

## Provincial HSJCC Anti-Racism Advisory Committee:

Terms of Reference

Approved on: August 12, 2021

# Background

## Overview of HSJCC Network

Human Services and Justice Coordinating Committees (HSJCCs) were established in response to a recognized need to coordinate resources and services, and plan more effectively for people who are in conflict with the law. HSJCC's advocacy and support for people who experience conflict with the law is congruent with the mandate of *Ontario's Patients First Act* (2016), which is aimed at promoting reliable, efficient, and equitable access to health care services for all Ontarians. Priority consideration will be made for, but not limited to people with a serious mental illness, developmental disability, acquired brain injury, drug and alcohol addiction, and/or fetal alcohol spectrum disorder. The HSJCCs are a cooperative effort of the Ministries of the Attorney General, Children, Community and Social Services, the Solicitor General, and Health.

The two primary areas of emphasis for the HSJCCs are:

1. To provide a planning table to bring together service providers to find solutions to the problem of the criminalization of people with unique needs, and
2. To develop a model of shared responsibility and accountability in dealing with this group of individuals at points of intersection with the justice system.

Regional HSJCCs were established to coordinate communication and service integration planning between health, criminal justice and developmental service organizations within specific regions. Local HSJCCs are formed as required in each Region. Regional and Local HSJCCs are formed and operated flexibly in accordance with the unique needs of the regions and communities they serve.

The goal of the Provincial HSJCC is to provide a provincial leadership mechanism to support the implementation of the Ontario government's policy framework *A Provincial Strategy to Coordinate Human Services and Criminal Justice System in Ontario* (1997) for people who come into contact with the justice system and who have needs that are appropriate to be met by one or more of the provincial human services systems.

## Background of the Advisory Committee

The HSJCC Network acknowledges that one of the negative impacts of slavery, colonization and oppression is an overrepresentation of Black, Indigenous and racialized populations within the mental health and criminal justice systems. As part of the Provincial HSJCC's identified priorities, they have committed to increasing their understanding of, and connections with, under-engaged groups including Black, Indigenous and racialized populations in the human services and justice sectors in the hope of improving provincial policy outcomes.

Following high profile incidents of racism both provincially and internationally, as well as feedback received from our Regional HSJCCs, the Provincial HSJCC has committed to identifying ways the HSJCC Network can participate in the dismantling of structural and systemic racism.

In response to requests from HSJCC members across the network looking for additional guidance and support in improving anti-racism policies and strategies, the Provincial HSJCC approved the establishment of a Standing Advisory Committee to oversee and guide the development of this work in November 2020.

## *Acknowledgement*

Everyone deserves to be treated with fairness, respect and dignity, and the Provincial Human Services Coordinating Committee is committed to eliminating systemic racism and advancing racial equity.

Systemic racism is a persistent reality in Ontario, preventing many from fully participating in society and denying them equal rights, freedoms, respect and dignity.

Systemic racism is often caused by policies, practices and procedures that appear neutral but have the effect of disadvantaging racialized groups. It can be perpetuated by a failure to identify and monitor racial disparities and inequities and to take remedial action.

Systemic racism is experienced in different ways by different racialized groups. For example, anti-Indigenous racism, anti-Black racism, antisemitism, and Islamophobia reflect histories of systemic exclusion, displacement and marginalization.

Eliminating systemic racism and advancing racial equity supports the social, economic and cultural development of society as a whole, and everyone benefits when individuals and communities are no longer marginalized. [*Ontario's Anti Racism Act, 2017*]

We would like to acknowledge all those who are suffering at the hands of the colonial systems that continue to endure immense hardships, including separation from families, homes, responsibilities, victimization and poverty.

We acknowledge anti-colonial frameworks must emerge in terms of people understanding their experiences in the context of colonialism, colonial and re-colonial relations and other associated oppressions

# Vision and Objectives

## Vision

The Anti-Racism Committee will effect meaningful system change through the development of a strategic action plan that addresses anti-racism across all levels of the HSJCC Network.

## Objectives of the Advisory Committee

- Identify common challenges and issues relating to anti-racism and decolonization within the human services and justice systems.
- Develop evidence-based solutions and actions to address anti-racism and decolonization across the human services and justice systems.
- Provide guidance for Regional, Local and Provincial HSJCCs to improve the active engagement of Black, Indigenous and racialized populations within their work.
- Promote best practices and key considerations for improving the experiences of Black, Indigenous and racialized populations involved in the human services and justice systems.
- Provide ongoing advice to the Provincial HSJCC on projects and initiatives.

## Reporting Relationships

The Advisory Committee shall serve as a Standing Working Group and shall report to the Provincial HSJCC. The Advisory Committee shall function in accordance with the [Provincial HSJCC Terms of Reference](#). As outlined in this document, these duties include the following:

- Each Standing Advisory Committee shall establish a Terms of Reference to outline their purpose and objectives.
- Each Standing Advisory Committee shall keep a record of their proceedings and shall provide updates to the Executive Committee or Provincial HSJCC its next meeting.

# Advisory Committee Membership

## Membership

Members from across the HSJCC Network and external stakeholders are welcome to join the Advisory Committee. To ground the work of the Advisory Committee, members will prioritize, promote, and draw from the experiential knowledge, history, writing, and research driven by individuals who are working to address anti-racism across the human services and justice sectors. This work is further grounded via key tenets of intersectionality theory which acknowledges the complexity of discrimination for individuals who are diversely situated and impacted by structural barriers, oppression, and violence.

Members should be informed of, and supportive of, the goals and objectives of the HSJCC Network and agree they may be identified as Members of the Committee by the HSJCC in furtherance of its mandate.

## Co-Chairs

The Advisory Committee will have at least one Chair/Co-Chair from the P-HSJCC membership.

Advisory Committee Co-Chairs shall preside at all meetings of members. The roles and responsibilities of the Co-Chairs will include:

- To review agendas assembled by the HSJCC Secretariat staff in advance of each meeting
- To chair Advisory Committee meetings
- To manage meetings in a way that encourages open, honest and respectful dialogue among the members
- Ensure that the purpose and objectives of the Standing Committee are fulfilled through meetings.
- To work with the Secretariat on managing requests and issues that may arise
- To represent the Advisory Committee at Provincial HSJCC meetings

Co-Chairs are eligible for appointment for two (2) consecutive full two (2) year terms, and thereafter are not eligible for re-appointment until a period of eleven (11) months has elapsed from the date of retirement of such Officer.

Any Co-Chair may resign or take a leave of absence at any time by notice in writing to the HSJCC Secretariat.

## Provincial HSJCC Secretariat

The work of the Advisory Committee shall be supported by the Provincial HSJCC Secretariat. The Secretariat's roles and responsibilities will include:

- To schedule, coordinate and provide support for Advisory Committee meetings
- To complete action items as determined by the Advisory Committee during meetings
- To serve as a point of contact for members of the Advisory Committee on general matters

# Advisory Committee Meetings

## Meetings

A minimum of four meetings will be scheduled annually by the HSJCC Secretariat and held by teleconference or virtual means. Additional meetings may be held under the direction of the Advisory Committee.

## Code of Conduct

Members of the Advisory Committee will agree to abide by the following code of conduct:

- Recognize and value the diversity in backgrounds and opinions of the different group members. Disagreement and opposing views are expected and will be treated as an opportunity for constructive debate.
- Members have been brought together for their respective experience, expertise and opinions. The group is expected to strive for consensus in decision-making.
- Members agree to act in good faith, especially concerning issues of information, disclosure and confidentiality.
- Members agree to work together where support for a specific pathway will benefit from a collaborative approach.

## Values and Commitments

The Advisory Committee is committed to the following values and principles:

- Evidence-based practice
- Culturally relevant and responsive approaches
- Honouring voices and perspectives of those with lived experience
- Cross-sectoral, multi-disciplinary collaboration
- Action-oriented knowledge exchange

## Appendix A – Definitions

**Anti-Black Racism:** Anti-Black racism is prejudice, attitudes, beliefs, stereotyping and discrimination that is directed at people of African descent and is rooted in their unique history and experience of enslavement and its legacy. Anti-Black racism is deeply entrenched in Canadian institutions, policies, and practices, to the extent that anti-Black racism is either functionally normalized or rendered invisible to the larger White society. Anti-Black racism is manifest in the current social, economic, and political marginalization of African Canadians, which includes unequal opportunities, lower socio-economic status, higher unemployment, significant poverty rates and overrepresentation in the criminal justice system.<sup>1</sup>

**Anti-Indigenous Racism:** Anti-Indigenous racism is the ongoing race-based discrimination, negative stereotyping, and injustice experienced by Indigenous Peoples within Canada. It includes ideas and practices that establish, maintain, and perpetuate power imbalances, systemic barriers, and inequitable outcomes that stem from the legacy of colonial policies and practices in Canada.<sup>2</sup>

**Anti-Racism Approach:** Anti-racism is a process, a systematic method of analysis, and a proactive course of action rooted in the recognition of the existence of racism, including systemic racism. Anti-racism actively seeks to identify, remove, prevent, and mitigate racially inequitable outcomes and power imbalances between groups and change the structures that sustain inequities.<sup>3</sup>

**Black:** Black is a social construct referring to people who have dark skin colour and/or other related racialized characteristics. The term has become less of an indicator of skin colour and more of racialized characteristics. Diverse societies apply different criteria to determine who is Black.<sup>4</sup>

**Colonialism:** Colonialism is the historical practice of European expansion into territories already inhabited by Indigenous peoples for the purposes of acquiring new lands and resources. This expansion is rooted in the violent suppression of Indigenous peoples' governance, legal, social and cultural structures. Colonialism attempts to force Indigenous peoples to accept and integrate into institutions that are designed to force them to conform with the structures of the colonial state. "Colonialism remains an ongoing process, shaping both the structure and the quality of the relationship between settlers and Indigenous peoples." (TRC Final Report, 2016 [What We Have Learned: Principles of Truth and Reconciliation](#))<sup>5</sup>

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<sup>1</sup> Ontario Government. (February 2019). *Anti-Racism Directorate, Data Standards for the Identification and Monitoring of Systemic Racism*. Retrieved from: <https://www.ontario.ca/document/data-standards-identification-and-monitoring-systemic-racism/glossary>

<sup>2</sup> Ibid.

<sup>3</sup> Ibid.

<sup>4</sup> Ontario Human Rights Commission. (n.d.) *Appendix I: Glossary of human rights terms*. Retrieved from: <http://www.ohrc.on.ca/en/teaching-human-rights-ontario-guide-ontario-schools/appendix-1-glossary-human-rights-terms>

<sup>5</sup> Ontario Government. *Anti-Racism Directorate*.

**Indigenous:** Indigenous people identify as being descended from the Original Peoples of what is currently known as Canada. In this context, Indigenous peoples include people who may identify as First Nations (status and non-status), Métis and/or Inuit and any related identities.<sup>6</sup>

**Intersectionality:** Intersectionality is the way in which people's lives are shaped by their multiple and overlapping identities and social locations, which, together, can produce a unique and distinct experience for that individual or group, for example, creating additional barriers, opportunities, and/or power imbalances. In the context of race and Indigenous identity, this means recognizing the ways in which people's experiences of racism or privilege, including within any one group, may vary depending on the individual's or group's relationship to additional overlapping or intersecting social identities, like religion, ethnic origin, gender, age, disabilities or citizenship and immigration status.<sup>7</sup>

**Racialized (Persons or Groups):** Racialized persons and/or groups can have racial meanings attributed to them in ways that negatively impact their social, political, and economic life. This includes but is not necessarily limited to people classified as "visible minorities" under the Canadian census and may include people impacted by antisemitism and Islamophobia.<sup>8</sup>

**Racism:** Racism is a belief that one group is superior to others. Racism can be openly displayed in racial jokes, slurs or hate crimes. It can also be more deeply rooted in attitudes, values, and stereotypical beliefs. In some cases, people do not even realize they have these beliefs. Instead, they are assumptions that have evolved over time and have become part of systems and institutions and associated with the dominant group's power and privilege.<sup>9</sup>

**Racial Discrimination:** Racial discrimination is the illegal expression of racism. It includes any action, intentional or not, that has the effect of singling out persons based on their race, and imposing burdens on them and not on others, or withholding or limiting access to benefits available to other members of society, in areas covered by the Code. Race only needs to be one factor in a situation for racial discrimination to have occurred.<sup>10</sup>

**Re-colonialism:** is a process in which former or new colonizing powers retain influence over former colonies in respects which effectively replicate or reproduce the conditions for the former colony which existed under direct colonialism, especially in instances in which the former colony is now an independent nation state.<sup>11</sup>

**Systemic Discrimination:** System discrimination is patterns of behaviour, policies or practices that are part of the social or administrative structures of an organization, and which create or perpetuate a position of relative disadvantage for groups identified under the Human Rights Code.<sup>12</sup>

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<sup>6</sup> Ibid.

<sup>7</sup> Ibid.

<sup>8</sup> Ibid.

<sup>9</sup> Ontario Human Rights Commission. *Glossary*.

<sup>10</sup> Ontario Human Rights Commission. (n.d.) *Racial discrimination brochure*. Retrieved from: <http://www.ohrc.on.ca/en/racial-discrimination-brochure>

<sup>11</sup> Kassem-Ali, J. (2004). "Pax Africana and Africa's Re-Colonization," in *Debating the African Condition: Governance and Leadership*. Africa World Press.

<sup>12</sup> Ontario Human Rights Commission. *Glossary*.

**Systemic Racism:** Systemic racism consists of organizational culture, policies, directives, practices or procedures that exclude, displace or marginalize some racialized groups or create unfair barriers for them to access valuable benefits and opportunities. This is often the result of institutional biases in organizational culture, policies, directives, practices, and procedures that may appear neutral but have the effect of privileging some groups and disadvantaging others.<sup>13</sup>

**White Fragility:** White Fragility is a state in which even a minimum amount of racial stress becomes intolerable, triggering a range of defensive moves. These moves include the outward display of emotions such as anger, fear, and guilt, and behaviors such as argumentation, silence, and leaving the stress-inducing situation. These behaviors, in turn, function to reinstate white racial equilibrium.<sup>14</sup>

**White Supremacy:** The idea (ideology) that white people and the ideas, thoughts, beliefs, and actions of white people are superior to People of Color and their ideas, thoughts, beliefs, and actions. While most people associate white supremacy with extremist groups like the Ku Klux Klan and the neo-Nazis, white supremacy is ever present in our institutional and cultural assumptions that assign value, morality, goodness, and humanity to the white group while casting people and communities of color as worthless (worth less), immoral, bad, and inhuman and “undeserving.” Drawing from critical race theory, the term “white supremacy” also refers to a political or socio-economic system where white people enjoy structural advantage and rights that other racial and ethnic groups do not, both at a collective and an individual level.<sup>15</sup>

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<sup>13</sup> Ontario Government. *Anti-racism Directorate*.

<sup>14</sup> DiAngelo, R. (2018). *Summary & Analysis of White Fragility Why It's So Hard for White People to Talk About Racism | A Guide to the Book* [E-book]. Beacon Press.

<sup>15</sup> Maxwell Library Bridgewater State University. (n.d.). *MaxGuides: Anti-Racism Education Resources: White Supremacy*. Retrieved July 29, 2021, from <https://library.bridgew.edu/c.php?g=1048602&p=7612145>