



Hamilton

- MINUTES -

COMMITTEE AGAINST RACISM

**Tuesday, September 24, 2013, 6:30 p.m.
City Hall, 71 Main Street West - Room 192**

Present: Jovaune Rhodes, Winston Morrison, Nerene Virgin, Marlene Dei-Amoah, Maher Nachwati, Amirah Hassan, Ashok Kumar, Baldeep Virk, Jessica Brennan, Roger Cameron, Zafar Siddiqui, Yim Chung

Also Present: Maxine Carter, Karima Yacoub, Jennifer Mak - City of Hamilton's Access & Equity Office, City Councillor Brian McHattie, Tanja Roglic (HWDSB)

Regrets: Tyrone Childs, Taimur Qasim

Absent:

Guests: Sgt. Nancy Lantz - Hamilton Police Service: Hate Crime Report 2012
Chief Glenn De Caire – Hamilton Police Service
Sandra Wilson – Hamilton Police Service

Chair: Roger Cameron, Chair

1. Welcome and Introductions.

All were welcomed.

2. Declaration of Interest.

None declared.

3. Review and Approval of Agenda.

W. Morrison/R. Cameron

To accept the agenda, as presented.

CARRIED.

4. Presentations:

**4.1 Sgt. Nancy Lantz – Hamilton Police Service - Hate Crime Report 2012.
Background of the Hate Crime Unit.**

- The Hate Crime Unit was established in 2003 and is a sub-unit of the Victims of Crime Branch, in the Investigative Services Division
- The Unit conducts investigations, prepares for court cases related to Hate propaganda offences, assists community groups with education and crime prevention concerning hate/bias crimes, tracks, maintains statistics on hate/bias incidents and prepares the year-end Hate Crime Statistical Report
- In 2003, the HPS along with Ottawa, Guelph, London and Waterloo Regional Police Services, in partnership with the Ministry of Community Safety and Correctional Services, formed the Hate Crime Extremism Investigative Team (H.C.E.I.T.)
- The HPS defines a hate/bias crime as a “criminal offence committed against a person or property, which is motivated by the suspect’s hate/bias against a person’s race, national or ethnic origin, language, colour, religion, sex, age, mental or physical disability, sexual orientation, any other similar factor”

- The Criminal Code of Canada has three categories of hate crimes: Hate Propaganda, Public Incitement and Religious Mischief
- You must have consent from the Attorney General's Office before proceeding with hate crimes, in the above-mentioned categories; each offence includes the targeting of a person from an "identifiable group" which is identified by the Criminal Code as "any section of the public distinguished by colour, race, religion or ethnic origin and sexual orientation"
- If a crime is determined as a hate crime, Section 718.2 calls for increased sentencing; in such a case, a request would have to be made to the Crown for increased sentencing
- The Hate Crime Unit offers victim support. The Chief's team follows-up with cases and investigators work with victims
- Training for Hate Crime officers was offered in a pilot through the Ontario Police College but there is still a gap, in terms of looking for supporting evidence
- Hate/Bias Overtone incidents are tracked, in case of a recurrence
- Bill 168 requires employers to protect workers against violence and harassment. However, if it is a criminal incident, the police must be contacted
- In 2012, there were 161 hate/bias events in Hamilton
- Every report is reviewed by a supervisor, then passed on to the hate crimes unit
- There is training provided for every police officer, in capturing evidence related to hate crimes

Breakdown of Hate Crime Cases

- The most targeted communities, for hate crimes, in 2012, were: the Black community, the Jewish community, and the LGBTQ community
- Many hate crimes were graffiti-related
- Across North America, the most extreme acts were physical acts committed against the LGBTQ community

Questions and Answers

Q. Would literature against women, for instance, fall under an identifiable group?

A. No.

Q. Would anti-women literature fall under Public Incitement of Hatred, Section 319?

A. Yes.

Q. Would this be covered elsewhere?

A. Yes, in Section 718.

Q. What is the success rate of hate crime prosecutions?

A. This number is not captured in the court system, but the HPS does track cases that have gone through court.

Q. Who establishes criteria for hate crimes?

A. The criteria are established by the Criminal Code.

Q. Is there discretion on defining hate crimes?

A. There has to be evidence for charges to be laid.

Q. Which governmental agency does the Criminal Code come from? For example; Parliament or the Supreme Court?

A. An Act or Bill comes through a Member of Parliament, then gets passed to the Criminal Code. The Supreme Court reviews all laws and can send it back to Parliament, for revisions.

Q. Does an overtone have to be overt?

A. Yes, or it could be ambiguous.

Q. How does Hamilton rank with other major cities in Canada?

A. Hamilton ranks number seven, according to Statistics Canada, for hate/bias crimes.

Q. How many officers go to a scene of a hate crime?

A. The number of officers depends on the case and what gets reported.

Q. How do victims, who fit multiple categories get recorded? E.g. intersections of identity? Are they double-counted?

A. Such cases may be recorded more than once, depending on which categories they fit into.

Q. The 2007-2012 Hate/Bias Crime Report reveals that Hamilton has decreased in hate/bias crimes. Why did we decrease?

A. This is the result of multiple factors, such as streamlining reporting, an increase in training and a decrease in case ambiguity.

Q. CAR is working on developing a telephone helpline and resource centre, to provide information, support and referrals, to individuals experiencing racism. What does the HPS think about such a mechanism to assist the individuals who may be victims of racism?

A. A reporting and support mechanism would be a good avenue for the community to open up channels. Furthermore, it would serve as an additional resource for individuals, as the time for recovery, after experiencing a racist incident, is very lengthy. This is especially the case when an incident does not meet a criminal aspect. Lastly, it could serve as a valuable educational piece for the community.

Q. Can a witness report a hate crime?

A. Yes. However, this will impact how the case moves forward, as a complainant is required to build evidence.

Q. If the definition of hate crime is clearly defined by the Criminal Code, why does it need to be fine-tuned in the system?

A. Some hate crimes are not classified correctly, so it needs to be fine-tuned. Only the Hate Crimes Officer can reassess coding.

Q. What measures is the HPS taking to make sure that the Service is representative of the community?

A. HPS recently issued a self-identification survey, to increase diversity. The Service also offers training in cultural competence and a four-day block training once a year, on domestic violence, hate crimes, racism, LGBTQ, and First Nations. In addition, the Service also attends community events.

Q. Is income disparity a criterion in hate crimes?

A. No.

Q. There is a lot of grey area for non-hate crimes. What is in place to educate students?

A. There are school liaison officers trained in restorative justice.

5. Approval of Minutes.

5.1 May 28, 2013.

A. Kumar/W. Morrison

That the minutes of May 28, 2013 be approved, as presented.

CARRIED.

5.2 Business Arising From Minutes.

HWDSB Black History Committee.

T. Roglic informed the Committee that the HWDSB Black History Committee had a meeting in June and will notify the Committee of its next meeting. She will also follow-up with the Superintendent, regarding the status of T. Childs and N. Virgin's

request to remain or be reinstated, as members of the School Board's Black History Committee.

Matapa Music & Arts Organization.

M. Carter attended Matapa's "A Queer Cabaret" event, which had a good turnout. The ad space that the Committee purchased was featured in Matapa's emails, electronic ads and brochures.

6. Business Items:

Work Plan Reports.

6.1 Chair's Report.

The Chair did not have a report for the May meeting.

6.2 Sub-committee I – Education, Training, Resource Centre Project.

Members include: J. Rhodes, W. Morrison, T. Childs, A. Hassan, Y. Chung and B. Virk.

Resource Centre.

- Revisions are being made to the Anti-Racism Resource Centre report that will go to Council
- Because HCCI did not end up participating in a Resource Centre consultation session or complete the Resource Centre survey, Sub-committee I has invited HCCI to attend a consultative meeting to discuss HCCI's mandated programs & services, including addressing racism in Hamilton
- The information collected from HCCI will be incorporated into the final report and added as an addendum
- Black History Month Event – The Committee will present a plan at a future meeting

A. Hassan/R. Cameron

That the report of Sub-committee I be accepted, as presented.

CARRIED.

6.3 Sub-committee II – Awareness Raising, Participatory Democracy, Community Outreach & A/R Policies and Racist Incidents' Report.

Members Include: J. Brennan, Z. Siddiqui, M. Nachwati, A. Kumar, N. Virgin and Marlene Dei-Amoah.

- The draft letters to the Muslim Association of Hamilton and the Muslim Council of Greater Hamilton have been completed
- These letters will be forwarded to the Committee, for review and feedback

N. Virgin/Z. Siddiqui

That the report of the Sub-committee II be accepted, as presented.

CARRIED.

6.4 Follow-up HPS 2011/12 Hate Crimes Report.

Presented by HPS Staff, in item 4.1.

6.5 Coalition of Municipalities Against Racism and Discrimination – City of Hamilton Membership – Next Steps.

Tabled.

7. New Business.

7.1 Hamilton Media Advisory Council.

Tabled.

7.2 Hamilton Police Service - Let's Talk about Reducing Hate in our Society.

Sandra Wilson, Community Relations Coordinator, invited CAR to organize and host future sessions on the "Let's Talk about Reducing Hate in our Society" series. She promised to provide support, whenever possible.

7.3 Budget Submission 2014.

The Committee reviewed and accepted the budget for 2014.

N. Virgin/M. Dei-Amoah

That the 2014 Business Plan for the Committee Against Racism be accepted as circulated and submitted to Council for consideration, during the 2014 budget deliberations.

CARRIED.

R. Cameron/W. Morrison

That the 2014 Black History event budget be prepared and included as a separate report, to be submitted to Audit, Finance and Administration Committee, for consideration.

CARRIED.

7.4 Women's Outreach of the Hindu Samaj – Ashok Kumar.

The Women's Outreach has requested that the Committee Against Racism and Access & Equity Office, partner with them in celebrating Diwali, at city hall. An application has been submitted to the Access and Equity Office to request a display case, and a small section of the surrounding floor area, to display items and coloured sand art for Diwali Celebrations at City Hall.

R. Cameron/A. Hassan

That the Committee Against Racism endorse and support the request for the Diwali Celebration at City Hall, through a display by the Women's Outreach of the Hindu Samaj.

CARRIED.

8. Correspondence.

There was no correspondence for this meeting.

9. Information Sharing.

9.1 Immigration & Refugee Open House – October 19, 2013.

The Immigrant and Refugee Advisory Committee is hosting its annual Open House, on October 19, 2013. The Committee is invited to attend and event flyers were distributed.

9.2 Gandhi Peace Festival – A. Kumar.

The Twenty-First Annual Gandhi Peace Festival will be held at City Hall, on October 5, 2013.

9.3 Employment Systems Review.

The Access and Equity Office and the Human Resources Division are working on an Employment Systems Review process for the City of Hamilton. The consultant working on this project will attend the next meeting, to consult with the Committee, to gather their feedback on various aspect of the employment process. The committee agreed to extend the next meeting to accommodate this request. The meeting will begin at 6:00 p.m.

10. Next Meeting.

The next meeting is scheduled for October 22, 2013.

11. Adjournment.

J. Rhodes/W. Morrison

That the meeting be adjourned, at 8:58 p.m.

CARRIED.