

News & ANNOUNCEMENTS

The REDI Tutorial is here!

We are pleased to announce that the REDI (Respect, Equity, Diversity and Inclusivity) Tutorial was officially launched to the York Community on Thursday, January 31st, 2013 as part of the CHR's Inclusion Day activities.

As part of our second phase in the tutorial's launch, the CHR is working with Learning and Technology Services (LTS) to record narrations as well as develop a series of videos to assist with its educational objectives. LTS is subcontracting a Toronto-based production company called Insomniac Productions (www.insomniacproductions.ca) led by Producers Katherine Barrell and Kent Nolan who will cast and direct these videos. Filming for the series' pilot is slotted in mid-February and is expected to be followed by the production of five more video segments. The videos should begin to appear in the tutorial in mid to late March.

In mid-March, a new campaign entitled "Are you REDI" will be launched to advertise the tutorial. Those who enroll and successfully complete the tutorial in a certain timeframe will be entered to win a grand prize. Stay tuned for more details in next month's newsletter.

If you would like to enroll in the tutorial, please visit www.yorku.ca/redi and follow the login instructions. Should you not have a York Passport account or if you have any problems logging in, please email us at: reditut@yorku.ca.

Inclusion Day Highlights



Priscilla Uppal speaking (left), and a workshop hosted by d'bi Young (right) during Inclusion day

This January, the Centre for Human Rights hosted its fourth annual Inclusion Day conference to a resounding success. The 2013 Inclusion Day conference brought together a wide range of presenters - artists, dancers, professors, poets, and actors - under the theme of 'Creating for Inclusion', opening the eyes of conference participants unto the ways that equity, inclusion, and community can be woven together through the arts. It truly was wonderful to be in the presence of so many dedicated individuals who had taken the time to share their knowledge through the wide breadth of wonderful topics and presentations. From a calligraphy workshop to a meditation circle, many sessions kept everyone engaged, sated curiosity, and stoked imagination throughout the day.

This event stood out as a truly marvelous day. Within the walls of York Lanes, various groups and individuals took York's interdisciplinary approach to heart, giving their stories to the community to bring forth an environment that crackled with positivity, goodwill, and compassion. It allowed for greater understanding of the imagery, ideas, and assumptions that we see and make every day; everyone who attended left with their hearts full and their minds buzzing. While York University continually impresses me by frequently hosting such moments, I find that many students still carry an air of disillusion about them. It is my belief that these students have never attended Inclusion Day, for if they did they would see what an amazing community York University truly is!

- by Steve Mulholland, CHR's Outreach & Education Ambassador

REDI?

THE CENTRE FOR HUMAN RIGHTS' (CHR) NEW **REDI**
(RESPECT, EQUITY, DIVERSITY & INCLUSIVITY)
TUTORIAL IS NOW LIVE!



To take the course, visit www.yorku.ca/redi
(A passport York account is required)

Email: reditut@yorku.ca

Looking Back, Looking Forward

In December 2002, the Ontario Human Rights Commission (OHRC) conducted an inquiry into the effects of racial profiling on individuals and more broadly on our communities. Following this inquiry, a report entitled "Paying The Price: The Human Cost Of Racial Profiling" was released (link to the entire report here: <http://bit.ly/12trbBO>). Given that ten years have now passed, (how) has the issue of racial profiling shifted?

Ronald Phipps v. Toronto Police Services Board et al. (2009)

What happened? These are the facts:

Ronald Phipps, who identifies as an African Canadian, alleged that on March 9, 2005 a Toronto Police Services (TPS) constable discriminated against him on the basis of race and colour when he stopped and questioned him while Phipps was doing his job delivering mail in Toronto's Bridle Path area (a well-known affluent neighbourhood).

Phipps was a relief letter carrier and was stopped by the TPS constable who was patrolling the area looking for a male, white, Eastern European suspect who was reported to be driving a particular vehicle and cutting phone lines in the neighbourhood. The constable found Phipps' delivery activity suspicious and proceeded to follow him, stop him, ask him for identification, run a check on him, and then question him. The constable did not stop other "unusually located" White males in the area.

Phipps felt that the only reason he had been profiled was because he was a black man in an affluent, mostly "white" neighbourhood. He alleged that he had been deeply traumatized and angered by the interactions he had with the police, particularly as a black male who had immigrated to Canada at the age of 10 and experienced continuous acts of racism throughout the course of his life.

Mr. Phipps filed a human rights complaint based on the Ontario Human Rights Code, which was then heard by the Human Rights Tribunal of Ontario, which is given the power to hear and decide human rights complaints in Ontario. The complaint was filed in July 2005 and took more than 4 years to go through the legal process.

What was the end result? This is the decision made by the Tribunal:

Courts in Canada have accepted that racial profiling by police occurs in Canada and so are open to take a closer look at seemingly "neutral" police behavior to assess whether it could in fact be racial profiling. In this particular case the Tribunal found that based on a balance of probabilities, the fact that the Mr. Phipps was an African Canadian in an affluent neighbourhood was a factor, a significant factor, and probably the predominant factor, whether consciously or unconsciously, in the constable's actions to follow, stop and question him.

The decision is a groundbreaking one because it holds that even if respondents such as the police act on what they purport to be unconscious stereotypes, they can be held accountable and liable for discriminatory actions. This is in line with the core human rights principle that discrimination has more to do with impact than with intention. What matters most is if a discriminatory action based on a Code ground has a negative and/or impact on an individual.

The Tribunal ordered the TPS to pay \$10,000 in general damages for violating Mr. Phipps' right to live in Ontario free from discrimination. Based on the fact that the TPS was already involved with the Ontario Human Rights Commission in a series of activities to reduce and/or eliminate racial discrimination in policing, the Tribunal did not order any further compliance or public interest remedies.



Important considerations from this case (and other human rights cases):

- 1) We have to acknowledge and recognize that racial profiling happens in Ontario and in Canada - the courts have taken official notice of this and do not question its legitimacy.
- 2) The Human Rights Code (http://www.elaws.gov.on.ca/html/statutes/english/elaws_statutes_90h19_e.htm) was created to eliminate discrimination and/or harassment and compensate those who have experienced it. The legislation was not created to punish those who violate the Code, but the Human Rights Tribunal can order that an individual/group found to have violated the Code to pay money to the complainant to compensate them, and can also be ordered to create policies, get human rights training, or fulfill other public interest related activities to prevent future discrimination and harassment.
- 3) Human rights complaints are filed by those who have experienced discrimination and/or harassment by someone in a position of authority/power, such as an employer, service provider (such as the police), landlord etc. Oftentimes, the official complaint is not the first time the person has been discriminated against or harassed based on their identity.
- 4) It is important to come forward to report any experiences of discrimination and harassment, even if it takes time, energy and effort to go through the complaint process. By Mr. Phipps coming forward with his experience and attempting to enforce his rights, he was able to hold the TPS accountable for their actions and perhaps has prevented future incidents such as this from occurring with others.

Want more info about human rights and racial discrimination?

There is so much valuable information out there both on and off campus dealing with racial profiling, racial discrimination, and human rights. Here are a few websites that you can go to if you are interested in the issues raised in the case we have profiled (no pun intended!):

Another recent Ontario racial profiling case: Maynard and Toronto Police Services Board et al. - <http://www.canlii.org/en/on/onhrt/doc/2012/2012hrto1220/2012hrto1220.pdf>

Ontario Human Rights Commission:
www.ohrc.on.ca

Ontario Human Rights Tribunal:
www.hrto.ca

Canadian Race Relations Foundation
<http://www.crr.ca/>

Urban Alliance on Race Relations
<http://urbanalliance.ca/>

Quote of the Month

The time is always right to do what is right.

- Dr. Martin Luther King, Jr

WORKSHOPS

Feb. 27, 2013
Race & Inclusivity (10am-1pm)

Mar. 13, 2013
Positive Space
(9:30 am to 12:30 pm)

We welcome all York students, staff and faculty to attend our workshops. For more information and to register, please go to:

www.yorku.ca/rights/education.html

Upcoming Events:

Feb 28 - Mar 2, 2013 - Graduation nation: A Celebration of Indigeneity and Academia
Various locations and more details visit:

<http://on.fb.me/WZ3INx>

Mar 4, 2013 - Are You A Water Zombie?: How Do We Make Better Choices?
10:00am-3:00pm York Lanes 280N

Hosted By IRIS (Institute for Research and Innovation in Sustainability), the CHR & the the President's Sustainability Council

Mar 6, 2013 - The Changing Face of The Middle Eastern Disaporas in Canada
5:30pm-7:30pm York Lanes 280N

Guest Speakers: Martin Lockshin, Hanadi Loubani, Maxa Sawyer, Raja G. Khouri,

Mar 7, 2013 - The Middle-East - More Than One Truth
1:00pm Nat Taylor

Guest Speakers: Imam Habeeb Alli, Rabbi Martin Lockshin, Zaheed Shivji, Ron Smith

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Visit our Website to get more information about our services, events, workshops, and human rights resources
<http://www.yorku.ca/rights/>



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