Combatting Racism: A Community Information Handbook





Disclaimer: While we try our best to ensure the information in this handbook is comprehensive and accurate, we assume no responsibility for any possible error. The contents in this handbook are for general education and information purposes. They are not meant to be a substitute for or replacement of legal or
other professional advice. Use of the advice and information contained herein is at your sole choice and risk.

Acknowledgements

This handbook is compiled for the East and Southeast Asian communities who have been traumatized by anti-Asian racism during the COVID-19 pandemic and continue to be the targets of racism and discrimination. It brings together the needed information to help the communities know their rights, recognize the various forms of racism, and learn practical strategies to respond to racial discrimination, harassment, bullying and hate crimes.

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Chapter 1: The Charter and Human Rights

The Canadian Charter of Rights and Freedoms

The Canadian Charter of Rights and Freedoms sets out those rights and freedoms that Canadians believe are necessary in a free and democratic society.

The Charter is one part of the Canadian Constitution. The Constitution is a set of laws containing the basic rules about how our country operates. For example, it divides the powers amongst the federal and provincial levels of government.

Charter protection

Any person in Canada – whether they are a Canadian citizen, a permanent resident or a newcomer – has the rights and freedoms contained in the Charter, "subject to reasonable limits set out in the law as can be demonstrably justified in a free and democratic society." There are some exceptions. For example, the Charter gives some rights only to Canadian citizens, such as the right to vote and the right "to enter, remain in and leave Canada."

Equality rights (Section 15 of the Charter)

Subsection 15(1) of the Charter states that "Every individual is equal before and under the law and has the right to the equal protection and equal benefit of the law without discrimination and, in particular, without discrimination based on race, national or ethnic origin, colour, religion, sex, age or mental or physical disability." This means that governments must not discriminate on any of these grounds in its laws or programs.

The courts have held that section 15 also protects equality on the basis of other characteristics that are not specifically set out in it. For example, this section has been held to prohibit discrimination on the grounds of sexual orientation, marital status or citizenship.

The Supreme Court of Canada has stated that the purpose of section 15

is to protect those groups who suffer social, political and legal disadvantage in society. Discrimination occurs when a person, because of a personal characteristic, suffers disadvantages or is denied opportunities available to other members of society.

At the same time as it protects equality, subsection 15(2) of the Charter allows for certain laws or programs that aim to improve the conditions of disadvantaged individuals or groups (affirmative action programs). For example, programs aimed at improving employment opportunities for women, Indigenous peoples, visible minorities, or those with mental or physical disabilities are allowed under the Charter.

Source: Government of Canada website. Guide to the Canadian Charter of Rights and Freedoms. https://www.canada.ca/en/canadian-heritage/services/how-rights-protected/guide-canadian-charter-rights-freedoms.html#a2f

Chapter 2: Multiculturalism

Canada is a multicultural society

Multiculturalism exists when people accept and encourage many cultures to thrive in a society. Multiculturalism can lead to many great outcomes, including racial and ethnic harmony, which means that people from different backgrounds get along well together. Living with and accepting different cultures helps us understand each other and discourages hatred and violence.

Canada officially became a multicultural society in 1971, when the government began to recognize the value and dignity of Canadians of all races and ethnic groups, all languages and all religions. This is very important because it means our legislation and law says we are a multicultural nation. This makes Canada incredibly unique, and racialized (people of colour) in this nation expect equal treatment.

Source: Parliament of Canada. Canadian Multiculturalism Background Paper. https://lop.parl.ca/sites/PublicWebsite/default/en CA/ResearchPublications/200920E

Origin of Canadian multiculturalism

Canada's history of settlement has resulted in a multicultural society made up of three founding peoples, the Indigenous, the French, and the British, as well as many other racial and ethnic groups.

In the early 1600s, Canada's population was mainly British (60%) and French (30%). At the turn of the 20th century, immigrants from other European countries were allowed entry into Canada. Since the early 1950s, the population born outside the country has been rising. Immigrants have arrived from countries including Asia, the Caribbean, and South and Central America.

Diversity continues to increase in Canada, with more than 250 different ethnic origins or ancestries reported in the 2016 Statistics Canada Census. The most common reported ancestries were Canadian, English, Scottish, French and Irish, followed by German, Chinese, Italian, First Nations, Indian (from India), Ukrainian, Dutch and Polish. In 2016, the largest number of immigrants was from Asia, representing almost half of the population born abroad. The visible minority population was 22% of the total population, up from 5% in 1981.

Incorporation of multiculturalism into laws

Canada has a rich history of including multiculturalism into its society. Since 1971, the country has focused on integrating the cultures of others, overcoming barriers to participation in society, equality through the removal of racially discriminatory barriers and creating race relations policies and programs to uncover, isolate and combat racial discrimination at personal and institutional levels.

Multiculturalism Policy

In 1971, Canada's Multiculturalism Policy was created. Its key objectives were to assist cultural groups to retain and foster their identity; to assist cultural groups to overcome barriers to their full participation in Canadian society; to promote creative exchanges among all Canadian cultural groups; and to assist immigrants in acquiring at least one of the two official languages.

In 1972, a Multicultural Directorate was set up to help implement multicultural policies and programs. The directorate assisted ethnic minorities in the areas of human rights, freedom from racial discrimination, citizenship, immigration and cultural diversity. A Ministry of Multiculturalism was created in 1973 to monitor the implementation of multicultural initiatives within government departments.

Multiculturalism and the Charter

In 1982, the multicultural heritage of Canadians was recognized in the Constitution. Section 27 of the Charter states: "This Charter shall be interpreted in a manner consistent with the preservation and enhancement of the multicultural heritage of Canadians."

This provision is important, as it enables the government to consider Canada's multiculturalism when making decisions at the highest levels.

The Canadian Multiculturalism Act

In 1988, Canada was the first country in the world to pass a national multiculturalism law. To this day, the Canadian Multiculturalism Act continues to influence the legal framework for Canada's multiculturalism policy.

The Act seeks to preserve, enhance and incorporate cultural differences into Canadian society, while ensuring equal access and full participation. The Act also focuses on the elimination of racism and the removal of discrimination barriers. The Act recognizes the need to increase minority participation in Canada's major institutions by bringing diversity into these institutions.

All government agencies, departments and Crown corporations are expected to provide leadership in advancing Canada's multicultural diversity by taking part in the strategy, design and implementation of plans, programs, and procedures to enhance the full and equal participation of minorities within federal government.

Source: Canadian Cultural Mosaic Foundation. A Multicultural Canada. https://www.canadianculturalmosaicfoundation.com/blog/a-multicultural-canada

Chapter 3: Employment Equity

What is Employment equity?

Canadians have the right to be free from discrimination in the workplace under the applicable human rights legislation. Employment equity:

- encourages the establishment of working conditions that are free from barriers
- seeks to correct conditions of disadvantage in employment, and
- promotes the principle that it requires special measures to accommodate differences for the four designated groups in Canada

The Employment Equity Act (the Act) identifies the four designated groups as:

- women
- Indigenous peoples
- persons with disabilities, and
- members of visible minorities

Employment Equity Act

The purpose of the Act is to achieve equality in the workplace, with measures to promote a more representative public service, and to close gaps in representation for the four designated groups.

Under the Act, employers are required to analyse their workforce, review employment systems, policies and practices to identify and eliminate barriers, review policies and programs to correct underrepresentation and provide reasonable accommodation.

Employment Equity and the Labour Program

The Act applies to the following industries and workplaces:

- federally regulated industries;
- crown corporations;
- other federal organizations with 100 employees or more;
- portions of the federal public administration identified in:

- o Schedules I or IV and V of the Financial Administration Act, and
- by order of the Governor in Council, which includes the Canadian Forces, and the Royal Canadian Mounted Police (RCMP)

The Labour Program ensures that those industries and workplaces appropriately apply the Act and its mandate to the four designated groups. It also makes sure that the following employers understand the Act and its requirements so they can meet their obligations:

- federally regulated employers, covered under the Legislated Employment Equity Program. and
- provincially regulated employers, covered under the Federal Contractors Program

The Legislated Employment Equity Program (LEEP)

This program ensures that federally regulated private-sector employers covered by the Act, report annually on:

- the representation of the four designated groups in their workplaces; and
- the steps they have taken to achieve full representation.

The Canadian Human Rights Commission receives these reports from the Labour Program. The Commission is responsible for ensuring that employers comply with the requirements of the Act.

Federal Contractors Program (FCP)

This program ensures that contractors who do business with the Government of Canada implement employment equity in their workplace.

The FCP covers provincially regulated employers with the following conditions:

- they have 100 or more employees; and
- they must have a federal government contract for goods and services of \$1 million or more

Employment Equity Plan

Under the Employment Equity Act, employers must prepare an employment equity plan. This plan must specify the policies and practices that must be put in place and employers must make all reasonable efforts to implement their plan.

Employers need to conduct the following:

- Analysis of its workforce to determine the degree of underrepresentation of persons in the four designated categories in each occupational group;
- A review of its employment policies and practices to identify employment barriers.

Employment equity plans must include the following:

- Short term goals (within 1-3 years) for the hiring, training, promotion and retention of members of the designated groups to correct under-representation and measures to eliminate barriers.
- Timetables for the implementation of those measures
- Where under-representation is identified, the plan must contain numerical goals in the hiring and promotion of people in the targeted groups.
- Long-term goals (more than 3 years) to increase representation and strategies to achieve this

Achieving employment equity

Employment equity means more than treating everybody the same. It means accommodating differences to allow all people the same chances based on their ability to do the work.

Employment equity does not mean giving jobs to unqualified people. It means removing the barriers that prevent people who could do the jobs from performing them. It also means that based on equal merit, successful candidates should first be selected from those four categories.

Source: Gov of Canada. Equality and inclusion in federally regulated industries and workplaces. https://www.canada.ca/en/services/jobs/workplace/human-rights.html

Chapter 4: Equity, Diversity and Inclusion

Equity, diversity and inclusion in Canada

Canada is a multiethnic and multicultural society. Equity, diversity, and inclusion (EDI) are recognized as strengths and aspirational values in Canadian society. For decades, however, the discussion of EDI remained largely in academic, community and allied spheres.

In May 2020, the murder of George Floyd in the United States ignited popular protests against anti-Black racism. Meanwhile, the surge of anti-Asian discrimination, harassment and violence in the wake of the COVID-19 pandemic was a poignant reminder to the public of the persistent and devastating impact of systemic racism against Asian Canadians.

More than ever, there have been engaged conversations about EDI at the government, organizational and individual levels, reflecting on inequity and discrimination against racialized and historically marginalized populations. The increased public awareness and concerns of systemic racism and how it disadvantages racialized communities (e.g., in the criminal justice system, hiring, promotion, etc.) also lead to an increase in EDI initiatives in organizations across Canada.

Concepts

Equity

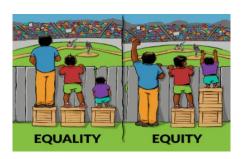
Equity is the fair and respectful treatment of all people, freedom from bias or favoritism. Different from equality which means each individual or group of people is provided with the same resources or opportunities, equity means all people are provided with what they need to reach their full potential. It involves acknowledging and removal of the systemic barriers and biases experienced by individuals from underrepresented groups (e.g., women, persons with disabilities, Indigenous Peoples, racialized minorities, individuals from the LGBTQ2+community).

Diversity

Diversity is the demographic mix of community and involves recognizing

and respecting everyone's unique qualities and attributes, with a focus on the representation of equity-deserving groups.

Source: Interaction Institute for Social Change. Artist: Angus Maguire. Interactioninstitute.org, madewithangus.com



Inclusion

Inclusion is the creation of an environment where everyone feels welcome, is treated with respect, and is able to fully participate. It is the extent to which various team members, employees, and other people feel a sense of belonging and value within a given organizational setting.

Human Rights

Every person, by virtue of being human, is entitled to certain fundamental rights regardless of race, colour, ancestry, place of origin, religious beliefs, sex, gender identity and gender expression, physical disability, mental disability, marital status, family status, sexual orientation, age, political beliefs, and any other protected ground as recognized by the law as it evolves. Each person is entitled to a life of dignity, equality, and respect, free from discrimination, harassment and bullying.

Intersectionality

An intersectional approach to equity, diversity, and inclusivity begins from the understanding that the different vectors of social diversity (race, class, gender, sexuality, disability, nationality, religion, language, age, etc.) do not exist separately or in isolation from each other. Instead, the various vectors of social diversity are interwoven and affect each other.

Intersectionality focuses on how multiple, interwoven vectors shape social belonging, cultural representations, social and political

institutions, as well as the material conditions of our lives in ways that are not reducible to any singular vector or social category.

Sources: University of Toronto. Equity, Diversity & Inclusion. https://research.utoronto.ca/equity-diversity-inclusion/equity-diversity-inclusion University of Alberta. Our Guiding Principles for Equity, Diversity, and Inclusivity. https://www.ualberta.ca/equity-diversity-inclusivity/about/strategic-plan-for-edi/our-edi-principles.html

Barriers

Major barriers to equity, diversity and inclusion include the historically rooted disparities in equity and justice, and the conscious and unconscious discrimination, stereotypes, and prejudices based on identity factors (race, color, ethnicity, age, sex, sexual orientation, gender, physical and mental disability, religious beliefs, and so on) at the systemic and individual levels.

Solutions

Efforts are required at the government, organizational and individual levels to promote equity, diversity and inclusion.

At the government level:

- Make and improve legislation and polices to shape the public narratives about EDI, and push progress in the workplace
- Provide financial support for EDI research and initiatives
- Model the desired behaviours for all other employers, since governments are also large employers
- Demand compliance with certain EDI standards of all organizations and companies that receive grants or do business with government

At the organizational level:

- Be aware of the salient role of EDI to the organization
- Have a dedicated EDI leader and an EDI infrastructure involving multiple stakeholders
- Have concrete and implementable EDI plans and strategies to ensure positive changes
- Foster a culture of equity, diversity and inclusion

As individuals, we can do the following to help promote equity, diversity and inclusion:

- Recognize that we all have biases that affect how we interact with others
- Ask ourselves: How do we form opinions about others, through what channels? Do we think/treat a person differently if they are from another identity group? What could we possibly do to interrupt our biases?
- Engage in conversations with people who are from different backgrounds
- Share what we know about EDI with others
- Be a good role model to people around us, especially to people within our influence

Sources: Bailing Zhang & Andi Shi. Underrepresentation of Chinese Canadian Leadership in the Greater Toronto Area. https://cpac-canada.ca/wp-content/uploads/2022/05/Cl-Report-2021.pdf Karen Steinhauser: Everyone is a little bit biased. https://www.americanbar.org/groups/business_law/publications/blt/2020/04/everyon e-is-biased/

Chapter 5: Racism and Its Many Forms

Racism

Racism is the belief that race is a fundamental determinant of human traits and capacities and that racial differences produce an inherent superiority of a particular race. Racism exists at individual and systemic levels.

Individual racism

Individual racism refers to an individual's racist assumptions, beliefs or behaviours and is "a form of racial discrimination that stems from conscious and unconscious, personal prejudice" (Henry & Tator, 2006, p. 329). Individual racism is connected to/learned from broader socioeconomic histories and processes and is supported and reinforced by systemic racism.

Source: Alberta Civil Liberties Research Centre (ACLRC). https://www.aclrc.com/forms-of-racism



Source: Racism: An Ugly Truth in Australia, axisoflogic.com https://www.fairplanet. org/dossier/racism/thegeography-of-racism/

Internalized racism

Internalized racism is "the individual inculcation of the racist stereotypes, values, images, and ideologies perpetuated by the white dominant society about one's racial group, leading to feelings of self-doubt, disgust, and disrespect for one's race and/or oneself" (Pyke, 2010, p. 553). This can show up in a number of ways, ranging from skin bleaching to policing one's own behaviour in order to defy a stereotype, to "fit in," or not appear as "too much" of something that is not the "norm." People of color and Indigenous people may oftentimes internalize racism, knowingly or unknowingly, usually as a survival mechanism.

Source: Alberta Civil Liberties Research Centre (ACLRC). https://www.aclrc.com/forms-of-racism

Systemic racism

Systemic racism includes the policies and practices entrenched in established institutions, which result in the exclusion or promotion of designated groups. It differs from overt discrimination in that no individual intent is necessary.

Some forms of systemic racism may be more explicit or easier (for some) to identify than others:

- The Indian Residential School System (Canada)
- The 1885 Chinese Head Tax (Canada)
- The 1923 Chinese Exclusion Act (Canada)
- Jim Crow Laws (US)

- American Indian Boarding Schools (US)
- The exclusion of African-American golfers from elite, private golf courses in the (US)
- "Universal suffrage" not including Indigenous North American women (nor did Indigenous men receive the vote until 1960, unless they gave up their status/identity as Indigenous).
- Until 1951, the various Indian Acts defined a "person" as "an individual other than an Indian"

Other forms or manifestations of systemic racism include but not limited to Eurocentric education, prejudicial hiring and advancement practices, lack of access to services and opportunities, representation (e.g., Racialized people are either subjects of negative representation or not represented in media and cultural products.)

Source: Alberta Civil Liberties Research Centre https://www.aclrc.com/forms-of-racism

Racial stereotype

Racial stereotype is a preconceived over-generalization of people based on their race, ascribing the same characteristic(s) to all members of the group, regardless of their individual differences.

Examples:

- Chinese are good at math
- East Asian women are submissive
- Asians are the "yellow peril", "perpetual foreigners" and a "model minority."

Racial prejudice

Racial prejudice is a conscious or unconscious, race-based, preconceived belief, feeling or attitude that is most often negative and is not based on reality or reason.

Examples:

- Asian Canadians have inadequate communication abilities.
- Asian Canadians are more suited for technical rather than managerial or leadership positions.

Racial discrimination

Racial stereotypes are false *assumptions* that describe what people of a certain race are like and define what they should be like. Racial prejudices are *opinions* or *beliefs* that relate to feelings and attitudes and that assume what people of a certain race can do and cannot do. When someone *acts* on their prejudiced beliefs, it becomes discrimination. Racial discrimination is a *behaviour* against people of a certain race.

Examples:

- A patient rejects a Chinese doctor and demands to see a white doctor.
- People of colour are passed over for jobs and promotions in favour of white candidates who are demonstrably less qualified.

Racial profiling

Racial profiling is the use of race, ethnicity or skin color as grounds for suspecting someone of having committed an offense. It is a stereotypical belief by treating someone in a negative manner that correlates with that original unverified belief.

Examples:

- a law enforcement official assumes someone is more likely to have committed a crime because he is African Canadian;
- school personnel treat a Latino child's behaviour as an infraction of its zero tolerance policy while the same action by another child might be seen as normal "kids' play";
- a private security guard follows a shopper because she believes the shopper is more likely to steal from the store;
- an employer wants a stricter security clearance for a Muslim employee after September 11th;
- a bar refuses to serve Aboriginal patrons because of an assumption that they will get drunk and rowdy;
- a criminal justice official refuses bail to a Latin American person because of a belief that people from her country are violent;
- a landlord asks a Chinese student to move out because she believes that the tenant will expose her to SARS (Severe Acute Respiratory

Source: PBS NewsHour: "I am not a virus." Artist: Lisa Wool-Rim Sjöblom https://www.pbs.org/ne wshour/arts/i-am-not-a-virus-how-this-artist-is-illustrating-coronavirus-fueled-racism



Syndrome) even though the tenant has not been to any hospitals, facilities or countries associated with a high risk of SARS; and

 politicians accuse the Chief Public Health Officer of Canada of working for the Chinese government and want her fired during a coronavirus pandemic simply because she is of Chinese descent.

Source: Ontario Human Rights Commission. https://www.ohrc.on.ca/en/paying-price-human-cost-racial-profiling

Racial bias

Racial bias is a belief or attitude in favour of or against a group, on the basis of their color, ethnicity or race, that determines how we perceive and behave with that group, usually in a way that's considered to be unfair. Biases may be held by an individual, group or institution and can have negative or positive consequences. Bias tends to be unconscious, and the person is unaware that the bias is impacting behaviour. There does not need to be malicious intent to have an unconscious bias.

Conscious bias is the biased attitudes that we are aware of – we know we are being biased, and we are doing it intentionally. In conscious bias, there can be malicious intent.

Biases can take the forms of stereotype and prejudice, which can result in discrimination when acted out.



Source: Cartoon Called Life. https://www.cartooncal ledlife.com/

Microaggression

Microaggressions are daily verbal, behavioral or environmental slights, whether intentional or unintentional, that communicate hostile, derogatory, or negative attitudes toward stigmatized or culturally marginalized groups. They are often the "everyday insults, indignities and demeaning messages sent to people of color by well-intentioned white people who are unaware of the hidden messages being sent to them (Derald Wing Sue)."

Microaggressions are often indirect, subtle, or unintentional, but can have very negative impact, including serious health consequences, such as eating disorder, depression and suicidal thoughts.







Source: The Canadian Cultural Mosaic Foundation (CCMF). https://www.canadianculturalmosaicfoundation.com/race-issues.html

The following is a summary of many forms of microaggression from the article "Racial Microaggressions in Everyday Life: Implications for Clinical Practice" (Sue et al, 2007). Although the examples are from America, they also apply to Canada and elsewhere.

Theme	Microaggression	Message
Alien in own land When Asian Americans and Latino Americans are assumed to be foreign-born	 "Where are you from?" "Where were you born?" "You speak good English." A person asking an Asian American to teach them words in their native language. 	You are not American.You are a foreigner.
Ascription of Intelligence Assigning intelligence to a person of color on the basis of their race.	 "You are a credit to your race." "You are so articulate." Asking an Asian person to help with a Math or Science problem. 	 People of color are generally not as intelligent as Whites. It is unusual for someone of your race to be intelligent. All Asians are intelligent and good in Math / Sciences.

Criminality – assumption of criminal status A person of color is presumed to be dangerous, criminal, or deviant on the basis of their race.	 A White man or woman clutching their purse or checking their wallet as a Black or Latino approaches or passes. A store owner following a customer of color around the store. A White person waits to ride the next elevator when a person of color is on it. 	 You are a criminal. You are going to steal / You are poor / You do not belong / You are dangerous.
Denial of individual racism A statement made when Whites renounce their racial biases	 "I'm not a racist. I have several Black friends." "As a woman, I know what you go through as a racial minority." 	 I am immune to races because I have friends of color. Your racial oppression is no different than my gender oppression. I can't be a racist. I'm like you.
Myth of meritocracy Statements which assert that race does not play a role in succeeding in career advancement or education.	 I believe the most qualified person should get the job." "Everyone can succeed in this society, if they work hard enough." 	 People of color are given extra unfair benefits because of their race. People of color are lazy and / or incompetent and need to work harder.
Pathologizing cultural values / communication styles The notion that the values and communication styles of the dominant /	 Asking a Black person: "Why do you have to be so loud / animated? Just calm down." To an Asian or Latino person: Why are you so quiet? We want to know what you think. Be more verbal." Speak up more." Dismissing an individual who 	 Assimilate to dominant culture. Leave your cultural baggage outside.

White culture are ideal	brings up race / culture in work / school setting.	
Second-class citizen Occurs when a White person is given preferential treatment as a consumer over a person of color	 Person of color mistaken for a service worker Having a taxi cab pass a person of color and pick up a White passenger Being ignored at a store counter as attention is given to the White customer behind you "You people" 	 People of color are servants to Whites. They couldn't possibly occupy high-status positions. You are likely to cause trouble and/ or travel to a dangerous neighborhood. Whites are more valued customers than people of color. You don't belong. You are a lesser being.
Environmental microaggressions Macro-level microaggressions , which are more apparent on systemic and environmental levels	 A college or university with buildings that are all named after White heterosexual upper class males Television shows and movies that feature predominantly White people, without representation of people of color Overcrowding of public schools in communities of color Overabundance of liquor stores in communities of color 	 You don't belong/You won't succeed here. There is only so far you can go. You are an outsider/You don't exist. People of color don't/shouldn't value education. People of color are deviant.

Source: Derald Wing Sue et al. Racial Microaggressions in Everyday Life: Implications for Clinical Practice. https://www.cpedv.org/sites/main/files/file-attachments/how_to_be_an_effective_ally-lessons_learned_microaggressions.pdf

How to respond to microaggressions

The table below lists some of the most common microaggressions and possible responses.

Microaggression	Responses
"Why are we being punished for something we didn't even do?"	Everyone has a role to play in reconciliation, whether they played a direct role in the atrocities against Indigenous people or not. If you live in Canada and are not Indigenous, you are a settler who benefits from colonialism and reconciliation IS your responsibility.
"This is racist against white people."	Reverse racism is a myth because it ignores the power and privilege dynamic between the individual or groups involved.
"This isn't us."	This *is* Canada. Colonialism, racism, Islamophobia, homophobia, anti-Semitism, anti-Asian sentiment, racial slurs, and hateful attacks have always existed and continue to oppress marginalized groups today.
"They were hired for diversity."	No one who isn't qualified is getting hired for a job. A company going out of its way to find people of colour to interview is an important anti-racist act that helps to begin dismantling systemic racism and creating an equitable workplace.
"Where are you from?"	Asking where someone is from makes the assumption that the person isn't actually Canadian, although many times the person being asked was born in Canada.
"I guess I just can't say anything anymore."	You can say lots of things, but racist statements will no longer be tolerated.
"Everyone is entitled to their opinions."	Racism is not a matter of opinion. Everyone can have different opinions as long as the opinions don't actively harm and oppress others. We're not talking about whether you like pineapples on pizza, we're talking about how very real, racist views and systems make it harder for groups of people to exist.
"Go back to where you came from."	Telling someone to "go back to where they came from" asserts that they don't belong here, even if they were born here or have been here for decades. As B.C.'s Human Rights Commissioner says, "other than people who are Indigenous to this land, none of us are really from here—but we all have a right to belong."

"I don't want to talk about racism."	If we don't have hard, anti-racist conversations, we allow racism to perpetuate.
"I can't change the colour of my skin."	Being white means you have benefited from a system that has oppressed those who are not white. If you refuse to do anything against racism and inequity, you are helping to perpetuate racism and inequity.
"People of colour support this so it can't be racist."	Just because people of colour are involved in something, does not automatically absolve it and them from racism. Racial trauma and racial privilege are not mutually exclusive. You can experience racism and be racist at the same time.
"That's expensive for an Asian restaurant"	There are many examples of racism around the topic of food, from culturally appropriated dishes to why some ingredients only become acceptable when a white chef or food writer give it a stamp of approval. Another form is via the casual remark that your dining experience may be "too expensive" for an Asian restaurant—in particular, a Chinese restaurant.

Source: Stop Race Based Hate. Racist statements and responses.

https://stopracebasedhate.ca/racist-comments/

Chapter 6: Dealing with Racial Harassment Concepts

Racial harassment is any behavior, conduct or practice from a person, a group or an organization, that is hostile, humiliating, offensive, threatening, and unwelcome, directed at a person or persons because of their race, ethnic or national origin, and often, their citizenship status (real or perceived).

Racial harassment creates a toxic environment and causes, among other things, stress, anxiety, fear, depression, and loss of self-esteem, dignity or sense of belonging.

Racial harassment ranges from microaggressions to criminal activities, and manifests as explicit and implicit behaviours.

Open, explicit and intentional conduct or actions: verbal abuse, insult, name calling, jokes, intimidation, threats, harassment, bullying, psychological violence and abuse, *etc*.

Subtle, silent, "polite", unspoken conduct or actions: ignoring, marginalizing and isolating a racialized person, making vexatious but polite comments, imposing unfair evaluation or sanctions, repeatedly asking a person to do less dignified tasks, subjecting a person to harsher surveillance, etc.

Racial harassment can be a civil rights violation or a criminal offence. All human rights laws in Canada, both at the federal and provincial and territorial levels, prohibit racial harassment as civil rights violations. The word 'civil' here means 'not criminal.' Civil violations are often racially discriminatory actions or lack of action that occur in places such as employment, housing, education, health, social services, and in places like commercial establishments and public institutions.

Although there is no criminal code offence for racial harassment, harassment of a racial nature can be a criminal offence under the Criminal Code of Canada if the harassment involves:

- Stalking and following a person from place to place;
- Repeatedly communicating with a person (keep phoning a person anonymously or sending the person anonymous emails);
- Besetting or watching the place where a person works, lives, conducts an activity; or,
- Engaging in threatening conduct directed at a person or any member of their family.

All of the above conduct can reasonably cause a person to fear for their safety or the safety of anyone known to them.

Most racially motivated criminal offences fall outside of the technical definition of "criminal harassment" and are dealt with in Chapter 8 under "Hate Crime."

What to do when you are racially harassed

Depending on the situation, you can take some of the following actions:

- Know and accept the fact that you have been racially harassed or discriminated against
- If you know the harasser a co-worker, a neighbor, a classmate, etc., let your harasser know, in a calm tone, your objection or your demand to stop. If possible, have a witness present
- Report it to the appropriate level of authority and/or human resources personnel
- File a grievance (for unionized workplaces)
- Make a complaint to the organization or a regulatory body (for regulated professionals)
- If you are physically or psychologically threatened, you can react by either running or walking away and calling for help. Legally, you can use "reasonable" force to defend yourself
- If you know or see someone committing an act of harassment, quietly report them to the authorities
- Document it, record the details and keep a record (with photos, recordings, medical notes, witnesses)
- Report to the police
- Consult professionals such as lawyers, teachers and counsellors
- File a complaint with the Human Rights Commission
- File a civil lawsuit
- Make media publicity

If you want to take action

- Get support from family and friends
- Be ready for the long haul civil or criminal justice takes time
- Learn about your rights and available recourses
- Learn about tips for protection of self and others
- Consult before going public about the situation
- Protect yourself from retaliation and aggravation
- Carefully weigh the pros and cons of taking action

What not to do when you are racially harassed

- · Don't accept it
- Don't ignore it
- Don't confront the harasser if your safety is at risk (especially if you're alone)

- Don't retaliate and do the same thing to your harasser
- Don't go to the police or other public authorities alone have a friend or family member accompany you as a witness and source of support
- Don't verbally threaten ("I'll make your life miserable") or swear ("I'll ask God to punish you") at the person
- Don't physically threaten the person with an object if you were not defending yourself
- Don't use force on the person
- · Don't provoke and respond with force
- Don't tell your family or friends to "go teach them a lesson"

Always remember to:

- Say no to hate, racism and violence
- Stand up for you and others' civil rights
- Stand up for the Canadian values of equality
- Be empowered
- Be proud of who you are

Racial harassment scenarios and responses

Racial harassment hurts. It often happens as a shock to the victim, no matter how seemingly slight the harassing act is, because they are usually not expecting it or prepared for it. This element of surprise often freezes the victim and renders them helpless to respond.

At the most basic level, harassment robs its victim of their power. In many cases, the immediate effect of this disempowerment is similar to that when a woman is being sexually assaulted. That's why racial harassment is always so hurtful, and the hurt can stay with the affected person for a long time, even their entire life, if not resolved. Therefore, it is important to be mentally prepared and be equipped with some responses to the commonly occurring types of harassment.

The following table lists a number of frequently occurring racial harassment scenarios and suggested responses.

Example

You are on the bus and get harassed and insulted by two big young men sitting a few feet away. It's in bright daylight, and the bus is not full. In fact, there are just the three of you, two other old ladies and the bus driver.

You are a doctor in a medical clinic, and a new patient refuses to let you see her. She openly asks the clinic to give her another MD because you're Chinese and "you spread COVID-19."

You work in a manufacturing plant and your boss blames you and other Chinese workers for unsanitary conditions in the kitchen and toilets ["You're not in China anymore"]. Your boss rounds up all Chinese workers and blames you in front of other workers who are Filipino, Indian and of other ethnic backgrounds.

Suggested Responses

Don't talk back.

Don't react to racist jokes and insults. Don't do anything that may make the harasser become more aggressive, or even to the point of more verbally or physically violent.

Try, if possible, to move away, go towards the driver and report to the driver, so the bus driver would decide what to do.

As a doctor, or the clinic manager, you can explain to the patient what COVID-19 is all about, what anti-Chinese stereotype about COVID-19 is about. Then you let the patient decide whether to see this doctor, because this could be one of the best doctors who can give her/him the best medical care and advice, or go to another clinic. As a clinic, nobody should condone or allow racial discrimination to take place. No doctor or health care professional should be treated as if they spread COVID-19, because that's a racist stereotype, and no patient should be allowed to express their racist opinions or conduct themselves in such a manner.

Stand up and speak up.

Express your indignation and demand an apology, and/or quit – you say why you quit and you walk out.

Consult a lawyer or obtain legal aid to file a complaint under the applicable human rights code.

This scenario happened in Montreal, where 15 Chinese workers brought a complaint to the Quebec Human Rights Commission. After seven years' legal battle, the 15 workers who suffered discriminatory treatment at the hands of their employer, Calego International, were finally successful and awarded over \$100,000 in moral damages by the Quebec Court of Appeal.

You go to your local Shoppers Drug Mart. When you and your young son are about to stand in line to pay at the cashier, an old couple in front of you politely but loudly tells you to go to another line because "we don't want get the coronavirus from you people." You are the only Asian people in line.

Option 1: Don't talk back. Don't insult them. Go to the manager or security guard and state your dissatisfaction, report the conduct, and ask for action. The action that the manager or security guard can take is to talk to the couple and ask them if they don't apologize, they should leave the store.

Option2: The manager or security guard apologizes to you on the store's behalf for the conduct of the other customers. The manager will likely go up to the customers and tell them that they have no right to treat the store's Chinese or Asian customers this way. The store manager or owner has a duty to ensure that its customers are not racially harassed or subject to racial discrimination.

You are walking to the local grocery store and suddenly someone comes up and punches you on the back of your head and yells, "Damn Chink!" You fall to the ground, and see the man run away. You're not badly hurt but you are quite shaken up.

This is a hate motivated assault. It is not only physical violence, but foremost psychological violence, which is often more destructive, and its damage lasts much longer, especially when the victim does not talk about it or seek help to heal the psychological wound.

Make sure this act of aggression is reported to the police because

- we want it to be accounted for;
- we want to make sure that the police have the proper data on hate motivated assaults directed against Asian people; and
- we want to make sure you get a police file number and get yourself into the police system as a victim of crime, which allows you to access victim's compensation benefits.
 They can pay for your loss of wages, counseling and drug costs related to this assault. The provincial Victims of Crime
 Compensation Program is very important for those who experience injuries that prevent them from going back to work for many days, which can result in loss of wages or even their jobs.

Chapter 7: Cyber Racism

What is cyber racism

Cyber racism refers to the racist acts displayed online, usually via websites, emails, videos, apps, video games and social media platforms.

Examples of cyber racism:

- Racist jokes or comments
- Symbols of hate
- Offensive racist images and cartoons
- Ungrounded, stereotypical racist statements
- Verbal harassment and abuse
- Threats of death or physical harm
- Speech that arouses hatred or hostility towards people of certain groups
- Racist video games and apps

A study conducted by CBC's *Marketplace* in 2017 suggest that the use of racist, Islamophobic, sexist or otherwise intolerant language online by Canadians had increased by 600% within one year (CBC News. https://www.cbc.ca/news/canada/marketplace-racism-online-tips-1.3943351)

A report from Statistics Canada also shows that about one in every five young Canadians has been victimized by cyberbullying or cyberstalking. (CBC News. https://www.cbc.ca/news/science/million-canadians-cyberbullying-cyberstalking-statcan-1.3903435)

How to stop cyber racism

Distributing racist messages and hate comments virtually or online can be as harmful and devastating as racism in physical life. The following steps have been suggested by Matthew Johnson of MediaSmarts for Canadians to take to stop cyber hate speech:

- Educate those using the internet to recognize hate comments
- Flag content to social media sites
- Speak out by contacting the website administrator if the abuse occurs on an online page or forum, or contact a school teacher or principal if someone is bullying classmates or peers online

- Appeal to the larger community: one needs to speak out online to a broader community rather than post messages addressed to a specific person. It is unlikely to change the mind of the person who makes the hate comments, but it is important to urge everyone to maintain openness and respect for others
- Comfort the victims to empower them to seek help if needed
- Contact law enforcement: even though the charges are rare because of hate content is narrowly defined in the Criminal Code of Canada, it is helpful to contact police for advice on how to handle the situation, and for resources one may be unaware of, and keep an eye on things.

Source: Global News. https://globalnews.ca/news/3495156/addressing-hate-speech-online/

How to report cyber racist incidents and crimes

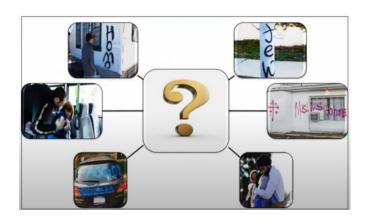
- You can make a complaint to the Canadian Human Rights
 Commission: https://www.chrc-ccdp.gc.ca/en/complaints/make-a-complaint
- You can report hate crimes online: https://stopracism.ca/reportfrm.php
- Most major social media platforms have policies prohibiting hate speech and racist behaviours, and provide instructions on how to report abuse through their help centers or other routes. Follow those instructions and make a complaint to the platform.

Chapter 8: Hate Crime and Hate Incidents

Hate motivated crime

Hate crime is not well defined in the Criminal Code of Canada. While the legal definition is being developed by Parliament, a hate crime is commonly defined as a criminal offence committed against a person or property motivated in whole or in part by hate, bias or prejudice against an identifiable group. An identifiable group may be distinguished by colour, race, religion, national or ethnic origin, age, sex, sexual orientation, gender identity or expression or mental or physical disability.

Examples: Spitting on someone, threat, assault, destruction of property



There are two kinds of hate crimes that are better defined in the Criminal Code, hate propaganda (s. 318 & 319) and hate motivated mischiefs (s.430).

- S. 318: advocating genocide of "identifiable group"
- S. 319(1): public incitement of hatred against an "identifiable group" (2): willful promotion of hatred against an "identifiable group"
- S. 430 (4.1): mischief related to religious property, educational institutions, etc.

Hate propaganda

The Criminal Code of Canada identifies three types of hate propaganda:

- 1) Advocating genocide: This offence is committed when someone supports or promotes genocide. Genocide is the intent to destroy in whole or in part, any identifiable group by
 - Killing members of the group; or
 - Deliberately inflicting on the group conditions of life calculated to bring out its physical destruction
- 2) Public incitement of hatred: This offence is committed when a person incites hatred against an identifiable group by communicating statements in a public place where such incitement is likely to lead to a breach of the peace
- 3) Willful promotion of hatred: This offense is committed when anyone willfully promotes hatred against any identifiable group by communicating statements other than in a private conversation (Communicating includes communicating by telephone, broadcasting or other audible or visible means; statements

includes words spoken or written or recorded electronically or electro-magnetically or otherwise, and gestures, signs or other visible representations).

Mischief relating to religious property, educational institutions, etc.

Hate crime in this category is defined in Section 430 (4.1) of the Criminal Code as mischief in relation to religious property or educational institution, if the commission of the mischief is motivated by bias, prejudice or hate based on colour, race, religion, national or ethnic origin, age, sex, sexual orientation, gender identity or expression or mental or physical disability.

Mischief is committed when one wilfully

- destroys or damages property;
- renders property dangerous, useless, inoperative or ineffective;
- obstructs, interrupts or interferes with the lawful use, enjoyment or operation of property; or
- obstructs, interrupts or interferes with any person in the lawful use, enjoyment or operation of property.

Property here means a building or structure, or part of a building or structure, that is primarily used for religious worship, an object associated with religious worship located in or on the grounds of such a building or structure, or a cemetery; or a building or structure, or part of a building or structure, that is primarily used by an identifiable group

- as an educational institution, including a school, daycare centre, college or university, or an object associated with that institution located in or on the grounds of such a building or structure
- for administrative, social, cultural or sports activities or events, including a town hall, community centre, playground or arena, or an object associated with such an activity or event located in or on the grounds of such a building or structure; or
- as a residence for seniors or an object associated with that residence located in or on the grounds of such a building or structure.

Source: Justice Laws website. https://laws-lois.justice.gc.ca/eng/acts/c-46



Hate Incidents

A hate incident is a non-criminal behaviour or action that is explicit, intentional and hostile and that are motivated by bias, prejudice or hate based on race, colour, national or ethnic origin, language, religion, sex, sexual orientation, gender identity or expression, age, mental or physical disability, or any other identifiable traits.

Examples:

- using racial slurs
- insulting a person because of their ethnic or religious dress
- using derogatory terms towards a transsexual person

These incidents can be very harmful and lead to emotional and psychological stress. In most cities, police will respond to hate incidents and can provide education, support, and community resources to help de-escalate and address a situation.

Signs that a hate crime may have been committed

- Comments made during the offence
- Motivation of the perpetrator, even when lack of an apparent motive
- Victim's perception that they were targeted

- Display of hate symbols, gestures and language
- The manner in which the offence was committed
- Recurring patterns of harassment, humiliation or intimidation
- Other relevant circumstances surrounding the offence

Why is it important to report hate crimes?

Hate crimes are message crimes. The message is, "You are not welcome!"

Hate crimes and hate incidents create community-wide unrest. Hate incidents can escalate and prompt retaliatory actions. Others in the community who share the victim's characteristics may also feel victimized and vulnerable, which can lead to feelings of isolation and emotional and psychological stress. There can be long-lasting and serious side effects for society as a whole as well as the affected person or group. A timely and effective police response can help reduce and stop hate crimes and improve the relationship between police and the communities, which can have extensive benefits in other aspects of public safety.

Hate crimes and hate incidents are often committed by repeat offenders. Multiple reports can help establish a pattern of behaviour and convict a perpetrator who may otherwise not be convicted due to a lack of sufficient evidence.

Hate crimes and hate incidents are severely underreported. More reports can increase public awareness and bring about increased attention from the police and governments to allocate more resources to combat this problem.

How to report hate crimes?

- Call 9-1-1, if there is an immediate threat to life or property, otherwise call the non-emergency number
- Stay calm
- Call the police from a safe location
- Collect, document and preserve potential evidence if safe to do so (pictures, a statement, addresses of the suspect, witnesses, etc.)

- Report exact utterances and relevant details
- You may also report a hate crime online: https://www.stopracism.ca/reportfrm.php

Source: Toronto Police Service Hate Crime Unit.

http://www.torontopolice.on.ca/crimeprevention/hate_the_hate-report_the_crime.pdf

Chapter 9: Racial Bullying

What is bullying?

Bullying is an aggressive behaviour that abuses a power imbalance between children. It happens when someone hurts or intimidates another person on purpose and the person being targeted cannot defend themselves.

A power imbalance in a social relationship can occur as a result of many factors, such as positions in a hierarchy, social economic status, number of friends, gender, age, ethnicity, popularity, physical strength, ability, appearance, and competence. It is important for people in the higher position to ensure that they use their power for the benefit of the other. If power is used to harm, it is an abuse of power. Bullying is an abuse of power.

Bullying is different than teasing. Teasing can be positive, whereas bullying is always harmful and negative.

The five questions to ask when trying to distinguish between teasing and bullying:

QUESTION	TEASING	BULLYING
Is the behaviour reciprocated?	USUALLY The teasing is shared equally.	NO There is a person who bullies, and a person who is victimized.
Do both people look like they are having a good time?	USUALLY It takes place within a strong, positive relationship.	NO One person is in distressed or being harmed.

Is the behaviour fun?	USUALLY	NO
	Both people enjoy the	The person bullying
	banter.	intends to cause fear.
Has this happened	YES	YES
before with these	It occurs when there is	Bullying is typically
individuals?	familiarity.	repeated behaviour.
Is there a power	NO	YES
differential?	It illustrates closeness &	There is always a power
	affection.	imbalance.

Different forms of bullying

PHYSICAL	VERBAL/ NONVERBAL	SOCIAL	BIAS-BASED	ELECTRONIC
 Hitting Kicking Shoving Spitting Beating up Stealing Damaging property Threatening etc. 	 Name-calling Mocking Hurtful teasing or gestures Humiliating Threatening someone Racist or sexist comments or gestures Harassment, etc. 	 Excluding others Damaging friendships Spreading rumors or secrets Embarrassing or humiliating 	Treating people with disrespect because of their Ethnicity Culture Religion Gender Sexual orientation Appearance Disability, etc.	Using email, social media, text messages, to cyberbully others

Racial bullying

Racial bullying is a form of hate-based bullying (targeting someone for who they are/their identity). It is an aggressive behaviour that harms others based on racial/cultural differences.

Examples of racial bullying:

- Saying bad/negative/hurtful things about a cultural group
- Calling someone racist names
- Telling racist jokes
- Perpetuating negative stereotypes
- In the context of COVID-19, racial bullying may involve
 - o saying negative and hurtful things about China, Chinese

- culture, or Chinese individuals;
- negatively associating youth with the coronavirus pandemic;
- perpetuating negative stereotypes about China, and/or its culture



Racial bullying in Canada

- In the 2010 Health Behaviours in School-Aged Children Survey in Canada, about 1 in 5 boys reported experiencing racial bullying at least once or twice in the past 2 months. Girls are less likely to experience racial bullying than boys. For girls, racial bullying decreases as they get older, whereas for boys, racial bullying increases in higher grades.
- In Canada, racialized youth are more likely to be racially bullied compared to ethnic majority youth (Larochette, Murphy, & Craig, 2010). This is especially true for elementary school children.
- Racialized youth are more likely to experience bullying in school and community contexts that are less ethnically diverse (Vitoroulis & Georgiades, 2017; Schumann, Craig, & Rosu, 2013).

Bullying as a group phenomenon

Racial bullying as a group phenomenon is where the children in the ingroup are more likely to target and discriminate against the children of the out-group based on biases about others who are not similar to them. What we know from research is that bullying often happens in groups. Peers are often involved in bullying as bystanders. Both members of the ingroup and outgroup can witness the bullying. In fact, bystanders are present in about 85% of bullying situations.



Peers

Bystanders can be part of the problem or part of the solution. Some bystanders can make the racial bullying worse, by supporting the child who is bullying, laughing, cheering, clapping at negative jokes, stereotypes, or comments to reinforce the bullying perpetrator. Others can remedy the bullying situation by defending the person who is being victimized. Sadly, bystanders only intervene to help the victimized peer about 11% of the time.

Bullying harms everyone involved in the bullying situation. Children who are bullied, who bully others, and who witness it are all negatively affected, in various ways.

Common myths about bullying

MYTH	REALITY
Myth #1 – "Children have got to learn to stand up for themselves."	Children who get up the courage to complain about being bullied are saying they've tried and can't cope with the situation on their own. Treat their complaints as a call for help. In addition to offering support, it can be helpful to provide children with problem solving and assertiveness training to assist them in dealing with difficult situations.

Myth #2 – "Children should hit back – only harder."	This could cause serious harm. People who bully are often bigger and more powerful than their victims. This also gives children the idea that violence is a legitimate way to solve problems. Children learn how to bully by watching adults use their power for aggression. Adults have the opportunity to set a good example by teaching children how to solve problems by using their power in appropriate ways.
Myth #3 – "It builds character."	Children who are bullied repeatedly, have low self- esteem and do not trust others. Bullying damages a person's self-concept.
Myth #4 – "Sticks and stones can break your bones but words can never hurt you."	Scars left by name-calling can last a lifetime.
Myth #5 – "That's not bullying. They're just teasing."	Vicious taunting hurts and should be stopped.
Myth #6 – "There have always been bullies and there always will be."	By working together as parents, teachers and students we have the power to change things and create a better future for our children. As a leading expert, Shelley Hymel, says, "It takes a whole nation to change a culture". Let's work together to change attitudes about bullying. After all, bullying is not a discipline issue – it is a teaching moment.
Myth #7 – "Kids will be kids."	Bullying is a learned behaviour. Children may be imitating aggressive behaviour they have seen on television, in movies or at home. Research shows that 93% of video games reward violent behaviour. Additional findings show that 25% of boys aged 12 to 17 regularly visit gore and hate internet sites, but that media literacy classes decreased the boys' viewing of violence, as well as their acts of violence in the playground. It is important for adults to discuss violence in the media with youth, so they can learn how to keep it in context. There is a need to focus on changing attitudes toward violence.

Source: BullyingCanada, https://www.bullyingcanada.ca/get-help/

How to identify bullying

There are many warning signs that a child is being bullied or may be bullying others. It is worth noting that these are also signs of other abuse as well. It is important to talk with your child who displays any of the following signs and the teachers to identify the problem.

Signs a child is being bullied

- 1. Unexplainable injuries
- 2. Lost or destroyed clothing, books, electronics, or jewelry
- 3. Frequent headaches or stomach aches, feeling sick or faking illness
- Changes in eating habits, like suddenly skipping meals or binge eating.
 Kids may come home from school hungry because they did not eat lunch.
- 5. Difficulty sleeping or frequent nightmares
- Declining grades, loss of interest in schoolwork, or not wanting to go to school
- 7. Sudden loss of friends or avoidance of social situations
- 8. Feelings of helplessness or decreased self esteem
- 9. Self-destructive behaviors such as running away from home, harming themselves, or talking about suicide

If you know someone in serious distress or danger, don't ignore the problem. Get help right away.

Signs a child is bullying others

- 1. Get into physical or verbal fights
- 2. Have friends who bully others
- 3. Are increasingly aggressive
- 4. Get sent to the principal's office or to detention frequently
- 5. Have unexplained extra money or new belongings
- 6. Blame others for their problems
- 7. Don't accept responsibility for their actions
- 8. Are competitive and worry about their reputation or popularity

Source: Stopbullying.gov, https://www.stopbullying.gov/bullying/warning-signs

How to help children respond to racial bullying

Peers can be part of the solution

Peers are present in most bullying situations, and victimized youth are more likely to tell a friend about bullying than they are to tell a teacher or even their own parents. Peers can be effective at stopping bullying when it happens. The following strategies can be provided to children for them to support victimized peers as well as effectively respond to racial bullying situations:

- 1) Report the bullying to an adult on their own, or with friends.
- 2) Support and comfort the victimized child, invite them to play a game, include them in activities, or use comforting words and demonstrate empathy. These can help reduce the negative stereotypes and in group favoritism that is related to racial bullying.
- 3) Assertively label the racial bullying behavior and tell the person to stop in the moment. Even though this strategy can be effective, it's important to recognize that children shouldn't be asked to risk their own safety and engage in this strategy. This assertive communication by peers can signal to the rest of the peer group that such racial discrimination and negative stereotypes and biases are not acceptable.

Parents need to help children safely use the effective strategies to stand up for friends who are being targeted because of their cultural background.

Identifying bullying is important

Bullying is often kept hidden from parents. Furthermore, shame is a huge factor that influences youth who experienced bullying to not talk about their experiences to adults. Racial bullying can be even more shameful and embarrassing to talk about because it's about something that people cannot change. Reducing shame about talking about such difficult and vulnerable topics like bullying is an important step that parents can take.

Identifying bullying is important because it helps adults such as parents or teachers address bullying so that it does not get any worse.

What parents can do

- 1) Stress to kids that bullying is not a normal part of growing up.
- 2) Help kids understand what is racial bullying.
- 3) Help kids identify strategies that they would feel comfortable and safe using when experiencing or witnessing racial bullying. It's important to review who the kid can seek help from at school, who are the trusted adults, and where they can find them.
- 4) Provide children with skills to evaluate whether or not the strategy that they used was effective. Follow up to see whether the bullying situation stopped, or it's actually continuing. Follow up with children about how they feel about themselves, how safe they feel in their classroom in school, and how safe they feel within their peer group.
- 5) Tips for parents
 - Start the conversation
 - Respond sensitively and with empathy
 - o Praise and practice inclusive and respectful behaviour
 - Role model cultural sensitivity
 - Celebrate own culture

Partnering with schools to prevent bullying

- 1) Learn about the Caring & Safe School Policy: Every school has a caring and safe school policy that highlights how schools plan to prevent and respond to bullying. This policy also talks about the roles of parents, teachers and administrators in order to create a safe school for all students. This policy also notes what information the school has to share with you when bullying happens. Schools are mandated to provide parents a way to report instances of bullying as well. Learning about this policy about how schools will respond to bullying will help parents feel more prepared to respond to bullying situations.
- 2) Contact teachers: Contacting teachers when you feel worried is a good step to take, because teachers can effectively intervene when bullying happens. Teachers are knowledgeable and trained in policies and know how to address bullying when it happens in the classroom. Parents and teachers can communicate a safety plan to keep a child safe from bullying in the future. Parents can contact teachers to follow up about whether the safety plan was effective. Being communicative and connected to your children's teachers is a good

- way to understand and know how the school and classrooms are responding to bullying.
- 3) Encourage children to report: Parents and teachers can work together to encourage children to report bullying when they experience it and when they witness it. Make sure that children know that it's a teacher's job to deal with bullying and all instances like racial bullying should be reported. It is important to provide children with specific ways that they can report bullying and who might be a good person to go to when they are in different places at school. It takes courage for children to report bullying and it is parents' jobs to encourage children to do so.

Chapter 10: Bystander Intervention

This chapter provides guidelines for people who witness a hate crime or a hate incident happening, to step up and engage in non-violent deescalation in a variety of real-life situations.

Underling values of bystander intervention

There are three key values that underlie bystander intervention: safety, support and solidarity.

Safety

- De-escalation is the safest way of responding, because there are many unknown factors involved with intervening when you see a hate crime or hate incident happening, and you don't know what a stranger is capable of.
- Be aware of how your intervention affects the safety of the various persons involved in a situation. Before you decide to take a certain action, think about the repercussions it may have on everyone's safety.
- Practicing how to respond helps us to get past our hesitations, so we can step up when necessary.

Support

- We are there to support what the targeted person wants.
- We ask the targeted person if they want our help, we ask how we can best help them, and we ask before we touch them.
- We want to shift the attention in the situation to the targeted person by interacting as much as we can only with the targeted person and ignoring the attacker.

Solidarity

- Nonviolence is the most courageous way to respond.
- We are there with the targeted person in solidarity not as a savior.
- We are not calling the targeted person "the victim" because we want them to retain agency in the situation.

Steps for bystander intervention

1. Assess the situation

- Be ready to intervene: make sure you are mentally and emotionally prepared to enter the situation.
- Be aware of what's happening: be able to hear and see what is happening around you.

2. Get others involved

- Beat the bystander effect -The bystander effect is a psychological phenomenon where the more people are present to witness an event, the less likely any of them will be to step in to help. This is because we disperse our responsibility onto the people around us. But you have the power to return someone's responsibility to them by letting them know they should be acting. By simply saying, "Hey, do you see what's happening over there? I think we should do something." The people you are near will be more likely to get involved.
- Give them directions for how to intervene Once you have involved people around you, it's important that you take the lead and give the other bystanders directions. It's unlikely that you'll run into other bystanders who have training in de-escalation or bystander intervention, which means even if they want to help,

they may not know the best way to do so. By simply saying, "Can you stay here and record what is happening and I'll go talk to the targeted person", you can safely involve additional bystanders.

3. Intervene calmly

- Introduce yourself and quietly explain you saw what was happening and would like to provide support.
 - It's important to be aware of your tone and body language as you move close to the targeted person so they do not perceive you as a threat.
 - It's best to come in at eye level with a calm tone.
 - When introducing yourself, it's best to be straightforward and say something like, "Hi my name is _____, I saw what was happening and want to be here to support you. Can I sit next to you?"
- Ask for permission before doing anything. If the person says they
 are fine and don't want support, move back, but monitor the
 situation. You can let the targeted person know that you will be
 nearby in case they change their mind.

4. Ignore the attacker

- Even if they escalate verbally
 - We believe that ignoring the attacker has a greater chance of de escalating the situation, but that this isn't guaranteed. If the attacker doesn't de-escalate quickly, think of alternative solutions.
 - But be aware of the attacker's location and exit routes
 - You may need to consider asking the targeted person if they would like to leave the scene with you if the attacker continues to escalate.

5. Continue to support the targeted person

- After the attacker leaves, continue speaking with the targeted person
 - Let them know that they should report this incident to the police.
 - They may also need help finding mental health resources or counseling.

- Make sure they get to their destination safely.
- Offer to walk with them or help them get transportation.

What if you are the targeted person?

- You have a choice for how to react
- You may ask someone to support you
- Consider the possible ramification of your choices you are more likely to be harmed in direct confrontation

Secondarily intervening - how to capture video

One way to secondarily intervene is by capturing video and audio evidence of the incident. This is important for seeking legal remedies after the incident. This is something you can do if it is difficult or impossible for you to get to the targeted person or it can be something you ask another person to do while you speak with the targeted person.

Sometimes recording the scene can bring a bad situation to a rapid end.

However, you can also risk escalating the situation if the attacker doesn't want evidence of their behaviour. Be prepared to monitor the situation continually. Put your phone away if it begins to feel dangerous. You can also lower the phone so you are not obviously filming, or at least leave the audio function rolling.



How to get a video quickly:

- iPhone: swipe left to access camera
- Androids: swipe up to access camera
- Always try to record horizontal
- Stabilize to capture scene
- Keep monitoring situation: put camera away or record audio only if it begins to feel dangerous
- Police misconduct (always legal to record)

What if the bad situation involves police misconduct?

You have the right to film on-duty police officers. But do not interfere with them while they are executing their duties, and if you do not follow their directions on where to stand, you might face criminal charges.

Exercise scenarios

1. Man harassing a woman with a hijab on public transportation

- Approach the target (ask if you can join them) and ignore the attacker.
- Recruit other people -- ask if the target would like to move somewhere else with you (and make sure you sit on an aisle, if possible, to make space between the attacker and target), saying something loudly like, "My friend and I are going to move down here, is there anyone else who would like to join us in polite conversation?" This may create a physical barrier of many other people between the attacker and the target.
- Take a photo or record the number of the bus or subway car. Once you leave the vehicle, report the incident to the transit authority and provide the number identifying the vehicle.
- 2. Attacks on the street (from a moving car or from a pedestrian), e.g., yelling at an Asian-Canadian person, slowing down to stalk them, throwing objects at them
 - Practice approaching the target and offering to walk with them. If you are in a group, ask if you can create a human barrier between the attacker and the targeted person.
 - Turn around and walk in the other direction from the car. Take a
 photo of the license plate and make/model of the car, so that you
 can help file a report.

3. Person harassing a Latino man speaking Spanish with a store clerk

- Approach the target (especially if you speak Spanish) and ignore the attacker (and anyone else who piles on). Don't worry about losing your place in line!
- Find the manager and ask that the attacker be made to leave.

4. Trans woman stopped while heading into a bathroom at a restaurant

- Approach the target, offer to go with her into the bathroom, ignore attacker.
- Approach target, offer to stand outside bathroom while she's in there, continue to ignore attacker.

Chapter 11: Human Rights Laws and Human Rights Commissions

Laws and jurisdictions

The federal government and all Canadian provinces and territories have human rights laws with specific agencies which allow them to enforce legislation. In most provinces and territories, the principal agency is called a Commission. Most often, there are Tribunals which also work in conjunction with the Commissions in an adjudicative role in order to investigate matters that are unresolved and matters of public interest related to human rights infringements.

The role and coordination between Commissions and Tribunals varies at the federal level and amongst provinces and territories. Not all provinces and territories in Canada offer the same human rights protections. For example, not all provinces protect people because of their political beliefs or social condition. Some provinces or territories have unique or unusual protected grounds, protected areas, and ways of interpreting or administering their human rights codes.

Generally, with a few exceptions, provincial or territorial codes apply to provincial and municipal governments, businesses, non-profit organizations and individuals within that province or territory, whereas the *Canadian Human Rights Act* applies to businesses that are federally regulated and federal government entities regardless of where they are located.

Despite their differences, the core principle and protected grounds are very similar in all jurisdictions. For illustrative purposes, we will use

Canada's most populous province, Ontario, as an example.

Source: Canadian Centre for Diversity and Inclusion. Overview of Human Rights Codes by Province and Territory in Canada. https://ccdi.ca/media/1414/20171102-publications-overview-of-hr-codes-by-province-final-en.pdf

Ontario Human Rights Code

The Ontario Human Rights Code is for everyone, and protects people from discrimination in specific situations. Under the Code, you have the right to be free from discrimination in five parts of society – called social areas – based on one or more grounds.

The five social areas are: employment, services, housing, unions and vocational associations and contracts.

Discrimination based on 17 different personal attributes – called grounds – is against the law under the Code. The grounds are: citizenship, race, place of origin, ethnic origin, colour, ancestry, disability, age, creed, sex/pregnancy, family status, marital status, sexual orientation, gender identity, gender expression, receipt of public assistance (in housing) and record of offences (in employment).

Your rights under the Code are not violated unless the discrimination occurs in one of the prescribed social areas based on one or more of the protected grounds. For example, the Code does not apply if a stranger on the street insults you by making a racist comment, because this did not happen in a specific social area, such as at your job or in a restaurant. The Code will also not apply if you feel you were treated differently in your job due to a personality conflict with your manager, because the treatment is not related to a ground such as your age, sex or race.

Employment

Every person has the right to equal treatment in employment without discrimination based on Code grounds. Employees, independent contractors and volunteers are covered. Human rights applications can be filed against employers – and also against contractors, unions or boards of directors. Employers and unions have a joint duty to make

sure that workplaces are free of discrimination and harassment.

The right to "equal treatment with respect to employment" covers applying for a job, being recruited, training, transfers, promotions, terms of apprenticeship, dismissal and layoffs. It also covers rate of pay, overtime, hours of work, holidays, benefits, shift work, discipline and performance evaluations. People with disabilities have the right to be provided with equipment, services or devices that will allow them to do their job.

Services

You have the right to be free from discrimination when you receive goods or services, or use facilities. For example, this right applies to: stores, restaurants and bars, hospitals and health services, schools, universities and colleges, public places, amenities and utilities such as recreation centres, public washrooms, malls and parks, services and programs provided by municipal and provincial governments, including social assistance and benefits, public transit and policing, services provided by insurance companies, classified ads in a newspaper. This section also applies to businesses, government, community agencies and other organizations in Ontario.

Housing

Every person has the right to be free from discrimination in housing because of *Code*-protected grounds. You have the right to equal treatment when buying, selling, renting or being evicted from an apartment, house, condominium or commercial property. This right also covers renting or being evicted from a hotel room.

The *Code* applies to terms and conditions in contracts and leases such as the amount of rent, security deposits, the need for guarantors, occupants' rules and regulations, ending a lease and eviction.

Your right to housing without discrimination also includes suitable access to doors, laundry rooms, swimming pools, other common areas, repairs and other aspects of housing.

Vocational associations and unions

This section deals with your right to join and be treated equally in a union, professional or other vocational association. This applies to membership in trade unions and self-governing professions, including the terms and conditions of membership, rates of pay and work assignments. It includes employees', employers' and managers' associations.

Contracts

Every person having legal capacity has a right to contract on equal terms without discrimination because of any *Code* ground. A contract is a legal agreement that can be a written or verbal agreement. The right to enter into a contract on equal terms covers all steps in the contract, including the offer, acceptance, price or even rejection of a contract. The *Code* covers all types of contracts, including contracts to buy a house, condominium or other type of residential accommodation, and contracts for buying a business, such as office or retail space. For example, an automobile manufacturer cannot refuse to enter into a contract with the owner of a car dealership because the owner is gay.

Source: Ontario Human Rights Commission. Guide to your rights and responsibilities under the Human Rights Code.

https://www3.ohrc.on.ca/sites/default/files/Guide%20to%20Your%20Rights%20and%20Responsibilities%20Under%20the%20Code_2013.pdf

Ontario Human Rights System

Ontario's human rights system now consists of three separate and independent parts:

- Ontario Human Rights Commission
- Human Rights Tribunal of Ontario
- Human Rights Legal Support Centre

Ontario Human Rights Commission

The Ontario Human Rights Commission (the OHRC) works to identify the root causes of discrimination, and to bring about broad, systemic

changes to remove them. It develops policies and provides public education, monitors human rights, does research and analysis, and conducts human rights public interest inquiries.

While it does not deal with individual human rights complaints, the OHRC may take its own cases, or intervene in human rights cases before tribunals or courts on issues of broad public interest.

Human Rights Tribunal of Ontario

This Tribunal decides if someone's human rights have been violated. If you think your rights under the *Code* have been violated, you can file a complaint – called an application – directly with the Tribunal.

The Tribunal will decide the best way to deal with your situation. It may also decide that your rights have not been violated or that it does not have the power to deal with your case.

Human Rights Legal Support Centre

The Legal Support Centre helps people who file applications with the Tribunal. Services may include advice, support and legal representation.

Filing a human rights complaint

If you believe that your rights under the Code have been violated, you can contact the Legal Support Centre, consult a lawyer of your own choosing, file a human rights application with the Tribunal, or file a grievance under your collective agreement to protect your rights.

You may not be punished or threatened with punishment for trying to exercise these rights.

Contact the **Human Rights Legal Support Centre** if you think you have been discriminated against and want:

- advice about next steps
- help with the application process

Contact the Human Rights Legal Support Centre at:

Toll Free: 1-866-625-5179 TTY Toll Free: 1-866-612-8627 Website: www.hrlsc.on.ca

Contact the Tribunal if you want:

- an application guide
- copies of any Tribunal forms
- information about the Tribunal's procedures
- information about the status of your case

To file a complaint (called an application), contact the Human Rights Tribunal of Ontario at:

Toll Free: 1-866-598-0322 TTY Toll Free: 1-866-607-1240

Website: www.hrto.ca

Source: Ontario Human Rights Commission. Guide to your rights and responsibilities under the Human Rights Code. http://www.ohrc.on.ca/en/guide-your-rights-and-responsibilities-under-human-rights-code-0

About CPAC Institute

CPAC Institute is an independent research, education and training organization that provides research-based support for the understanding and elimination of systemic barriers to equity, diversity, and inclusion in Canadian society and for addressing specific issues concerning the wellbeing of Chinese Canadians.

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