



*STEPHEN LEWIS*

*REPORT*

*ON RACE RELATIONS*

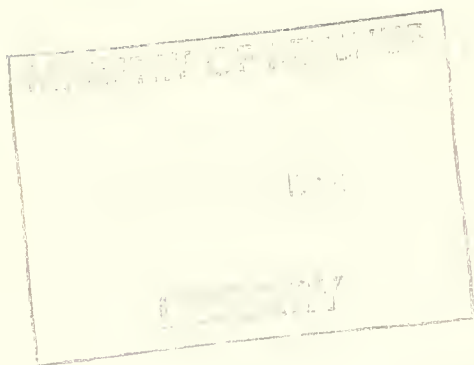
*IN ONTARIO*



*JUNE 1992*

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June 9, 1992

Dear Bob:

It was a month ago, in the immediate aftermath of the riots in Toronto, that you asked me to take on a brief role as your Advisor on Race Relations, consult widely, and get back to you with recommendations. This letter constitutes my report.

It's been quite an odyssey. With the help of some remarkably good people seconded to me from both political staff and the civil service bureaucracy, I've been able to cover a good deal of ground in the short period of time (albeit interrupted somewhat by previous commitments which could not be cancelled).

I've held more than seventy meetings with individuals and groups in Metro Toronto, Ottawa, Windsor and beyond, supplemented by innumerable phone conversations. These "consultations" often lasted anywhere from one to four hours in length, and covered a wide diversity of opinion and community representation. I've met with cabinet Ministers and senior civil servants, with Children's Aid Societies and municipal leaders, with School Board representatives and Law School activists, with academic experts and opposition politicians, with immigrant and refugee advocates and coalitions for police reform. I've met additionally, and predictably, with specific persons who are indispensable to the consideration of the task at hand: the Chiefs of Police of Metro Toronto, Peel, Halton, Ottawa, Gloucester, Nepean and Windsor; Ms Susan Eng, Chair of the Metro Toronto Police Services

Board; Mr. Clare Lewis, Police Complaints Commissioner; Mr. Justice Osler, head of the Special Investigations Unit; Ms Mary Cornish, directing the review of the Ontario Human Rights Commission; Ms Juanita Westmoreland-Traore, Employment Equity Commissioner.

But more important to the content of this report were the significant numbers of meetings, large and small, public and private, with representatives of the visible minority community in general, and the Black community in particular. Those discussions had a visceral impact on me.

Above all, I was further able to meet, on five different occasions, in a cross-section of locations, with large groups of young people, overwhelmingly of racial minority background, from High Schools, Community Colleges and Universities. Those encounters affected me deeply.

As a result of the overall experience, I have four initial observations to make.

First, what we are dealing with, at root, and fundamentally, is anti-Black racism. While it is obviously true that every visible minority community experiences the indignities and wounds of systemic discrimination throughout Southern Ontario, it is the Black community which is the focus. It is Blacks who are being shot, it is Black youth that is unemployed in excessive numbers, it is Black students who are being inappropriately streamed in schools, it is Black kids who are disproportionately dropping-out, it is housing communities with large concentrations of Black residents where the sense of vulnerability and disadvantage is most acute, it is Black employees, professional and non-professional, on whom the doors of upward equity slam shut. Just as the soothing balm of 'multiculturalism' cannot mask racism, so racism cannot mask its primary target.



It is important, I believe, to acknowledge not only that racism is pervasive, but that at different times in different places, it violates certain minority communities more than others. As one member of the Urban Alliance on Race Relations said: "The Blacks are out front, and we're all lined up behind".

Second, most of my meetings were astonishingly frank and helpful. They were also suffused with intensity. There is a great deal of anger, anxiety, frustration and impatience amongst those with whom I talked in the visible minority communities. They don't understand why it takes forever to fashion and implement race relations policies. Often during our discussions, there was a weary and bitter sense that I was engaged and they were engaged in yet another reporting charade. It was truly depressing. And it means, I think, that government initiatives must come soon, and they must be pretty fundamental.

Third, there was another emotion that was palpable, and it was fear. Mostly, of course, it was from members of the Black community, and in particular, mothers. The eight shootings over the last four years, and the sense, real or imagined, of unpredictable police encounters with Black youth has many families very frightened. I will admit to you that nothing left so indelible an impression on me as the expressions of apprehension and fear. I can't even begin to imagine it about my own children. Nor could you. We must find a way out of the present tension because it's intolerable, in this society, to know that, as one woman put it: "Mothers see their sons walk out the door; they never sleep until they see their sons walk back in."

Finally, it was good that this project was only one month long. Everyone I talked to, absolutely everyone, wants to see speedy action on a whole variety of fronts. Naturally, I feel both self-conscious and inadequate about making recommendations on such complex subjects in so short a time. On the other hand,

everything I'm about to suggest flows directly from the intensive consultations of the last few weeks, and in each instance there are several different sources of corroboration. In any event, you will know how to pick and choose and amend in ways which make things possible. Let me, then, turn to specifics.

### Part 1: The Criminal Justice System

If ever I've felt two solitudes in life, it's the apparent chasm between the Metropolitan Toronto Police and many representatives of the Black community. And I should make it clear that it's by no means just the Black Action Defense Committee. In fact, much to my surprise, I was told time and time again, that while Dudley Laws' rhetoric might sound outrageous and extreme, the community felt a certain identification with his views. They might never say it publicly, but they wanted me to know it.

A similar, though less pronounced distance echoed in the words I heard from many other racial minority representatives in Toronto, including a strongly-worded brief presented on behalf of the Chinese Canadian National Council. It was all rather discouraging, and it's therefore awfully difficult to know what to do. The police, at least in Metro, from my discussions, appear to be equally adversarial. They feel themselves at risk -- certainly that is true for the leadership with whom I spoke - - and determined not to give ground to what they regard as clear patterns of criminality.

None of it makes for harmonious race relations.

On top of that, of course, Metro is not the Province, and anything I recommend should have broad application. The Police have a hugely important job to do, and we all want them to do it. There must surely be a way to combine

constructive policing with public confidence that to serve and protect is not a threat to visible minority communities.

With this background, I'd like to make recommendations which build on the structures already in place.

(a) The Race Relations and Policing Task Force

It seems widely agreed that the work of Clare Lewis and his colleagues was absolutely first-rate. Certainly a good deal of progress has been made on putting into place a number of recommendations. However, that's not uniformly true (take monitoring as an example), and it certainly doesn't hold across all Police Forces. The Task Force originally reported in 1989, and there's a strong perception that implementation of its recommendations has slowed. It may be due to the passage of time; it may be due to resistance; it may be due to budget restraint – who knows? Whatever the cause, this excellent document cannot be allowed to wither into obscurity. It forms a thoughtful basis for enlightened race relations, and as such, it must be given new life.

I therefore recommend:

**"By July 15, 1992, the Race relations and Policing Task Force be reconstituted in the person of Clare Lewis, and any two of his former Task Force members whom he may choose. Their job will be to assess the status of current implementation, the status of recommendations still outstanding, and to suggest precisely how to proceed. Mr. Lewis should be asked to report by October 15, 1992. He should also be at liberty to make further recommendations as appropriate."**



## (b) A Race Relations Audit for Police Forces

I have been enormously intrigued by a Race Relations audit, currently underway in the Metro Toronto Police Force, conducted by the Metropolitan Toronto Auditor, and due to report next month. It seems to be little known and little understood, but it strikes me as a potentially powerful tool by which to identify unacceptable practices, monitor management performance and introduce important improvements in race relations policies.

The audit was initiated by the Metropolitan Corporation with the necessary approval of the Metro Police Services Board. The opening statement of its terms of reference reads as follows: "The Metropolitan Auditor will conduct an audit of police policies, procedures, programs and practices that impact on racial minorities and the police race relations climate". My report is not the place to go into detail about the audit, but suffice to say that it's my impression that the Metropolitan Auditor is pursuing it rigorously, that information and data are being gathered on a significant number of relevant issues, that many of the right questions are being asked, and that as a first crack at an entirely new undertaking, it will prove fascinating in the result.

There is, however, one crucial limitation. The Auditor openly admits that there is not yet a fully-developed or adequate methodology to deal with race relations. But in the process of this audit, he and his advisors are attempting to fashion just such a methodology. I am persuaded that when the report is tabled, it should be seen as a singular opening to our capacity to monitor the management of race relations issues within the police forces of Ontario.

This will require key initiatives on the part of government. Obviously, not every Municipality will have the capacity to carry out an audit, so within the



Ministry of the Solicitor General, the appropriate branch must be given the resources to conduct audits independently, or to collaborate with municipal auditors to that end. Furthermore, there must be the equivalent of a Community Audit Board. Gone are the days when the racial minority communities can be excluded from such crucial processes. They have to be involved, as must the police, in identifying the police forces to be audited in any given year, refining the methodology, designing the right questions, and commenting on the results.

I therefore recommend:

**"By September 1, 1992, A community-based Monitoring and Audit Board be established, to work in conjunction with the Race Relations and Policing Unit of the Ministry of the Solicitor General. In collaboration with police forces and municipalities, a systematic audit of police Race Relations policies be pursued to the extent and in the number that appears reasonable in any given year."**

#### (c) Police Complaints Commissioner

The Office of the Police Complaints Commissioner, so far as I was able to ascertain, seems to be working well, given the limits of a complicated procedure. In saying that, I'm not suggesting that there aren't problems. It's my sense that some of the police management remains skeptical about the operation; others are comfortable. From the public, there is mystification about the actual complaints process, and not a lot of confidence in the police themselves doing the initial investigations.

It is my view that the logic of civilian control will lead, one day, to the Complaints Commissioner receiving all complaints, investigating all complaints, and where a complaint is judged legitimate, identifying a course of action. That time, however, is some years off. In the interim, and as part of an incremental

expansion in the role of the Commissioner, it would seem to me that all race-related complaints should be referred explicitly to the Police Complaints Commissioner for initial investigation. In order to do this job, the Commission will require additional staff and resources.

I recognize that this is a considerable shift in practice from internal police processes to external review. Still, I believe that it will greatly improve the climate of race relations between the police and the visible minority communities, and on those grounds alone it is justified.

I therefore recommend:

**"By October 1, 1992, amendments to the Police Services Act be introduced to transfer the initial investigations into complaints of racially discriminatory conduct from the public complaints bureau of a police force to the Police Complaints Commissioner, and require the Police Complaints Commissioner to review the disposition by the chief of police of all such cases."**

#### (d) The Special Investigations Unit

Throughout this month-long review, I have heard incessantly, and critically, of the Special Investigations Unit. People have frequently called for the resignation of Mr. Justice Osler who heads the Unit, and there was rarely a charitable word uttered either about its various findings or its investigative capacity. It is clear that criminal investigation of police conduct is one of the most controversial areas of the Criminal Justice System.

I don't intend to add further acrimony to the debate. My impression, after a lengthy conversation with Judge Osler himself, is that he, as much as anyone, sees

the need for change. I shall therefore simply address the elements of change, and deal with what I perceive to be some of the misconceptions.

The Special Investigations Unit has been underfunded from its inception 22 months ago. The recent infusion of half a million dollars will help, but not sufficiently. The Unit must be permitted to achieve real credibility with both the public and the police -- a credibility it does not now have.

To that end, its capacity to conduct criminal investigations is the crux. Many members of minority communities simply do not believe that the reliance on ex-police officers or the OPP to do investigations of other police officers will work. They yearn for some kind of intensive, let us say three-year training programme during which people of non-police investigative background (for example, from the Ombudsman, or the Human Rights Commission, or the WCB, or the private insurance industry) could develop the sophisticated forensic skills which are required.

I don't agree. Criminal investigation takes years and years of experience to acquire, and in the process of investigation, there is equally the need to be intimately familiar with police culture. Independence must absolutely be assured, but it should be possible to find and attract skilled police criminal investigators of excellence, who would wish to join the Special Investigations Unit because they believe, above all, in a fair, law-abiding and incorruptible police force, and they're prepared to devote their careers to that end.

It will take dollars and tenacity to assemble such a Unit. But it can be done. And to provide a frame of further public confidence, civilian employees, of unblemished reputation with some non-criminal investigative background, should round out the Unit, and be a part of each investigation.



It may well be that a judge is not the right person, by experience or temperament, to head such a Unit. It's hard to say. But on balance, someone of more aggressive prosecutorial disposition might be best.

I therefore recommend:

**"By October 1, 1992, the Special Investigations Unit should be removed from the aegis of the Ministry of the Solicitor General, and be re-fashioned as an arms-length agency reporting to the Attorney General. It must have adequate funding to ensure a totally independent investigative capacity, and the achievement of that capacity should be the focus of its work in the immediate future."**

I have one additional thought within this section which need not be phrased as a recommendation. A limited number of groups also raised with me what they saw as the inadequacy of the Office of the Director of Criminal Prosecutions, in the Ministry of the Attorney General, whose role it is to prosecute "significant" wrongdoing within the Administration of Justice. It is this Branch, for example, which will begin this month prosecuting cases where the investigation has been done by the SIU. It has been suggested that high profile cases, like those which involve police shootings, should in fact be handled by notable members of the Criminal Defence bar.

Again I don't agree. If the present Criminal Prosecutor's unit is adequately funded, and the definition of its jurisdiction more carefully worked out, there is no reason to believe that the Office of Criminal Prosecutions can't do the job. On the contrary, it can and it should. Ministries are created to serve the public interest; we should work from the assumption that they can be made to do so.

### (e) Use of Force

This is not an elaborate section. Everyone is aware that the Solicitor General will be introducing, in the immediate future, and subject to public consultation, a proposal on the use of force. I merely want to underscore how vital and urgent this particular amendment to the regulations under the Police Services Act will be.

There seems to be an important consensus developing that police officers need much clearer guidelines about the use of force, alternatives to lethal force, the filing of a report whenever guns are drawn or used, and of course the immediate need for the Federal government to amend the "fleeing felon" provision of the Criminal Code.

The only aspect which seems to prompt agitated controversy is the report filing requirement. I am hard-pressed to understand why. Some police jurisdictions in Ontario already file such reports, with no apparent problems. I would hope that past practice for some could become common practice for all.

It is worth noting that the recent report on the use of force, received by the Metro Toronto Police Services Board, simply gives expression to the growing sense, amongst both police and public, that it's time to move forward on this matter.

I therefore recommend:

**"By September 1, 1992, the Ontario government complete the public consultation process, and have definitively in place its amendment to the Police Services Act Regulations regarding the use of force."**

## (f) Training

On this issue, I experienced total bewilderment. One would have thought, given all the previous reports over the years, and the dramatic changes in the composition of Ontario's society, that race relations training would be a kind of holy writ, integrated into all the police training programs, whether new recruits or long-time officers. It's simply not the case. And there's no excuse for it. None.

I was assured, repetitively and with feeling, by people deeply involved, that training programs are still grossly deficient in their multicultural and anti-racism components. It's worth remembering that the Clare Lewis Task Force was so concerned about the state of training that it suggested a moratorium on existing training practices, during which time new policies could be developed. That was done, and the mandate of the Race Relations and Policing branch, deeply involved in training programs, has just been extended for another three years ... although there is a painful irony in the fact that the extension was accompanied by budget cuts.

A surprising number of people, including Chiefs of Police, emphasized the need for improved training programs – indeed, not just in the realm of race relations, but aspects that bear directly upon it, like training in the use of fire-arms. On one occasion, a senior member of the Metro Toronto Police Association put to me strongly, and with considerable personal intensity, that police officers can find themselves in invidious and dangerous situations in the handling of guns for which the training has simply been inadequate.

I emerged with the overall impression that generic race relations issues were still being treated in capricious, highly legalistic, episodic fashion within the police training programs of Ontario. There exists, for example, a wonderfully creative



interactive laser video (I was able to screen it), integrating race relations with all other aspects of policing, meticulously prepared and fully tested, with valuable comment from the community and from police officers all over the Province before it was completed, and it is barely in use anywhere. Something is profoundly wrong.

The situation, it seems to me, is grossly unfair to the police and to new recruits in particular. We have a society of immense diversity, with a complex proliferation of multiracial and multicultural sensibilities, and we don't prepare our police for dealing with it. These are areas where the exercise of judgement, and the development of skills for conflict resolution become every bit as important as the grasp of sophisticated technology. If we really believe in investing in our justice system, then the people who are on the front-lines deserve the best training possible. It is ultimately a test of management. The management of a police force in the 1990's requires qualitative shifts in training, and without those shifts, things go wrong.

I must admit that I wouldn't know how to respond to the training miasma were it not for some splendid work, just about to be published, prepared by the Strategic Planning Committee on Police Training and Education. It's an initiative led by the Solicitor General's Ministry, and if the contents are accepted and implemented, it would dramatically improve the training of recruits at Police Colleges, and establish a program of life-long learning for police officers.

I therefore recommend:

**"By November 1, 1992, the government of Ontario establish an Ontario Police Training, Education and Development Board, with broad police and community representation, whose responsibility it would be to implement the recommendations of the Strategic Planning Committee on Police Training and Education. As a matter of urgency, those recommendations which focus on race relations should be given priority."**

### (g) An Inquiry or Review

This part is difficult. As you know, when we first talked, we both shied away from a formal Inquiry because it was hard to imagine that visible minority communities would have the slightest patience for it. There have been so many inquiries and reports, with so many recommendations repeated ad nauseam, that another tortured examination of the obvious wouldn't wash. The idea was to try to bring things up-to-date over the course of a month, and suggest action.

I've tried to do that. And the rest of the report will continue to mirror it. But in the course of listening carefully to what people said about the criminal justice system, I began to realize that most of what has gone before reflects a curious distortion: nearly everything focusses on the police. We actually know very little about race relations and the courts, or the Crowns, or the laying of charges, or the granting of bail, or plea bargaining or parole or the judges or the vexing question of racially-based statistical data or, above all, correctional institutions.

During the last few weeks, I've heard enough expressions of concern, and enough anecdotal horror stories about alleged racist episodes that it's clear that we have to correct the balance. I'm therefore persuaded that we should establish some sort of Panel of Inquiry or Review, with broad terms of reference, to examine those parts of the Justice System which cry out for assessment and evaluation, but always seem to escape it.

There are, however, a number of conditions.

First, the idea of a review is only sustainable if the earlier recommendations contained in this report are acted upon with dispatch.

Second, no particular part of the system should be treated with kid gloves. I'm thinking especially of the Judiciary. I'm prepared to bet that race relations training for judges, where it exists at all, is pretty elemental. I say that because I have some personal knowledge of gender training for judges, and please believe me, that training leaves a lot to be desired. Like everyone else, I embrace the principle of an independent Judiciary, but judges are mortal, and most mortals need help.

Third, Corrections really worries me. Time and again I was told of the disproportionate numbers of minority youth in detention centres, of the abuse gratuitously heaped upon them, of the woeful lack of "rehabilitation" opportunities or any assistance at the point of discharge. I don't know what's real or what's not. I know only that people, knowledgeable and involved, paint a distressing picture.

Fourth, any such Inquiry or Review must report within a tight time-frame so that there will be opportunity to act well within the life of your present mandate.

Fifth, the striking of a Panel of, say, five or seven members should allow for majority representation from visible minority communities.

Sixth, considerations of employment equity and representativeness, developing a criminal justice system which reflects the composition of the greater society can also be within the terms of reference.

Seventh, if policing is to be touched upon, and it is probably inescapable, then there is one profoundly positive dimension to be addressed: community policing. There is now a number of reports, Federal, Provincial and Municipal which deal



with community policing, but as I learned, even in the period of one short month, the phrase has an infinite number of meanings and interpretations. Community policing, in the fullest sense -- that is, police and community working cooperatively together -- may be the best way to adapt to a multicultural and multiracial society. Instead of the police becoming the flash-point for racial tension, we develop a management approach and a police force which is an organic extension of the community they serve.

I therefore recommend:

**"By September 1, 1992, there be established an Inquiry into race relations and the criminal justice system, with broad terms of reference, incorporating Crown Attorneys, Courts Administration, the Judiciary, Adult and Youth correctional facilities, Community Policing, probation and parole services and all relevant particulars which the government considers germane.**

**By January 1, 1993, an interim report should be tabled which deals exclusively with Correctional facilities. The final report would be due July 1, 1993."**

Yet again, I have a nagging addendum. During the course of this last month, I learned that a grant from the Ministry of Citizenship to the Ministry of Correctional Services, for the express purpose of aiding inmates in the corrections system, in part through ethno-specific counselling, had been cancelled. It has not been picked up in full by Correctional Services. I urge that be done immediately as a sign of the government's good faith.

As a matter of fact, I have many nagging worries about the Ministry of Correctional Services. I'm inclined to think that the Inquiry provisions, which deal with Corrections, should be the most searching and comprehensive of all.

## Part 2: Employment Equity

This is a quite straightforward section of my report. There was not a single meeting that I can remember where employment equity did not arise. To my surprise, and perhaps naivete, employment equity is a kind of cause celebre for visible minority communities everywhere. They see it as the consummate affirmation of opportunity and access. With the possible exception of education, nothing is so important.

Somewhat anxiously, therefore, I have to tell you that there is great concern about the progress of the government's intended employment equity legislation. It can't be introduced soon enough. And there may be no other explicit legislative initiative which will mean so much to establishing a positive climate of race relations in the minds of every single minority grouping: Black, South Asian, East Asian, Chinese, — it matters not, public and private sector alike.

In the public sector, however, the concern mentioned above, turns to acute anxiety. If one accepts the argument — and I do — that the Ontario Public Service (OPS) must set the example for everyone else, then we have a problem on our hands.

As you know, we've had an employment equity program and an accelerated employment equity program in place in the OPS since 1987. Despite various tough injunctions, and supposed vigorous follow-up, the results are truly disappointing for the racial minority designated group (as it is for disabled people and aboriginal peoples as well). If you will forgive the acerbic quality of this comment, the program over the last five years reminds me uncomfortably of the Federal government employment equity legislation: the gains are marginal at best.

It's particularly true -- isn't it ever thus? -- in the case of senior management. As I understand it, there are roughly 2,000 such positions in the OPS, and visible minority persons are largely excluded. In fact, in a very recent internal survey of employment equity in the OPS, the following categorical quotes appear: "All Designated Groups are under-represented in Senior Management" ... "Racial Minorities experience a glass ceiling at Senior Management 1" ... "Racial minority men and women experience occupational segregation which limits their upward mobility" ... "The majority of Senior Management positions are located in ministries where designated groups are significantly under-represented in senior ranks"... etc.

It is no wonder then that in my meetings with civil servants of visible minority background, especially Black civil servants, there was huge skepticism about the resolve of the bureaucratic leadership of the OPS to implement employment equity. In considerable measure, that skepticism was focussed on Management Board. In fact, to be blunt, there's a real crisis of faith. I'd go so far as to suggest that once the legislation is introduced, you might consider gathering the entire Deputy Minister cadre together, and make it clear that the days of inertia are over. I leave to you the extent to which you might further want to make employment equity an integral part of performance evaluation.

If the right atmosphere can be created, right from the outset within the Ontario Public Service, then Ms Juanita Westmoreland-Traore, as Employment Equity Commissioner, can far more easily carry the message to the broader public and private sectors.

And one more observation: The same standards that we apply to the OPS must surely be applied to the political staff of the Ministries, in every job category.



I'm worried that there has been a tendency to take things for granted within the political staff, and that it's time to take a tough look at where things now stand.

I therefore recommend:

**"The Employment Equity legislation should be introduced for first reading before the end of June, and if the session is for some reason prolonged, second reading should proceed. Whatever the time-table for early readings and committee consideration, the Bill should be passed by December 31, 1992, to take effect as early as possible in 1993. Furthermore, the most senior levels of the OPS should be mobilized to ensure rigorous implementation."**

### Part 3: Education

In every undertaking of this kind, there are memorable moments, and with the exception of the emotional responses to the criminal justice system, such moments occurred primarily within the realm of education.

One of them allows me to raise what may be the most perplexing issue of all.

Apparently, in the wake of the rioting in Los Angeles and Toronto, students in every High School in the Toronto Board of Education, had a discussion of the meaning of those incendiary events. This happened, I judge, in most schools throughout Metro, and quite possibly the province. Indeed, in the case of North York, as I recall, the Director of the Board of Education circulated a thoroughly thoughtful and intelligent letter to all of the Principals in the system, acknowledging the reality of systemic racism, and urging the schools to use the public events as a way of discussing difficult issues.

In any event, as I understand it, in Toronto, after things had been debated in the various schools, about one hundred students came together at a Conference to make recommendations to the teachers and the Board. Those recommendations were subsequently conveyed to me by the Chair of the Toronto Board of Education at a meeting which I held with representatives of all the Boards in Metro, Peel and Peel-Dufferin.

The long and the short of it is that when you read those recommendations, it's as if virtually nothing has changed for visible minority kids in the school system over the last ten years. I have to admit that it stopped me in my tracks because I know that the Toronto Board, of all the Boards, has made an herculean effort to get the schools to be responsive to the startling multiracial and multicultural changes in the community.

Undoubtedly, some progress has been made. But often, as I listened to students of all ages and all backgrounds speak out at the many gatherings we had, it was as though we were back to square one. The lack of real progress is shocking. And I believe it signals the most intractable dilemma, around race relations, in contemporary education: How do you get the best of policies and programs into the individual classrooms? It raises searching questions of communications and accountability.

Everywhere, the refrain of the Toronto students, however starkly amended by different schools and different locations, was essentially the refrain of all students. Where are the courses in Black history? Where are the visible minority teachers? Why are there so few role models? Why do our white guidance counsellors know so little of different cultural backgrounds? Why are racist incidents and epithets tolerated? Why are there double standards of discipline? Why are minority students streamed? Why do they discourage us from University? Where are we going to find

jobs? What's the use of having an education if there's no employment? How long does it take to change the curriculum so that we're a part of it?

The students were fiercely articulate and often deeply moving. Sometimes angry. They don't understand why the schools are so slow to reflect the broader society. One bright young man in a Metro east high school said that he had reached grade thirteen, without once having a book by a black author on the curriculum. And when other students, in the large meeting of which he was a part, started to name the books they had been given to read, the titles were "Black Like Me" and "To Kill A Mockingbird" (both, incredibly enough, by white writers!). It's absurd in a world which has a positive cornucopia of magnificent literature by black authors. I further recall an animated young woman from a high school in Peel, who described her school as overwhelmingly multiracial, and then added that she and her fellow students had white teachers, white counsellors, a white principal, and were taught black history by a white teacher who didn't like them. There wasn't a single non-white member of the staff.

And then there was a Black participant, who rose shyly from the audience to say that he was a teacher and that his most touching experience came on his first day on the job, when a group of Black youngsters approached him, solemnly shook his hand, and said, "Thank Goodness. A Black teacher at last."

I recite these things not to be maudlin, but to try to convey what's out there. We're still struggling to maintain English as a Second Language (ESL) and French as a Second Language (FSL) programs. Some students have neither English nor French as their first language: take the large number of newly-arrived Somali children in both Toronto and Ottawa. And what about the Black youngsters who are Francophone? How do they contend with racism? How do the schools handle it?



The world has changed, and try as it may, education's having a tough time changing with it. It makes, I think, the announcement by Tony Silipo of an Assistant Deputy Minister to handle, amongst other imperatives, multiculturalism and anti-racism in the schools, absolutely fundamental. The sooner we get the mandatory provisions of Bill 21 through the Legislature, the better. Every single School Board must put elaborate policies in place, but the crucial thing is to monitor the performance of superintendents and principals and individual teachers. And if the performance evaluation falls short, then action will have to be taken.

There are so many enigmas, so many contradictions. When I met with representatives of School Boards, they would say how much they wanted to hire visible minority teachers, even in a time of restraint. But there were few or none available, and everybody was vying for the same person. And then we'd be in Ottawa, or Windsor, and at a meeting a black woman would stand to say that she had graduated from a Faculty of Education and could never get anything other than supply teaching. I don't know how to reconcile it; there wasn't enough time. But it must be pursued.

Certainly what is happening at Faculties of Education is real cause for concern. Here I think I can talk with greater confidence. Chairs and Directors of Boards alike raised the difficulty they've been having in getting the Faculties of Education to broaden their intake, to make their classes (and their courses) far more representative of the community. I was delighted to hear of initiatives underway between area Boards of Education and the Faculties of Education at York and U of T, to respond to these concerns, and encourage the admission of more visible minority candidates. It's being done under the rubric of something called "urban education", and while, having read the documents, I'm not really persuaded that it's enough, it is a start.

At the University of Ottawa, there is a parallel effort to broaden the intake, again a step in the right direction based upon "self-identification" of the candidates, so that more racial minority applicants can be brought in, but it, too, is only a step. I'm reminded, sourly, of a comment made by a Director of a Board of Education in Metro, who observed that hiring night at the Faculties in 1992 is not much different in composition from 1960's and 70's.

What we have here is the opening foray into affirmative action. What makes me want to pinch myself is that it's 1992 for heaven's sake, why did it take so long? Why are there still Faculties of Education out there that rely on marks alone, that won't provide educational upgrading, or transitional help, prior learning assessment or simple employment equity in order to make our schools a reflection of our society? We're not talking about lesser applicants. Not at all. We're just talking about opening doors. Some of the Directors of Education with whom I met were considerably agitated about the exclusionary policies of Faculties of Education.

It's worthy of note, I think, that the Teacher Education Council, Ontario, with the support of various Boards of Education, advocates that 9 per cent of admission places in Faculties of Education (to reflect the work-force) be reserved, on a right-of-first-refusal basis, for qualified visible minority candidates, and that they be equally eligible for all other places. That seems to me a good starting-point.

And while we're at questions of institutions of higher learning, perhaps I can add that something has to be done about the representativeness of Boards of Governors, particularly our Universities. It speaks, in part, to the appointments through Government-in-Council over which you have control, and the need to look again at the legislation governing four Universities where there is no provision for cabinet appointments.

Interestingly enough, the Community Colleges appear to be better on the question of representativeness of their Boards. It's not yet fully satisfactory, but so far as I can determine, it's better than the Universities. And the Council of Regents of the Community Colleges has just submitted to the Minister of Colleges and Universities one of the best and toughest policy statements on harassment and discrimination that I have seen. If it is accepted, and it should be, I would suggest that it be applied to the entire University system.

So where does all this leave me? Well, I keep thinking of the many students who said "Don't wait for high school. Work on multicultural and anti-racist education in elementary schools. Reform and expand the curriculum in the earliest grades. It's already too late to change attitudes and values by the time we reach adolescence."

There's a lot of truth in that. But we've obviously got to keep trying, and to give those Boards and those educators who labour in the vineyards of change, more and more support.

It's not impossible to turn things around. In large measure it depends on individual principals in individual schools. There was a principal in Ottawa who announced at our meeting, voice trembling with intensity, that she ran a "racist-free school." She made it clear that she didn't need more money and she didn't need more staff: it was a matter of leadership, of sheer commitment. It's also a matter of working with the community, and recognizing that the parents of these impressive and engaging students can help to effect the change.



So let me recommend (and apologize for the banality):

**"The Minister of Education, through his new Assistant Deputy Minister, establish a strong monitoring mechanism to follow-up the implementation of multicultural and anti-racism policies in the School Boards of Ontario.**

**The Minister of Education must monitor the implementation of Employment Equity in the Schools of Ontario, as closely as he monitors its implementation in his own Ministry.**

**The Parliamentary Assistant to the Premier, Ms Zanana Akande, continue to pursue, with unrelenting tenacity, the revision of curriculum at every level of education, so that it fully reflects the profound multicultural changes in Ontario society. She might also pursue, as a logical accompanying reform vital to minority students, the elimination of streaming in the school system.**

**The Minister of Education begin a series of urgent round-table meetings with principals' associations, area superintendents and community groups. Both school and Board officials should account to community groups for their anti-racism and multicultural curricula, and cooperate with them, school by school, in immediate implementation.**

**The Minister of Education must work with School Boards to ensure that the level of support for ESL and FSL programs is not permitted to decline in the face of growing needs.**

**The Minister of Education, in conjunction with the Minister of Colleges and Universities, review admission requirements to the Faculties of Education in Ontario, in order to ensure that the Faculties make every effort to attract and enrol qualified visible minority candidates. To this end, the proposals of the Teacher Education Council, Ontario should be given serious consideration.**

**The Minister of Colleges and Universities examine carefully the representative nature of Boards which govern both Colleges and Universities so that they reflect the changed society of Ontario.**

**The Minister of Colleges and Universities determine that Employment Equity be incorporated into the policy of every institution for which he is responsible.**

**The Minister of Colleges and Universities give serious consideration to the harassment and discrimination policy proposed by the Council of Regents of the Community College system, with a view to using it, with whatever appropriate amendment, as a model for post-secondary institutions."**

#### Part 4: Access to Trades and Professions

You will recall that the famous "Access" report was tabled in 1989, and not much has been done with it in the interim. I can understand that, even though I may regret it. The issues raise difficult questions of cost and the equally difficult matter of dealing with self-regulating professions.

On the other hand, it was surprising how often the report was raised. There is a very strong feeling amongst many in the visible minority communities that if only progress on implementation could be made, a large number of jobs and careers would be secured ... not to mention the equal conviction that discriminatory behaviour would be dealt with.

It seems to me that it's truly worth a try. To be sure, some professions, like medicine, don't need an additional pool of doctors, and it would be very difficult to negotiate some complicated procedure of training, upgrading, testing and certification when we've already got a problem of over-supply. But that's not true of every profession, and it's certainly not true of access to trades.

The classic argument that there are large numbers of people now in Ontario, who come from a variety of cultural backgrounds and countries, who have professional or trades accreditation in their country of origin which is not

recognized in this province, is undoubtedly valid. And there's something faintly perverse in not establishing a system where language difficulties could be overcome, or academic deficits compensated for, or additional technical proficiency acquired. It's painful to hear the endless stories of people who have excellent trade or professional skills driving a taxi part-time. You bump into them; I bump into them; sometimes there's a lot of hyperbole, but the basic proposition is real.

In the Community College system, as you probably know, there is a pilot project underway, providing for "prior learning assessment". It speaks directly to the need to assess the generic qualifications and experience of people of differing background, so as to make it possible for them to have the same opportunities as everyone else. That's exactly the kind of valuable connection which needs to be made with the Ministry of Citizenship, as it looks at implementation of the Access to Trades and Professions report. Moreover, action on this issue will support, and be supported by, employment equity. Employment equity will stimulate the demand for labour and expanded access will help to meet that demand.

My instinct, therefore, is to suggest a significant upgrading of the government's response to the report. Such an initiative would be widely acknowledged and welcomed. Instead of working in tentative and incremental ways, the particular unit in Citizenship should be expanded, given additional resources, and told to get things rolling.

I therefore recommend as follows:

**"By October 1, 1992, the Ministry of Citizenship be directed to expand its commitment to developing a system which allows foreign trained professionals and tradespersons to work in their respective fields in Ontario. In the interim, the Ministry should draw together representatives from those who have made previous submissions on**



this subject, and co-operatively plan the process. Additional resources will have to be made available."

#### Part 5: The Ontario Training and Adjustment Board

I'm bringing OTAB into play because again it was raised, often querulously, by significant numbers of people. You will be familiar with the background issues: I can merely confirm them. There is a strong feeling amongst the equity groups that not only do they not have adequate representation on the intended governing Board, but that the adherence to considerations of equity when the training program is full-blown, is not secure.

I don't know how to gauge this. In the specific terms of race relations, the equity groups have only four members (compared to eight each for business and labour) on the Board, and that leaves only one place for "visible minorities". That greatly bothers the various visible minority communities. I think that it's terribly important therefore, given no likelihood of increasing the number of equity representatives, to make absolutely sure that within the labour and business slates themselves, there is true equity representation. Let me hasten to say that I know that that's the government's position: it just has to be made clear to everyone else, over and over again.

With that said, there remains only the need to build equity considerations into the multiple training initiatives. If there can be some early evidence of this, whether provincial or local, it would make a great difference. After all, OTAB is a centrepiece of government policy, and racial minority activists, in every community, are determined to be a part of it. And I must say that there were specific presentations in both Toronto and Windsor, involving training programs for visible minority women, which could benefit enormously from incorporation into

OTAB. I'm not going to set out the details here, but my colleagues and I will certainly give the information to the Minister.

I therefore recommend:

**"The Minister ensure that the labour market partners, so-called, fully reflect equity representation on the OTAB Board, and that once OTAB comes firmly on stream, the Minister insist that visible minority representation and participation in training policies and programs be given the highest priority."**

When I look back on what I've written, I recognize that this section is largely dependent on good-will. The minority communities are counting on it.

#### Part 6: The Ontario Anti-Racism Secretariat

This section and the next give me some special pleasure because I think they will provide recommendations that can really make a difference.

Throughout this last month, I've been searching, with so many others, for a way to focus and co-ordinate what the government does in the whole disparate field of race relations. I think the Ontario Anti-Racism Secretariat, in combination with what follows next, is it.

The Anti-Racism Secretariat is in the process of fashioning an omnibus anti-racism policy for the government of Ontario. As I understand it, the Secretariat will take that policy to Cabinet in the near future. It will undoubtedly acknowledge the existence of systemic racism in our working and institutional environments, and devise approaches for confronting it directly. There's an obvious logic in applying that strategy to the public sector in the first instance.

The Anti-Racism Secretariat should raise consciousness, should work closely with the race relations sections of other Ministries, should do training, should keep a considered eye on the progress of employment equity, should provide expert research and consultation for those who need it, should collaborate with School Boards and Municipalities and the broader public sector in the pursuit of Multicultural and anti-racist strategies, and should, effectively, be the driving-force behind a policy which seeks to eliminate intolerance and discrimination from the public life of Ontario.

I put it deliberately in that rhetorical form because it's almost a job like no other, and I don't know how to cast it in the usual business-like, pragmatic or bureaucratic way.

If you accept this heightened role for the Anti-Racism Secretariat, then I think it follows that the Secretariat itself must be transformed. Instead of a small and sturdy unit working in a corner of Citizenship, dutifully reporting through the civil service hierarchy, it has to become a free-standing Directorate, reporting directly to the Minister. The analogy is obvious: what the government has done for and with the Ontario Women's Directorate should be done for and with the Ontario Anti-Racism Secretariat. And just as the OWD has helped to make gender and women's issues a powerful centrepiece of government, so a re-designed Anti-Racism Directorate can help to achieve the same in its own domain.

I concede that it will mean a substantial increase in financial resources. More than that, it will mean a sea change in the way a new Directorate is viewed, and its elevated status within the government. But the issues related to race have become so pervasive and, at times, so pre-occupying, that I would argue that it's absolutely worth the financial and structural re-organization. And in the section which follows, I shall attempt further to elaborate the role.



I therefore recommend:

**"By November 1, 1992, legislation be introduced to convert the Ontario Anti-Racism Secretariat into an enhanced Ontario Anti-Racism Directorate reporting directly to the Minister of Citizenship. The months between now and then should be used in the elaboration of policy, in the hiring of staff to fill current vacancies, and in the early collaboration with community groups for whom the Secretariat will be a working-partner. Any new financial requirements should be provided by the end of 1992."**

#### Part 7: Cabinet Committee on Race Relations

The other conundrum, which haunted this process from start to finish, was how to give all the visible minority communities direct access to government. It was raised with me in my very first meeting, held with some sixty-five representatives of a cross-section of the Black community. Given the circumstances at the beginning of May, emotions were high. I was challenged repeatedly about the pattern, over many years, of consulting the community at times of crisis and closing the gates in between. Lurching from fevered episode to fevered episode was the way one person put it to me privately.

The Black community wanted to know, in no uncertain terms, how they could possibly establish continuous contact with the government so that the government could be held to account for its policies. It wasn't meant belligerently. It didn't feel adversarial. It was the pain of marginalization. They wanted — demanded — an ongoing relationship; some method by which they could feed into government, consistently and as partners.

I understood it completely, but at the time, I didn't have the faintest idea how to respond. The theme, however, recurred at almost every meeting with every group in the visible minority community. To some it meant more than to others, but to everyone, the only true measure of government seriousness about race relations lay in its willingness to open the doors.

For the last month, therefore, I've been trying to sort out the route. At first I thought that the point of access could be the Ontario Anti-Racism Secretariat. But it became clear that it had to be more political. Then I thought about a Premier's Council on Race Relations, but there's obviously some limit on Premier's Councils. So finally it seemed, after much listening, and endless discussion with the colleagues with whom I've worked most closely, that the best idea would be to create, anew, a Cabinet Committee on Race Relations.

I say create anew because you'll likely remember that there was such a committee of cabinet back in the 1980's, in the life of the previous government. It eventually just dissipated. But creating anew is perhaps misleading, because this approach starts from a completely different premise. The premise is that four times a year, a Cabinet Committee on Race Relations, probably chaired by the Minister of Citizenship, with a core of affected Ministers on call depending on the subject matter, would meet directly for a full day with a representative group from the visible minority communities.

More than that, the representative group (let's temporarily call it the Consultative Group), self-chosen from amongst its own constituencies, would set the agenda, and use the Anti-Racism Directorate as a secretariat for the meetings. Work would be done in advance, and the Consultative Group could establish collaborative working groups with government, on social sectors, on business

ventures, on policy initiatives, on ethno-specific projects, even on integrated economic development plans for individual communities.

I know that it sounds terribly ambitious. And I'm using examples expansively because, as I said, this is one instance where the communities should set or negotiate the agenda. Yet, if we could make it work, it would be a fascinating experiment in democratic participation and accountability.

The crux of the matter is the abiding sense, in so many of the visible minority communities, that the society has irreversibly changed and the government has yet to acknowledge it.

I can't tell if this idea is exactly on track; I know only that something like it must be found. In that cautious but hopeful spirit, I therefore recommend:

**"By August 1, 1992, a Cabinet Committee on Race Relations be formed, to be chaired by the Minister of Citizenship, with a core of requisite Ministers. The composition of the Committee would accomodate the issues to be addressed. The Committee would meet four times a year with a Consultative Group representative of the visible minority communities. The proposed enhanced Anti-Racism Directorate would act as a secretariat to the meetings, and provide research and consultative back-up to the preparation for the meetings. The agenda would be established by or negotiated with the Consultative Group."**

## Part 8: Community Development

I now come to the end of the formal recommendations. And you will quickly understand, I think, why the end is more ragged than the beginning or the middle.



There were a number of items which just never got adequately dealt with. Over the last few weeks, there were many voices raising many issues which, because they didn't quite connect with the central themes, couldn't be explored in depth. Or to put it another way, there was a whole mix of issues which came at me in fragments, and it hasn't proved possible to find the time to present you with a coherent whole.

But it worries me to leave them out. Taken all in all, they add up to an agenda for community development, and I want to give you the flavour, because they're the kinds of ideas, initiatives and proposals which might well inform some of the work of the proposed Directorate, or the Cabinet Committee, or both.

For example, I heard a lot about housing. This reality of huge housing projects creating what many called "communities in distress" has to be dealt with. They're often under-serviced, and a persuasive case can be made for better transportation, for a Community College campus, for a thriving community centre, for some kind of outdoor recreational space. The list goes on. It all has relevance.

I heard a lot about cultural integrity. In fact, I spent an entire evening with a group of aboriginal and Black and linguistic and other racial minority artists, musicians, playwrights and poets. They vigorously criticized traditional and exclusive definitions of culture, and wondered why the government couldn't be more democratic and egalitarian in its cultural support and diversity.

I heard a lot about health and social services where there was much perceived discrimination and inappropriate response to clients. At several of the diverse meetings which I attended, people argued for "ethno-specific" services. In particular the Black community suggested that it would like to deliver some of the services, on its own, through its own networks, targeted to its own neighbourhoods. I was

reminded at once of the discussions about the ambitious project, which died in the mid-1970's, for a centrally-located Black community and cultural centre which would be the focus for information and community organization.

I heard a lot about business, specifically minority businesses that couldn't get bank loans or venture capital or government partnerships. They raised the question of wilful financial impediments thrown up around language or culture or ethnicity.

I heard a lot about jobs, especially, of course, from young people. They look to the long-term. They'll be delighted at the plans announced by Zanana last Friday, but they pressed me about much more dramatic public sector and private sector interventions which would speak to the future. At one of the youth meetings, the discussion got round to some type of Provincial Advisory Youth Council which could plan in conjunction with government, rather than picking up the pieces after some event goes haywire. This entire rumbling, ill-defined question of dispossessed and alienated youth has to be addressed. I hope that some of my recommendations are useful in that regard, but obviously it's becoming a major concern for government.

I heard a lot about empowerment. A great deal about empowerment. In fact, sometimes the process felt like a seminar in community empowerment. These were people who care deeply about the Province, and feel excluded from its social and economic dynamic, and don't want to spend their lives scrapping at the periphery of power.

As you can see, this is more impressionistic than anything else, but if everything could be brought together in some kind of ordered frame, it would make a lot of sense. If we are ever to rid this world of so much of the poverty and despair to which vulnerable communities are subject, then we simply must develop bold --

even daring — economic and social policies. A new race relations construct might be just the place to start.

I therefore recommend, however tentatively:

**"That the proposed Anti-Racism Directorate be asked to work with representative minority constituencies, to fashion an unprecedented community development plan which incorporates the many proposals and ideas that never seem to be examined by others."**

Well, that about does it. I have just a few parting comments.

First, I've deliberately not dealt with the Ontario Human Rights Commission. The report being prepared by Ms Mary Cornish is due out at the end of this month, and I don't wish to anticipate its recommendations. Obviously, the Commission is a centrepiece of public policy in the pursuit of race relations complaints, and in the potential to conduct inquiries into evidence of systemic racism. However, my assumption is that the Commission will be altered in some important ways by the Cornish report, and it would be silly of me to anticipate any change in roles which may be conferred upon it. When the Cornish report is out, you can easily decide how its views might best be integrated with my own. As I indicated earlier, I met with Mary Cornish, and I'm not worried about any potential clash in direction.

Second, the absence of Aboriginal Peoples in this report is glaring. But in truth, their representatives did not come forward, and I firmly believe that it's because there's a process in place in Ontario to negotiate with First Nations. Indeed, I accepted this assignment on that assumption.

Third, I hope you won't pay excessive attention to the detailed wording of the recommendations, or the indifference to legalese. I'm sure the precise language is

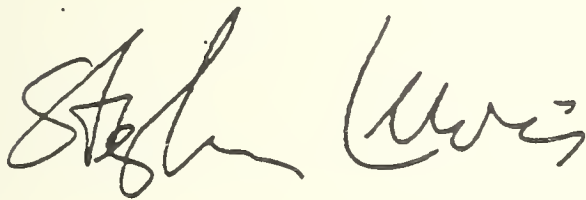


often clumsy. In fact, I'm equally sure that there will be errors in this or that item throughout the text. It's been a hurried job, and you can compensate for my infelicities. What I'm truly concerned about is the commentary which surrounds the recommendations, and the opportunity which the government can seize to make a real breakthrough on anti-racism in Ontario.

Fourth, in the cold light of dawn, I recognize that this report, taken as a whole, is costly and demanding. It will add to the burdens of government. Yet I don't think that it can be chopped into compartments. All of the aspects are interlinked, and if Ontario is to become a model of tolerance and equality, we have to move on most of the fronts simultaneously.

Finally, Bob, I want to thank you for this opportunity. It's been berserkly frenetic at times, but it feels worth the doing. I've learned a lot, and for that I'm grateful. And I guess I believe that if your (our) government can't put race relations at the top of the agenda, then nobody will.

All the best,

A handwritten signature in black ink, appearing to read "Stephen Lewis". The signature is fluid and cursive, with the first name "Stephen" written in a larger, more prominent script than the last name "Lewis".

P.S. The wonderful group of people with whom I intimately worked, actually have names. I want you to know them: Pamela Grant, Grace-Edward Galabuzi, Wayne Burnett, Jay Chalke, Rochelle Carnegie, Janet Solberg, and Gerry Caplan.



*STEPHEN LEWIS*

*REPORT*

*ON RACE RELATIONS*

*IN ONTARIO*



*JUNE 1992*

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