable health and safety risk

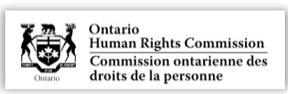
Slide 18

Other Limits

- **Bona fide Requirements (BFRs):**
 - Section 1 of the Charter: a rule, requirement etc. which has a discriminatory effect is allowed where it can be shown to be reasonable and *bona fide* in the circumstances
 - must show:
 - relationship between requirement and activity;
 - and requirement imposed in good faith;
 - and needs of the group cannot be accommodated without undue hardship
 - Examples?

Slide 19





Human Rights Project

Competing Rights

- Where two legally verified rights come into direct and substantial conflict with each other
- Human rights are inherently limited by other human rights
 - Equality right v. another equality right
 - Equality right v. Freedom right
- Often involves grounds of creed, disability, sexual orientation but may include all grounds
- New Policy on Competing Human Rights

Slide 21

Exceptions and Exemptions

- Instances where treating people differently, or not accommodating them, is NOT “discrimination” under the Code
- **Specific exemptions in the Code:**
 - Age restrictions for children
 - Citizenship restrictions – for employment
 - Special interest organizations – religious, philanthropic, educational, fraternal, or social institutions may discriminate in membership and participation
 - Funding for Catholic Schools

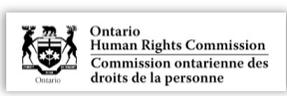
Slide 22

Special programs

- Special programs:
 - are programs designed to relieve hardship or historical disadvantage that attempt to achieve equal opportunity or that are likely to contribute to the elimination of the infringement of rights.
 - These programs are specifically protected under the Charter of Rights and Freedoms and The Ontario Code
 - Eg. employment equity programs, special academic admissions programs for disadvantaged or marginalized

Slide 23





Community Consultation Session

1. Review of past sessions:

Human Rights Project

Community Consultation
May 9, 2013
Windsor Public Library
2:15-4:00 p.m.

Slide 1

Jan18-19, 2012 Consult

- Open Discussion Format
- Community posed questions and WPS members responded and clarified
- The discussion covered the following topics: Communication, Contract Duty, General, Language Interpretation Service, Racial Profiling and Black Youth, Recruitment, Training, and Youth and Police.

Slide 2

Questions asked...

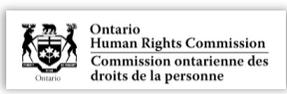
- How will the community be informed about the Human Rights Project?
- How does the Windsor Police Service plan to improve communications with the public?
- Do you have any benchmarks?
- Why are you not reaching the community?
- What training have Windsor Police Service members received?

Slide 3

- How much awareness do your officers have of other regulations and legislation?
- How can we make your officers more informed?
- Does the Windsor Police have any external mentorship programs?
- How do you communicate with the officers when you want to get information out to them?

Slide 4





Human Rights Project

May 1, 2012 Consult

- WPS hosted two community outreach sessions at the Windsor Police Service training facility.
- A total of forty six community members attended the sessions.
- Thirty six participants were affiliated with community organizations, and ten participants were citizens interested in participating in the Project.

Slide 5

Agenda May 1, 2012

1. Community Consultation Process
2. Barriers to the Windsor Police Outreach/Recruitment Process
3. Community Feedback
4. Internal and External Accommodation Policy Relating to Creed
5. Development of a local Language Guide for Windsor Police Service members

Slide 6

Development of a Local Language Guide for Windsor Police Service Members

- Seek help from settlement agencies and ethnic/faith based community leaders
- Use clear, consistent language and make it user friendly
- Have it translated into various languages and readily available
- Use a variety of formats
- Identify roles, rights, and responsibilities
- Include the protected grounds: what is and what is not protected
- Don't use officers from the Windsor Police Service in the photos for this guide
- Good initiative

Slide 7

Feedback told us...

- WPS needs to be more visible and involved with the community at large.
- The project is providing a good process; however, there is open skepticism about the long term impact of this project.
- Consultations like these are much needed to build relationship and support the project

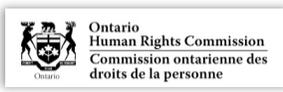
Slide 8

Comments on May 2012 Consult

- Open discussion format appreciated
- Excellent
- Good source of information and point of views in the different groups
- Good discussion and facilitation
- Excellent opportunity for all to provide thoughts, comments and feedback
- In its early stages. This was a good session, open forum where people were comfortable in their opinions and voicing them
- Great discussion, invaluable inputs
- Good group participation
- Given the time, the components were great
- You are doing well. Keep up the good work
- Keep up the good work moving forward
- Pleased the process has begun

Slide 9





Key Themes

- Relationship building/ relationship enhancing
- Collaboration/ partnership
- Trust building/trust enhancing
- Communication
- Sector specific needs (Health, Education, Settlement Services, Public Safety)
- Community specific needs (Age, Gender Identity, Sex, Orientation, Creed, Culture)

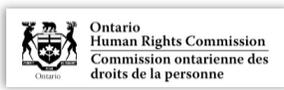
Slide 10

2. Facilitator's question: Are there any themes missing?

Participants' comments:

- People with **mental health issues** (*Response: This is included in the health category*).
- **Social status** should be included in the key themes.
- **Ongoing training** should be included in the key themes.
 - Would this involve volunteer opportunities for the community?
 - Ongoing training is critical.
- Specific advocacy re: **WPS high school resource officer program**. WPS priorities should support the high school resource officers. We need to continue to put resources into these programs.
- Settlement services & community specific needs.
 - The **Aboriginal community** would be included in the culture theme; however, the training police receive should come from the local First Nations community.
- **Hands-on projects** the police service can become involved in within the community.
- **Visibility in the community** is very important. We need to recognize the officers in the community who come out to community events.
- **Accountability**: Amherstburg PS is going forward with the body cameras. Is Windsor police considering this as a learning, archival record and self-checking tool?





What can WPS Do for...

- Me...individual
- Mine...family, work
- Our...community, City of Windsor, Region

- Expectations, Responsibilities: How is WPS made aware of them?
- Is WPS aware of them in the first place?
- How can I make WPS aware of what I want and what I need?

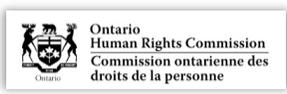
Slide 11

3. Facilitator's question: Is the WPS aware of the expectations and responsibilities that I have for them?

Participants' Comments:

- 5 people put their hands up to acknowledge 'Yes', and 2 people for 'Somewhat'.
- Whether we believe the police are aware of the expectations is somewhat dependent on the situation.
 - An example was given of the police officer running through a red light with emergency lights activated, and then stopping at the next light. The perception is the officer is abusing their power.
 - PC Akpata provided information about police authorities re: red lights and possible reasons why the officer may have discontinued driving with their emergency equipment activated.
 - 5 people heard this information from the police before and others have heard this from other sources.
- **Working with police/community partnerships**
 - How can the police service help the general community?
 - The police should be asking: How can we get to your community? Can we sit on your Boards as an ad hoc member?
 - This needs to be ongoing and two-way.
 - The community needs to look at providing opportunities for WPS members to be a part of the community Boards and be the conduit from the community to the WPS.
 - Intentional deliberate healing work with the various communities that feel alienated or ostracized by the police service.
- **Shifting and rotating the positions within the police service**
 - A shift of a police officer's position affects community Boards.
 - Is there some way of keeping the consistency of a police officer in a position? This is key to developing a rapport and consistency and history with community organizations (for example the domestic violence board).

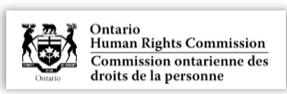




Human Rights Project

- **WPS needs to be humanized**
- **Youth**
 - The police need to be seen in the schools once a month or so to build relationships with the students (*Response: The Windsor Police Service has high school liaison officers who are assigned to high schools throughout the City*).
 - Encouraging policing as a career for youth, as well as a liaison program for youth that is more in terms of a mentorship.
- **Racial profiling**
 - Minority people are those that are stopped more frequently. There needs to be a culture shift. The police need to recognize their own stereotypes.
- **Accountability**
 - Police officers need to be able to report other police officers without being labeled. There needs to be a way of having transparency among themselves so officers can come forward. Often this only happens when they are forced to.
- **Police Services Board/Police Services Act**
 - How many 'ordinary' people are on the police board as opposed to people with titles?
 - Can we rotate through ordinary community people/citizens on the board?
 - *Response: There is an old formula for selecting Board members. They tend to choose the corporate level and then they will bring in someone from labour. Maybe the composition can be looked at.*
 - Suspension with pay in serious cases.
 - Competition in pay with other police forces (for example, Toronto is a larger city, but Windsor officers are paid the same as Toronto officers).





What can I do for WPS...

- By me...individual
- By me, myself and I (various hats that I wear)
- By my organization (work, volunteer)
- By my network (social, cultural, professional)

- What can WPS do to show they value ME?
- How can I help WPS understand ME?

Slide 12

4. Facilitator's question: What can I do for the Windsor Police Service?

Participants' Comments:

- **Participants need to carry the message from the police service back to their communities**

- Speaking to family, friends, neighbours, coworkers etc.
- Presenting the message at your workplace.
- Taking the message out to the community you are a part of.

- **Build a two-way relationship**

Community:

- The community has to let the police service know who they are.
- Education is a two-way street.
- Encourage your community to at least invite a police officer to come to your gatherings and develop a rapport. This will create a ripple effect and encourage rapport building.
- As we emerge we need to be communicating to the police. The community needs to keep the police informed as to what is going on in the community.

Police Service:

- Community needs to reach out to the police, and there is a huge responsibility for the police to follow up and commit to the relationship.
- The Aboriginal and First Nations community has not been invited to come out and provide training to the Service.
- Establish liaison committees. There should be an organization within the Service that assigns a specific officer to work with each specific community or sector.
- Sensitivity training. The police need to act more sensitively or friendly towards the public. There are situations where the police need to act differently.





Human Rights Project

- Social media. Keep in mind many of the not-for-profit organizations are not social media savvy.
- **Community groups should networking with other community groups**
 - Diverse groups need to network with other groups to build confidence in their rights.
- **Community members could attend WPSB meetings as another way of being an observer where proactive useful interactions could take place after the meeting.**

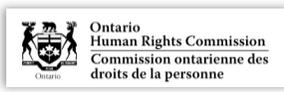
Follow Through

- Progressive work
- Continuous work
- Worthy work
- Heavy work

- Report would be provided and posted online as well as emailed to those who wish to receive this document. Please indicate your requirements.

Slide 13





Summary of Feedback from Community Training and Consultation Session Evaluation Forms (26 evaluation forms were returned)

1. How comfortable/appropriate was the venue for this session?

16 Excellent 10 Adequate __ Uncomfortable __ Unsure

2. Did you find the presentation to be informative and valuable?

23 Yes 3 Somewhat _ Not at all __ Unsure

Comments:

- Format style that allows greater participant involvement (discussion). Maybe more “learner-centered” and therefore lead to more engagement with the material information (less lecture style).
- While I have had training in this area, it was a valuable refresher and overview.
- Good information. All day workshop sessions can be beneficial.
- I gathered information that is very necessary to know, since I work with individuals, and be able to explain if anyone asks questions.
- I learned a lot of information on the topics that I previously didn’t know.
- Great that Windsor Police is being proactive in this area.
- We need to have more of this type of session.
- Well worth the time spent.
- Maybe more table talk followed by each group reporting out.
- Learned a lot of new information. (Yes, to no cost for parking).
- The program was too tightly packed – leaving little room for in-depth discussions. The informal/small group sessions were not well-organized to include all participants.
- The meeting room was a nice space although quite cold in temperature.
- Requires more time to discuss.
- This was a very good exercise. I believe it was very informative especially because of the different cultural groups present. Everyone offered a point of view and perception.

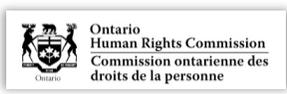
3. Has this session created an interest in you to participate further in the project?

22 Yes, I would be interested in participating further in this project
3 I am interested, but not at this time
0 No thank you
1 Blank

Comments:

- This topic – human rights/civility/citizenship is very important for our community to move forward and embrace, and celebrate diversity and difference.





Human Rights Project

- My work commitments prohibit me to take on additional responsibilities at this time.
- The more information you get is more experience you collect from what you learn.
- I would like to receive updates by email on any other projects or info sessions that will be taking place regarding Windsor Police Service and the community.
- It would be nice to see how community partnerships with Windsor Police Service are being developed and what is being done.
- Yes, as a volunteer somehow.
- Definitely believe in an increase in 2-way communication with cultural groups.
- I would check 'Yes' if future sessions allowed for deeper discussions on specific topics and issues of concern. The consultation was too rushed. Perhaps pre-consultation background and preparation might be considered in the future.
- I work with newcomers, lots of human rights concerns.
- I would feel privileged to be a part of community programs. I feel this is important because it will make me grow as a person and allow me to take pride in the City of Windsor.

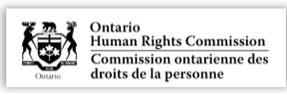
4. Do you feel there is some component of this project that we are missing but should be included?

8 No 8 Yes 10 Blank

Comments:

- Yes. More light for visual purpose.
- Glad to see ASL interpretation. Greater contrast on slides (black on blue slides is hard to read)
- Yes there was. Police stop more minority people statistically. Is there solution for this problem so that black people will fairly not be the target as they are thought to be poor. This falls into discrimination. I would like to see more done to change this because it puts young people in system and that is the fact.
- Yes. Time constraints.
- A police mentor protégée project (multiracial) would be greatly appreciated. Thank you.
- The follow-up with the community over the next five years (? 2 years). Thank you.
- Yes. Recognition of positives since last community forum.
- Yes. Do not know enough about the Project. Is there any way to reach more individuals about these types of presentations?
- Yes. Training – 1. Community training. 2. Windsor Police Service training. 3. Joint training. More opportunities to come together between consultations. Thanks.
- Yes. More steps which are solid (though I understand because it is in initial steps it needs some more time).
- Yes. Ask participating communities/groups/individuals for advance input/suggestions when planning future workshops/sessions.
- Yes. I would like the Windsor Police Service to become more involved with the minority community. Have a least one police dedicated to one community to create a rapport with that community (1 year min.). The consistency is what creates a rapport.





Human Rights Project

After at least one year then bridge to another police officer. This way you do not lose any contact with the community.

- Not at this moment. I volunteer with different agencies in the non-profit arena and would be very interested in volunteering with Windsor Police Service in the future if any position arose.
- No. This was exactly the type of discussion the citizens of Windsor needed. There is always room for improvement and the Windsor Police Service is aware of that. I personally thank them for their continued involvement in all that they do. We as citizens must understand that their career and sworn duty is much more than what we may perceive.
- No. Thanks for the day.
- No. Thank you.
- Wishing Windsor Police Service continued success with this important community initiative! Some suggestions respectfully submitted re: format:
 - a) Focus groups – use case studies to engage community participants to experience the aspects of “competing rights” and respect for difference in values and beliefs. Use City of Windsor relevant cases. Must be carefully moderated by “human rights knowledgeable” individuals. Must be a code of conduct re: respectful interactions for focus groups.
 - b) Panel of human rights professionals – speak for five minutes each on a particular aspect, then have small group discussions, and then whole group debrief – allows more interaction for participants with the information and the knowledge.
 - c) Youth sessions – use website/digital interaction.
 - d) Could ask participants send questions prior to talk.

If you have any questions or concerns please contact the Windsor Police Service Human Rights Project at 519-255-6700 ext. 4425 or wps_human_rights@police.windsor.on.ca

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