



BLACK LEGAL ACTION CENTRE

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BLACK LEGAL ACTION CENTRE

# STRATEGIC PLAN

## 2022 - 2027

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*FOR A JUST AND FAIR ONTARIO, FREE OF  
INDIVIDUAL AND SYSTEMIC ANTI-BLACK RACISM.*

SEPTEMBER 2022

# LAND ACKNOWLEDGEMENT

The **Black Legal Action Centre (BLAC)** recognizes that our work takes place on traditional Indigenous territories across the territory now called Ontario. We acknowledge that there are 46 treaties and other agreements that cover the province.

BLAC also acknowledges that our head office is located on the land known as Tkaronto. Tkaronto is the unceded and ancestral territories of the Anishnabeg, the Chippewa, the Haudenosaunee confederacy, the Mississauga's of the Credit River, the Wendat and many diverse First Nations, Inuit and Metis peoples.

It is covered by Treaty 13 with the Mississauga's of the Credit and the Williams Treaties signed with multiple Mississauga's and Chippewa bands, to peaceably share and care for the lands around the Great Lakes.

BLAC also acknowledges the many people of African descent who are not settlers, but whose ancestors were forcibly displaced as part of the transatlantic slave trade, brought against their will, and made to work on these lands.

We believe that advancing Indigenous sovereignty is deeply and inextricably linked to Black liberation and we will continue to mobilize and take action in solidarity with Indigenous people and communities.

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# INTRODUCTION

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Incorporated in 2017, the **Black Legal Action Centre (BLAC)** is a relatively new organization. However, despite its infancy, in a few short years, BLAC has established itself as the go-to legal service provider and resource for Black people in Ontario.

Since opening its doors in 2019, BLAC has provided thousands of people with legal information and education, represented hundreds of clients, and worked to center Black people in our test cases, law reform submissions, and media interviews.

Before BLAC began delivering legal services, we engaged Tana Turner Consulting Group Inc. to conduct a needs assessment. The needs assessment involved province-wide consultations with members of Ontario's Black communities and helped BLAC make decisions about BLAC's staffing complement, areas of law, and service delivery methods.

BLAC receives most of its annual funding (approx. \$935,000 per year) from Legal Aid Ontario. But in 2020, following the murder of George Floyd, thousands of people and organizations across the country made one-time and recurring donations to BLAC, totalling \$2,404,482 in the 2020/2021 fiscal year.



BLAC's board of directors wanted to ensure that BLAC made the best use of these funds and that BLAC engaged Black communities in its decision-making processes. To this end, in May 2022, BLAC published a survey for members of the public. In early June 2022, BLAC also held four (4) focus groups for:

- Black-led or Black-serving community organizations
- members of Black communities
- legal service providers
- BLAC staff

To promote the survey and focus groups, BLAC:

- translated the surveys into French, Twi, Somali, and Amharic
- sent the surveys and information about the focus groups to 128 community organizations
- promoted the survey and focus groups in BLAC's newsletter which has 4,163 subscribers
- promoted survey and focus groups on BLAC's Twitter account which has 5,196 followers, and Instagram account which has 12,200 followers

## SURVEY AND FOCUS GROUP RESULTS

The feedback that BLAC received through these processes is summarized below.

### IN WHAT AREAS OF LAW SHOULD BLAC DELIVER SERVICES?

While some participants encouraged BLAC to narrow its focus to two or three areas of law, most said that the legal needs of Black communities are wide-ranging, and it is difficult to identify priorities or key legal issues. As one participant noted, “anti-Black racism permeates every section of society and the legal system.”

Survey participants ranked the areas of law in which members of Black communities need legal help from most to least important as follows:

**1** Employment

**2** Criminal Law

**3** Policing

**4** Child Welfare

**5** Human Rights

**6** Immigration

**7** Education

**8** Healthcare

**9** Housing Law

**10** Family Law

**11** Hate Crimes

**12** Consumer Profiling

**13** Social Assistance





## WHAT LEGAL SERVICES SHOULD BLAC DELIVER?

**There are no types of legal services that BLAC should stop delivering.**

### **BLAC SHOULD:**

- continue to deliver public legal education and information, train lawyers and law students, engage in law reform initiatives, and work with grassroots organizations
- provide holistic legal services
- not duplicate the services delivered by community legal clinics
- help Black people who have experienced police violence or whose families have been killed by police or while in a correctional facility to file civil suits against the state
- use international human rights mechanisms to push for domestic changes
- hold drafting clinics to help people fill out human rights applications and/or police complaints
- engage volunteers (e.g. pro bono lawyers) to provide summary legal advice or assistance with drafting

## HOW SHOULD BLAC DELIVER LEGAL SERVICES?

It is important that the people delivering legal services to Black people are Black and understand anti-Black racism. However, because it will not be possible for all legal services to Black people to be delivered by Black service providers, BLAC should deliver training to service providers, consult with other service providers, and share precedents and resources.

### BLAC SHOULD ALSO:

- adopt a satellite model to provide services through organizations that are located in communities where there are large populations of Black people
- leverage technology by providing virtual access to services, conducting intakes on the phone and online, and using a platform that allows people to book meetings with lawyers online
- engage non-lawyer volunteers to act as advocates and provide support to people as they navigate their issues
- engage Black students through such things as internships and articling positions

## HOW SHOULD BLAC ENGAGE IN MEMBERS OF ONTARIO'S BLACK COMMUNITIES?

### BLAC SHOULD:

- build strategic partnerships with other Black-led organizations
- conduct outreach to schools, religious institutions, Black-owned business (e.g. barber shops, hair salons), and Black-led or Black-serving community organizations
- translate its website and materials into French and other languages
- ensure that BLAC's website and social media are compliant with the *Accessibility for Ontarians with Disabilities Act*
- build BLAC's internal capacity to deliver services in French and other languages
- build BLAC's internal capacity to deliver services to more people by increasing the number of staff
- go to where the clients and legal issues are (e.g. if there's a big event or issue in Regent Park, hold a community event in Regent Park)
- expand BLACs services throughout Canada or think about how BLACs services can be replicated and duplicated outside of Ontario



## STRATEGIC PLAN

BLAC's Board of Directors thanks those people and organizations that took the time to engage in this process. The Board has incorporated the feedback received to develop BLAC's first Strategic Plan.

This Strategic Plan provides the framework for 2022 – 2027. It lays out our areas of focus for the coming five years. It is geared toward achieving measurable outcomes in the fight against individual and systemic anti-Black racism.

This Strategic Plan will form the basis on which we develop a focused list of valid, necessary and measurable actions and outcomes. Internally, it provides the basis for more detailed operational plans to make sure that all of BLAC's organizational activities connect to results.

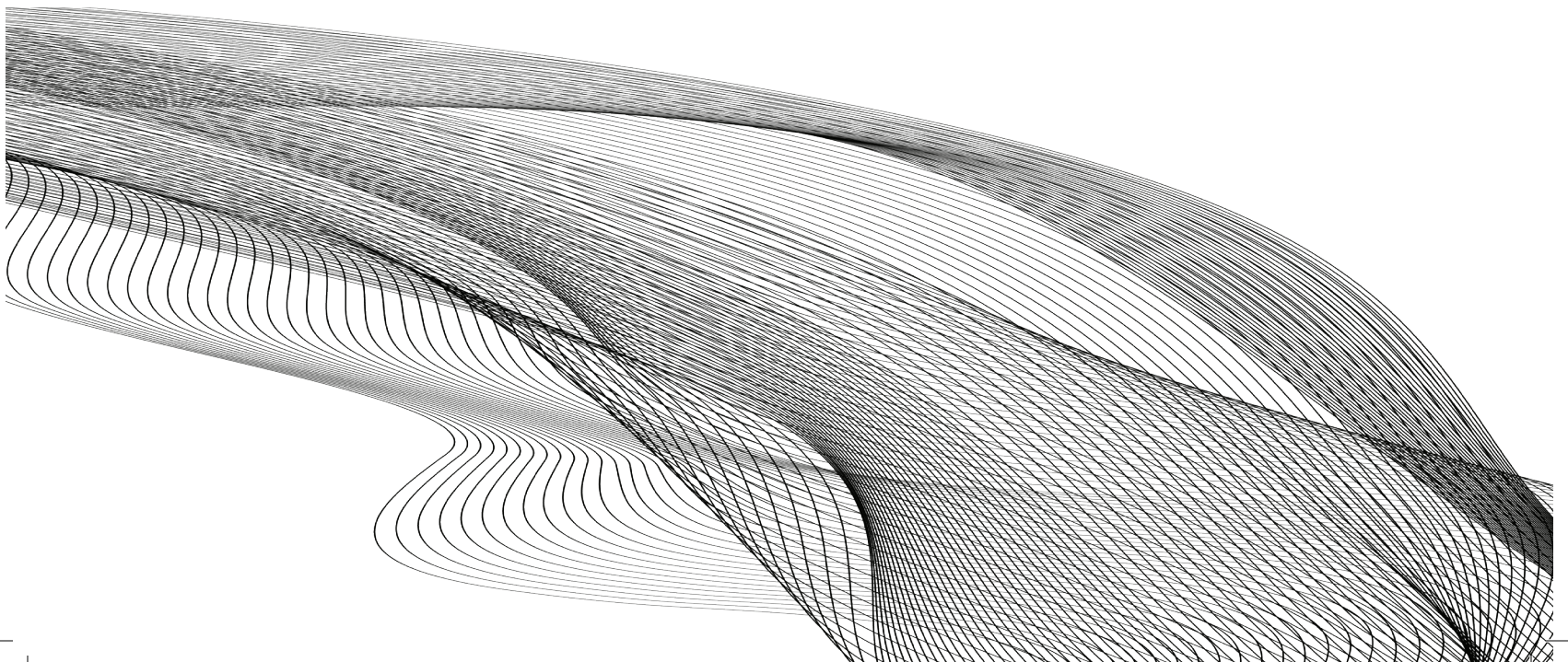
Of course, new and unforeseen issues may arise. For example, when BLAC was first established, we had no idea that the COVID-19 pandemic would wreak havoc on Black communities across the province. In setting out this Strategic Plan, BLAC will continue to be nimble and flexible in its response. This may mean reprioritizing to best meet the needs of the communities we serve.

# VISION

**A SOCIETY WHERE ANTI-BLACK  
RACISM IS NAMED AND  
MEANINGFULLY ADDRESSED;  
WHERE THE HUMANITY AND  
DIGNITY OF BLACK PEOPLE ARE  
CENTRED; WHERE THE LAWS AND  
THE LEGAL SYSTEM ARE JUST  
AND FAIR; AND WHERE RACIAL  
EQUITY AND FULL PARTICIPATION  
OF ALL BLACK PEOPLE IN  
SOCIETY IS ACHIEVED.**

# **MISSION**

**TO COMBAT AND ERADICATE  
INDIVIDUAL AND SYSTEMIC  
ANTI-BLACK RACISM  
IN ONTARIO THROUGH  
EDUCATION, ADVOCACY,  
AND LITIGATION.**





# OBJECTIVES

WE WILL CONCENTRATE OUR EFFORTS ON THREE STRATEGIC FOCUS AREAS:

## DECARCERATION

Decarceration is aimed at reducing the number of Black people held in custody or custodial supervision.

## FULL PARTICIPATION

Full participation is aimed at addressing the social determinants of health and justice by fighting anti-Black racism with respect to such things as income, employment, housing, education, health.

## POVERTY RELIEF

Poverty relief is aimed at permanently lifting Black people out of poverty in all its forms and improving the living conditions of Black people with low or no income.

# DECARCERATION

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At every step of the criminal punishment system, wherever system actors exercise discretion, they exercise their discretion to the detriment of Black people. For example, numerous studies have shown that police are more likely to:

- stop and search Black people,<sup>1</sup>
- charge Black people,<sup>2</sup> and
- use force against, seriously injure and kill Black people.

Members of the bench are more likely to:

- hold legally innocent Black people in pretrial detention (i.e. to deny bail), for longer periods of time<sup>3</sup>, and
- impose more release conditions on Black people who are granted bail.<sup>4</sup>

As a result, Black people continue to be subjected to mass incarceration. In 2018/19, Black people accounted for 7.2% of federal offenders while comprising only 3.5% of Canada's population.<sup>5</sup>

A 2021 study found that nearly one out of every 15 young Black men in Ontario has experienced jail time, compared to one out of about every 70 young white men. Black women were incarcerated at a rate of 259 per 100,000, whereas white women had a rate of 96 per 100,000.<sup>6</sup>

Once in prison, members of Correctional Service Canada are more likely to:

- place Black people in maximum security and segregation,<sup>7</sup>
- impose institutional charges against Black people,<sup>8</sup>
- use force against Black people, and<sup>9</sup>
- misapply a security threat designation against Black people, thereby limiting their access to programming, treatment and opportunities for parole.<sup>10</sup>

Under Canada's immigration laws, people who have been convicted of a crime, and served a criminal sentence, may also be subject to deportation/removals. This amounts to "double punishment"<sup>12</sup> and often compounds the injustices and anti-Black racism that led to their criminalization in the first place. In addition, immigration officials are more likely to:

- hold Black immigration detainees for longer periods of time, and<sup>11</sup>
- place Black immigration detainees in provincial jails instead of detention centres.

***BLAC HAS AN IMPORTANT ROLE TO PLAY IN BOTH FIGHTING AGAINST  
THE CONTINUED CRIMINALIZATION OF BLACK PEOPLE, AND DEFENDING  
THE RIGHTS OF THOSE MEMBERS OF OUR  
COMMUNITIES WHO HAVE BEEN CRIMINALIZED.***

## **WE WILL WORK TOWARDS THE FOLLOWING RESULTS:**

- Increased understanding of rights and responsibilities of Black people when interacting with the criminal punishment system, including policing, corrections, and parole
- Increased services to people with legal issues in the area of criminal law, including provincial offences, prison law, and record suspensions
- Increased accountability for systemic anti-Black racism and discrimination in the criminal punishment system
- Reduced negative impacts of interacting with the criminal punishment system
- Reduced number of Black people interacting with the criminal punishment system

## **WE WILL DO THIS THROUGH:**

### **EDUCATION**

- Developing and disseminating public legal information and education resources on rights and responsibilities in the criminal punishment system
- Developing informational materials that center the lived experience of people who come into contact with these systems
- Conducting and participating in research studies on anti-Black racism in the criminal punishment system



## LITIGATION

- Supporting civil suits against state actors who have engaged in individual or systemic anti-Black racism, including police services and correctional facilities
- Developing a student and volunteer program to support the delivery of legal services in the areas of provincial offences, prison law, and/or record suspensions
- Delivering holistic services (e.g. mental health supports) internally or through partnerships with other community organizations and service providers
- Holding drafting clinics to help people fill out applications and complaints (e.g. human rights application, police complaints)
- Working with Legal Aid Ontario and other legal service providers to increase our ability to connect clients with legal service providers who practice in the areas of criminal and prison law
- Engaging in public interest litigation aimed at ensuring that actors in the justice system acknowledge and address anti-Black racism

## ADVOCACY

- Monitoring, enforcing and reporting on compliance with human rights obligations and policies in justice systems
- Advocating for changes to laws like the *Criminal Code*, *Criminal Records Act*, *Police Services Act*, *Corrections and Conditional Release Act*, and *Immigration and Refugee Protection Act*
- Building strategic partnerships and networks with Black prisoner groups, reintegration services, and prisoner rights groups



# FULL PARTICIPATION

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**ANTI-BLACK RACISM AND DISCRIMINATION ARE IMPORTANT DRIVERS OF INEQUALITIES IN EDUCATION, EMPLOYMENT, HOUSING, AND OTHER DETERMINANTS OF HEALTH FOR MANY BLACK PEOPLE LIVING IN CANADA.**

## EDUCATION

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Teachers and administrators are more likely to stream Black high school students into special education and applied programs.<sup>13</sup>

Teachers and administrators are also more likely to suspend and expel Black students. At the Toronto District School Board, for example, Black students make up 11% of the student population but 33% of all expulsions.<sup>14</sup>

While in school, Black students are regularly exposed to harassing and discriminatory behaviour by peers, teachers, and administrators.<sup>15</sup>

Lesson plans and educators do not reflect of the lives, histories and communities of Black youth. This can lead to students becoming disengaged.<sup>16</sup>

Black students are less likely to go to college and university than white and other racialized students. In 2016, Black people aged 23 to 27 were reported to be less likely than other people in that age group to have a post-secondary certificate, diploma or degree.

## INCOME

In 2016, 20.7% of the Black population aged 25 to 59 lived in a low-income situation, compared with 12.0% of their counterparts in the rest of the population. 33.0% of Black children aged 0-14, and 26.7% of Black youth aged 15-24 lived in low-income households, compared to 12.7% and 11.9% of white children and youth, respectively.

In 2011, Black Canadians were counted among the working poor 2.2 times more often than white Canadians. Black Canadians who were recent immigrants ( $\leq 10$  years in Canada) were 2.6 times more likely to be among the working poor compared to the Canadian-born white population.<sup>17</sup>

## EMPLOYMENT

Many Black people in Canada face discrimination in the hiring process. In one study of employer responses to resumes of similarly qualified candidates with African or Franco-Quebécois last names, the candidates with Franco-Quebécois last names were called for an interview 38.3% more often than those with African last names.<sup>18</sup>

Another study confirmed that Black job applicants with no criminal record have a harder time finding entry level service or retail jobs, compared to white applicants **with** a criminal record.<sup>19</sup>

In 2016, there were nearly twice as many (1.9 times) Black women (aged 18-69 years) who were unemployed in Canada as there were unemployed white women. Black men reported unemployment 1.5 times more often than white men.

Among those with a postsecondary education, the unemployment rate for the Black population was 9.2%, compared to 5.3% for those in the rest of the population.<sup>20</sup>

The proportion of young Black men aged 23 to 27 years in 2016 not in school or not working was almost twice as high as that of other young men (20% vs 12%).

Black men (aged 18-69 years) were overrepresented by a margin of 2.6 to 1 (6.8% vs. 2.6%) in jobs for which they are overqualified (i.e., they are university graduates working in a job requiring high school education or less) as compared to white men. Black women worked in jobs for which they are overqualified 1.5 times as often as white women (5.9% vs. 3.9%).

A higher proportion of Black adults (aged 18-69 years) were working in low-skilled occupations (e.g., with no specific educational requirements) than white adults (15.6% vs. 10.7%).

## HOUSING

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Landlord discrimination against Black tenants is a common barrier to adequate housing. Studies in Toronto and Montreal have revealed exclusionary screening methods, refusal to rent or imposing financial barriers to renting (e.g. increasing first and last month's rent).<sup>21</sup> Research has found that discrimination was more pronounced among Black people with darker skin.<sup>22</sup>

In 2016, 20.6% of Black Canadians reported living in housing below standards, which means their housing costs more than they can afford, and/or is crowded, and/or requires major repairs. 7.7% of white Canadians reported living in housing below standards.

### Among Black Canadians:

- 12.9% were living in crowded conditions (compared to 1.1% of white Canadians)
- 8.4% were living in homes in need of major repairs (compared to 6.2% of white Canadians)
- 28.6% were living in unaffordable housing (compared to 16.1% among white Canadians).<sup>23</sup>

Black people experience de facto segregation, i.e., even though laws do not specifically require it, Black people are geographically separated from other racial groups in communities and neighbourhoods that are often under-resourced and underfunded.

Specifically, because housing is largely governed by the real estate market, higher-income households outbid lower-income households for quality housing and preferred locations. This leads to gentrification wherein Black people with lower-incomes are displaced from desirable neighbourhoods.<sup>24</sup>

## FOOD SECURITY

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Between 2009 and 2012, Black Canadians reported moderate or severe household food insecurity 2.8 times more often than white Canadians.

Black Canadian youth aged 12-17 reported moderate or severe household food insecurity 3.0 times more often than white Canadian youth.<sup>25</sup>

## HEALTH

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The communities in which Black people with low-incomes live are likely to have limited access to health care.<sup>26</sup> Within Toronto, for example, neighbourhoods in the city's downtown core had the highest number of primary care physicians per 10,000 population.<sup>27</sup>

These neighbourhoods are largely white.<sup>28</sup> In contrast, the neighbourhoods outside of the city's downtown core had low income levels and low numbers of primary care physicians per 10,000 population.<sup>29</sup> These neighbourhoods are made up largely of Black, Chinese, or South Asian people.<sup>30</sup>

Reports of experiences of anti-Black racism in the Canadian health care system abound, particularly in the form of stereotyping and provider bias.<sup>31</sup> This is compounded by the fact that a low proportion of physicians in Canada are Black.

For example, in Ontario, 4.5% of Ontarians are Black but Black people comprise only 2.3% of practising physicians.<sup>32</sup> Black physicians, physician trainees and racialized health care providers also report experiencing racism in Canadian health care institutions.<sup>33</sup>



## **BLACK PEOPLE IN ONTARIO AND CANADA EXPERIENCE INEQUITABLE HEALTH OUTCOMES:**

- Black communities in Ontario are disproportionately affected by HIV. Although Black people make up 4.5% of Ontario's population, in 2015, they accounted for 25% of all new HIV diagnoses.<sup>34</sup>
- A 2016 study found that 8.9% of Black women gave birth to pre-term babies, compared to 5.9% of white women. While there is little Canadian data on Black maternal mortality and other birth-related adverse outcomes, data from the United Kingdom showed Black women were five times more likely to die during childbirth compared to their white counterparts.<sup>35</sup> A study from the United States, showed that Black women who had recently given birth were less likely to be prescribed opioids at discharge from hospital and got fewer morphine milligram equivalents per day as inpatients.<sup>36</sup>
- Between 2010 and 2013, 14.2% of Black Canadians age 18 years and older reported their health to be fair or poor, compared to 11.3% of white Canadians. The prevalence of fair or poor health for Black women reached 15.0%.<sup>37</sup>
- The prevalence of diabetes among Black Canadian adults is 2.1 times the rate among white Canadians.<sup>38</sup>
- COVID-19 disproportionately affected Black and racialized communities in Canada. Black people in Ontario were 4.6 times more likely than white people to have confirmed cases of COVID-19, 6.3 times more likely to be hospitalized, 6.1 times more likely to require intensive care, and 4.6 times more likely to die.<sup>39</sup>



## WITH RESPECT TO MENTAL HEALTH AND ADDICTIONS:

- People of Caribbean, East and West African origin in Ontario have 60% increased risk of psychosis.
- Black Ontarians of Caribbean descent have two times the delay in getting to evidence-based services than those of white European descent.
- Black Ontarians experience a higher level aversive pathways to care (emergency room, ambulance or police) when compared to those of white European descent.
- Black Ontarians experience higher rates of restraint and confinement under the care of the mental health and addictions system.<sup>40</sup>

## CHILD WELFARE

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Black children experience similar rates of neglect and physical, sexual and emotional abuse as white children. Nonetheless, child welfare services are more likely to:

- investigate Black families,
- substantiate allegations of abuse against Black parents, and
- place Black children in out-of-home care during investigations.<sup>41</sup>

A 2022 report looking at child welfare investigations in Ontario, found that Black families are more frequently referred to children's aid by schools and police than other families.<sup>42</sup>

As a result, Black children and families are overrepresented in child welfare systems relative to their proportion in the general population. In 2017, "the proportion of Black children admitted into care was 2.2 times higher than their proportion in the child population."<sup>43</sup>

## IMMIGRATION

Migrant workers in Canada's Seasonal Agricultural Program are denied the opportunity to ever gain resident status in Canada, despite spending most of their working lives in this country. They continue to be bound to particular employers with exclusively tied work permits, and often find themselves working under exploitative conditions. Temporary migrant workers continue to face exploitation and abuse, continue to have no reliable access to healthcare, and no access to employment and pension benefits.<sup>44</sup>

***BLAC'S VISION INCLUDES A SOCIETY WHERE RACIAL EQUITY AND FULL PARTICIPATION OF ALL BLACK PEOPLE IN SOCIETY IS ACHIEVED. THIS MEANS ADDRESSING INEQUALITIES IN EDUCATION, INCOME, EMPLOYMENT, HOUSING, FOOD INSECURITY, HEALTH, AND IMMIGRATION.***

## **WE WILL WORK TOWARDS THE FOLLOWING RESULTS:**

- Increased awareness of individual and systemic anti-Black racism in education, income, employment, housing, food systems, health, child protection, and immigration
- Adequate individual and public interest remedies to Black people who have experienced anti-Black racism in education, income, employment, housing, food availability, health, child protection, and immigration
- Increased legal and non-legal services to people who have experienced anti-Black racism

## **WE WILL DO THIS THROUGH:**

### **EDUCATION**

- Developing and disseminating public legal information and education resources aimed at helping people identify and combat anti-Black racism in education, income, employment, housing, food availability, health, child protection, and immigration
- Conducting and participating in research studies on anti-Black racism in the education, income, employment, housing, food insecurity, health, child protection, and immigration systems
- Developing informational materials that highlight the lived experience of people who come into contact with these systems

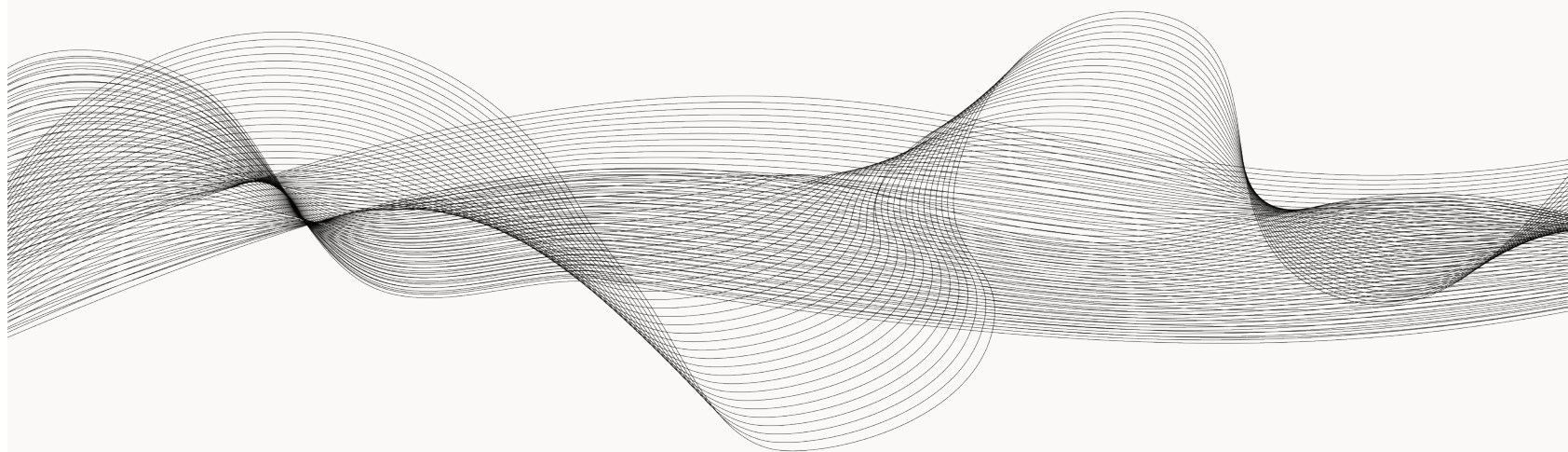
## LITIGATION

- Representing individuals and groups of individuals who have experienced discrimination in education, employment, housing, health, child protection, and/or immigration
- Engaging in test case litigation aimed at ensuring that provincial and federal human rights systems are able to provide adequate remedies to people who have experienced anti-Black racism and other forms of discrimination
- Engaging in test case litigation aimed at challenging systemic anti-Black racism in education, employment, housing, health, child protection, and immigration
- Developing a volunteer and student programs to support the delivery of non-legal advocacy and supports to Black people who are navigating education, income, employment, housing, food insecurity, health, child protection, and immigration systems
- Holding drafting clinics to help people fill out human rights applications
- Working with Legal Aid Ontario and other legal service providers to increase our ability to connect clients with legal service providers who practice in the areas of child protection, mental health, and poverty law



## ADVOCACY

- Monitoring, enforcing and reporting on compliance with human rights obligations and policies in education, income, employment, housing, health, child protection, and immigration
- Ensuring that the provincial and human rights systems are able to provide adequate remedies to people who have experienced anti-Black racism and other forms of discrimination
- Advocating for changes to laws like the Ontario *Human Rights Code*, *Residential Tenancies Act*, *Education Act*, *Canadian Human Rights Act*, *Health Care Consent Act*, *Mental Health Act*, *Substitute Decisions Act*, and *Child, Youth and Family Services Act*
- Building strategic partnerships and networks with Black student advocacy groups, trade unions, housing advocates, food justice advocates, legal service providers, settlement agencies, and health centres



# POVERTY RELIEF

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ACCORDING TO THE UNITED NATIONS,

**POVERTY ENTAILS MORE THAN THE LACK OF INCOME AND PRODUCTIVE RESOURCES TO ENSURE SUSTAINABLE LIVELIHOODS.**

**ITS MANIFESTATIONS INCLUDE HUNGER AND MALNUTRITION, LIMITED ACCESS TO EDUCATION AND OTHER BASIC SERVICES, SOCIAL DISCRIMINATION AND EXCLUSION, AS WELL AS THE LACK OF PARTICIPATION IN DECISION-MAKING.<sup>45</sup>**

Since the *Universal Declaration of Human Rights* was adopted in 1948, the right to an adequate standard of living, including food, clothing and housing, has been recognized as a fundamental human right. Many Black people continue to be denied these fundamental human rights.

**AS NOTED BY THE ONTARIO HUMAN RIGHTS COMMISSION,**

**POVERTY AND SYSTEMIC DISCRIMINATION ARE INTERCONNECTED. POVERTY EXACERBATES MARGINALIZATION AND UNDERMINES PEOPLES' ABILITY TO REDRESS DISCRIMINATION. POVERTY UNDERMINES HUMAN RIGHTS SECURITY IN ALL SOCIAL AREAS INCLUDING HOUSING, ACCESS TO HEALTH CARE AND OTHER SOCIAL SERVICES, ACCESS TO EMPLOYMENT, AND EXPERIENCES OF DEEPLY PRECARIOUS EMPLOYMENT. CODE-PROTECTED COMMUNITIES DISPROPORTIONATELY EXPERIENCE POVERTY, WITH PARTICULAR DYNAMICS OF MARGINALIZATION FACING PERSONS LIVING WITH DISABILITIES, INDIGENOUS PEOPLES, WOMEN, OLDER PERSONS, CHILDREN AND YOUTH, TRANSGENDER PEOPLE AND RACIALIZED COMMUNITIES.<sup>46</sup>**

Poverty is racialized. Black people experience poverty at greater rates due to structural factors related to race in society. Black people are more likely to fall below the Low Income Cut-Off (LICO) and to have related problems like poor health, lower education, and fewer job opportunities, than non-racialized people.<sup>47</sup>

Systemic discrimination causes and sustains poverty and social conditions such as homelessness and hunger.

### **WE WILL WORK TOWARDS THE FOLLOWING RESULTS:**

- Ensuring that proposed strategies to address poverty are responsive to anti-Black racism and other human rights concerns
- Increased understanding of rights and responsibilities of Black people with respect to social assistance and income supports
- Reduced number of Black people living in poverty

### **WE WILL DO THIS THROUGH:**

#### **EDUCATION**

- Highlighting the racialization of poverty in submissions to decision making bodies, including international human rights bodies
- Bringing to light the lived reality of people who experience poverty, homelessness and hunger
- Fostering public conversation that explores the links between poverty and systemic discrimination

## LITIGATION

- Representing individuals and groups of individuals who have experienced anti-Black racism in housing and/or social assistance
- Ensuring that community legal clinics that deliver legal services in the area of poverty law (i.e., law in relation to matters that particularly affect low-income individuals, including housing and shelter, income maintenance and social assistance) are able to identify and combat anti-Black racism

## ADVOCACY

- Building strategic partnerships and networks with Black community groups to advocate for increases to minimum wage, increased social assistance, increased access to health care services, and better worker and tenant protections
- Advocating for changes to laws like the *Ontario Works Act*, *Ontario Disability Support Program Act*, *Residential Tenancies Act*, *Employment Standards Act*





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## ENDNOTES

1 A 2020 report from the Ontario Human Rights Commission (OHRC) noted that police are more likely to proactively police Black people (e.g. when an officer decides to stop and question someone) than to interact with Black people due to reactive policing (e.g. when the police respond to a call for assistance). See Ontario Human Rights Commission, *A Disparate Impact: Second interim report on the inquiry into racial profiling and racial discrimination of Black persons by the Toronto Police Service* (Toronto: Ontario Human Rights Commission, 2020) at 3 [*Disparate Impact*], online:

<https://www.ohrc.on.ca/sites/default/files/A%20Disparate%20Impact%20Second%20interim%20report%20on%20the%20TPS%20inquiry%20executive%20summary.pdf#overlay-context=en/disparate-impact-second-interim-report-inquiry-racial-profiling-and-racial-discrimination-black>

After controlling for relevant factors, “Black [people] are twice as likely to experience one or more police stops, three times more likely to experience two or more police stops, seven times more likely to experience three or more police stops, and nine times more likely to experience four or more police stops” than are white or Chinese people. See Scot Wortley, Akwasi Owusu-Bempah and Huibin Lin, *Race and Criminal Injustice: An Examination of Public Perceptions of, and Experiences with, the Criminal Justice System among Residents of the Greater Toronto Area* (Toronto: X University Faculty of Law, 2021) at 66-67, online:

<https://cabl.ca/wp-content/uploads/2021/02/CABL-Report-Race-and-Criminal-Injustice-Feb-10-2021.pdf>

2 Many studies show that Black people use cannabis at similar rates to white people. However, a 2020 study by the OHRC found that the police are 3.9 times more likely to charge Black people involved in a single charge cannabis possession case than their representation in the general population would predict. Black people represented almost 38% of people involved in cannabis charges, and were 4.3 times more likely to be charged with cannabis possession. See *Disparate Impact*, *supra* note 1 at 26 and 17

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