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Chair

The Honourable Hedy Fry

Standing Committee on Canadian Heritage

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•(1535)

[English]

The Chair (Hon. Hedy Fry (Vancouver Centre, Lib.)): Good afternoon, everyone. I call the meeting to order.

Pursuant to Standing Order 108(2), this committee is undertaking a study of systemic racism and religious discrimination in Canada. We start with the four presenters. Each group gets 10 minutes to present. There are three groups in our first hour. When you finish with your presentation, you will be asked questions by the members. I will give you a two-minute signal when you are at eight minutes, so that you know you're going to have to wrap up, because I will cut you off at 10 minutes. I'm sorry.

Welcome, Reuven Bulka. Welcome, B'nai Brith Canada, with Michael Mostyn and David Matas. Welcome to the Centre for Israel and Jewish Affairs and Shimon Fogel, chief executive officer.

We will begin with Reuven Bulka for 10 minutes, please.

Rabbi Reuven Bulka (Congregation Machzikei Hadas, As an Individual): Thank you very much.

Unaccustomed as I am to speaking for less than 10 minutes, I'll do my best.

It's good to be here with all of you. I'm actually not representing any organization. I'm really not representing myself, either, just sharing with you the experiences I've had over the years. I'm delighted to be here at a table that really, without exaggerating, is almost like a hall of fame of human rights and activism in the spheres of making Canada into a more inclusive and better country.

Let me begin with the obvious, which is to thank you, Madam Chair, and the committee for these efforts that you're doing. We applaud them, and I will share with you—probably going into this from left field rather than going straight—a unique experience that I had somewhere around 12 years ago.

At that point in time, one of the major issues confronting the school system here in Ottawa was the question of school bullying. It came back again a bit later on, but this is an ongoing situation. To a certain extent, bullying in schools is almost like a microcosm of the bigger issue, which is taking advantage of the vulnerable, and the reality of exclusion as opposed to the embrace of inclusion.

At that point in time, we founded something called Kindness Week in Ottawa, which was going at this not from the approach of, let's say, attacking the bad stuff, but rather trying to promote the

good stuff. Instead of this idea of saying you shouldn't bully, which we know is true, we wanted to go at it from a positive approach and to emphasize the things we should be doing and promoting.

This actually caught on. It's still going on now. We're coming up to the 13th year of Kindness Week in Ottawa.

A number of years ago, because of the fact that this program worked so well, we started an organization called Kind Canada Généreux, which is emphasizing on a national level the things we need to do to make Canada into a kinder place.

One of the things we're doing right now is working on a school curriculum going from kindergarten to grade 12 in all English, French, and first nation schools. It will still be a year or two or three before we'll be able to implement it, but the idea behind it is to create a climate of kindness, consideration, and embrace.

I have a bit of a problem with the word “tolerance”. I'm not sure that you've been using this word, but over the course of time, the word “tolerance” keeps on coming up. They want us to be a tolerant country. I know, and I think everybody would agree, that one of the worst things is to have a country that is intolerant, but right next to intolerance is a country that is tolerant, because tolerance is actually not much before intolerance. It's a demeaning and condescending word.

I'm much more in favour of the positive, the harmonious, the respect, the embrace, and the inclusion, not avoiding the negative—which then becomes a negative in itself— but rather to say we have to build a culture in which we appreciate everyone with their differences. The kindness approach that we're advocating in the curriculum is emphasizing the positive and giving people something to grasp on to in terms of the way they should be interacting with others.

We're all here today because we recognize the importance of this idea and we realize that there is a bully pulpit. I've used the pulpit all the time, but not as a bully; it wouldn't be kind to be a bully. However, there is a bully pulpit in terms of encouraging in all spheres all across Canada the idea of inclusivity, the idea of the harmony that comes from the embrace of everyone, and the idea of things like encouraging schools to have this type of a program and encouraging workplaces to have programs that really emphasize and build on the idea that we are who we are because everyone is able to be part of this great country. This is the idea that we're approaching at Kind Canada, and this is the idea that I would strongly suggest.

My colleagues will do a lot better than I could in terms of the legislation and the nitty-gritty of it. I am coming at it from another angle in terms of what we can do on a positive level to eliminate these problems—not by attacking them per se, but by emphasizing the greatness inherent in all of us to make Canada an even better country.

Whatever minutes I have left, I gladly cede to my colleagues.

Thank you.

The Chair: Thank you very much. You have about four minutes left.

Rabbi Reuven Bulka: Okay, good.

The Chair: Mr. Bulka, I want to say that I'm glad you brought up the term "tolerance". I never used it, as minister for multiculturalism, because as physicians, "tolerance" is a term we use with pain. We tolerate something—you know, pain tolerance.

I like the word "respect". Respect for each other means that we know that we each bring something positive to the table and that we're all worthy.

Thank you.

I will now move to B'nai Brith. I don't know who will speak, Michael or David.

• (1540)

Mr. Michael Mostyn (Chief Executive Officer, National Office, B'nai Brith Canada): Yes, I'll be speaking first. Thank you.

The Chair: All right, thank you. Will you be sharing your time?

Mr. Michael Mostyn: We'll be splitting our time.

Thank you, Madam Chair. We thank the committee for inviting us to appear.

My colleague, David Matas, our senior legal counsel, will speak to elaborate on some of our key points. We have documentation available and can provide additional materials to support our testimony.

B'nai Brith Canada is this country's oldest national Jewish organization, founded in 1875, with the proud history of defending the human rights of Canadian Jews and all Canadians across the country. We advocate for the interests of the grassroots Jewish community in Canada and for their rights such as freedom of conscience and religion.

B'nai Brith addresses the twin challenges of anti-Semitism and hate speech, linking them to the broader threat of discrimination and human rights, a universal issue that affects all Canadians and individuals everywhere. Anti-Semitism is but a visible portion of the dangers inherent generally in prejudice and discrimination.

The committee has an opportunity to study how all Canadians can face the challenges that exist for at-risk communities, those suffering from systemic racism and religious discrimination. The committee's work and its outcome must be embraced broadly by all Canadians, and it must deal with those communities that are the targets of racism and discrimination, including Canadian Jews, who continue to be the target of anti-Semitism.

The committee's work and its outcome must not diminish or be perceived to diminish the threat to Canadians of all faith communities who face racism and religious discrimination, and it must not suggest that one form of racism or religious discrimination is more threatening or of a greater priority than any other.

The committee's work and its outcome must exercise great care in any definition of Islamophobia, if indeed any is attempted. Any definition that is vague and imprecise, that is embraced by one community but not all, or that catalyzes emotion or irrational debate on scope and meaning can be hijacked and only inflame tensions between and among faith communities in Canada and detract from the committee's objective.

My colleague, David Matas, will explore the continued threat of anti-Semitism in Canada. Contrary to the views of some, anti-Semitism is not confined to the margins of our society. Since 1982, B'nai Brith Canada has published an annual audit of anti-Semitic incidents in Canada, copies of which you have. Over a five-year period, anti-Semitism has been on the rise. Statistics Canada has reported that in 2015, the most recent year with complete figures, Jews were the most targeted group in this country for hate crimes, a serious trend that has been continuing for nine years.

While most anti-Semitic hate crimes in the 1980s and 1990s were attributable to elements of the far right, we have sadly witnessed an increasing number of anti-Jewish incidents from within the Muslim community, sometimes by those claiming to act or speak in the name of Islam. We know that this trend is of concern to many leaders in the Muslim community, just as it is within the Jewish community.

Thus, we strongly endorse the importance for your work on M-103 to be broad-based. An unbalanced emphasis on Islamophobia creates the impression that Canadian Muslims are the only victims of hate crimes. We are just as concerned with the source of hate crimes targeting Canadian Jews from within radical elements of the Muslim community. We have exposed several such incidents and are concerned that the law is not being rigorously enforced to deal with those hate crimes.

The committee has an opportunity to address this trend and consider actions to counter it through laying out the facts, advocacy education, and stressing the consequences to be faced by those who act contrary to the charter and the Criminal Code. A message to law enforcement must be this: enforce the law.

Canada cannot become a haven for anti-Muslim bigotry. B'nai Brith Canada sees anti-Semitism as but a visible portion of the dangers inherent generally in prejudice and discrimination, including that directed towards Muslim Canadians. By the same token, we must ensure that no one can hide behind the idea that any criticism of Islam represents Islamophobia, or a vague definition to this effect.

Our hope is that the committee will continue to bear in mind that Canada's most targeted religious minority in terms of hate speech and hate crimes is the Jewish community, and we have some specific recommendations that we can address later on.

The Chair: I will go to David Matas.

I want to tell you what an honour it is to have you here as a witness.

Mr. David Matas (Senior Legal Counsel, National Office, B'nai Brith Canada): I'd like to thank you and respond in kind and say it is an honour to be here, particularly having you in the chair.

I realize that M-103 mentions only Islamophobia by name, but is not just about Islamophobia. All the same, I would suggest for the committee that Islamophobia cannot and should not be ignored, both the concept and the question of what to do about it.

Literally, "Islamophobia" means "irrational fear of Islam". The concept acknowledges the existence of its opposite. Not every fear, for instance, of being confined in a tiny space is claustrophobia. Sometimes the fear is rational. Similarly, not every fear of Islam is Islamophobia. Sometimes that fear too is rational. Adherents to some components of Islam preach hatred and terrorism, incite hatred and terrorism, and engage in hate-motivated acts and terrorist crimes. Fear of these forms of Islam is a rational response to the threat they represent.

Anyone who is not afraid of, for instance, al Qaeda, ISIS, the Taliban in Afghanistan, Hezbollah in Lebanon, Hamas in Gaza, Islamic Jihad in Syria, the Al-Aqsa Martyrs' Brigade in the West Bank, or al Shabaab in Somalia is foolhardy. Many terrorist Islamic groups are listed under Canadian legislation as terrorist entities. We have troops in Afghanistan training and advising in the combat against the Taliban. Fear of some elements of Islam is mere prudence.

Islamophobia is misplaced because it is overbroad. However, we must not be carried away by the combat against overbreadth and go to the opposite extreme of being too narrow, of ignoring or, even worse, of standing against the fear of those elements of Islam about which there is every reason to be afraid.

Islamophobia does not appear in a vacuum. It grows out of a fear of incitement to, and acts of, hatred and terrorism coming from elements of the Islamic community. Combatting Islamophobia effectively means targeting the real threats within the Islamic community and not the innocents who have no association with the threats.

While targeting a threat of incitement and acts of hatred and terror directly and proportionately is easier said than done, often difficult decisions have to be made. It is, I acknowledge, asking too much to expect the committee to go through the various measures that governments worldwide have adopted or proposed to combat the threats and acts of hatred and terror coming from Islamic radicals. We suggest that what the committee can easily do is propose criteria with illustrated examples that can guide those directly involved in the combat against the threatened acts of hatred and terror coming from Islamic radicals. The criteria and the guidance would help those involved determine whether a particular action intended to counter a threat from Islamic radicals is indeed proportionate or Islamophobic.

The House of Commons resolution calls for the committee study to use that holistic response. A holistic response, when it comes to Islamophobia, requires a dual focus: a focus both on those victimized by Islamophobia and on the incitement of acts of hatred and terrorism that come from within elements of the Islamic community.

Thank you.

• (1545)

The Chair: Thank you very much.

My goodness, everybody is really working within their 10 minutes and leaving me lots of time. That's good.

Rabbi Fogel—

Mr. Shimon Fogel (Chief Executive Officer, Centre for Israel and Jewish Affairs): I'll be the exception to the rule.

The Chair: Okay.

Mr. Shimon Fogel: Thank you, Madam Chair.

We appreciate the opportunity to present to members of this committee on behalf of the Centre for Israel and Jewish Affairs, the advocacy agency of the Jewish Federations of Canada.

We are a national, non-partisan, non-profit organization representing more than 150,000 Jewish Canadians affiliated through local federations across the country. Like our sister organization, B'nai Brith, we are committed to working with government and all like-minded groups to ensure Canada remains a country where everyone enjoys equal opportunities and equal protections.

Canada is a tremendous country, particularly for members of minority groups. It is one of the most vibrantly diverse, inclusive, and respectful places in the world. However, hatred persists here in the margins of society. We must remain vigilant to ensure that hate does not gain a greater foothold and we must endeavour to push it ever further into the shadows.

Confronting hate is an all too familiar experience for Jewish Canadians. In report after report, Statistics Canada and police services across the country continue to confirm, as was noted just a moment ago, that Jews are the religious minority most targeted by hate-motivated crime, in both absolute numbers and on a per capita basis.

Nationally, there were 54 hate crimes targeting Jews per 100,000 individuals in 2015. While this number is relatively consistent with previous years, there was an increase in hate incidents targeting other minority communities, including the Muslim community. In fact, Muslims were the next most targeted group, with 15 incidents per 100,000 individuals.

Local numbers reinforce this. Let me give you some examples from the GTA, where the plurality of Jewish Canadians reside.

The Peel police service noted 23 incidents targeting Jews in 2016, which is a 155% increase over the nine incidents that occurred in 2015 and the highest increase in victimization of any identifiable group. Over that same period, there was a 92% reduction in hate crimes targeting Christians, from 13 to one, and a 54% reduction in those targeting Muslims, from 11 to five. Jews are around 0.2% of the population of Peel, but were targeted with 39% of all hate crimes. In the city of Toronto, the Jewish community is just 3.8% of the population, but was targeted in approximately 30% of hate crimes in 2016.

I mention these numbers not to showcase Jewish victimhood but to demonstrate the very real experience that our community has in grappling with the issues this committee is studying. At the same time, I want to note that percentages can sound alarming and misleading.

In York Region, anti-Jewish hate crimes decreased by more than 10%, while anti-Muslim hate crimes increased by more than 18% in 2016. This sounds significant until you look at the real numbers, which are a decrease from 19 to 17 incidents targeting Jews and an increase from 11 to 13 incidents targeting Muslims.

It's important that we not lose sight of the fact that on the whole, Canadians are incredibly welcoming, respectful, and accepting people and that hate crimes, though often jarring and sometimes horrifyingly tragic, are relatively infrequent occurrences. In Peel, 38,154 Criminal Code offences were reported in 2016. Of those, just 59, or 0.15%, were designated as hate-motivated. That said, one hate crime is too many.

Canada is a great place to be a minority. We believe the following constructive recommendations will help make it even better and we hope that each will be a point of consensus for this committee. I share with you four points.

Number one is improving data.

Currently, the collection and publication of hate crime and hate incident data varies widely by police department. I mentioned statistics from Peel, Toronto, and York Region, which are all readily available, but the reports from these three neighbouring jurisdictions each provide different information, so making direct comparisons is sometimes difficult. Other jurisdictions, such as Montreal, release no specific data regarding hate-motivated crime and which identifiable groups are being targeted. This practice has an impact on the national numbers compiled by Statistics Canada, leaving policy-makers, like each of you, with incomplete information.

● (1550)

This committee should recommend that the government establish uniform national guidelines and standards for the collection and handling of hate crime and hate incident data.

This step will help ensure that local, provincial, and national law enforcement consistently collect, catalogue, and publicize data regarding hate crimes and hate incidents. The more accurate and comprehensive the data available, the more appropriately efforts to counter hatred and bigotry in Canada can be calibrated to address the specific needs of the communities most impacted. Comprehensive empirical data is required to effectively diagnose the problems and prescribe the most appropriate solutions.

Number two is to define "hate".

One can't effectively fight bigotry and hatred without precisely defining it. The International Holocaust Remembrance Alliance's definition of anti-Semitism was achieved through multilateral consensus endorsed by governments around the world, including Canada's, to accomplish just that. Concrete examples set clear standards for what constitutes anti-Jewish sentiment and what is legitimate critical expression. Similar definitions should be estab-

lished for other forms of hate, based on careful consideration, common sense, and consensus.

The term "Islamophobia" has been defined in multiple ways, some effective and some problematic. Unfortunately, it has become a lightning rod for controversy, distracting from other important issues at hand. While some use the term "Islamophobia" to concisely describe prejudice against Muslims, others have expanded it significantly further to include opposition to political ideologies. For example, this October's *Islamic Heritage Month* guidebook issued by the Toronto District School Board contained a definition of Islamophobia that included, "dislike...towards Islamic politics or culture".

This incident exposes significant problems associated with relying on ad hoc, inadequate definitions of Islamophobia. Muslims can be protected from hate without restricting critique of ideologies, especially those that are explicitly anti-Semitic. Recent examples of anti-Semitism on display at some mosques and Muslim organizations in Montreal, Toronto, Calgary, and Vancouver have shown that extremism is a problem within parts of the Canadian Muslim community that must be addressed.

As Canadians counter hatred and protect individuals from discrimination, we must also maintain the freedom to debate and criticize ideas. Defining other forms of hate—including, but not limited to, Islamophobia—along lines similar to the IHRA definition of anti-Semitism is, we think, a good starting point. It would help law enforcement and others to identify hate incidents with greater accuracy and consistency and provide definitive guidance to Canadians about precisely where free speech turns into hate speech.

Next, when it comes to countering hate crimes, greater and more consistent enforcement of existing laws is needed. In many cases, hate crime prosecutions require the authorization of provincial Attorneys General. This can become highly politicized and can be a very difficult hurdle to overcome. Recently the Attorney General of Quebec decided not to lay charges in the case of an imam in Montreal who had called for the murder of Jews. On the charge of hate promotion, the statute of limitations had been exhausted.

In an era when statements can live on in perpetuity online, in this case on this particular mosque's YouTube channel, we believe the statute of limitations for hate promotion should be extended, and we encourage you to make that recommendation to the government.

Quebec's Attorney General also declined to pursue a second charge of genocide promotion. This decision sent a message that someone can call for the death of an entire group of people without consequence. We think that's the wrong message.

To address this situation, the federal government should establish a national training program for police and prosecutors to educate them about the dangers of hate speech and encourage them to enforce the existing Criminal Code hate speech provisions more consistently and more robustly.

Finally, federal government resources should be allocated to support the development of dedicated local police hate crime units. These units have been integrated into several police services across Canada and have constituted an unqualified success. Units specifically trained to investigate hate-motivated crime ensure that incidents are handled with particular sensitivity and understanding of the distinct nature of the crime and its impact on the victims, their families, and their communities.

Universalizing hate crime units would ensure that as many vulnerable Canadians as possible can benefit from these services that ensure the officers responding to hate incidents are the best equipped to do so.

Had this committee been conducting these hearings a year ago, I would have had an additional recommendation to share. Instead, Madam Chair, I would like to conclude with this.

• (1555)

I'd like to express our gratitude to members of this House for supporting Bill C-305 and your colleague Chandra Arya for bringing it forward. CIJA has long advocated for these changes, which will expand penalties for hate crimes targeting infrastructure such as community centres of identifiable groups. As we speak, the bill has just passed its final vote in the House before becoming law.

Bill C-305 is a clear example, Madam Chairman, of how elected officials can work together in the spirit of consensus and common sense to make a practical difference in protecting vulnerable minorities. I'm hopeful that the committee members will similarly unite around the approach I have outlined here today.

Thank you.

The Chair: Thank you very much.

I just wanted you to know that you went 30 seconds over 10 minutes. Even though you wanted more time...

Mr. Shimon Fogel: My rabbi gave me a few more minutes.

The Chair: He did.

Well, thank you very much for a very thought-provoking and very comprehensive set of recommendations and discussion on this issue.

We will now begin with the questions and answers.

The questions begin with a seven-minute round. That means seven minutes for questions and answers. As I always do, I'm going to ask you to be as concise as you possibly can, or else I'll cut you off. Thank you.

We'll begin with Dan Vandal and Michael Levitt for the Liberals.

Mr. Dan Vandal (Saint Boniface—Saint Vital, Lib.): Thank you.

Thank you very much, first of all, to all three groups, all four individuals, for a very thoughtful presentation. I very much appreciate it.

Most of my time will go to Michael, but I first want to say something. There has been a false impression out there that the study of M-103 is a false suggestion that a hate crime against one group is perhaps more important or more threatening than a hate crime against another group. Nothing is further from the truth.

As well, there is the notion that M-103 will limit free speech. I want to say quite clearly, so there's no confusion, that as a permanent member for two years of this committee—and I speak for every member of the committee who is here today—that we would never suggest, we would never approve, we would never vote for anything that limits free speech. That simply is not going to happen at this committee. I just wanted to make that very clear in the rest my time.

• (1600)

The Chair: Go ahead, Michael.

Mr. Michael Levitt (York Centre, Lib.): Thank you, gentlemen. I have the pleasure of knowing all four of you and the two organizations that are represented here, B'nai Brith and CIJA. Thank you for your advocacy and the work that you do in representing the Jewish community.

One of the focuses of this study is to make recommendations to the government on how it could collect data, contextualize hate crime reports, and conduct needs assessments for impacted communities.

It's been mentioned, but I'm going to mention it again, that according to Statistics Canada's 2015 report on hate crimes, Jewish Canadians are the most targeted religious group in Canada. According to the Toronto police's hate crimes statistical report, since 2016 anti-Semitic incidents make up the largest group of hate crimes in Toronto. Jewish constituents in my riding of York Centre have been victimized by anti-Semitic incidents, including swastikas being painted on school playgrounds. These incidents are often not considered hate crimes.

My question is this: how are hate crimes and hateful incidents that do not formally qualify as hate crimes currently quantified, and how can this data be better collected, quantified, and analyzed? Can you provide some insights? I know that all of you gentlemen did a certain amount of this work, but can you provide some insights into strategies, whether they be legal or educational, that we can use to counter this very serious issue? Can you provide some insights and perspective on that?

I think for this question I will limit it to Mr. Fogel and Mr. Mostyn, and then I'll do have a follow-up question that I want to particularly direct at Rabbi Bulka, please.

Mr. Shimon Fogel: Thank you for the question and for your gracious comments. I'll be very quick and concise, Madam Chair.

I think that the tools for gathering information and data already exist. As B'nai Brith noted, they've been doing this for quite a number of years. The challenge, I think, is to ensure a degree of consistency across the country so that we understand what we're talking about as apples and apples as opposed to apples and some other fruit or vegetable.

Once we get there and we can analyze the trends and where expressions of intolerance are going and how acute they are, I think then that whole coalition of law enforcement, educators, community leaders, and elected officials can come together and develop programs and plans.

I happen to be especially partial to the approach described by Rabbi Bulka. I think we are never going to eliminate hate from those who are dead set in perpetuating those kinds of awful notions. What we have to provide for society at large are the alternatives, the positive and constructive ones that enrich our society and allow us to recognize the value that each community brings to the upbuilding of Canada in the next 150 years.

The Chair: You wanted Mr. Mostyn—

Mr. Michael Levitt: Yes, and then I have a question for Rabbi Bulka.

The Chair: —however, if Rabbi Bulka wanted to say something, I would give him the opportunity.

Mr. Matas or Mr. Mostyn, which one of you wants to respond?

Mr. David Matas: I wanted to address one particular component of your question, which was how we get statistics about something that's racial but not a crime.

Even with the best and most consistent statistics in the world, the police are presumably going to collect information that's relevant to criminality and not more general racial expression. The League for Human Rights of B'nai Brith does it. I think other communities could do that. We've heard a recommendation about consistency in data collection across police units, and it would make sense to have consistency of collection across NGOs about non-criminal racialism. The government might think about standards of consistency and ways that it could be supported.

•(1605)

Mr. Michael Levitt: Thank you.

The Chair: Thank you.

Now you may go ahead with Rabbi Bulka.

Mr. Michael Levitt: In light of the January 29 murder of six Muslim worshippers after evening prayers at their mosque in Quebec City, local faith leaders in my riding of York Centre created an interfaith council to increase and improve interfaith and multi-faith dialogue. The attacker tried to sow fear and division through violence, and they decided to fight back with compassion and understanding. We know that discrimination does not end at one group or community. The acts of hate affect all Canadians and attack the very values we stand for.

My question for you, Rabbi Bulka, is in two parts. First, what role does interfaith dialogue play in reducing intolerance between peoples and faiths? Second, how can faith groups work together to reduce and eliminate acts of hate that affect them all?

The Chair: Thank you.

Go ahead, Rabbi Bulka.

Rabbi Reuven Bulka: The power of the clergy is enormous, and getting together sends a loud and a potent signal that we are together. Going back to the fateful day of September 11, what we did here as a community was that all the faith leaders got together and announced publicly, at a time when the attack against the Muslim community was probably the most acute in my recent memory, that an attack on one religious community is an attack on all religious communities. That's been the motif that's working here in the national capital area. That message has generated a spirit of co-operation. I would be deluding you if I said that it involves everybody, but certainly it's not exceptional to see leaders of different faith communities here working together.

After the attack in Quebec, one of the things that we wanted to do was send the message of inclusivity. We had a blood drive in December that involved all of the faith communities, which now hopefully is going to be an annual thing, with the Christian, Muslim, and Jewish communities getting together to promote this in all of their religious quarters. We all get together, so Muslims, Jews, and Christians are all interacting. They're all spilling the same red blood into nice pouches that are going to help other people of whatever faith, or even no faith.

These types of creative things—and there's no shortage of them—are certainly going to help. The more we build positivity, the more the naysayers and the negatives become isolated and even more, shall we say, distinguished by their not being part of the Canadian mosaic.

The Chair: Okay. I will now go to David Sweet, for the Conservatives.

Mr. David Sweet: Madam Chair, thank you very much.

I want to echo Mr. Levitt's kind comments about the four gentlemen who are here. They have served in ways in public policy that are tremendous, going from Mr. Matas's work in the collection of evidence in regard to organ harvesting to much more in regard to reducing racism and anti-Semitism. I just want to thank all of you.

Chair, I just want to say on the record that based on Mr. Fogel's comments, one of the positive non-partisan things that could come from here would be a recommendation in regard to a first ministers meeting in the future, where the focus would be, from the Government of Canada, on hate crimes and hate incidents.

Discussion and collaboration could happen in regard to the collection of hate incidents and crime data and the way it's aggregated and subsequently categorized so that it could be used for best practices in the future for legislators like us, as well as our provincial and municipal counterparts. That would include all levels of law enforcement, including, as we've studied previously in the Canadian Parliamentary Coalition to Combat Antisemitism, security on university campuses. Some university campuses have their security sworn in and have their data collected by local law enforcement, but there are many across Canada where it is not collected, and hence has not been able to be used properly. I want to put that on the record.

Mr. Mostyn, I want to go to your testimony. Mr. Vandal—and I believe his comments were sincere and 100% from the heart—mentioned on a couple of occasions that we certainly wouldn't want to do anything to limit free speech. I absolutely believe that. There isn't anyone here who would want to do that. You mentioned something about Islamophobia and the fact that the definition has been hijacked. I want you to speak to that and why that's important in regard to our conversation and why it's not our decision where free speech might be limited but someone else's.

• (1610)

Mr. Michael Mostyn: Certainly.

As opposed to certain terms of racism—such as anti-Semitism, which may have been confusing at one point, but on which there is now an international consensus, and the Ottawa protocol process was part of that—“Islamophobia” is a confusing term, unfortunately, at the moment. I would just like to point, as an example, to witnesses from the NCCM, the National Council of Canadian Muslims, who appeared before this committee two weeks ago. They testified that they were in favour of the definition consistent with the Ontario Human Rights Code, the OHRC, yet it was this organization that vetted and put its logo on the Toronto District School Board guide my colleague from CIJA just mentioned, which had a very problematic definition of Islamophobia, including criticism of politics in Islam or culture in Islam.

By the way, the same group had a third definition of Islamophobia, which it published in a guide in 2016, in which it included attacks on Islam itself. Internationally, the OIC, which has 57 Muslim states, has its own definition of Islamophobia.

As my colleague David Matas was saying, there are those in terrorist organizations in the world who claim to speak on behalf of Islam. It would be unfortunate if organizations and terrorist organizations like those could hijack the term by saying that Canada has stated something with respect to Islamophobia and that it applies to their definition. It's a necessarily problematic term, and it's something this committee needs to deal with.

Mr. David Sweet: There has also been mention in regard to the existing laws not being rigorously enforced right now. I think you alluded to that. Could you expand on that so we have that on record as well, please?

Mr. Michael Mostyn: Thank you.

Actually, another incident that my colleague mentioned was that last February an imam in Montreal three times called on Allah to annihilate every single last Jew on the earth. This was done in front

of his entire congregation. It was only when video of this incident surfaced that our community pursued this issue. Police did, just a little while ago, announce that no criminal charges were warranted.

However, this hate speech provision under the Criminal Code is a hybrid offence. There is no statute of limitation on indictable acts, and the police could have acted indictably. In fact, B'nai Brith believes that they should have, and we're continuing to work with law enforcement to understand why this decision was made and to challenge this decision, because this individual should face justice. There is no statute of limitations according to the Criminal Code for the criminal act that was done.

In contrast, in Montreal—so again in Quebec—a man was arrested recently and criminally charged this year, and quite rightly so, for a single tweet in which he called for Muslims to be killed. Muslims should not be targeted for hate, but neither should Jews. There should be no double standard in the law, so I think it's an excellent point that you made about law enforcement getting together, having a first ministers meeting, and having common definitions, because the law is not being evenly enforced. Different police forces have different understandings of hate acts in terms of its criminal definition. This must be done uniformly, and every identifiable group in Canada must be protected and must feel to be protected in the same way in this country.

• (1615)

Mr. David Sweet: I was hoping that I could get Rabbi Bulka to comment.

The Chair: He has 45 seconds to comment.

Mr. David Sweet: No, it was about something different, because we formally had a group here called the All Party Interfaith Friendship Group that Rabbi Bulka actually co-chaired with me, in which we had Zoroastrian, Sikh, Hindu, Muslim, Christian, and Jewish people. We actually had some members from Tony Blair's organization, and we were doing something that other witnesses mentioned—not legislating and regulating, but bringing people together with constructive dialogue from different communities. Mr. Levitt alluded to these being things that members of Parliament and public figures can do to greatly increase not only the tolerance but the community love for everybody.

I wanted to thank you for alluding to that, Rabbi Bulka. Unfortunately, I think my time has now vaporized.

The Chair: I'm sure Rabbi Bulka can have the time. Some other witness will probably allow him to expand on that a bit, I'm hoping.

Now, for seven minutes, we go to Jenny Kwan for the New Democrats.

Ms. Jenny Kwan: Thank you very much, Madam Chair.

I thank all the witnesses for their very thoughtful presentations.

I'd like to explore the notion of recommendations a little bit further. There was some discussion about the need to ensure there's proper training amongst officials, whether it be the police force or otherwise. We also had previous presentations from other witnesses who suggested that work needs to be done. I wonder if I could get some comments from our witnesses with respect to that.

Then, aside from officials, what about the education system in terms of intercultural sensitivities, interfaith knowledge and awareness, and teaching the notion of respecting each other, because we know that hate is really a learned behaviour? How do we tackle this in a national realm?

I see all of the witnesses are eager to answer.

The Chair: The chair will direct it. First we'll go to David.

Mr. David Matas: One of the problems we see with the police forces when dealing with hate-motivated crimes is sometimes—indeed, perhaps all too often—they will identify the crime without looking at the motivation. I mean, obviously if somebody paints a swastika, you can see the motivation, but if it's a simple assault, they may just go after the assault without looking at the motivation. The low figures we hear about hate-motivated crimes are in some instances the result of the police just not looking to see whether it's a hate-motivated crime. One of the things we could usefully do in terms of training is sensitize police forces, so that when there is a hate dimension to a crime, it gets noticed, it gets reported, and it gets acted on.

Ms. Jenny Kwan: Further on that notion, should it be mandatory?

Mr. David Matas: I hate to impose something mandatory on the police, because—

Ms. Jenny Kwan: I mean in terms of mandatory training.

Mr. David Matas: Oh, mandatory training—I can tell you what I think the content of training would be, but whether training should be mandatory, I think you'd have to talk to the police about that. I assume they go through some training in any case, so it would just be a component of their training.

Ms. Jenny Kwan: Thank you.

The Chair: Would you like to weigh in, Mr. Mostyn, or should I go to Rabbi Bulka?

Mr. Michael Mostyn: The only thing I have to add to my colleague's remarks is this. You were talking about education and talking about tolerance and understanding. The only way that can happen in real-world terms is to also ensure that we teach history, because that's the reality. I think if students understand history and understand the consequences about the most horrific acts that have happened around the world, only then will they come to realize that they need to treat their fellow people with respect. It has to be personalized to a degree. Once again, there must be a consistency, and I think civil society groups need to work with police to help them understand, because it's always evolving in terms of different hate groups and the code language they're using for hate. That has to

be identified, and it needs to be acted upon when there are criminal offences.

The Chair: Thank you.

Go ahead, Rabbi Bulka.

Rabbi Reuven Bulka: Thank you.

I don't have what you would call a concrete answer for you, because I can't see this committee coming up with certain things that will be monitored. I think it should be in terms of encouraging and even incentivizing that encouragement to all sorts of organizations—be they religious organizations, public service organizations, philanthropical organizations—to promote inclusivity in the activities they're doing so that it becomes a visible norm throughout the entire country, not the exception, and it should be done in a way that is not impositional but rather is something that everyone will appreciate and put their minds to.

The best examples I can give you are the ones that we've been involved with at all sorts of levels, including simply doing things together, making sure in organizations.... Tonight in our synagogue, there's going to be a panel discussion involving an imam, a Catholic leader, and a rabbi on the issue of getting to know each other and asking questions of each other in a very respectful way. The more we do this type of thing, the more we build that type of culture.

Ms. Jenny Kwan: I'd like to interject here for a minute before we go to Mr. Fogel.

There's no question that the more civil society and the community engage in this work, the better we will be as a country as a whole. There's no question. However, I am also very conscious of the fact that in certain communities, resources are an important issue, and access to resources to do this work, to facilitate this work, sometimes may not be forthcoming, even in our education system, to ensure that the teachers themselves have the proper knowledge and the proper training to do this work with their students. Sometimes that is not resourced, and the development days are not paid and covered. When that happens, you have discrepancies among school boards across the country. That's where I think we run into a major problem.

To that end, on the question of a national strategy, could we not then, as part of this committee, come forward to say to the government that we should have a national strategy resourcing communities, civil societies, and others to engage in this work?

Rabbi Reuven Bulka: I think that would be a great idea. That recommendation would be phenomenal. It would save us a lot of work, because we have to get engaged in fundraising now to do this curriculum stuff. The idea of the government being behind it and encouraging it, and even supporting it, I say is great.

Ms. Jenny Kwan: It would be working in collaboration with—

Rabbi Reuven Bulka: Absolutely.

The Chair: I think we can go to Mr. Fogel now.

Mr. Shimon Fogel: I have just three very quick but important points.

The first is that I think we will succeed at nothing going forward without an expression of political will to do so. This place doesn't just have legislative authority; it also has moral authority. I recall that in the last Parliament, there was the debate on section 13 of the Canadian Human Rights Act, which ultimately was removed from the act. We had a concern that losing section 13 without strengthening the determination to use the provisions in the Criminal Code would render us worse off than had we not tinkered with it to begin with.

As a result, we reached out to Attorneys General across the country, federally and provincially, urging them to come together to undertake a commitment to exploit all the resources they had in the provisions within the Criminal Code to ensure that things didn't fall through the cracks, and as we've all had occasion to mention in the last few minutes, we've seen that's the case. Therefore, I think you do have an opportunity to send a message for a national strategy, for first ministers to come together, for police and law enforcement to achieve some degree of consensus.

The second thing that I want to mention is, I think, equally important.

The Chair: Excuse me, Mr. Fogel. You have about 30 seconds left to get your two other points in. We can expand later on, but we're running out of time.

Mr. Shimon Fogel: Madam Chair, you're going to lose an opportunity for a great story, which I'll fill you in on afterwards, but I'll go to the punch line. The punch line is that the other element that will determine the success of any national strategy is the ability and the willingness for law enforcement to partner with communities. If they cannot develop those direct relationships, if they cannot engender the trust of the community so that the community has confidence that law enforcement and other officials are going to take seriously the concerns that they're expressing about hate directed against their community, then we shut down the process. An important imperative is for law enforcement to reach out successfully and effectively to all threatened communities and invite them in to become full partners in the process of confronting and reversing this kind of threat.

The Chair: Thank you very much.

We'll now go to Julie Dabrusin for the Liberals, for seven minutes.

Ms. Julie Dabrusin (Toronto—Danforth, Lib.): Thank you.

I would like to thank all the witnesses today, because you have brought to us some very tangible and very helpful recommendations, and that's really what we need, going forward, as we start to prepare our report. Thank you to all of you for that.

I would like to start with Rabbi Bulka, because I was quite taken when you were talking about Kindness Week. How do we build a culture of appreciating our differences? I think some of it was touched upon following questions from Ms. Kwan. I really want to think about it. Are there any other thoughts that you have about a government role in how we build that culture of appreciation?

I'll give you an example. I'm surrounded by two of my colleagues. One, Ms. Dzerowicz, started a Portuguese heritage month, and Mr. Levitt started Jewish heritage month, so we have two examples. Are those helpful examples? Are there other ideas you have as to what government can do?

Rabbi Reuven Bulka: Just give me an opportunity to address what David Sweet mentioned a little while ago. When APIF was still alive—and I hope it will experience a resurrection—we actually had instituted some sort of award that was given on a yearly basis by every MP to someone in their riding who promoted intercommunity co-operation. It was a wonderful thing. It was like a bridge across Canada. Resurrecting APIF could be one of your recommendations, together with this highlighting of it.

There's another thing I would suggest. I know we focused a lot on the police in all of the counties. The truth of the matter is that the police answer to the mayor, so involving the mayors of all communities in being community builders, and encouraging.... A lot of what happened in Ottawa with regard to getting the religious community together was through the mayor's bully pulpit. I would suggest getting the mayors of all the cities in the country behind initiatives in each of their communities to ask what they can do to bring people together on a very tangible basis. Mayors have much more power than we realize.

Here it happened to the credit of Mayor Watson and the police chief. Every time any issue came up, all segments of the community were brought together by both of these gentlemen, and we worked together. This type of community-building coming from the mayor is also something that I think would be very helpful.

Ms. Julie Dabrusin: Thank you. I really like that idea about the intercommunity activities and getting MPs involved in building intercommunity bridges.

My next question is for Mr. Fogel. We've been looking at a report from the UN International Convention on the Elimination of All Forms of Racial Discrimination. One part of that report talked about hate crimes. Because you spoke specifically about the hate crimes data gaps, I was hoping maybe you could help. One of the recommendations was that Canada facilitate reporting by victims of hate crimes. I was wondering if you had any thoughts. How can we help facilitate the reporting by victims?

Mr. Shimon Fogel: It goes back to the notion of the quality of the partnership between law enforcement and the affected communities. There has to be a level of confidence that sharing that information is going to be treated in a respectful and constructive way.

However, I also, frankly, have to flag a problem. People can have very subjective views about what constitutes a hate crime, and victims or alleged victims of those kinds of crimes also introduce their own subjective reality or perspective on it, which is why I think it is so important for this committee to either establish or encourage the creation of consistent and uniform criteria for what constitutes and what doesn't constitute hate crimes.

We in the Jewish community have a lot of experience with this. There are those, for example—and it's not a secret—even within the Jewish community, frankly, who are critical of one or another policy of a particular government of the State of Israel. Does criticism of that policy constitute anti-Semitism? I think our consensus, and certainly the IHRA consensus, is that it doesn't. Even though it may offend me personally or I may be aggrieved by it, it doesn't constitute anti-Semitism in the sense of a hate crime.

Similarly, I think that when we reflect on what we're going to build by way of a set of definitions and criteria for what constitute actionable offences, we have to be very precise and clear, and review them, because things change.

The Chair: Thank you very much.

You have one and a half minutes, Ms. Dabrusin.

Ms. Julie Dabrusin: The other thing I wanted to follow up on was that you mentioned the need for a universal model to be adopted. I'm trying to find your exact wording and I can't, but it was basically that we find a universal means of collecting hate crime data. I was wondering if there are any models that you've seen in other countries that we should be looking to as good models for collecting hate crime data.

Mr. Shimon Fogel: Very briefly, I think the U.K. is struggling with that right now. It has done a lot of work in that area. It would be worth our while to take a look at its experience and best practices, to see what to do and what not to do. I'm not aware of any country currently that has a successful generic model that can be applied. I think what that tells us is that each community has a unique set of considerations that flow into how it perceives things. We have to have sufficient flexibility to be able to reflect those nuanced differences between different communities. While we look in principle to achieve some kind of standardized set of definitions and criteria, they have to also reflect the individual circumstances and considerations of each particular community.

The Chair: Thank you very much.

Mr. Matas, I will allow you to go ahead.

Mr. David Matas: I wonder if I could just add a sentence here. I would encourage the committee to look at what used to be the European Monitoring Centre on Racism and Xenophobia and is now the European Union Agency for Fundamental Rights. It originated the definition of anti-Semitism that eventually the International Holocaust Remembrance Alliance adopted. It has come to grips with that very question. I think the committee could profitably look at its work.

The Chair: Thank you so much, David.

I want to thank the group for being here. You've given us a lot to chew on, a lot of substantive recommendations and a great deal of insight, so thank you for being here.

I will suspend the meeting for a few minutes so that we can get to the second hour.

Thank you.

• (1630)

_____ (Pause) _____

• (1635)

The Chair: We will resume the committee hearing. Thank you.

If anyone from the last group wishes to stay, they're very welcome.

Having called the meeting to order, I would like to begin. This committee is studying, pursuant to Standing Order 108(2), systemic racism and religious discrimination in Canada.

We have two witnesses, and I would like to recognize them. We have Ms. Tamara Thomas from the African Canadian Legal Clinic and, from the Canadian Council of Imams, Mr. Sikander Hashmi. We will begin with Ms. Thomas.

The usual format is that you have 10 minutes to make your presentation. I'll warn you when you have two minutes left, and then we will go to questions and answers.

You may begin, Ms. Thomas. You have 10 minutes.

Ms. Tamara Thomas (Policy Researcher and Analyst, African Canadian Legal Clinic): Good afternoon, Madam Chair and committee members.

I appear here today on behalf of the African Canadian Legal Clinic. The ACLC was established in 1994. Our mandate is quite specific. We are a non-profit organization committed to combatting systemic and institutional anti-black racism in Canadian society. We represent and advocate on behalf of the African-Canadian community and we condemn all forms of systemic racism and Islamophobia.

I want to start off by thanking the committee for meeting with stakeholders in order to develop a thorough and comprehensive understanding of systemic racism and Islamophobia and to canvass ways in which to effectively and efficiently address these issues in our current diverse Canadian society. The ACLC fully supports this motion.

The African descendant community in Canada has many various intersecting identities, and many members of our community identify as Muslim. Members of our community are often targets of both systemic racism and Islamophobia. In today's diverse, pluralistic Canadian society, it is more important than ever that our government speak up and speak out against hate, racism, and religious intolerance through not only its words but by taking concrete action towards understanding, addressing, and eradicating systemic racism in Canada.

This motion is particularly important in a Canada that has seen a spike in anti-Muslim sentiment and a rise in white supremacist activity. According to a report released by *Juristat* this past June, black people in Canada have experienced the highest number of race-based hate crimes up to as recently as 2015. Between 2010 and 2015, over half of the violent hate crimes targeting black populations were committed by a stranger. Moreover, 65% of hate crimes were non-violent, and 55% of those non-violent crimes were recorded as being mischief. A terrifying 35% of hate crimes committed against black people in Canada between 2010 and 2015 were violent. Nineteen percent of these reported hate crimes were instances of assault.

These statistics only represent those hate crimes that were reported to the police. As has been mentioned by others, considering the tenuous relationship between the black community and the police, it's not hard to believe that those hate crimes that have been reported are vastly under-representative of the total number of hate crimes targeting black bodies in Canada. This motion presents a starting point for the government to begin taking concrete action to eradicate racial discrimination in this country.

My comments today will focus on systemic anti-black racism in Canada.

For those who may not be familiar with the term, anti-black racism is a form of systemic and institutionalized racism that specifically targets the black community. The ACLC defines anti-black racism as:

...the racial prejudice, stereotyping, and discrimination that is directed at people of African Descent, rooted in their unique history and experience of enslavement. It is manifested in the legacy and racist ideologies that continue to define African descendants' identities, their lives and places them at the bottom of society and as primary targets of racism. It is manifested in the legacy of the current social, economic, and political marginalization of African Canadians in society such as the lack of opportunities, lower socio-economic status, higher unemployment, significant poverty rates and over-representation in the criminal justice system. Anti-Black racism is characterized by particularly virulent and pervasive racial stereotypes. Canadian courts and various Commissions have repeatedly recognized the pervasiveness of anti-Black stereotyping and the fact that African Canadians are the primary targets of racism in Canadian society.

The various manifestations of systemic anti-black racism are, as I've said, broad and pervasive, with roots in our country's history of slavery and segregation. As recognized by the United Nations working group of experts on people of African descent in its report on its mission in Canada, which was released and adopted by the UN this past September, African descendants have been present in Canada for over 300 years, since the early 17th century. From that time until its abolition in 1834, slavery was also present and thriving in Canada. Even after slavery was abolished, African descendants in Canada faced legal and de facto segregation in every area of life. In fact, the last segregated school in Ontario closed as recently as 1965. It was not until 1983 that the last segregated school in Nova Scotia closed.

The situation of African Canadians is not improving, despite appearances to the opposite on the surface of Canadian society. The disparities resulting from slavery and segregation of the African descendant community in Canada are still very much alive. These disparities largely result from how those who historically have occupied positions of influence and power and who have historically not been black view black people, black bodies, and black families.

● (1640)

There continues to be a persistent trend of inequality and inequity when it comes to the African descendant community in Canada. African-Canadian youth are disproportionately apprehended by child welfare agencies, inappropriately and inequitably disciplined and streamed in schools, and trapped within the school-to-prison pipeline. African-Canadian men are overrepresented in corrections, where they are given neither the cultural programming nor the skills training nor the job opportunities needed to avoid re-incarceration. African-Canadian women are paid less than both African-Canadian men and white women in the workplace for doing the same work. The African-Canadian community is struggling with poverty, precarious housing, and untreated mental health issues, and we continue to be routinely profiled and targeted by the police, as is the case when African-Canadian men and youth are stopped and then carded by police officers, oftentimes for simply being in the wrong neighbourhood.

These are only a few of the instances of systemic anti-black racism. These are real stories. They occur every day. The ACLC hears these types of complaints on a weekly basis, and unfortunately our intake numbers have yet to drop.

In our recent submissions to the UN's Universal Periodic Review of Canada and to the UN's Committee on the Elimination of Racial Discrimination, CERD, we included extensive statistics and case studies that truly exemplify the nature and existence of systemic anti-black racism in Canada. These submissions can be readily provided should you wish to examine the numbers for yourselves. Sadly, none of this is new. In 1992, Stephen Lewis recognized the prevalence of anti-black racism in his report on race relations to the Ontario premier of the day.

How does Canada approach this historic and pervasive problem? There are several suggestions that could be made, but today I will focus on a key few. Several of these, I believe, are reiterations of recommendations you have already heard from other community stakeholders.

First, the federal government must implement a mandatory nationwide disaggregated race-based data collection policy and strategy. It is impossible to solve a problem when you are unable to identify where the issue lies, or its gravity. This data collection must be mandatory across all federal and provincial ministries, agencies, and boards. The federal government needs to work with the provinces and territories, particularly those with high concentrations of African-Canadian and other racialized people, to develop a consistent data collection strategy. The federal government also needs to work with community groups to collect this data directly from the communities themselves.

Second, the federal government must also introduce a reinvigorated and robust national action plan against racism, updated to deal with the current realities of systemic racism in Canada—for example, the rise of Islamophobia. The new action plan should be the result of extensive consultations with all stakeholder groups and with an eye to intersectionality and the different ways in which systemic racism affects different racial groups. It should specifically acknowledge anti-black racism in Canada and provide effective ways by which to address anti-black racism.

Third, the federal government must also recognize that inter-generational poverty, homelessness, precarious housing, unemployment, and precarious employment are also a result of systemic racism and discrimination. It must work toward mandatory employment equity. In its poverty reduction strategy, the government has failed to engage a racial equity lens in order to examine the impact of race on housing, homelessness, and poverty, and fails to mention race in any substantive way. It is also necessary when dealing with these issues to engage the way in which precarious immigration status intersects with race.

In terms of other key recommendations for addressing systemic racism, particularly in regard to its impact on the African-Canadian community, I would urge the committee to review our submissions to the UN for CERD, the recommendations of the CERD committee, and the working group's recommendations for Canada.

In conclusion, the ACLC fully endorses this motion and recognizes its importance in Canadian society today as a means by which to take concrete action toward eradicating systemic racism and Islamophobia in Canada.

Thank you.

• (1645)

The Chair: Thank you, Ms. Thomas.

Now I will go to Mr. Hashmi.

Mr. Sikander Hashmi (Spokesperson, Canadian Council of Imams): On behalf of our members, thank you, Madam Chair and members of the committee, for giving our voices the opportunity to be heard today.

The Canadian Council of Imams was established in 1990 and is the only Canadian body that represents imams from across the country.

Canadian Muslims are not new to Canada. The first Muslim child on record to be born in this land was born in 1854, over a decade before Confederation. His name was James Love Jr., and he was born to James Love and Agnes Love.

It was another 84 years before Canada's first mosque opened in 1938. The building of the Al Rashid mosque in Edmonton was spearheaded by women, who approached then Mayor John Fry for land. They raised the \$5,000 needed to establish the mosque from Muslim, Christian, and Jewish donors.

Today, like many other Canadians, the overwhelming majority of Canadian Muslims are grateful for the safety, prosperity, and opportunities offered by our country that enable them to study, work, worship, raise their families, and enjoy all that our country has to

offer while giving back in a relatively safe and equitable environment. However, we see signs of trouble on the horizon.

As has been well established in the presence of this committee, hate crimes against Muslims are on the rise. The heartbreaking attack at the Islamic cultural centre in Quebec City on January 29 of this year was the single most horrific mass killing at a place of worship in Canadian history. Aboriginal, black, Jewish, and Sikh communities, among others, also continue to be targeted in Canada.

It would be naive at best to sit back and say that the government has no role to play in enhancing the safety, security, and inclusion of minorities in Canadian society. After all, democracy brings with it the responsibility to protect minorities from the tyranny of the majority.

The right to worship and practise one's faith freely and openly as one sees fit, without infringing upon the rights of others, is a fundamental right, yet this fundamental right of Canadian Muslims is being eroded by those who seek to instill fear within the Canadian Muslim community through attacks and intimidation tactics. This fear negatively impacts Canadian Muslim women and children in particular.

As imams, we often hear about cases of Canadian Muslim women being verbally harassed and in some cases physically attacked while going about their business. Such attacks leave deep psychological scars on the victims and on the broader Muslim community, leaving many women afraid to go out alone.

Children are not only bullied by their peers in schools. As we saw in the Peel region in Ontario, Muslim children were intimidated by protesters who were targeting schools. These children were singled out simply because they had exercised their fundamental right to attend Friday prayer services at school. Friday is the holiest day of the week for Muslims, and prayer services are held in the early afternoon.

Unlike Jews and Christians, Muslims do not have their holy day off. Therefore, prayers need to be held at school during lunch hours to accommodate students who believe attendance at Friday prayers is mandatory for them as observing Muslims. Making them choose between praying and studying would be a form of systemic discrimination.

In our view, the growing climate of fear is fuelled by a few factors.

First, violent radicals who claim to speak in the name of Islam—and against whom we continue to fight ideologically and through co-operation with authorities—have been given legitimacy by some political leaders, authorities, and the media through giving them the attention they crave and by accepting their misrepresentation of Islamic teachings as being true.

Terrorists use publicity to instill fear as a means of furthering their agendas. Deprive them of publicity, and you suck the oxygen out of their narrative. In practical terms, this means reducing the coverage of terrorism trials and radical propaganda, such as videos. The foiling of terror plots, including the one that was foiled after a tip from a Canadian imam, should be announced and treated by authorities in the same way as other criminal activity. Doing otherwise feeds the violent radical ego and narrative.

Second, those who harbour hatred against Islam and Muslims, or against certain subjects within Islam, often use as examples actions by Muslims in other parts of the world—which many times are misrepresented—as a reason for fearing Canadian Muslims. Let us be clear: we are Canadians. We have encouraged and will continue to encourage the practice of Islam in Canada in a manner that does not contravene Canadian law and that is protected by the fundamental charter freedoms of conscience, religion, thought, belief, opinion, and expression.

When speaking about Muslims or any other group in Canada, it is crucial that we base our discussions on the current realities as lived in Canada, because Canada is unique and the Canadian Muslim experience is unique. It must not be conflated with the realities of Muslims elsewhere in the world.

• (1650)

Haters generally prey upon those who are generally ignorant, spreading fear and mistrust, particularly through the Internet, by highlighting isolated incidents or by misrepresenting facts. For example, a tragic family killing in Ottawa last year was determined by authorities to be a case of family violence involving clear evidence of mental health issues. It was not an honour killing, yet a radical Canadian media outlet not only promoted a conspiracy that the crime was an honour killing, which is un-Islamic, but even went so far as to visit the Islamic school where one of the victims once taught, and did so while children were present; intimidated the staff for supposedly covering up an honour killing; filmed outside the school; and then posted the video on its website. Parents are now afraid that a follower of this website, who believes this false narrative of an honour killing cover-up, could end up attacking this school and their children, yet everyone appears to be helpless in stopping this type of fake news, which can have very real consequences.

Racist and bigoted thoughts cannot be legislated, but actions can be. We believe that all Canadians, in particular community leaders and our elected leaders, have a moral duty to stem the rise of hate in Canada, which is clearly having a really negative impact on the lives of minority Canadians. Therefore we propose six concrete steps that the government and our elected leaders can take to address the rise of hate in Canada.

First, to further protect religious property, consider expanding subsection 430(4.1) of the Criminal Code to include religious schools, and also remove the specific element to make the offence a general offence. A specific intent imposes an additional burden on the prosecutor to prove, and gives the perpetrator one more defence.

Second, consider expanding section 319 to characterize all physical attacks against religious symbols in public places, including those worn by individuals, such as the hijab, turban, kippah, and cross, as public incitement of hatred or wilful promotion of hatred.

Third, increase funding for law enforcement and security agencies to investigate hate speech on the Internet, to enforce existing laws, and to gather intelligence on, investigate, and prosecute radical individuals and groups who believe in terrorizing Canadian minorities through criminal acts with the same vigour and allocation of resources as has been done so far against individuals and groups

who believe in terrorizing Canadians indiscriminately through criminal acts.

Fourth, consider creating safe zones outside all schools when children are present so that protestors are required to give safe, intimidation-free passage to children to and from school.

Fifth, model the promotion of understanding and diversity—not necessarily agreement—in all federal agencies and the public service by mandating, on a regular basis, sessions featuring interaction with members of diverse and minority groups for all management-level and front-line employees.

Sixth, run regular national public awareness campaigns to instill a sense of national pride in Canadian diversity and to highlight the positive contributions of Canadians of all types.

I'm sure we can all agree that our country is a great blessing that we want to continue to build and improve. For that, we must start with us as individuals, and then as communities, and as a nation.

May God keep our country and its citizens safe. May God make it safer and more welcoming for all.

Thank you.

• (1655)

The Chair: Thank you very much.

Now we go to the second part of this exercise, which is questions and answers.

The first round is a seven-minute round. The seven minutes include the questions and answers, so I'm going to ask everyone again to please be concise. I know this subject is important and that everyone wants to elaborate, but then I have to cut you off when you're trying to get to where you really want to go. Let's be mindful of that.

We begin now with the first round of seven minutes. We begin with Mr. Vandal from the Liberals.

Mr. Dan Vandal: Thank you very much.

First, I want to thank both of you for your excellent and very thoughtful presentations. I much appreciated them.

I want to talk about hate crime data collection. You may or may not have specific information on that. If you don't, just let me know.

First, can you tell me if the data collection on hate crimes is consistent across the country? Let's start with Tamara and then Mr. Hashmi, if you have that information.

Ms. Tamara Thomas: When I pulled the information I mentioned today, it was from the justice institute for statistics collection, I believe, the *Juristat*. The way it was presented, it seemed as though it's applicable across the country. I'm not sure how that data was collected and whether or not that collection was consistent, so I can't speak to the consistency of that information specifically.

Mr. Dan Vandal: Okay, that's fine.

Mr. Hashmi, do you have any comments?

Mr. Sikander Hashmi: Yes, my comments would be similar, although I would say that the real question is how to define a hate crime. Also, once there is agreement about that, there should be specific measures in place, at the right places, to ensure that data is collected. There definitely is an issue of under-reporting of hate crimes.

It seems there are a number of issues that need to be addressed, and it's frustrating for victims to be subject to a crime, to be a victim, and then find out later on that for some reason the incident was not classified as a hate crime when they strongly felt that it was.

Mr. Dan Vandal: Ms. Thomas, I have a document from your organization. It's the anti-black hate crime tool kit. I'm assuming you're familiar with the document.

Ms. Tamara Thomas: I haven't read that document, but I am familiar with its existence.

Mr. Dan Vandal: I'm wondering if you could tell me how long this document has been around the organization.

Ms. Tamara Thomas: I am not sure. There's no date on the document itself. I don't know when the document was published or when its distribution began. What I can do is collect answers to questions I'm unable to answer today and get back to you.

Mr. Dan Vandal: Perhaps I'll change subjects slightly. Could you both comment on the role that the Internet has played in hate crimes in the last few years, cyberhate, and what your perspectives are on that?

Let's start with Mr. Hashmi, and then Ms. Thomas.

Mr. Sikander Hashmi: It used to be that if you had bigoted views and you wanted to share them, or there was something socially unacceptable that you wanted to say, you had to go through a lot of effort. It's a lot easier now with the Internet. People are free to hold whatever views they want, but they can't cross into the realm of hate speech. Unfortunately, it appears that the Internet is really an unpoliced playground where anyone can say anything they want, pretty much with impunity.

The case in Montreal that was mentioned in the previous presentations was one that stood out as being maybe the first one in which some action was taken. Our concern is that if nothing is done, a lot of harm could come out of the Internet hate speech published in Canada. It could lead to different types of criminal activity. That's why we're strongly emphasizing putting in resources to ensure that hate speech on the Internet is followed to see where it's coming from and what type of action it is trying to lead to.

• (1700)

Ms. Tamara Thomas: The proliferation of negative ideas, stereotypes, hateful information, and hateful beliefs over the Internet makes it difficult to tackle the issue. I believe the Canadian Human Rights Act used to have a section—I think it was section 13—that could have been used as a recourse by people who had been negatively affected by the proliferation of hateful information via the Internet. That section no longer exists, but I think avenues like that are necessary because of the difficulty in dealing with the proliferation of hateful opinions over the Internet. There is little opportunity to check people who are disseminating those thoughts.

Mr. Dan Vandal: Could you give us some solutions? What's the most important step we could be taking as federal government leaders?

Ms. Tamara Thomas: Sorry, what's the most important step...?

Mr. Dan Vandal: What's the most important step we could be taking towards solutions for combatting hate?

Ms. Tamara Thomas: Right. I really do think that at this current time, continuing to publicly denounce these acts is of vital importance. Leadership and action from the federal level is critical to presenting to the general public the perception that the government really cares and that the government is not standing behind those individuals who are espousing these problematic views.

My organization really does believe in the importance of having a national action plan to combat racism. I do believe that a couple of other community organizations, legal aid clinics, and representatives who have appeared here have put forward the same idea. It has been put forward at the international level in front of several bodies, and it has been recommended by international bodies, such as the working group.

The Chair: Thank you, Ms. Thomas. I'm afraid the time is up, but you can add this in your next round.

Now we go to David Anderson from the Conservatives. You have seven minutes, please.

Mr. David Anderson: Thank you, Madam Chair, and thank you to our witnesses for being here today.

Imam Hashmi, I'm interested in your organization. I followed this a little bit on the Internet. We had a big discussion here about Islamophobia and the definition of that. You didn't use the word much in your presentation. Do you have a definition that you like to use, or do you just stay away from the word in your conversations?

Mr. Sikander Hashmi: We understand Islamophobia to mean anti-Muslim hate, but our focus is really on action and the problem itself. Whichever term you choose to use is really up to you. There's a problem, and we need to deal with it.

Mr. David Anderson: Thank you.

May I ask you how inclusive your organization is? You're a council of imams. Are you kind of across the board, as far as Islam goes? You're Sunni yourself.

Mr. Sikander Hashmi: Yes.

• (1705)

Mr. David Anderson: Is it a smaller group, one group?

Mr. Sikander Hashmi: There are members from across the country. It's Sunni as well as Shia imams.

Mr. David Anderson: Thank you.

I would like you to tell us a little bit about your interfaith work. I think you've done a fair amount of it. How do you find that fitting into this discussion around Islamophobia and hatred in these communities?

Mr. Sikander Hashmi: Sorry, could you repeat that?

Mr. David Anderson: I'm just interested in your interfaith work and how you approach that in trying to bring about peace between communities.

Mr. Sikander Hashmi: Interfaith work is extremely important. We try as much as possible to find opportunities for interaction. As Rabbi Bulka mentioned, there's an event happening tonight at his synagogue, and I'm actually one of the panellists.

It appears that each community comes with its own preconceived notions about others. When faith leaders get together from different faiths, it sends a very strong message of co-operation. That doesn't mean that we're not going to disagree on things or that we don't have fundamental disagreements; of course we do. However, it also shows that we are able to come together for things that we do agree upon, and there are in fact many things that we agree on and causes that we can work together for. I think these initiatives are key, whether they're blood drives, panel discussions, dinners, or open houses at mosques.

I just want to say that Canada is really unique. I went with a delegation from Ottawa to visit the mosque that was firebombed in Peterborough, and it was just amazing to see the outpouring of support for the Muslim community across political lines, religious lines—you name it. Everyone was out there.

What was most remarkable was that the management of the mosque told me that they had a problem because they didn't know whose offer to take for the following Friday. The churches had approached them, the local synagogue had approached them, and they didn't know who to turn down and who to go to. Eventually, what ended up happening, I believe, was that the first Friday after the mosque was firebombed they went to the local United Church, and then the following two Fridays they were at the local synagogue. Where else in the world would you see that happening? To me, that is something beautiful.

These are the types of things that need to be shared and highlighted. What often happens is that there are small events that happen, but the wider community doesn't get to know about them. That could be one of the things perhaps that could be highlighted in a national public awareness campaign.

Mr. David Anderson: Thank you.

I have a question for you. You gave us six suggestions on how we might deal with some of these issues outside your community. You're a leader in your community. How do you deal with radicalism? You talked about violent radicals who claim to speak for Islam. Do you have a protocol within your organization to deal with a situation like we had in Montreal, with the sermons and those kinds of things? How do you deal with that? Can you tell us a little bit about that? I think the public would like to know.

Mr. Sikander Hashmi: Each community will deal with the circumstances as they come up. I can tell you that there was an instance where a gentleman had stood up after Friday services at a local mosque and had expressed support for the Parliament Hill shooter. The authorities were called, and he was taken care of.

If we have instances of people espousing views that are considered to be radical or illegal, there is definitely action that needs to be taken. As a council, we have issued advisories to our members and to all imams to be very careful about how they present historical texts or incidents that we have had happen in the past, and to be very

careful that they are not breaking the law or spreading hate, which of course should not be happening.

The fact is that generally people who have radical views do not come to our mosques. They don't approach us. They have a term for us. Do you know what they call us? They call us "coconuts". It's a derogatory term.

A lot of them are on the Internet. If they come to the mosque or the services, they are most of the time not going to speak up, because they know their views are not going to get any traction with the mosque leadership. That's why they hide in the shadows. However, if such views or such individuals do come forward or we come to know of them, depending on the severity of the situation, perhaps it will be a tip to the authorities, as in the one from a Canadian imam about the Via Rail terror plot. If we feel that the questioner is just confused or it's a sincere question, we'll try to rationalize with him and guide him. It really depends on the situation.

● (1710)

Mr. David Anderson: We are just about running out of time, but I want my colleague—

The Chair: You have one minute.

Mr. David Anderson: Okay.

Mr. Scott Reid: We'll probably get a short round afterwards, so I might be able to come back to it.

I wanted to take a minute, first of all, to say something in confirmation to what you just said. Stephen Harper once told me that our best source of intelligence is actually imams in Canada, who are anxious to deal with people who are misguided and who are going in the wrong direction. No one would be in a better position to know that than he would be, because he was prime minister and had information about terror plots passed on to him by CSIS

The question I wanted to ask is this, and maybe you will have a chance to think about it for when we get back during the next round of questioning. My reading of Islam is that hatred of Jews is non-Quranic and that it primarily comes from some discredited Hadith. As someone who is not a Muslim, I am in no position to criticize those who are going in the wrong direction. I was going to ask how you deal with people who are just ignorant of the faith, but nonetheless are sincere in their holding of those views.

Mr. Sikander Hashmi: That's a good question.

For every verse or prophetic saying or tradition that can be misinterpreted or misunderstood, there is always another one that can act as a counterbalance to show that the misinterpretation and the misunderstanding is not correct. Anti-Semitism, of course, is wrong, and as you correctly pointed out, it's not coming from the Quran. Also, even if someone were to look at the prophetic teachings, there would be a number of examples of cordial and positive relations with Jewish people.

I think it's those types of teachings that have to be shared and disseminated. That's one thing we try to do, especially when there is an issue that comes up. Many Canadian imams will tackle the issue head-on at Friday prayers and give an overarching view so that there are no misrepresentations or misunderstandings based on cherry-picking. Unfortunately, that's what radical extremists like to do, and haters as well. They like to cherry-pick, whereas the Islamic teachings are based on a compendium of teachings.

The Chair: Thank you, Mr. Hashmi.

Now I go to Jenny Kwan for the New Democrats for seven minutes, please.

Ms. Jenny Kwan: Thank you very much, Madam Chair.

I thank our witnesses for their presentations as well.

Ms. Thomas, your recommendation for us is to have a national action plan. In fact, you are exactly right. Other witnesses before this committee had echoed that call as well.

Within that plan, do you envision, for example, a reporting-out mechanism or some sort of accountability mechanism, and then also resourcing that plan? How do we ensure that this plan will actually be supported by the government in the sense of creating the outcomes we all want to see achieved?

Ms. Tamara Thomas: Those are both fundamental and very important aspects to any success that would come from introducing and developing a national action plan to combat racism. The original plan had both of those things. There was an accountability element and a mechanism for reporting, and there was a provision of funding over the five-year lifetime of that plan that was to help take concrete action based on the issues and goals that had been identified therein.

Both of those things are necessary in this situation. Oftentimes, what happens if there is no method by which to ensure that actions and concrete steps are being taken on the issue areas and plans laid out in such documents, action won't be taken, or at least not at the speed that it needs to be.

In the creation of a national action plan, it would be mandatory to have some kind of reporting mechanism, some kind of accountability—a report card, a checking-in time, timelines, deadlines, etc. Those accountability mechanisms would also need to be made public. The public would need to know what the deadlines are and what the government is being held to, so that there is also that further level of accountability from the grassroots as well.

In terms of funding, a lot of the ways in which to solve some of the major problems that would be identified in a national action plan would be through the provision of funding to community groups and organizations. That would need to be specifically identified within the plan itself, so that it too can be held up to those accountability measures that would be identified.

•(1715)

Ms. Jenny Kwan: Thank you very much.

Mr. Hashmi, I wonder if you can comment on that same issue as well, in terms of recommendations. Should we be embarking on that and recommending to the government that we need to have a

national action plan with the suggestions and measures that Ms. Thomas has identified?

Mr. Sikander Hashmi: Absolutely, because it's a national issue and it needs to be dealt with nationally. Of course, there are certain limits as to what the federal government would do with provincial jurisdiction and so on. At the same time, it's happening to people across the country—I don't think any part of the country is immune to this problem—so there definitely needs to be a national plan that brings together different stakeholders. I really like the previous suggestion of bringing in first ministers as well, and bringing the provinces and municipalities on board. At the end of the day, it's going to affect people across the country, and everyone has a role to play.

Ms. Jenny Kwan: Do you think there should be an across-the-government analysis on existing and new policies that would be coming forward, through a lens similar to that of gender equality but based on racial equality?

I will go to Ms. Thomas first, and then Mr. Hashmi.

Ms. Tamara Thomas: I do. I think a racial equality lens is necessary in order to really understand the ways in which various policies and programs are impacting individuals from different racial groups.

The important thing to recognize—and really the only way you can get to this recognition is through a racial equity lens—is that each group is going to be affected differently based on how they interact with those policies. Each policy is going to have a different impact on each individual racial group, and it's important to take the time and collect the information and data in order to identify how each group is. A one-size-fits-all approach is not going to work; it's not going to cut it. That has been proven in the various ways in which the issue of racial inequity and the racialization of poverty has been dealt with—the fact that some groups benefit and some groups don't. To really understand why that's happening, you need to apply a racial equity lens.

Ms. Jenny Kwan: Go ahead, Mr. Hashmi.

Mr. Sikander Hashmi: I agree with those comments. Also, we need to look at stakeholders and perhaps have round tables or other mechanisms that make consultations with racialized communities possible. A lot of times, if that lens is missing and their voice is not around the table, it's very easy for issues that may be very relevant to certain racialized communities to be missed. If nothing else happens, at the very least there should be a mechanism in place to have those consultations and ensure they actually happen.

Ms. Jenny Kwan: Thank you.

I would like to ask about data collection.

The Chair: You have one minute.

Ms. Jenny Kwan: A lot of the data is not collected because of the under-reporting. In less than maybe 30 seconds, could you give us some suggestions as to how we might capture those incidents?

Ms. Tamara Thomas: It would take 15 minutes.

I think this came up before, but I think it's important to work with community organizations, community leaders, people in different community groups who hold a position of trust within that community, and work with those individuals and those groups in order to develop a more thorough approach to how to collect data. There is a very tense relationship right now with the normal mechanisms of reporting, and there is a lot of underlying issues there that might not be able to be solved immediately.

Until we get to that point and if we get to that point, there needs to be work with the grassroots groups that are serving their communities and are hearing these complaints.

The Chair: Thank you.

I go now to Anju Dhillon for the Liberals. You have seven minutes, please, Ms. Dhillon.

Ms. Anju Dhillon (Dorval—Lachine—LaSalle, Lib.): Thank you to both of the witnesses for being here today. Most of my questions will be for Ms. Thomas.

It always saddens me that there still exists so much discrimination and marginalization of the black population of Canada. It's mind-boggling how it still continues.

From all the statistics you mentioned—actually, lack of statistics—how many of these violent crimes against black people were perpetrated by people in positions of authority?

• (1720)

Ms. Tamara Thomas: In my view, and to be completely frank, I haven't read the entire document back to front. I've zoned in on specific sections. In the section I zoned in on in terms of the reported number of race-based crimes and violent crimes, I didn't see anything in terms of numbers of perpetration by individuals in positions of authority. That information is not something I've come across. I don't know if that's actually recorded. I don't believe there is any collection of data or stats in terms of the number or rate of crimes that are perpetrated against black communities by, for example, police officers, at least collected in any kind of consistent and regularized way, so that's difficult to identify.

The only thing I think I saw would be the number that I mentioned, which I believe was 35%—no, it was.... I won't waste time looking for it, but a large number of crimes are committed by strangers. However, there's nothing I saw in terms of people in positions of authority.

Ms. Anju Dhillon: If you do come across it, please submit it to our committee—

Ms. Tamara Thomas: Of course.

Ms. Anju Dhillon: —as well as the ACLC's submissions to the United Nations committees. We would like them submitted as well, please.

Ms. Tamara Thomas: I can send those along as well.

Ms. Anju Dhillon: The situation isn't improving and, according to you, it's getting worse for crimes against black people, or their children being removed very easily by child services. The other thing you mentioned was children being unfairly disciplined in school, so my next question is, has your organization done anything to mitigate what's going on?

Ms. Tamara Thomas: That's a lot of the bread and butter of what our organization does. We have stood as a voice for those individuals who are facing visits from child welfare agencies. We have people calling us regularly.

A lot of times what you will see is a situation of, for example, parents who are separating. One parent is white and the other is black, and it's always the white parent who gets custody of the child, in our experience. In other examples, school authorities or doctors are contacting the Children's Aid Society and indicating there is a case of neglect. Then those Children's Aid Societies will come in, but there's no real grappling with the fact that perhaps the neglect is a result of intergenerational poverty or of a one-parent household where the parent has to work three jobs because they are the only ones feeding themselves and their child.

There's a real lack of understanding and a non-holistic picture of what's going on.

Ms. Anju Dhillon: There's a lack of compassion too.

Ms. Tamara Thomas: Yes, there's that as well. In terms of what our organization has been doing to try to combat these issues, we try to bring them up. We lobby government. We've worked with the Children's Aid Society. We've met with the Toronto District School Board, for example.

Ms. Anju Dhillon: Was that to no avail?

Ms. Tamara Thomas: There has been some movement. For example, when we had a recent meeting with the Toronto District School Board, they seemed very aware of the issues in terms of streaming or discipline being disproportionately applied to black students. For example, Ontario has just released its education action plan. Many of the things that are addressed in those action plans are conversations that my organization has had with the Ministry of Education over an extended period of time.

There is slow action that's coming out of Ontario specifically, but these are all issues that we've been working on for a very long time.

Ms. Anju Dhillon: What would you like to see from the federal government as concrete recommendations, so that we can actually help?

Ms. Tamara Thomas: In addition to the stuff that has already been identified, I think that a lot of the issues that we see are within the area of provincial jurisdiction as well. It is nationwide, but the Children's Aid Society, as well as education and policing, all fall within provincial or municipal jurisdictions—

Ms. Anju Dhillon: Yes.

Ms. Tamara Thomas: As a result, there might not be mandatory rules or anything that the federal government, at the federal level, can do that might necessarily impact or influence or, I will say, force action on the part of the provinces and territories. It is specifically the province, in terms of where we are located. However, I think a call to action by the government, including heavy encouragement, recommendations, conversations with provincial and municipal bodies, having everyone around the table to talk—an accretion of frameworks—are all ways in which the federal government can work with the provinces to try to ensure that there is an equitable approach to solving these problems across the board.

• (1725)

Ms. Anju Dhillon: I'll let MP Virani ask a few questions.

Thank you.

The Chair: You have 30 seconds.

Mr. Arif Virani: It's a pleasure to have the ACLC here. Thank you very much for being here.

Based on the Ontario anti-racism directorate and the Ontario Anti-Racism Act, can you give us any best practices that you can identify at the Ontario level that you think we should be adopting here?

Ms. Tamara Thomas: I believe that Ontario has taken some very concrete steps forward in terms of identifying the issues, being receptive to meeting with groups and speaking to groups, and collecting data. I think condemning racism within the province, implementing an education action plan, and implementing an anti-racism strategy were specific target areas for specific issue areas and specific goals that have been identified. These are all fundamental ways to lay out areas of accountability or responsibility and then work towards them.

I think that all of these plans that the Ontario government has put out from its different ministries and bodies can operate as a framework for the federal government's approach to dealing with systemic racism.

The Chair: Thank you very much, Ms. Thomas.

Given that we actually started about 10 minutes late on this round, I would entertain that we use 15 minutes for five three-minute rounds.

I will begin with Mr. Reid. I think you were up for that extra three minutes.

Mr. Scott Reid: Thank you very much, Madam Chair.

I'd like to continue the conversation we were having earlier. You answered the question so thoroughly that if you wish to add to it you could, but I had another question to put to you as well, which is in the news. In the Quebec legislature, Bill 62 either has been passed or is on the verge of being passed. This would limit service provision to

The Chair: Mr. Hashmi wants to speak up.

Mr. Scott Reid: Oh, I'm sorry. Okay.

The Chair: Go ahead.

Mr. Scott Reid: —to people who are wearing religious garb. I wanted to ask your reaction to this, if I could.

Mr. Sikander Hashmi: I think it's very concerning and disappointing. I know that many Canadian Muslims are looking at this issue very closely, especially considering that the Charter of Values debate in Quebec was very divisive. Following that, there was a change in government and then, of course, the tragic events at the Quebec City mosque. I think the feeling or the expectation was that this is something that we've hopefully moved beyond but, unfortunately, that doesn't seem to be the case.

If we look at Canada as a country that promotes freedoms for women, we see that this measure actually does the opposite, because it will restrict women who choose to wear the niqab from accessing

public services or even getting around town. I can't see how that's helping anyone.

Mr. Scott Reid: I appreciate that. I agree with you, by the way, on that one, very much so.

This is a provincial law, of course. Is there anything at the federal level that we ought to be doing with regard to this situation?

Mr. Sikander Hashmi: I really don't have an answer to that. I do think that so far the position of the federal government has been positive with regard to these types of issues. I would encourage it to continue forward in the same direction.

One thing I would say—and I know I'm speaking to MPs, politicians—there really is the power of words and the example that we set as leaders, especially as political leaders on the national stage. What you say and what you choose to talk about and how you say it has a tremendous impact on citizens and how they feel. It has a real impact on their lives.

Sure, there could be people who agree with what is happening in Quebec with regard to this law, and they may have certain issues and concerns to do with Muslims. You can talk about whatever you want, but just do it in a respectful, caring, compassionate manner, taking into account the potential implications of your words.

• (1730)

The Chair: Thank you.

Bells have begun, and I need unanimous consent to continue. We're right next door. Would you like us to do the next few questions?

Some hon. members: Agreed.

The Chair: Thank you.

We'll go to Julie Dzerowicz.

Ms. Julie Dzerowicz (Davenport, Lib.): Thank you, Madam Chair.

Thanks again for your presentation and thanks for your patience in answering so many of our questions.

I'm seized with communications and how it is that we communicate around any type of anti-racism or anti-discrimination strategy that we might put into place. I have many ethnic groups in my community, and they speak many different languages. A chunk of them are online, and some of them are not. How they receive their information is so different.

Do you have any advice for us on how we could better communicate with them? Is there anything, such as social media, other than the regular ways? We do try to do it through the local media. We try to do it through the national media. We try to do the tweeting. Do you have any other advice for us?

Ms. Tamara Thomas: I feel as though a lot of these suggestions might seem repetitive, but I will say again that there really is benefit in dealing directly with community groups, because a lot of individuals, particularly recent immigrants but even individuals who have been here for several decades, are very tied to their community. There are a lot of cultural centres or community groups or community organizations that these individuals dedicate significant amounts of their time to. Through that you have the magic of word of mouth, so to speak.

I think working intimately and directly with those community groups, putting in the effort to try to identify who the community leaders are, where these people are going, how they are spending their time, and then reaching out to those cultural hubs, is one of the best ways to communicate information, even more so than social media.

Mr. Sikander Hashmi: Absolutely.

I'm sure ethnic media are avenues that are already being used, but there is the power of relationships. Getting to know communities, getting to know people within communities, and then employing those channels to disseminate information is one of the most powerful ways of ensuring that all communities and as many community members as possible are getting the message.

Ms. Julie Dzerowicz: How much time do I have left?

The Chair: You have one minute.

Ms. Julie Dzerowicz: Someone had mentioned this. I think it was one of the other black legal lawyer leaders who came here. He said we all have biases. How do we account for that as part of the strategy we use as we move forward in teaching each other about our own biases? It's a tough question.

Mr. Sikander Hashmi: I would say that countering the stereotypes with stories and images is extremely powerful.

You're absolutely right. We all have preconceived notions and biases about others. It's hard and it takes effort to overcome them. I have to say if we look around the world, in my opinion, we find Canadians to be one of the best when it comes to dealing with that and recognizing that yes, we do have an issue that we have to overcome as individuals when we're battling with these stereotypes or biases.

In my view there's nothing more powerful than stories and images that show things that totally shatter stereotypes, because those are the types of things that people look at and say, "I always thought such and such group to be like this, but it appears maybe they're not. Maybe I was wrong." That's how we get onto the path of self-reflection and exploration.

• (1735)

Ms. Julie Dzerowicz: Thank you.

The Chair: Thank you.

I'll now go to Scott.

Mr. Scott Reid: Ms. Thomas, we had some very interesting testimony earlier in our hearings about systemic racism against Canadians of African origin. The presentation suggested that it's primarily tied up in institutions, especially in the legal system. You mentioned a number of other areas. You enumerated a bullet-point

list of about five areas, the first of which had to do with a great number of children being taken away from their parents. We won't be able to find that information on our own. If you could provide us with the sources you're citing, it would be enormously helpful.

Dealing a bit further with children being taken from their parents, this is obviously an area that struck a chord with me, because we Canadians are now seized in our collective memory with what's known as the "sixties scoop", in which a version of this same problem occurred for aboriginal Canadians.

Could you comment a bit more on this particular problem and give us a bit more of a description? It's something I was completely unfamiliar with until you raised the matter.

Ms. Tamara Thomas: As to the first point, about the sources of the information, almost all of it is contained within the report we gave to CERD earlier this year, in which all of our sources are cited. When I forward this report, that information will be there and the links to those sources will be identified.

It's funny that you were able to make that link, because the taking of black youth from their families has also been identified. I can't remember at this moment who identified it, but it's the institutional assimilation of a culture. A lot of times when these youth are taken from their families, they're not put in homes that are culturally related to them. Instead, they're removed from their culture completely. Then it becomes incumbent on those individuals who are taking care of the child to make an extra effort to try to create those links. You're removing an entire generation of children from their culture.

The increased removal stems from a couple of different places. There's a lack of cultural awareness by the people making these decisions. They're not aware, for example, of cultural foods. The Children's Aid Societies in Ontario have been called because a child brought cultural food to school. The teacher was not aware of what the food was and thought it wasn't adequate and called the Children's Aid Society on that parent. There's this lack of understanding of the differences between cultures, and those differences are often penalized.

The Chair: Thank you very much.

We'll go to Arif Virani for the Liberals, and then Ms. Kwan.

Mr. Arif Virani: Thank you for being here.

This is for both Imam Hashmi and for Ms. Thomas. We've heard that there used to be funding provided to communities to empower them in capacity-building. This allowed communities to do needs assessments among themselves and to understand how federal and provincial governments operate.

From your perspective, would this be useful in empowering communities to address some of their own needs in learning how to interface with governments?

Ms. Tamara Thomas: Are you saying the funding was for community groups to be able to develop an understanding within their own communities?

Mr. Arif Virani: Yes. Let me flesh it out a bit. There's funding that presently exists for building dialogue between communities. Jamaicans speak to Ukrainians, for example. There was a time, however, when there was funding just for Jamaicans, just for Ukrainians, just for people from Barbados, just for people from Pakistan, and so on. It's the idea of capacity-building or community development, but it focuses on one community at a time.

Ms. Tamara Thomas: I think that would be a positive step to take. I don't know if it would be one at the expense of the other. I think dialogue between communities is also necessary, especially in the current climate that we're in. Allowing community groups to educate and develop capacity within themselves gives a sense of ownership. It also gives a sense of being able to understand how to address issues as a person on the street dealing with the everyday realities of being who you are and living in your skin or living with your faith. I think that kind of funding is necessary in order for us to take the steps we have to take.

● (1740)

Mr. Sikander Hashmi: My view of that would be—

The Chair: You have a minute.

Mr. Sikander Hashmi: My view of that would be that it would be very useful, because a lot of new communities, immigrant communities, really struggle with coming together and building capacity to come to a level where they're able to even access funding that may be available and to figure out how they're supposed to go about doing things. I think it would be very useful and very helpful.

Mr. Arif Virani: Just very quickly, Imam Hashmi, could you comment on your comment about media, websites, and social media, specifically the rebel media, as a platform for some of the views that sometimes seem to be sowing division in Canada right now?

Mr. Sikander Hashmi: Clearly there are such websites and individuals who have exercised their right to free speech in a way that has been divisive and harmful. Is it hate speech? I don't know—I'm not a lawyer—but at the same time, clearly this is something that is growing, and it exists. It would be to our detriment not to pay attention to it and take action where warranted.

The Chair: Thank you very much.

I go to Ms. Kwan for the final three minutes.

Ms. Jenny Kwan: Thank you very much.

I would like to build on that, because I think the suggestion, and rightly so, is that those of us in a leadership position ought to be taking action. There was some criticism from previous panels and witnesses that we haven't done enough.

To that end, on the issue around fake news, on the issue around the spread of—for lack of a better word—hate in the social media network, do you have suggestions? What are the top three things that are incumbent on us to do as political leaders across all parties? Can you share that with us, if you have some thoughts on that aspect?

Mr. Sikander Hashmi: Absolutely. Number one, when it happens, call it out. Don't accept it. We know that political candidates and members of Parliament have Facebook pages. Let's face it: we all have people in our communities who are sometimes just categorized as loonies, haters, radicals, or whatever it may be. It applies equally to me, as well, as a faith leader. If there is someone in my community who is spreading hate or sharing messages that are inappropriate, whether it's on my Facebook page or anywhere else where I have control, it's my responsibility to call it out and to take action.

In my view, there should be zero tolerance for any type of hate, and for political leaders, I would say, the bar should probably be set a bit higher. If there's anyone who's spewing comments that are derogatory, spreading conspiracies that are unfounded, or spreading rumours, take action. Don't let it happen on your watch. That's number one.

Number two is to have training for your volunteers and your staff so they also know what's appropriate and what's not, and also so they understand the importance and the power of their words.

Third, bring in people from different communities to come and just talk to share their perspectives, because we've all got some learning to do, and you may disagree with what you hear. I go to churches, different places of worship, and different agencies to make presentations. I tell people that they may disagree with me 100%, and I have no problem with that, but I just want to share my perspective so you know where I'm coming from, and I also want to know where you're coming from.

Those are the baby steps that we can all take to start building understanding and respect for diversity.

The Chair: You have 30 seconds.

Ms. Jenny Kwan: Do you have any last words, Ms. Thomas?

Ms. Tamara Thomas: I will say that consultations like these meetings are fundamental because, really, there can be a disconnect between what you believe is happening from the higher-up levels and what's actually happening. It's important to understand that. I think everyone here knows this, but I will say that it's important to understand that sometimes policies, programs, and processes don't have the impact they're supposed to have. The intent is there, but it's not intent, it's the effect, and—

● (1745)

The Chair: Thank you, Ms. Thomas. I'm sorry, but we have to go to votes.

I just want to thank both Ms. Thomas and Imam Hashmi for being here, for giving us a lot of food for thought and good recommendations, broad-based and general, in terms of the nature of where we should be going.

Thank you again.

This meeting is adjourned.

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