

# RACIAL JUSTICE REPORT CARD for Ontario Provincial Elections 2018

A review of party platforms

## Colour of Poverty – Colour of Change

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#### INTRODUCTION

**Colour of Poverty - Colour of Change (COP-COC)** is a community initiative based in the province of Ontario, Canada, which is made up of individuals and organizations working to build community-based capacity to address the growing racialization of poverty and the resulting increased levels of social exclusion and marginalization of racialized communities (both Indigenous Peoples and peoples of colour) across Ontario.

**This non-partisan report card** is centred on priorities that have the greatest impact on Ontario's ethno-racially diverse communities.

**Methodology** – We evaluated each party platform on the basis of concrete commitments to address racial discrimination as well as institutional, structural and systemic racialized exclusion and marginalization. We reviewed the record of the three political parties in the Ontario Legislature over the most recent session, looking at laws and policies that were passed or adopted, the opposition parties' stated policy position on such laws and policies, and proposed legislation that might have failed. The Report Card also discusses some of the missed opportunities, namely, initiatives that would have resulted in great improvement to the lives of members of racialized communities in Ontario had they been adopted.

For each of the policy areas, the Report Card ranks the three primary parties' positions based on their responsiveness to the needs of members of racialized communities – both First Peoples and peoples of colour, with "A" being the most responsive to "C" being the least responsive.

# **SUMMARY OF RESULTS**

	NDP	Liberal	PC
ACCESS TO JUSTICE AND INVESTMENT IN LEGAL SERVICES	В	А	С
EDUCATION AND LEARNING	А	В	С
EMPLOYMENT	А	В	С
HEALTH AND WELL-BEING	А	В	С
HOUSING AND HOMELESSNESS	А	В	С
HUMAN RIGHTS SYSTEM AND PROTECTION	А	А	С
IMMIGRATION, NEWCOMER SETTLEMENT AND INTEGRATION	Α	В	С
JUSTICE AND POLICING	А	А	С
POVERTY REDUCTION	Α	А	С
OVERALL	Α	В	С

#### ACCESS TO JUSTICE AND INVESTMENT IN LEGAL SERVICES

The availability of legal aid is essential for low-income Ontarians facing legal issues and who wish to enforce their legal rights. As racialized communities are over-represented among the low income population, access to justice, including access to legal aid and the fair representation of racialized individuals before courts, administrative tribunals and government agencies, is an important concern for these communities.

A 2016 report by Legal Aid Ontario on the criminal bail system observes that Indigenous Peoples and peoples of colour "...who are subject to over-policing practices and racial profiling are more likely to find themselves in pre-trial detention..." In 2014, Indigenous People comprised 13% of persons in remand detention, despite constituting only 2% of Ontario's population.

В	A	C
NDP Commitments:	Liberal Commitments:	PC Commitments:
The NDP's platform stated that they will	In 2017-2018, Legal Aid Ontario received \$86.7	The PC Party has not commented
ensure better treatment of victims in the	million in additional funding – making about	on these issues.
criminal justice system, but no specifics	400,000 additional Ontarians eligible for legal aid	
are provided.	services. In April 2018 the Liberal government	
·	announced additional Legal Aid funding of \$7.3	
The NDP will increase investment in the	million in 2018-2019.	
Family Court Support Worker Program to		
support survivors at a heightened risk of	The 2018 Ontario budget proposes hiring	
violence, and for Victim Services	additional staff at correction facilities; enhanced	
Programs that provide trauma-informed	staff training programs; supporting adults with	
supports and crisis responses to victims of	mental health and addiction issues; and providing	
crime.	social navigators to support First Nation, Inuit and	
	Metis people in connecting with culturally	
The NDP will work with the Ontario Law	appropriate services, etc.	
Reform Commission to find ways to deal		
with otherwise non-criminal violation of	Ontario is also investing in Community Justice	
bail conditions and to modernize bail rules	Centres to better the delivery of justice to	
and operations.	vulnerable accused people and their families.	
	These centres will engage people in	
The NDP will increase staffing at Ontario's	individualized risk and needs assessments, and	

correctional facilities, increase the number of probation and parole officers, end the practice of punitive solitary confinement, end the practice of holding immigration detainees in provincial jails, and implement a strategy to offer additional and mental health services in provincial jails consistent with recommendations of the Independent Advisor on Corrections	match them with the appropriate services.	
the Independent Advisor on Corrections reform.		

#### **EDUCATION AND LEARNING**

Where tracked and measured Indigenous, Black, Portuguese and Spanish-speaking students are more likely to be streamed into non-academic programs than White or certain other students of colour. Black immigrant students are often put in English as a Second Language classes solely because of their accents, or placed in grades below their level without being tested.

While Ontario has repealed the 2000 *Safe Schools Act*, the disproportionate disciplining and policing of racialized students persists. In April 2017, the Toronto District School Board (TDSB) released a report showing that Black, Indigenous, and Middle Eastern students are disproportionately expelled from schools: almost half of all students expelled over the last five years were Black, even though Black students comprise only 12% of the TDSB's population; Indigenous students (0.3% of the TDSB population) represented 1% of all expulsions; and Middle Eastern students (4% of the TDSB population) represented 8% of all expulsions.

The results of racial discrimination in the education system are manifest in poorer outcomes for Black, Indigenous and other ethnoracially specific students.

#### **EMPLOYMENT**

Ontarians of colour are unemployed at a rate of 10.5% as compared to 7.5% for white workers – despite having higher labour force participation rates – and these disparities are widening. Discrimination against people of colour is persistent, such as employer discrimination against job applicants with Asian-sounding names, as found in a recent academic study.

There are significant racialized wage and employment gaps in Ontario – for both Indigenous Peoples and peoples of colour. Factors that contribute to making the gaps deeper and wider are: the systematic legislated exclusion and marginalization of First Peoples, systemic racism in hiring and promotion; de-skilling of immigrants due to non-recognition of international credentials and experience; and use of police record checks to discriminate against applicants. As a result, racialized people and immigrants are more likely to engage in (and stay in) precarious, low-wage employment.

Racialized people and immigrants are over-represented in part-time and precarious employment characterized by lower wages, absence of benefits, and job insecurity. The average hourly wage of full time workers (\$17.34) was much higher than the average hourly wage for part-time workers (\$13.02).

Wage gaps increase further for Indigenous women, women of colour, and immigrant women with university degrees. Indigenous women with a university degree earn 24% less than Indigenous men with a university degree, and 33% less than non-Indigenous men with a university degree. A 2016 report concludes that "[d]iscriminatory hiring and wage setting practices are undermining the benefits of education for these groups."

The number of temporary migrant workers in Canada has more than quadrupled since 2000. As of 2014 there were 567,977 temporary status workers in the country. Migrant workers in low-wage streams of temporary migration – disproportionately workers of colour from the global South – are exceptionally susceptible to exploitation and abuse.

Α	В	C
NDP Commitments:	Liberal Commitments:	PC Commitments:
The NDP will increase minimum wage	The Liberals introduced the Fair	The PC party will keep the \$14 minimum
to \$15 an hour and index it to inflation	Workplaces, Better Jobs Act, 2017 in	wage increase for this year but will cancel
for all workers including liquor servers	November 2017. The Act increased the	the increase to \$15 minimum wage next
and students, who currently have a	minimum wage to \$14 per hour on January	year, instead eliminating taxes for
lower minimum wage.	1, 2018 and it is expected to rise to \$15 on	minimum wage earners.
_	January 1, 2019.	

The NDP will provide 5 paid sick days for each worker, three weeks paid vacation for full-time workers, predictable work hours, and better treatment for temporary workers. They also promise 10 days paid leave for women escaping violence.

The NDP will implement workplace benefits for every worker including part-time, casual and independent workers.

The NDP is committed to employment equity, and will update and enforce the Pay Equity Act.

The NDP will allow any workplace the ability to unionize when 55% of workers sign a union card.

The NDP promises to expand Community Benefits programs to give experience to apprentices and allocate skilled trades placements to under-represented populations such as racialized and women workers. The legislation introduces provisions to implement equal pay for equal work, fairer scheduling rules, a minimum of three weeks' vacation for employees with five years' seniority, expanded ten days' personal emergency leave including two days' paid leave, unpaid leave for critically ill family members, and extended leave when a domestic or child has experienced or is threatened with domestic or sexual violence.

However, the Act backtracked on certain provisions by introducing several large and vague employer exemptions. For instance, workers lose their right to refuse last minute shifts in schedule for reasons such as emergency, public safety threat, or other reasons that may be put into the regulation. The Act also allows wide exemptions to equal pay for equal work provisions. The Act will allow limited union certification in some sectors.

The Liberals have also introduced Community Benefits Agreements for some large infrastructure projects including the Eglinton Crosstown LRT - to create employment and training opportunities for historically disadvantaged groups.

#### **HEALTH AND WELL-BEING**

Health and well-being remain huge issues for racialized communities, who continue to have poorer health outcomes, lack of support for issues of physical and mental health, and who face the disproportionate impact of systemic racism in our health care system. Racialized communities – particularly Indigenous Peoples and those who are immigrants, low-income or stuck in precarious jobs – are acutely impacted by these inequalities in healthcare access and health status. This is mainly due to four reasons: First, the systematic racism that has long informed the nature and quality of care provided to First Peoples. Second, eligibility for publically funded health insurance program in Ontario (the Ontario Health Insurance Program – OHIP) is unevenly tied to immigration status/categories and strict residency requirements. Third, not all healthcare services in Ontario are funded including dental care, eye-care, out-of-hospital prescription drugs (with some exceptions), and medical devices. And Fourth, little progress has been made in terms of putting health equity and a social determinants of health framework into routine practice within the healthcare system.

Studies suggest that a number of factors negatively affect the health of Indigenous People and people of colour in Canada, including: the psychological stress of living in a racist environment; unequal economic opportunities; poor housing; lack of food security; inequitable access to education and other social supports and resources; disproportionate exposure to environmental toxins; employment in dangerous and precarious work; mistrust of the health-care system; and under-utilization of screening programs.

## NDP Commitments:

The NDP will: invest \$19 billion over 10 years for hospitals, add 2,000 new hospital beds and 15,000 long-term care beds by 2023; fund more hospital staff to ensure shorter wait times and fewer cancellations for surgeries, and remove "arbitrary annual caps" on the number of surgeries due to understaffing; and implement a \$475-million pharmacare plan covering 125 commonly prescribed drugs including some takehome cancer medication and drugs used for those transitioning genders.

#### **Liberal Commitments:**

The 2018 Ontario budget included the following: an investment of \$822 million towards hospital care and infrastructure; \$300 million for registered nurses in long-term facilities and to increase the number of hours each registered nurse spends with patients by 2022; a drug and dental program to cover 80 per cent of drugs and dental costs; and expanding the covering of drug costs for seniors (65 and over) – with a projected spending of about \$575 million.

Psychotherapy will be made available for up to 350,000 more people suffering from mild

## PC Commitments:

The PC party will create an additional 15,000 new long-term care beds over the next five years and 30,000 new beds over the next 10 years. It will resolve hospital overcrowding leading to patients being treated outside of private rooms, however no details are provided.

The PC party has said it will provide free dental care for low-income seniors. The PCs will encourage doctors to practice in northern Ontario by cutting their provincial taxes as low as zero per cent.

They will provide full dental care for contract, full and part-time workers, and low-income children and retired seniors living without a pension, and will eventually move to include all OHIP eligible residents.

The NDP will commit \$25 million to expand services at community health centres and public health units, and provide mobile dental services in rural, remote and northern Ontario communities.

They include access to healthcare in its commitment to a Sanctuary Province. It is expressed as emergency care for all residents regardless of immigration or insurance status, and is estimated to benefit 500,000 individuals.

to moderate anxiety. Further, 525 more supportive housing units will be added for people with complex mental health and addiction needs.

Although all of this spending is not targeted at low-income Ontarians, many of these changes will improve the conditions of racialized people and people living in poverty.

While the Liberal government passed the *Anti-Racism Act*, 2017, unfortunately the Act specifically excludes the healthcare sector from data standards to identify and monitor systemic racism and racial disparities for the purpose of eliminating systemic racism and advancing racial equity.

#### HOUSING AND HOMELESSNESS

For many Ontarians, the lack of affordable housing continues to be one of the largest concerns in their ability to thrive in Ontario. Homelessness in Ontario is growing, with poverty being a leading cause. Precarious housing and inadequate housing conditions are widespread and persistent. In Canada, racialized communities – both First Peoples and peoples of colour – experience poverty in disproportionate numbers. Their housing conditions reflect this reality. Research shows that poverty and "minority race" are key factors that can lead to homelessness. Racialized people experience disproportionately higher levels of homelessness and poor housing. Immigrants and refugees in Ontario – disproportionately peoples of colour – are at risk for homelessness due to poverty, discrimination, cuts to social programs, lack of housing services, and lack of information about their rights. Further, being homeless can pose a variety of barriers to pursuing employment.

According to the 2016 census, 15.3% of Ontarians are in core housing need, an increase from 14.5% from the last census in 2006. In addition to the visibly homeless, 450,000 – 900,000 Canadians represent the 'hidden' homeless. Hidden homelessness is defined as people who live "temporarily with others but without guarantee of continued residency or immediate prospects for accessing permanent housing." Those who reported an Indigenous identity were more than twice as likely (18%) to have experienced hidden homelessness as their non-Indigenous counterparts (8%).

Toronto is Canada's primary destination for immigrants and refugees, and racialized newcomers are strongly over-represented in the city's poor-quality rental buildings.

Racialized groups are often forced to accept housing that is unsafe, substandard and in neighborhoods that have high crime rates and a low average income. Studies also suggest that issues in the labour force may result in increased vulnerability to eviction. According to a recent review of the tenant duty counsel services completed by the Advocacy Centre for Tenants Ontario (ACTO), 44% of tenants who utilized those services indicated that they identify with one or more racialized groups.

Α	В	С
NDP Commitments:	Liberal Commitments:	PC Commitments:
The NDP promises to build 65,000	The 2018 Ontario budget stated that the	The PC Party has no commitments on this
new affordable housing units and	Province is committing \$547 over five years	issue.
30,000 new supportive housing units	for repairs and retrofits to help support	
over 10 years in partnership with the	energy efficiency and long-term	
federal government, not-for-profit and	sustainability of social housing buildings.	

co-op housing sectors, starting with \$1.4 billion for 12,000 supportive housing units in their first mandate.

The platform acknowledges the poor state of social housing in Ontario, and states that they will meet Ontario's responsibility to repair social housing and shelters. However, no particulars are provided regarding the repairs that will be undertaken.

The NDP platform promises to overhaul inclusionary zoning regulations so that they require a certain number of affordable homes in new housing developments.

The NDP promises to include social housing in its Access Without Fear policy.

It also states that \$3 million will be dedicated to establish a Cooperative Housing Development Fund to encourage creation of new cooperative housing.

\$5.8 million will also be spent towards a facility to create components for homes over three years. These components will be sent to 120 Habitats for Humanity sites across Ontario.

The Liberal government passed the *Rental Fairness Act*, 2017 which expands rent control to all private rental units, introducing a standardized lease, introducing protections and compensation for tenants due to abuse of the "landlord's own use" provision, prohibiting landlords from pursuing former tenants for unauthorized charges, and prohibiting above-guideline rent increases where elevator maintenance orders have not been addressed.

#### **HUMAN RIGHTS SYSTEM AND RELATED PROTECTIONS**

Human rights continues to be an important issue in Ontario – particularly to those Ontarians who are most vulnerable, such as Indigenous Peoples, peoples of colour, persons with (dis)abilities, women, seniors, new immigrants, LGBTQ community members, and low-income Ontarians, to name a few. Human rights, however, remains a sideline issue for political parties in Ontario who are focused solely on issues such job creation, tax cuts and healthcare.

Being able to meaningfully enforce ones basic human rights (freedom from all forms of discrimination – example race, gender, sexuality, and faith) is a critically important aspect of life. Embedded protections for gender-based violence, unfair employment practices, etc., can provide strong protections for low-income racialized people – both Indigenous People and people of colour - in Ontario.

Α	С
Liberal Commitments:	PC Commitments:
Committed to the on-going work of the Anti-	The PC Party has not commented on this
Racism Directorate, including the collection	issue.
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racism, Islamophobia, and anti-Semitism.	
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	Liberal Commitments: Committed to the on-going work of the Anti-

to a vote as it did not receive government support.	

### IMMIGRATION, NEWCOMER SETTLEMENT AND INTEGRATION

Immigration to Ontario has been highly racialized for many years. Immigrants of colour, especially those who have arrived in the past ten years, are more likely to be living in poverty despite higher levels of education compared to non-racialized persons. Employment is the single biggest concern for the majority of newcomers. Racialized immigrants are more likely to be unemployed. They are also more likely to be under-employed and in precarious employment. A growing number of newcomers do not have full resident status in Canada, which can contribute to their poverty.

Access to newcomer settlement and integration services, including employment and language training is an important concern. While the biggest investment for such services comes from the federal government, the provincial government has an important role to play as well.

While Ontario continues to receive the highest number of immigrants to Canada, the proportion of immigrants has been dropping over the past few years. This is a major concern since it is generally accepted that immigration is one of the factors that drives Ontario's economy.

Α	В	С
NDP Commitments:	Liberal Commitments:	PC Commitments:
The NDP platform promises to make	The Ontario 2018 Budget announced \$45.6	The PC Party has not commented on this
the Ontario Immigrant Nominee	million over three years into the Ontario	issue. But when asked about the party
Program responsive to the labour	Bridge Training Program, serving up	leaders' support for a pilot project that
market. It also states that	to 14,000 more immigrants, including by	would bring provincial immigration
partnerships will be created with	increasing access to the program in more	nominees to northern Ontario, at a
NGOs to create job opportunities and	communities, expanding mentoring	leadership debate in Parry Sound, party
settlement services in rural, remote	programs and increasing access to loans.	leader Doug Ford said, "Once we take
and northern communities and		care of our own and we exhaust — we
promises proper funding for language	The Liberals introduced an In-Demand	exhaust every single avenue and we don't

training.

The NDP platform also promises to work with the federal government to streamline the process for international credential recognition, and promises support for bridging programs.

The NDP states it is committed to working with the federal government to meet the target of 5% Francophone immigration to Ontario, and promise French language access to government services.

The NDP platform also promises to stop using provincial jails to detain immigrants.

Lastly, the platform also promises to declare Ontario a Sanctuary Province, including Access Without Fear policies for police, health and social services on a province-wide basis. Skills Stream in the Ontario Immigrant Nominee Program to allow a pathway to Permanent Residency for certain eligible occupations in the National Occupation Classification (NOC) Skill Level C or D.

In 2017–18, the Liberal government provided over \$110 million for employment supports and language training in English and French for newcomers. In 2015-17 Ontario received 41 per cent of Canada's population of resettled refugees. The Liberal government increased investments to support refugee resettlement, as well as services for vulnerable newcomers including people without immigration status.

The 2018 Budget includes a promise to establish a capital stream for organizations to plan long-term initiatives. This would be an extension of the Multicultural Community Capacity Grant program provided in 2017 to support newcomer and ethno-cultural communities to fully participate in the civic, cultural and economic life of Ontario.

have anyone that can fill the job — then I'd be open to that'. He subsequently said he is supportive of new Canadians and immigration.

The PC party has stated it will create more spaces for apprenticeships and remove barriers to credentials recognition for new immigrants.

#### JUSTICE AND POLICING

Racialized communities – both Indigenous Peoples and peoples of colour – are over-represented among the low income population and face heightened risk of homelessness, incarceration, and human rights violations. However, access to justice, and the fair representation of racialized individuals before courts, administrative tribunals and government agencies, and access to legal aid is made that much more difficult because of their race and/or immigration status on the one hand, and the lack of culturally and linguistically reflective, responsive and safe services in the justice system on the other.

Indigenous communities and communities of colour have reported experiencing racial profiling and discrimination in police street checks, traffic stops, investigations, searches, DNA sampling, arrest decisions, and use of force.

Data on traffic stops collected by the Ottawa Police Services from 2013 to 2015 found that Black drivers were stopped 2.3 times more often than expected given their representation in the driving population; young Black men were stopped 8.3 times more; Middle Eastern drivers were stopped 3.3 times more; and young Middle Eastern men were stopped 12 times more.

A 2014 study found that Black people were 3.4 times more likely to be carded by Toronto police than expected, given their representation in the population.

Α	Α	С
NDP Commitments:	Liberal Commitments:	PC Commitments:
The NDP states it will ensure police	The Liberals passed the Safer Ontario Act,	The PC Party has not commented on this
receive up-to-date anti-racism and	2018 that enacted full scale reforms of	issue.
anti-bias training, and up-to-the-	police oversight bodies and community	
minute training on changes to the law	safety for the first time in a generation,	
and how the laws are being	responding to the recommendations of the	
interpreted by the courts.	Independent Police Oversight Review by	
	Justice Tulloch in April 2017.	
The NDP also promises to ban police		
street checks and to delete all data	The Act creates a new Inspector General to	
obtained through carding, and will	oversee police services and service boards,	
support the recommendations coming	training requirements with respect to human	
from the Justice Michael Tulloch	rights, racism, and Indigenous issues,	
Independent Street Checks Review.	strengthening and clarifying police oversight	

	bodies. The Liberals have also released regulations to stop arbitrary street check practices by police, but stopped short of banning the practice outright or deleting data obtained through carding. The government has also appointed Justice Tulloch to conduct an Independent Street Checks Review to report on the practice and make recommendations by January 2019.	
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#### **POVERTY REDUCTION**

Poverty in Ontario is heavily racialized. People of colour are two to six times more likely to live in poverty as compared to white Ontarians. Indigenous peoples are also over-represented among the low income population in this province. Child poverty is also highly racialized. Toronto, the child poverty capital of Canada has more than one in four kids living in low-income families, based on the 2016 census. Children from racialized families are more than twice as likely to be living in poverty as those from non-racialized families, or 23.3 per cent compared to 11.4 per cent. About 84 per cent of Toronto's Indigenous families with children are living in poverty. When it comes to newcomer families — many of whom are also racialized — almost half of Toronto region children whose parents arrived in Canada within the past five years live in poverty - almost three times the rate of poverty experienced by children in non-immigrant families.

Α	Α	С
NDP Commitments:	Liberal Commitments:	PC Commitments:
The NDP platform states that they will	The 2018 Ontario budget states that the	The PC Party has committed to continuing
target and fix the social assistance	Ontario Works and Ontario Disability	Ontario's basic income 3 year pilot project
programs in place – an NDP	Support Program rates will be increased by	and analyzing the results of the project, if
government will restructure the	three per cent every year for the next three	elected.
current systems to create a person-	years. Further, people will be able to receive	
centered approach by ensuring that	up to \$400 per month of employment	

they have access to services such as counseling, housing, mental health supports, and addiction services.

The NDP promises to continue the Basic Income pilot and evaluate the results, and promises to develop a minimum income standard over ten years.

Based on advice in the report from the Income Security Reform Working Groups – titled "Income Security: A Roadmap for Change" - the NDP also promises an increase of 10%, 7% and 5% for people on social assistance, and an annual 5% increase for people on the Ontario Disability Support Program based on advice from the working group and promises future increases to be set by an independent panel.

income without it impacting their social assistance benefits. Other benefits and allowances, including the Personal Needs Allowance and Comfort Allowance, which are available to Ontarians residing in long-term care homes and emergency shelters, will be increased by two per cent every year for the next three years, starting in 2018.

Further, the Liberal party will also take steps to increase Indigenous engagement in the design and delivery of social assistance programs.

However, despite racialized groups being recognized as among groups with a heightened risk of experiencing poverty in the *Poverty Reduction Act*, 2009, the Liberal government has consistently failed to present targeted policies and interventions to deal with the disproportionately high rates of poverty experienced by communities of colour in their Poverty Reduction Strategies.

## **APPENDIX**

#### LIST OF COLOUR OF POVERTY - COLOUR OF CHANGE STEERING COMMITTEE MEMBERS

- Access Alliance Multicultural Health & Community Services
- African Canadian Legal Clinic
- Canadian Arab Federation
- Chinese and Southeast Asian Legal Clinic
- Chinese Canadian National Council Toronto Chapter
- Council of Agencies Serving South Asians
- Hispanic Development Council
- Karuna Community Services
- La Passerelle I.D.E.
- Mennonite New Life Centre of Toronto
- Midaynta Community Services
- OCASI Ontario Council of Agencies Serving Immigrants
- South Asian Legal Clinic of Ontario
- Thorncliffe Neighbourhood Office
- Professor Grace-Edward Galabuzi (Ryerson University)