





CITY OF HAMILTON
HEALTHY AND SAFE COMMUNITIES DEPARTMENT
Recreation Division
and
Children's and Community Services Division

TO:	Chair and Members Emergency and Community Services Committee
COMMITTEE DATE:	January 18, 2024
SUBJECT/REPORT NO:	Use of Indigenous Images/Themes in City Sports and Recreation Facilities (HSC24004) (City Wide)
WARD(S) AFFECTED:	City Wide
PREPARED BY:	Mike Savoy (905) 546-2424 Ext. 3860 Beth Dockstator (905) 546-2424 Ext. 4701
SUBMITTED BY:	Steve Sevor Acting Director, Recreation Division Healthy and Safe Communities Department
SIGNATURE:	
SUBMITTED BY:	Jessica Chase Director, Children's and Community Services Healthy and Safe Communities Department
SIGNATURE:	

RECOMMENDATION

- (a) That the Use of Indigenous Images/Themes in City Sports and Recreation Facilities Policy (the "Policy"), attached as Appendix "A" to Report HSC24004, and the Staff Procedure Document, attached as Appendix "B" to Report HSC24004, be approved and in force effective January 24, 2024; and
- (b) Subject to the approval of the Policy as Appendix "A", that the City Clerk be authorized and directed to respond to the letter dated April 15, 2019 from the Office of the Ontario Human Rights Commission to advise that the City of Hamilton has adopted a policy on the Use of Indigenous Images/Themes in City Sports and Recreation Facilities and to provide a copy of the Policy.

EXECUTIVE SUMMARY

Currently, there is no policy or staffing procedure to address concerns arising from use of Indigenous Themes or Logos. As a result of a recommendation from the Ontario Human Rights Commission in response to a human rights complaint in the City of Mississauga, the proposed Policy will be instrumental in providing education and awareness to staff, members of the general public and non-Indigenous sport organizations and clubs.

The objectives of the proposed Policy include:

- Ensuring that the City's sport and recreational facilities are void of Indigenous themed logos and Images related to non-Indigenous sport organizations and clubs;
- Removing barriers to participation in our recreational and sport facilities by Indigenous peoples; and
- Providing a consistent approach for staff to address issues that arise from non-compliance of the Policy.

The recommended Policy aligns with the City's Urban Indigenous Strategy, the Calls to Action recommended from the Truth and Reconciliation Commission of Canada and City of Hamilton's Council priority of Inclusion, Diversity, Equity and Accessibility.

It is the expectation of the Recreation Division that the recommended Policy and staff procedure outlined in Report HSC24004 will enable City staff to respond to present and future concerns in a respectful and transparent manner.

Alternatives for Consideration – Not Applicable

FINANCIAL – STAFFING – LEGAL IMPLICATIONS

Financial: None

Staffing: None

Legal: The proposed Policy will address the recommendation of the Ontario Human Rights Commission contained in its letter to the City dated April 15, 2019 and assist the City in complying with its obligations under the Ontario Human Rights Code to provide a service environment free of discrimination.

HISTORICAL BACKGROUND

On April 15, 2019, the Mayor of the City of Hamilton received correspondence from the Ontario Human Rights Commission through Chief Commissioner Renu Mandhane

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regarding a settlement reached in an Application before the Human Rights Tribunal of Ontario involving the City of Mississauga, attached as Appendix “C” to Report HSC24004. The original complaint to the Human Rights Tribunal of Ontario, which resulted in the settlement, alleged that the use and display of Indigenous themed logos in City of Mississauga sports arenas was discriminatory. As a result of the settlement, the Ontario Human Rights Commission wrote to all Ontario municipalities to encourage them to collaborate with local Indigenous communities to develop a policy on the use of Indigenous themed logos and names within their sports facilities. The letter received from the Chief Commissioner identified two non-Indigenous sport organizations within the City of Hamilton that were believed to have used Indigenous themed names or logos.

City of Hamilton Recreation staff have met with the two identified sport organizations to discuss the letter from the Ontario Human Rights Commission and the work that the City was going to embark on as it related to the use of Indigenous themed names and logos in City sport facilities.

Additionally, Recreation staff confirmed that at the time of the letter, there were no Indigenous themed names or logos present within City owned arenas.

POLICY IMPLICATIONS AND LEGISLATED REQUIREMENTS

Approval of Report HSC24004 would result in the creation of policy and procedure documents to provide direction to City staff and the general public on how to effectively and respectfully address concerns related to use of Indigenous themed logos within City operated recreational facilities. This Policy confirms the position of the City of Hamilton on the subject matter, and it also demonstrates that our goal is to ensure that our facilities are inclusive and welcoming. The Policy attached as Appendix “A” to Report HSC24004 and staff procedure, attached as Appendix “B” to Report HSC24004, are tools that will be used to help mitigate the possibility of conflict.

RELEVANT CONSULTATION

As the policy developed by City of Mississauga staff as part of the settlement was extensive and satisfactory to the Ontario Human Rights Commission, City staff reviewed the City of Mississauga’s policy and adapted it to incorporate the realities of our municipality.

Staff also engaged local Indigenous groups in the development of the proposed Policy as it is important to ensure that the Policy was respectful of the wishes of local Indigenous groups.

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Before this policy was fully developed, it was brought to a meeting for an Indigenous Community Justice group in the Hamilton area called “The Circle of Beads”. This group is made up of Indigenous leaders in the Hamilton area who gather to discuss important issues that affect the Indigenous community. This policy was presented by the City’s Indigenous Relations Team to the “Circle of Beads” to see if there was any feedback. Based on feedback from the group, there was a consensus that this type of policy was very important, and that it should be implemented as soon as possible.

Staff from Human Resources reviewed the report from a lens of policy development and human rights and are supportive of the recommendations of Report HSC24004.

ANALYSIS AND RATIONALE FOR RECOMMENDATION

The proposed Policy is aimed at ensuring that the City’s sport and recreation facilities are void of Indigenous themed logos/images related to non-Indigenous sport organizations and clubs to facilitate a service environment free of discrimination.

This Policy will also help provide education and awareness to City staff, members of the public and non-Indigenous teams and builds an opportunity to engage in meaningful conversation.

As a result of communication by the Ontario Human Right’s Commission in 2019 and as detailed in a second letter from the Ontario Human Rights Commission in 2021, of the 40 Ontario municipalities that the Commission communicated with in 2019, 14 municipalities have actively worked on policies and engaged with Indigenous communities on how to address the use of Indigenous themed logos in their facilities.

Developing a policy and integrating it within operational practices demonstrates the value the City of Hamilton places on its relationships with local Indigenous communities and its commitment to creating an inclusive environment in City sport facilities.

ALTERNATIVES FOR CONSIDERATION

None

APPENDICES AND SCHEDULES ATTACHED

Appendix “A” to Report HSC24004: Use of Indigenous Images/Themes in City Sports and Recreation Facilities Policy

Appendix “B” to Report HSC24004: Staff Procedure Document

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Appendix "C" to Report HSC24004: Letter from the Ontario Human Rights
Commission dated April 15, 2019

OUR Vision: To be the best place to raise a child and age successfully.
OUR Mission: To provide high quality cost conscious public services that contribute to a healthy,
safe and prosperous community, in a sustainable manner.
OUR Culture: Collective Ownership, Steadfast Integrity, Courageous Change, Sensational Service,
Engaged Empowered Employees.