

Consultation on systemic racism and discrimination

COMBATING RACIAL AND SOCIAL PROFILING

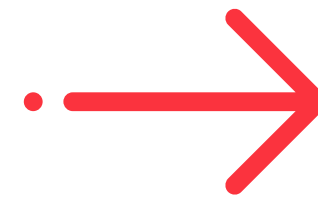
THEMATIC SESSION

May 29, 2019



Introduction • Context

Montréal, standing firm against racism and discrimination



The City unequivocally rejects all forms of racism and discrimination.

The City has taken up the fight over the last three decades:

Taking more and more action to ease integration, battle discrimination and be a model of diversity

This consultation is an opportunity to hold discussions that will help the City improve its practices, and identify the obstacles that bar the way to the greater inclusion of all Montrealers.

Profiling: Unacceptable discrimination

Acknowledging the problem

"The executive committee (of the City of Montréal) **acknowledges the problem and reiterates that racial and social profiling are unacceptable forms of discrimination** that call for appropriate responses as well as constant vigilance by all services involved, especially those in a position of authority."

March 2018

The Montréal Charter*

The City of Montréal "**is committed to (...) Combating discrimination, racial profiling, social profiling**, xenophobia, racism, sexism and homophobia, ageism, poverty and social exclusion, all of which serve to erode the foundations of a free and democratic society;"

November 2011 amendment



Profiling: Unacceptable discrimination

Code of ethics

An amendment to the code of ethics for elected officials includes clear signposts regarding social and racial profiling

New article 30.1

"Members of council shall not discriminate on the basis of race, colour, gender, gender identity or expression, pregnancy, sexual orientation, marital status, age except where provided for by law, religion, political beliefs, language, ethnic or national origin, social condition, disability or the use of a means to overcome this handicap"

Adopted April 2019

Action plan: prevent profiling

Adoption of the strategic plan supporting the personnel of the SPVM (Montréal police force) in the prevention of racial and social profiling

"This strategic plan (...) is based on the **need to dialogue with all citizens** in order to support police work, infuse a greater awareness of the realities of our neighbourhoods, and solidify the bond of trust that unites citizens and police officers.

At the same time, given complex operational realities, and perceptions and understanding of the impact of racial and social profiling for all, the plan proposes **an overarching reflection on the many dimensions of the SPVM's public security mandate.**"

The Director of the SPVM

Profiling: Definitions

Racial profiling

"(...) any action taken by one or more persons **in a position of authority** regarding a person or group of persons, **for reasons of safety, security, or the protection of the public**, that is based on attributes, real or presumed, such as **race, colour, ethnic or national origin, or religion, without real grounds or reasonable suspicions**, and which results in the person being subjected to a **different type of inquiry or treatment.**"

(...) any action by persons **in a position of authority** that **applies a measure in a disproportionate fashion** with regards to segments of the population, based notably on **their race, ethnic or national origin, or religion, actual or presumed.**" *

Social profiling

(...) any action taken by one or more persons **in a position of authority** regarding a person or group of persons, **for reasons of safety, security, or the protection of the public**, that is based on **elements of discrimination other than racial**, such as set out in article 10 of the Québec Charter of Human Rights and Freedoms – **for example social condition** – and which results in the person being subjected to a **different type of inquiry or treatment, where in fact no real grounds or reasonable suspicions exist.**

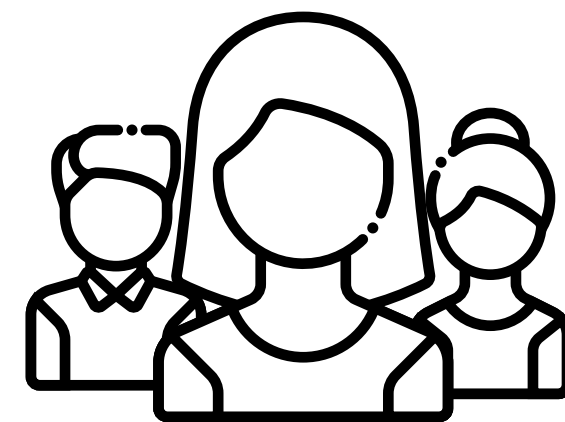
**Definition of the Commission for Human Rights and the Rights of Youth*

*** This definition is based on that of the Commission for Human Rights and the Rights of Youth, and is agreed to by the Montréal police force (SPVM) and the Réseau d'aide aux personnes seules et itinérantes de Montréal (RAPSIM, a group that defends the rights of the homeless).*

Putting it in context • A systemic way of acting

Establishing the right conditions for eliminating profiling

- Address stereotypes and prejudices
 - Fight poverty and exclusion
- Make the public service more representative of the city's diversity
 - Train and increase awareness (employees, leaders, citizens)
- Promote the creation of public spaces for social contacts and meetings



A systemic way of acting: Gender-based intersectional analysis (GBA+)

GBA

GBA is an approach that allows us to understand and measure the **different experiences of women and men in a given situation**, as well as the **differential effects of public programs and policies on an individual's quality of life**, depending on whether they are a male or a female.

GBA thus takes the form of **an in-depth analysis that is carried out during the entire length of a project**. In some cases, GBA will lead to the implementation of different measures as regards women and men, with the goal of attaining equity.

GBA+

GBA+ is based on the notion of intersectionality. That is, **in addition to gender-differentiated analysis, it is important to consider needs and differentiated effects in light of other circumstances.**

This concept **measures the impact of multiple types of discrimination on the basis of sex, class, ethnocultural origin, but also disability, socio-economic situation, sexual orientation or gender identity which can interconnect**, and occasionally even reinforce each other.

This is an in-depth analysis which has shown, among other things, **that a person can be disadvantaged for several reasons and that an overview of discriminatory factors is needed** to adequately respond to the needs of a diverse population.

GBA+ as a vector of change (cont'd)



The ultimate goal
That gender, ethnocultural background, disability, socio-economic situation, family situation, age, etc. be integral to any analysis that precedes, accompanies and assesses projects, programs and activities implemented by the City.

7 Business units including 2 boroughs

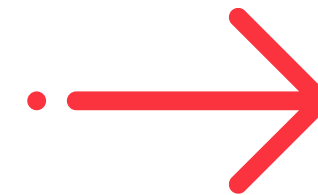
185 Employees trained

Mobilizing the City in the fight against profiling

Mobilisation

A variety of bodies are taking action including:

- Diversity and social inclusion service
- Legal affairs service
- Human Resources Service
- City of Montréal police force (SPVM)
- Office of government and municipal relations
- Borough consultation service
- Citizen experience and communications service
- City clerk's office
- *Société de transport de Montréal* (public transit)
- *Office municipal de l'habitation de Montréal* (municipal housing office)



The method

Internally

Work in a systemic fashion: sharing of a variety of types of expertise when taking on this complex problem

Working with civil society

Putting to good use the knowledge and expertise available in this milieu: Consultations, working sessions and the setting up of committees with members of civil society (groups, researchers, citizens)

Mobilizing the City in the fight against profiling (cont'd)

Acting together on several fronts

- Acknowledge that profiling is a problem
- Make a formal commitment to act
- Document the phenomenon within the administration
- Diversify and train the workforce
- Raise public awareness



Since the spring of 2018, the City has started to implement 42 commitments

Stemming from the Spring 2017 public consultation headed by the *Commission de la sécurité publique* (public security commission) and the *Commission sur le développement social et la diversité montréalaise* (social development and diversity commission) (joint commission).



Documenting the phenomenon within the administration

Actions

- In collaboration with independent researchers, development and implementation of data analysis on police apprehensions.
- Release of data on police stops, and of indicators on followups. Presentation planned in the context of SPVM annual report (December 2019)
- Review of police forces' best practices on racial profiling
- Development of indicators that will detect occurrences of profiling in other administrative entities in Montréal, notably: the *Office Municipal d'habitation de Montréal* (housing office), the Human Resources service, the *Société de transport de Montréal*, Municipal Court, etc. (these will follow similar work being done at the SPVM)



Review of regulatory tools

Actions

Review of regulations that might be leading to profiling

- Creation of a working group
- Two series of meetings with interest groups (fall, winter)
- Meetings with researchers specializing in analysis of profiling
- Meetings and followups with the Commission for Human Rights and the Rights of Youth
- Start of analysis at the STM (*Société de transport de Montréal*) and linkage with work being done at the City of Montréal
- Start of analysis of a sampling of tickets handed out between 2011 and 2018 (155,171 tickets)
- Organization of discussion groups with youth from two boroughs

Examples of regulations being revised

Being found lying drunk in a public place (RVM CP-1, art. 2)

Having used street furniture for a purpose other than that for which it is destined (RVM CP 12.2 art 20)



Increasing public awareness

Actions

- **Programme Montréal interculturel (PMI):** In 2019, **support for 48 projects** by non-profit groups, promoting a feeling of belonging to Montréal's diversity by encouraging intercultural relations.
- **Support for a variety of events:** Black History Month, Latino-American History Month, *la Semaine d'actions contre le racisme*, International Day for the Remembrance of the Slave Trade and its Abolition, Festi'Asia and others
- **Increasing awareness among youth about police work:** Start of a collaboration with the relevant actors with a view to educating youth about how to assert their rights. Upcoming: Development of projects on knowing and affirming one's rights
- **Unveiling of the *Montréal inclusive au travail* strategy:** in particular, will feature awareness campaigns involving major Montréal employers from now until 2021 (June 2019)



Diversity, training and representation

Actions

- **City of Montréal action plan for diversity in employment 2016-2019**
- ***Plan d'accès à l'égalité en emploi (PAÉE) 2015-2020*** by the STM
- **Additional efforts to diversify the workforce of the SIM (*Service de sécurité incendie de Montréal – firefighting service*) and SPVM:** presence on social media, partnerships with community groups, participation in the *Salon de l'immigration et de l'intégration au Québec*, promotional campaign in high schools
- **Realignment aiming to better represent Montréal's diversity in all communications tools – content and visuals:** recruiting campaigns, program covers or action plan, placement of ads in media whose audiences are the cultural communities
- ***Rapprochement* between police and civil society**
 - All commanders of *postes de quartier* (neighbourhood police stations) will sit on a local committee made up of partners and community groups to increase understanding of local needs and take appropriate actions
 - Meetings with citizens at local events and on local committees (at least two meetings at each police station in 2018)

New priority adopted by Montréal's City Manager

As of 2019, diversity and inclusiveness are included in the City of Montréal's organizational priorities

Diversity, training and representation (cont'd)

Actions

- **Training**
 - Assessing our training: what impact is it having on employees' perceptions?
 - Updating of training offered by the STM and the City, including that of the SPVM, in order to integrate the concept of profiling
 - Conceive and develop a training path in the area of diversity and inclusiveness for managers, employees who oversee projects, and front line employees
 - Take into account best practices observed in the Toronto police force
 - Reconciliation with Indigenous peoples: classroom-based training, and online training, being developed
 - Training on homelessness for employees in 6 boroughs
- **Integration of practices regarding the consultation of individuals in a situation of homelessness in the *Politique de consultation citoyenne* (policy on citizen consultation)**
- **EMRII and ESUP:** The SPVM has worked to improve the services offered by the EMRII (mobile intervention team working with the homeless) and the ESUP (psychosocial intervention with people in situation of crisis or suffering from mental illness)
- **RIC:** A counsellor-officer has been named to the Section de la prévention et de la sécurité urbaine (SPSU, prevention and urban security service) to support, and help develop the work of, officers who work in crisis intervention (*réponse en intervention de crise*, RIC) and **12 new RIC officers have been trained**. In 2019: 60 more RIC officers will be trained.



Reporting behaviour that constitutes profiling

City of Montréal

- File a complaint with the city: by phone (311) or online



- Montréal's ombudsman: Make out a complaint by phone, by postal mail, email, by fax, or in person

SPVM

- File a complaint with the SPVM: by phone (911), in person in a neighborhood police station or online



- Québec's Police ethics commissioner: form to be filled out. Hand in the form in person, or send online.

STM

- To file a complaint with the STM: by phone (514 786-4636) or online

Commission for Human Rights and the Rights of Youth

The *Commission des droits de la personne et des droits de la jeunesse* will help citizens with the filing of their complaint

- Contact the commission by phone: 1 800 361-6477
- Or by email: information@cdpdj.qc.ca or postal mail

What lies ahead

To come

Re-assert the City's stand: Adoption of a statement condemning racial and social profiling

Transparency: Every year, the City of Montréal will produce a report on racial and social profiling at the *Commission de la sécurité publique* (public security commission)

A truer reflection of the diversity of our population:
Deployment and wide usage of the candidacies database of *Concertation Montréal* (City office of consultations) – draw on candidacies from ethnically diverse populations to fill positions on boards of directors

Better detection of unacceptable behaviour: As per the strategic plan on the prevention of racial and social profiling for 2018 - 2021, the SPVM is working to change its mode of evaluating personnel so as to be able to detect behaviours that may be discriminatory, or even constitute racial or social profiling. It will also optimize followup mechanisms, and support offered to police force personnel.

Increase public awareness: A communications campaign celebrating Montréal's diversity is planned.

Better documentation: better measure and evaluate the impacts of our actions, in order to be more accountable

The City of Montréal is mobilized and is deeply committed to positive change in this area.

To that end, other initiatives may be added to those listed here. They will contribute actively to making Montréal free of racial and social profiling.

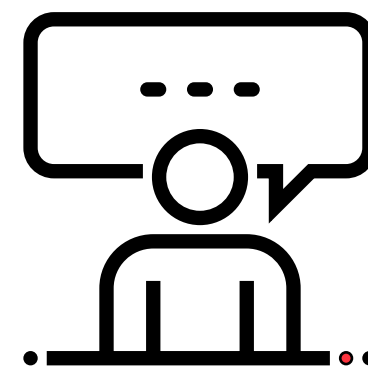
Conclusion

The public consultation on racism and systemic discrimination offers an excellent opportunity to:

Better identify shortcomings, as well as identify elements that act as obstacles to the inclusion of all.

The City wishes to reaffirm its attachment to the following values.
Respect for human dignity, equality, inclusiveness, tolerance and justice.
It will continue to be true to these values in all of its actions.

The City will take into account all the elements that come out of this consultation process.



The City of Montréal thanks all individuals, organizations, and institutions involved for their participation in this much-needed public debate.

