Human rights and **policing:**

Creating and sustaining organizational change

Consistent with the Declaration of Principles in the Ontario *Police Services Act*, which enshrines the importance of safeguarding the fundamental rights guaranteed by the Canadian *Charter of Rights and Freedoms* and the *Human Rights Code*, the Ontario Association of Chiefs of Police supports the work of the Ontario Human Rights Commission and its development of *Human rights and policing: Creating and sustaining organizational change.* In our view, the manual outlines key principles and offers a model for human rights organizational change that may be used by police services in their efforts to meet their obligations under the Ontario *Human Rights Code* and to better serve Ontario's diverse communities.

— Chief Robert Herman, Thunder Bay Police Service,
President, Ontario Association of Chiefs of Police

The Ontario Association of Police Services Boards is pleased to support *Human rights and policing: Creating and sustaining organizational change.* Ontario's *Police Services Act* requires that police services are provided in a way that takes full cognizance of the Ontario *Human Rights Code.* As part of their governance responsibilities, police services boards are required to ensure adherence to this principle. This manual illustrates examples of specific actions to consider in the areas of organizational and employment practice, service delivery and training as it relates to human rights. It is a forward thinking, invaluable tool supporting the development and implementation of human rights organizational change. Police services boards and police services seeking to embark on systematic human rights organizational change will benefit from this progressive guide.

— Ontario Association of Police Services Boards

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Acknowledgements

Like all publications and policies of the Ontario Human Rights Commission, Human Rights and Policing is a joint effort, involving a lot of consultation and conversation.

The guide draws on what we learned working in partnership with the Toronto Police Service and the Toronto Police Services Board. Our three-year collaboration, the Human Rights Project Charter (2007-2010) was a ground-breaking project, aimed at making real progress in building a human rights culture in a complex organization.

We would like to acknowledge the tremendous commitment and contributions of the Toronto Police Service and the Toronto Police Services Board in making the Project Charter possible, including the comments and feedback provided by the Toronto Police Service in the development of this guide.

We also thank the Ontario Police College, our partner in providing human rights training events to police organizations across Ontario. Many police services and organizations have participated in these activities and, as a result, have contributed to some of the lessons we have learned and now share in this guide.

We hope that your police service and community will be inspired by this guide and will find useful advice on how to help your organization fully respect and accommodate the dignity, worth and human rights of everyone you serve.

✦ Preface

Human rights and policing: creating and sustaining organizational change is the first guide of its kind in Ontario. It aims to encourage and support police services across the province to better fill their critical role in preserving safety in our communities.

As Ontario becomes more diverse, all parts of society – including police services – must respond to meet the changing needs of a changing population. Applying an inclusive human rights lens is key to successfully preventing and resolving future conflicts.

Our job at the Ontario Human Rights Commission (OHRC) is to build a climate of understanding and mutual respect so that even the most vulnerable people in our society feel a part of the community. Human rights principles help us move away from an "us versus them" approach – it is about working together to build strong, healthy communities.

Over the past three years, the OHRC worked with the Toronto Police Service and the Toronto Police Services Board on a human rights organizational change partnership. The project has provided all of us with insight and lessons on how police services across Ontario can effectively apply human rights principles at all levels of their organizations.

This guide is the culmination of that learning. It offers a broad framework with key principles and concrete examples of good practices to guide organizational change in police services. It includes best practices – and things to avoid – and offers many case study examples.

Organizational change ultimately depends on local leadership and decisions based on local needs and organizational cultures. We have developed this guide so that the people responsible for implementing change processes have the tools to get started.

This has been a ground-breaking project for the OHRC. We learned so much. Now we look forward to sharing what we learned and supporting police services across our province and country as they take a progressive approach and embed human rights in their own unique organizations.

We continue to build relationships with police services across Ontario, and to support individual police services as they work to provide the best possible service to every member of their community.

Barbara Hall, B.A, LL.B, Ph.D (hon.)
Chief Commissioner
Ontario Human Rights Commission

Executive summary

Background and purpose

This guide aims to encourage and support police services across Ontario in their work as it relates to upholding the Ontario *Human Rights Code*. The development of this guide is built on the experience gained in a three-year collaborative human rights organizational change project between the Ontario Human Rights Commission (the OHRC), the Toronto Police Service (TPS) and the Toronto Police Services Board (TPSB). The principled human rights approach elaborated in the guide can help police services better serve the needs of Ontario's increasingly diverse communities, and draw on the strengths of police services' own internal diversity.

The guide integrates human rights and organizational change theory and best practice and provides a solid foundation from which to foster and sustain inclusive police services and prevent human rights violations before they happen. The guide details an ongoing, consciously planned for, change process that engages all aspects of organizational functioning, in a systematic effort to advance organizations and services towards enhanced inclusiveness and respect for the dignity, worth and rights of everyone. The guide showcases the value of adopting such a comprehensive human rights organizational change strategy and approach as a means of proactively responding to, and complying with, human rights obligations in all employment and service practices.

The earlier sections of the guide define and explain some of the key foundational human rights terms and principles distinguishing the human rights approach. The core sections of the guide elaborate recommended steps and best practices (including "things to avoid") which are interspersed with many case study examples from the Toronto Police Services Human Rights Project experience. These case study examples provide concrete examples of the application of human rights organizational change strategies within a policing organizational setting. While highlighting the example of the TPS, the guide recognizes the diversity of organizational settings and capacities within Ontario's police services, and encourages users to tailor their strategies accordingly.

Key components of an effective human rights organizational change strategy explored in this guide include, and stress the importance of:

- A comprehensive organizational change approach
- A unified, committed and involved leadership
- An articulated vision and shared terminology
- Empowered and capable lead change agents
- A multi-stakeholder structure and process for change
- Ongoing monitoring and evaluation
- Ongoing communication and reporting
- Identifying and planning for resistance; and
- Choosing strategic "areas of focus" for change

The closing sections of the guide provide some very concrete examples of specific actions to consider in the areas of organizational and employment practices, service delivery and training, again drawing on the Toronto Police Service experience.

Finally, a Glossary of Terms is included in the Appendix that brings together and defines many of the key terms and concepts discussed throughout this manual for ease of reference.

1. Introduction

Over the past few decades, we have seen major changes in communities across Ontario and across Canada. The make-up of our neighbourhoods, and the needs and realities of residents, are very different than they were in past years. Police services are also evolving to reflect the needs and issues of the people they serve. Adding human rights values to the mix is an important part of this evolution.

This guide was developed following a three-year collaboration between the Ontario Human Rights Commission (the OHRC), the Toronto Police Service and the Toronto Police Services Board. Its goals are to share some of the lessons learned, and to encourage and support other police services in their work on human rights organizational change.

The guide looks at how organizational change can promote inclusive police services for the community, and help develop police services that promote human rights values throughout the organization.

2. What is human rights organizational change?

Human rights organizational change: The process of moving an organization to be more inclusive, and to fully respect and accommodate the dignity, worth and rights of all people.

Human rights organizational change is a planned change process aimed at understanding and complying with human rights obligations in all employment and service practices.

Complying with all human rights obligations and norms can be challenging. Human rights involve multiple rights and obligations that are often hard to interpret. Understanding of these rights is constantly evolving as society changes and becomes more diverse and complex. While it is difficult for organizations to anticipate and prevent all human rights violations, they can and should establish systems to anticipate and manage known human rights concerns. It is also possible to develop an understanding that can help effectively manage new issues.

All organizations in Canada must uphold human rights laws established by human rights codes and the *Charter of Rights and Freedoms*.

Members of the Ontario Senior Officer's Police Association are committed to a leadership role in promoting human rights and responsibilities in our police services and our communities. Our members respect individual rights in an increasingly diverse society and support systems that foster and sustain inclusive police services and prevent human rights violations before they happen. Human rights and policing: Creating and sustaining organizational change is a comprehensive guide on change management and specific actions to promote human rights in police organizations.

— Superintendent Anne McConnell, Waterloo Regional Police Service, President, Ontario Senior Officer's Police Association

3. Why change?

Police services have many reasons to engage in human rights organizational change. Police services across Ontario see an increasingly diverse society. As the Right Honourable Beverley McLachlin, former Chief Justice of Canada has said:

> Whether we like it or not, religious, ethnic and cultural diversity is part of our modern world – and increasingly, part of our national and community reality. **Human rights and the respect for every individual upon which they rest, offer the best hope for reconciling the conflicts this diversity is bound to generate.** If we are to live together in peace and harmony – within our nations and as nations in the wider world – we must find ways to accommodate each other. Human rights, expressed in the fabric of our law and administered by our courts and tribunals, provide a way to accomplish this.[1]

While providing a framework for resolving conflict, human rights also help set a vision for harmony between differing members and groups in society.

Applying human rights values is a vital tool for effective policing in today's world. Members of the public feel more confident in dealing and partnering with police and are more likely to respect, trust, and cooperate with police services when they feel the police respect their individual rights. Human rights organizational change can help build this kind of positive relationship between police and all of the communities they serve.

Police services have had increasing numbers of human rights complaints over the last several years. These can be expensive to defend and resolve. As a result, many police services have seen human rights as working against their interests. Although some of these complaints may not be proven, complaint processes are a vital part of the commitment to human rights in Canadian society. Human rights organizational change will help prevent these types of complaints, and the knowledge gained will help police services learn from organizational failings and improve systems and practices.

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[1] The Right Honourable Beverley McLachlin, Chief Justice of Canada at the Fourth Annual Human Rights Lecture of the Law Society of Ireland in May 2008, at page 20

4. Human rights organizational change: key terms

Effective human rights organizational change requires a solid understanding of the legal and ethical requirements of human rights in Ontario, and the elements of effective organizational change.

4.1 Human rights

Human rights recognize the dignity and worth of everyone, and uphold the freedom and equality of each person. They apply to all individuals. Human rights values are established legally in Ontario through commitments made by Canada by signing the *Universal Declaration of Human Rights,* the Canadian *Charter of Rights and Freedoms*, and in federal and provincial human rights legislation, such as the Ontario *Human Rights Code* (the *Code*).

The Supreme Court of Canada has said that human rights legislation such as the *Code* is "quasi-constitutional." You must comply with it before other laws, unless there is a specific exception. In terms of police activity, the *Code* supersedes the *Police Services Act*. When there is a conflict between the *Code* and the *Police Services Act*, the *Code* will prevail.

The *Code* applies to police organizations as employers of both civilians and officers, as providers of police services, and as contractors with businesses or purchasers of services. The *Code* also applies to unions and professional associations within police organizations, and to contracted services and service providers. The *Code* protects people from discrimination based on 15 grounds (see Table 1).

4.2 Grounds of the *Code*

Table 1: *Human Rights Code* grounds in Ontario

■ Race
■ Ancestry
■ Place of origin
■ Colour
■ Ethnic origin
■ Citizenship
■ Creed (religion)
■ Sex (includes pregnancy, gender identity and breastfeeding)
■ Sexual orientation
■ Age (18 years or older)
■ Record of offences (only in employment)
■ Marital status
■ Family status
■ Disability (includes perceived disabilities and mental disabilities)
■ Receipt of public assistance (only in housing).

Serving With Pride fully supports Human rights and policing: Creating and sustaining organizational change. We feel this is a great step forward to ensure assistance is available for services in relation to human rights.

– PC Robert Dunford, Ontario Provincial Police, Secretary, Serving With Pride

4.3 Discrimination

The *Code* does not define discrimination, but tribunals and courts have stated that it includes:

- not individually assessing a person's unique merits, capacities and circumstances
- making stereotypical assumptions based on a person's presumed traits
- excluding persons, denying benefits or imposing burdens.

The OHRC offers a plain language definition of discrimination as follows:

> **Discrimination** is treating someone unfairly by either imposing a burden on them, or denying them a privilege, benefit or opportunity enjoyed by others, simply because of their race, citizenship, family status, disability, sex or other personal characteristics.

Many people think that discrimination does not happen if it was not intended, or if there are other factors that could explain a certain event. However, discrimination can take place without any intent to do harm. For instance, an organization could advertise employment opportunities by word of mouth. This could unfairly exclude certain people from employment opportunities and as such constitute discrimination, even if this was not the intention.

Discrimination takes many forms and may be direct or indirect. It can be based on perceived or real characteristics of individuals. Harassment is one type of direct discrimination that many can recognize. Profiling based on race or other grounds is another type of direct discrimination, whether intentional or not.

Systemic discrimination happens when rules, standards, practices or requirements appear to be neutral but, in fact, have a discriminatory impact on people identified by the *Code*. Systemic discrimination is often unconscious and built into an organization's administrative structures. Organizations are often unaware of its presence.

Human rights organizational change targets systemic discrimination. Organizations that design inclusive systems and explore ways of accommodating individuals are less likely to have systemic discrimination issues. Inclusive design signals to everyone that discrimination will not be tolerated.

5. Complaints and allegations against police

Police provide a vital function that often brings them into conflict with members of the public. As a result, police can face complaints (now called applications) based on the *Code*. The pattern of these complaints provides police services with some idea of the major human rights concerns they currently face.

Table 2: Human rights complaints against police in Ontario

- In 2007, the OHRC had 151 active applications against 21 different police services boards across Ontario, and another 19 applications were before the Ontario Human Rights Tribunal
- Applications against police services boards accounted for 4% of all active human rights applications, making them the largest single sector for human rights complaints in Ontario
- 110 (73%) of police human rights applications related to police service
- 41 police human rights applications (27%) involved employment
- about 62% of complaints against police services were on the grounds of race, colour, ethnic origin, place of origin or ancestry
- about 30% of complaints cited disability
- 5% involved sexual orientation.

Human rights complaints against police organizations are consistently the largest single sector of human rights complaints in Ontario.

The above statistics also show that:

- these complaints were filed mostly about services provided to the public
- a significant number of complaints related to police as an employer
- the largest number of complaints were race-related, followed by disability
- discrimination based on sexual orientation is a concern.

Table 3 lists common allegations that have been made in human rights complaints against police services. Many of these resulted in settlements or findings of discrimination by the Ontario Human Rights Tribunal. The list shows human rights concerns can occur in virtually any part of police activity. While some of these allegations are about intentional acts of discrimination by individual police officers, most are not. The majority of these clearly relate to gaps in policies, procedures and practices, or

lack of training. While current training for recruits at the Ontario Police College involves basic training in the *Charter* and the *Code*, there is no formal requirement for further human rights training throughout a police officer's career.

Table 3: Some common human rights allegations against police in Ontario

- Use of racial slurs or comments during investigation or detention
  - e.g. generalized negative comment made about a social group – "you people" (with or without explicit racial epithet) – at a routine police traffic stop
- Degrading or rude treatment during arrest or detention
  - e.g. female suspect being strip searched on the street
- Racial profiling – different attention or treatment due to, or even partially due to, race rather than legitimate profiles
  - e.g. police questioning an Aboriginal person walking with his bicycle without reasonable suspicion, and asking for ID and ownership of the bicycle
- Incidents of false arrest
  - e.g. suspect was a Black man in early 20s wearing dark clothing, while the person stopped and arrested was a Black 43-year-old man who was wearing light clothing
- Asking for information irrelevant to the investigation at hand
  - e.g. asking about place of birth and religion where these are not factors in the alleged offence
- Police presence that is disproportionate to the incident
  - e.g. backup being called where a racialized man with a scooter was driving without a license
- Employment complaints where officers allege their disability was not accommodated
  - e.g. officer's accommodation request to not attend to an incident involving domestic violence due to a mental health ailment not taken seriously
- Design of systems that result in systemic discrimination for individuals based on *Code* grounds
  - e.g. release of mental health information to an organization as part of a police record check request

These complaints, and the many outcomes that have emerged from them, offer a wealth of experience and knowledge to build on during human rights organizational change in policing – and have already led to changes in police practices across Ontario.

6. Steps to create organizational change

Organizational change theories provide many good tools for organizations to effectively manage and respond to change. Considerable knowledge and experience is available on how organizations work and how they can be best changed. Experience has shown that changing large and complex organizations is not easy. Problems are often denied or go undetected. Even if problems are seen, effective solutions are elusive. Simple orders from above often fail because they do not anticipate and address resistance from key stakeholders.

Current knowledge on human rights organizational change identifies the following best practices:

1. A comprehensive organizational change approach
2. A unified, committed and involved leadership
3. An articulated vision and shared terminology
4. Empowered and capable lead change agents
5. A multi-stakeholder structure and process for change
6. Ongoing monitoring and evaluation
7. Ongoing communication and reporting
8. Identifying and planning for resistance
9. Choosing strategic "areas of focus" for change.

The following section discusses these best practices and how they relate to the human rights organizational change experience of police organizations in Ontario.

> York Regional Police is pleased to pledge our support of the Ontario Human Rights Commission and their role in preventing discrimination and promoting human rights in Ontario. We regard Human rights and policing: Creating and sustaining organizational change as an important document that will assist us in our ongoing commitment to the communities of York Region.
>
> – York Regional Police

7. Best practices for police human rights organizational change

Police organizations across Ontario have responded to the changing needs of an increasingly diverse population for many years. These efforts have included training projects and, in some places, efforts to recruit members of underrepresented groups.

> **The TPS experience**
>
> The Toronto Police Service has recently undertaken the most comprehensive police effort in Ontario to respond to a wide variety of human rights concerns. This involved forming a partnership between the Toronto Police Services Board (TPSB), the Toronto Police Service (TPS) and the Ontario Human Rights Commission (OHRC) that ran from 2007 to 2010. A copy of the TPS/OHRC/TPSB Human Rights Project Charter is available on the OHRC website at www.ohrc.on.ca.
>
> This innovative three-year partnership, the **Human Rights Project Charter**, aimed to identify and eliminate any discrimination that may exist in the employment and service policies of the Toronto Police Services Board and the practices of the Toronto Police Service. It was a systematic effort to address human rights concerns in the largest police service in Ontario.

This section shares lessons for human rights organizational change from the experience of the Toronto Police Services Human Rights Project. We recognize that the reality of a large urban police service like Toronto's is not the same as that of smaller urban and rural police services in the rest of the province, nor of the province-wide services of the Ontario Provincial Police. We have made an effort to provide guidance more appropriate to the range of police services in the province.

7.1 Comprehensive organizational change strategy

Many police organizations have had experiences with comprehensive organizational change. They have used these strategies to address a variety of issues. However, such strategies have not been extensively used to address human rights matters. Human rights organizational change efforts, where these do exist, have often taken the shape of a formal time-limited project and/or training session for staff. However, this kind of change should not be limited to a single project or training session, because such efforts provide only temporary fixes.

Human rights organizational change aims to *prevent* human rights violations and address concerns and issues as they arise, recognizing that human rights issues are many, complex, ongoing and constantly evolving. Such change must include efforts to establish permanent systems and processes to respond to human rights issues as they emerge. The main point of this guide is to showcase the value of such comprehensive and ongoing strategies for addressing human rights issues.

Comprehensive organizational change aims for lasting impact by fostering, developing and cementing change to organizational structures, policies, procedures, practices and culture, in a coordinated way. Human rights organizational change is a comprehensive and enduring process seeking to consciously shape all aspects of how organizations conduct their business in a coordinated and systematic way. These aspects include organizational structures such as departmental divisions, formal policies, procedures, practices, and organizational culture, infrastructure (technological and physical) and governance.

> **Organizational culture** *refers to informal norms and values that influence organizational activity and the experience of individuals both inside and outside the organization.* An organization may have dominant and competing subcultures. This manual suggests some of the key "structural" and "process"-related elements needed to help change cultural norms, values and identifications. It also emphasizes the importance of effective leadership and communication. Addressing "culture" head on, without having supporting structures in place, can lead to backlash and resistance because of the key role of culture in shaping peoples' personal lives and identities.

Comprehensive and coordinated organizational change efforts apply equally to both small organizations and large ones. When a comprehensive change strategy is used, small and large police organizations can benefit from any attempt to create an organization that can vigilantly address human rights.

The TPS experience

"The Toronto Police Service Human Rights Project targeted numerous organizational areas and functions, including recruitment, selection and promotion, staff training, public education, and performance management and accountability (See the TPS/TPSB/OHRC Human Rights Project Charter posted on the OHRC website for further details on the range of initiatives undertaken by the TPS in these areas at www.ohrc.on.ca).

The Toronto Police Service Human Rights Project was conceived as a three-year partnership, but it was never seen as a stand-alone project with no follow-up. A permanent Diversity Management Unit had already been established to address equity and diversity issues before the project was developed. The project aimed to jump-start the work of this unit and reinforce it with a broader human rights frame of reference. This unit was a natural place to maintain post-project human rights organizational change structures and processes.

Many project interventions required more than three years to fully put in place. To deal with this and to oversee evaluation of the overall project, a human rights advisory committee involving members from all three partnering organizations was established to meet quarterly for three years after the formal end of the project in May 2010.

Smaller police services with more limited resources may not be able to establish similar permanent units to maintain human rights systems. Having at least one full-time dedicated specialized staff person address human rights issues in the workplace is strongly recommended. However, smaller police services may also build capacity by partnering with larger police services and/or academic and community organizations that can provide advisory services and support. Each police service will need to identify an effective solution that meets its own needs and resources.

7.1.1 Best practices for comprehensive organizational change strategy development

Elements of a comprehensive human rights organizational change strategy may include:

- organizational strategy, vision, mission and value statements
- organizational policies, practices and procedures governing employment systems (including complaint and accommodation processes), programs and services, procurement, physical infrastructure and technology
- organizational governance, leadership and stakeholder relations
- performance management, monitoring and evaluation
- professional development and training
- communication and reporting
- a clear directive or policy that provides a formal mandate and context for the work of human rights organizational change.

7.1.2 Things to avoid in comprehensive organizational change strategy development

- Don't treat human rights organizational change as solely a matter for Human Resources. The entire organization needs to review how its business is conducted.

Do not view human rights organizational change as a time-limited training project. Systemic change requires ongoing assessment of structures and processes.

> The London Police Service is committed to maintaining a non-discriminatory workplace, both as a provider of policing services to the public and as an employer. As an organization, we support the principles of equity and fairness embodied in the Human Rights Code. Human rights and policing: creating and sustaining organizational change is an important tool for police services to assist in bringing about organizational change to reflect the rights and obligations embodied in the Ontario Human Rights Code.
>
> — Bradley S. Duncan, M.O.M., Chief of Police, London Police Service

7.2 Committed leaders

Policing in Ontario has a shared leadership structure. Police boards are publicly appointed civilian bodies that oversee police budgets and provide policy-level oversight to police services. Police chiefs head police bureaucracies that include officers and civilian staff. Because police are paramilitary organizations, police chiefs retain more power and influence than presidents and/or chief executive officers do in other bureaucracies. The support of police chiefs is critical to any change effort within police organizations. However, even a police chief can not hope to fully succeed without a supportive police board.

The TPS experience

In the Toronto Police Human Rights Project, both the Police Services Board and the Police Service signed on to a Charter agreement along with the OHRC. The Board Chair, the Police Chief and the Chief Commissioner of the OHRC signed this Charter as "sponsors" and widely publicized their commitment to it. Both the Board Chair and the Police Chief spoke at various events throughout the three-year project, to stress the importance of the project and its human rights goals.

The Charter also called for the sponsors to meet regularly to oversee the human rights organizational change effort. The commitment of these most senior organizational leaders and the direct involvement of other senior board and service staff in the project were instrumental in showing a united purpose and commitment.

A unified, committed and involved leadership is essential for change efforts in general, but particularly so in hierarchical paramilitary organizations like police. For change to happen, leaders must confidently communicate that:

- change is needed
- they are committed to it
- they will commit resources to it
- they will, themselves, be involved in assessing and guiding the effort.

Leaders can show their commitment by incorporating human rights goals and considerations into core business areas.

Top leadership support is not enough for change. Even in hierarchical organizations, there are different centres of power and potential resistance can prove overwhelming. Top-down orders to change rarely succeed without effectively managing stakeholder interests, and recognizing and planning for resistance (for more specific best practices, see sections on "Identifying and addressing resistance" and "Multi-stakeholder structure and process for change").

7.2.1 Best practices for leadership

- Police service boards and police chiefs share commitment, ownership and ultimate accountability for human rights organizational change, and as co-sponsors make a public and official statement of this shared commitment

- Involve police board members and the police chief directly in overseeing change efforts, possibly through regular "sponsors" meetings

- Consistently and visibly reinforce shared commitment through personal statements of support by organizational leaders at key events during the change effort

- Consult with human rights experts and key stakeholders in direction-setting activities.

7.2.2 Things to avoid for leadership

- Do not show discord among leadership about the vision, goal and value of human rights organizational change. Inconsistent or weak support among the leaders allows resistance to any change

- Do not have varying levels of operational commitment to this change or else change will happen inconsistently.

- Don't say you will do something but fail to follow through as this can jeopardize public/staff "buy-in" (see Communication section).

7.3 Vision and terminology for change

Any change effort requires leaders to clearly state a vision of where they want the organization to go and why. Vision is often stated in terms of values. Only when a vision is firmly established in the organization's structures and culture will change firmly hold. Human rights represent a lofty vision consisting of persuasive and inspiring values – and also of legal obligations. Focusing on human rights to deal with challenges of diversity and concerns about equity and fairness in policing is a natural "vision" fit.

However, exactly what "human rights" means, and exactly how it relates to other key concepts can be vague and unclear. Lack of clarity in vision and key concepts is often a source of confusion in change efforts. Spend time clarifying and articulating the vision and concepts that will enliven the organizational change effort, initially to the people involved in the effort and then, by extension, to all members of the organization and its stakeholders.

The TPS experience

The Toronto Police Human Rights Project emerged while the Toronto Police Service (TPS) was dealing with several community concerns and formal human rights complaints. These concerns included racial profiling and discrimination and harassment on the basis of race, disability and sexual orientation. Efforts to frame and respond to these concerns used a variety of related concepts, such as ethno-cultural diversity, anti-racism, equity and inclusion. With the involvement of the OHRC, the Board and the TPS began to see such issues through a human rights lens.

During early project meetings, participants, many of whom had little to no background in human rights matters, used many different terms to talk about human rights, often vaguely and with varied understanding. The group developed a shared conceptual framework to clarify concepts and terms and how they related to each other. This framework provided definitions for the key terms of "human rights," "equity," "anti-racism," "diversity," "inclusion" and "cultural competence," and provided a chart that related these terms in a meaningful way. Project leaders also developed a glossary of key terms. Project participants received training on both the conceptual framework and the glossary.

7.3.1 Best practices for developing vision and terminology

- Use legally grounded human rights values and law to frame the vision
- Develop and train lead change agents and staff on a shared conceptual framework and glossary of key terms (see Glossary in Appendix as starting point)
- Consult with human rights experts about definition and scope of various terms and frameworks.

7.3.2 Things to avoid when developing vision and terminology

- Do not proceed in an ad hoc way without any guiding vision or conceptual framework. Successful organizational change requires clear and consistent language and vision of where the organization wants to go and why

- Do not use terms and frameworks interchangeably (e.g. diversity, equity, anti-racism, inclusion, human rights) without clearly defining them or building a common understanding of the different nuances of such terms among project partners and leaders. Lack of clarity in vision and key concepts can cause confusion and conflict in change efforts.

7.4 Lead change agents

(a) Role

Formal change efforts need lead change agents to plan and oversee change activity. Lead change agents may perform many of the major tasks involved in change efforts, but their main role is to plan and manage the overall change effort. In any situation, effective lead change agents must have or get the expertise to lead and guide the work. Such expertise includes intimate knowledge of the target organization's structures and culture, knowledge of organizational change approaches, and a strong understanding of the type of change you are aiming for. Also, lead change agents must be positioned to have sufficient influence and access to resources. Effective lead change agents usually have direct access to top organizational leaders.

(b) Where to find lead change agents

Lead change agents are usually employees, but can be external consultants. In a smaller organization, a lead change agent can be a single staff member with other responsibilities. In larger organizations, a multi-staff working group or a dedicated unit is often possible – and needed.

Officer staff do the core of police work, and play the major role in leading and guiding these organizations. For a change effort to have full acceptance with the entire organization, officer staff must be seen to be a primary component of lead change agents. This can be particularly challenging for police officers in terms of human rights and exposure to specialized human rights knowledge. In larger police forces, successful human rights organizational change requires hiring dedicated personnel and setting up specialized unit(s) with such specialized knowledge to guide and support the change.

The TPS experience

In the Toronto Police Human Rights Project, lead change agents were already established in the Diversity Management Unit, which reported to a Deputy Chief. The unit was headed by a civilian staff person with expertise in policing organizations, organizational change, and human rights and equity work. A dedicated equity advisor was hired to advise the Chief of Police.

When the formal organizational change project began in 2007, a senior staff superintendent was designated to lead the project and a small executive group was developed, consisting of the staff superintendent, the Manager of the Diversity Management Unit, and representatives from the OHRC and the Toronto Police Services Board. This executive group established a group of lead change agents that was essentially co-led by officer staff and civilian staff that was empowered and had significant expertise. The executive group's task was to guide and supervise the organizational change efforts and report to the project sponsors.

Smaller police services may not be able to dedicate a full unit to act as lead change agents and employ specialized expert staff. Some smaller police services have positioned motivated officer staff to become lead change agents with direct reporting responsibility to top police leadership. These officers must receive adequate and appropriate training to be effective in this role.

(c) Choosing and supporting lead change agents
Staff selected as lead change agents often come from equity-seeking groups, because of their social experiences, identified concerns, and generally stronger awareness of human rights aims. However, individuals with such backgrounds are not the only possible lead change agents. It is also important that lead change agents not be seen as representing "special interest" groups, but be seen as representing the will and interests of the entire organization.

If a person chosen a sole lead change agent is from a minority background, it is even more important for senior leadership to strongly communicate its vision and support for human rights change, and to prominently position lead change agents in the reporting hierarchy. As well, do not assume that because a person comes from a minority group background that they will automatically have human rights knowledge and expertise. In many cases, it will be necessary to provide people with extra training and significant access to expertise in human rights and organizational change. Such expertise can be gained from other police organizations, the OHRC, the academic community and external consultants.

7.4.1 Best practices for selecting lead change agents

● Prominently position lead change agents in the reporting hierarchy

● If resources permit, use specialized staff or consultants to support lead change agents

● Make sure that officer staff are primary parts of assigned lead change agents

● If resources only permit one or a few staff to be positioned as lead change agents, make sure they are adequately trained and have access to expertise

● If lead change agents come from equity-seeking groups, make sure that they are strongly positioned and supported by senior leadership.

7.4.2 Things to avoid in selecting change agents

● Don't "silo" and/or delegate all responsibility for leadership for human rights organizational change at lower levels of the organization. All leaders must be part of the change efforts so they are taken seriously by everyone

● Don't rely exclusively on "parachuted in" change agents. They may have little knowledge of how the organization functions and may lack credibility among staff and the wider public. Leading change requires detailed knowledge of the organization's structures and culture, and effective relationships with the public and staff

● Don't assume that persons from equity-seeking groups automatically have human rights knowledge and expertise. Experiencing discrimination does not mean you understand and can analyze its causes or cures, from a human rights perspective

7.5 Multi-stakeholder structure

Involving stakeholders is particularly important for police organizations seeking human rights organizational change. Human rights issues potentially affect all internal and external stakeholders throughout the course of police work. Human rights concerns can and often do emerge in all areas of police activity, and particularly in service to the public. Involving all stakeholders is instrumental to identifying all relevant concerns, coming up with realistic solutions, putting changes in place, and gaining the "buy-in" needed to address resistance.

One of the main roles for lead change agents is to plan and establish formal structures and processes for change. A vital part of doing this effectively is identifying internal and external stakeholders and sources of expertise, support and resistance among them. It is ideal to involve all stakeholders in formal change structures, but this may not be possible in the case of resistant stakeholders. This primarily includes identifying available human resources, and mobilizing these in working structures like committees and working teams or groups as part of a comprehensive change program. It is also important to plan for educating participants, providing them with relevant information and research, coordinating and facilitating their work, and establishing processes for decision making, reporting and evaluation.

Selecting participants well, and supporting, training and acknowledging their involvement, are some of the best investments an organization can make towards human rights organizational change. Participants in change structures are important for identifying and implementing key change initiatives. They are themselves targets for human rights-related professional development and training, and can play a major role as "ambassadors" and "champions" for the change. This is another reason to try to include members from all key stakeholder groups in the change structures.

(a) Internal stakeholders: police associations
Police associations are an important stakeholder group. Efforts should be made to try to involve them in change efforts. They have many reasons to support human rights organizational change, because human rights improvements benefit police staff as much as members of the general public.

(b) External stakeholders
Many police services already have formal ways to consult with their communities and can use these to allow voices from the community to be included in change efforts. Try to include stakeholders from underrepresented, racialized and marginalized communities (referred to here as "minority community"). All community members have some interest in police activity and human rights, but minority communities identified by *Code* grounds are often especially interested since they are often the

most affected by human rights issues in policing. Communities may be identified by race, colour, culture, family status, disability and sexual orientation. These communities are diverse and may include people who are critical of police activity. Ideally, organizational change structures need to include voices from these communities to articulate key concerns and help search for effective solutions.

Human rights organizational change structures and processes will need to be different for police organizations of different sizes and natures. Smaller organizations use a less formal structure and smaller multipurpose committee, while larger organizations will likely need more elaborate structures with multiple committees, working groups and formal decision-making processes.

> Community involvement helps to ensure that human rights efforts and initiatives by police are relevant and in tune with local needs, and made known to the wider public. Community involvement enhances public accountability, and can also improve public relations and perceptions in the process.

Toronto Police Human Rights Project approaches

Because of the size of the Toronto Police Service, a multi-year project requiring highly formalized structures and processes for change was created.

The three partner organizations provided members to take part in seven different committees to administer the project (see Appendix "A" for a sketch of this project structure). The committees included a sponsors committee (the heads of the three organizations), an executive committee to plan and oversee the overall project, a project training committee, four working subcommittees focused on identifying human rights concerns and developing and implementing solutions in key areas of police activity, and an extended executive committee consisting of chairs from the four subcommittees and executive committee members.

The subcommittees focused on employment practices, police officer accountability, staff learning and training, and public education and liaison. Over the three years of the project, more than 100 people, mostly representing police staff and volunteers from many areas of the TPS, were involved in the committees. The TPS also provided a project coordinator working from the Diversity Management Unit. This coordinator served as a link between the committees and organized key meetings and events.

The OHRC's involvement was seen, among other things, as a way to incorporate communication from minority communities, as the OHRC often hears from community advocates and was deemed to be able to speak about many of these concerns. Also, a major goal of the change work was to create plans to involve the existing community consultative structures of the TPS in a formal way to advise on human rights issues.

Smaller police services will not need to develop the elaborate change structures and processes involved in the Toronto Police Human Rights Project, but can apply some of the features in more simple multipurpose structures. A small executive group composed of lead change agents is essential and can perform many tasks including coordinating, facilitating, training, evaluating and reporting on the entire project. A single multi-stakeholder committee can be set up to perform many of the same tasks performed by the TPS project's four working groups. Many smaller police services enjoy positive relations with their police associations and minority communities, and can involve them in committee work, as active participants or advisors.

7.5.1 Best practices for governance of organizational change and stakeholder engagement

- Involve all internal and external stakeholders in change structures, including, if possible, police associations and critical community groups

- Develop an executive group that is able to coordinate and facilitate project work

- Develop multi-stakeholder working committees to identify human rights concerns and solutions, and develop and implement action plans. Include relevant corporate and operational management, staff and subject matter experts (e.g. Human Resources if dealing with human resource issues) to ensure local responsiveness of efforts and consistency with business processes and protocols

- Plan for and conduct evaluation of project work and impact, preferably by neutral third-party experts

7.5.2 Things to avoid in governance of organizational change and stakeholder engagement

- Do not delegate full decision-making responsibility to advisory committees and others in a way that abdicates executive leadership, responsibility and accountability for human rights organizational change. Leaders must be actively involved to ensure that change efforts are taken seriously by all members of the organization

7.6 Monitor and evaluate

> "What gets measured gets done, what gets measured and fed back gets done well, what gets rewarded gets repeated." (John E. Jones, Leadership Trainer)

All change efforts need to be evaluated. The two basic components are evaluating the change efforts and the impact of these efforts. Evaluating the impact shows the real benefit of change efforts, and can help to identify future needs. Ideally, evaluation should be built into initial planning. Evaluating for impact works best when you identify indicators for success early, set clear benchmarks and identify goals for change. Such evaluation requires research skills that police services may not have. Partnerships with academics or other better resourced police organizations may be cost effective ways to do the evaluation. Having a neutral third party do the evaluation can add credibility to findings. Even where resources are scarce and

partnership opportunities are limited, simple internal methods of evaluating impact will be valuable.

(a) Post-project monitoring and maintenance

Large organizations may need to start human rights organizational change with a time-limited project to raise the attention needed to foster and integrate significant systemic change. However, post-project measures must be developed to monitor and manage human rights issues and to help establish longer term structures and processes. A successful human rights organizational change effort will plan for post-project needs in some formal way.

7.6.1 Best practices for monitoring and evaluation

- Clearly articulate SMART (Specific, Measurable, Actionable, Realistic and Time-lined) human rights organizational change goals and desired outcomes at the start of the project (in other words, define what success looks like)

- Develop and agree upon appropriate performance measures (including outcome measures)

- Regularly evaluate and assess impact of human rights organizational change efforts, and revise and update strategies and action plans in light of incoming information

- Partner with academics or other better resourced police organizations to conduct evaluations if you lack internal expertise

- If human rights organizational change begins as a time-limited project, make sure there is post project evaluation and follow-up to establish and guide more enduring human rights processes and systems.

7.6.2 Things to avoid in monitoring and evaluating

● Do not treat performance measures and data collection as ends in themselves by failing to analyze, report and/or act on the information obtained. "Intelligence" – data collection, analysis and reporting – must be tied to a specific goal.

7.7 Communication and reporting

Reporting should spell out the vision and values guiding the change effort, and detail the change efforts being made and specific changes that are being developed or implemented. As public bodies, police organizations should report publicly. But do not overstate the success of change efforts – allow the facts to speak for themselves.

Critical groups will not be convinced by reports alone, but will appreciate transparency. Make reporting formats and mechanisms accessible with broad outreach to the public. Different communities have different needs - consider formal reports, newsletters, media articles, flyers and inserts in community publications. Ideally, make these available in different languages (depending on demographics and need) and publish them both on websites and in accessible hard formats.

Reporting can show the wider public that the police are acting in good faith to make meaningful and substantive human rights organizational change in an accountable, transparent way.

"The Charter agreement between the three partner organizations included a requirement that the Project report on its work and progress. The Project team released three annual reports that identified project highlights and detailed the work of the subcommittees. These reports were tabled at the public meeting of the Toronto Police Services Board, and were then released on the websites of the Board and the TPS. In addition to these formal annual reports, a newspaper insert about the TPS commitment to "Fair and Equitable" policing and referring to the Human Rights Project was distributed through community newspapers to over 450,000 households."

7.7.1 Best practices in communication

● Plan for and execute transparent, accessible and regular reporting on project progress, to the organization and the public.

7.7.2 Things to avoid in communication

● Do not fail to communicate successes and acknowledge gaps and failures. Sharing good practices inspires the same, while acknowledging challenges shows good faith and a will to continually improve

● Do not make promises that you do not keep. Show, through your actions, that the organization is committed to human rights organizational change. Words are quickly perceived as "empty" without corresponding actions to support them.

7.8 Identify and address resistance

Change of any type can create opposition. Almost all organizational change efforts will be met with some resistance. In any substantial change effort, try to anticipate where resistance might come from and plan how to respond. Not doing so can delay or even stop change efforts.

(a) Acknowledge resistance
Acknowledging resistance is a major step in addressing it. People resist change for reasons that are understandable, even if they may be misguided. Acknowledging perceptions and attempting to address these through patience and persistent messaging is a useful first step that will help you manage many difficult situations. In some cases, resistance will be deeply rooted and not easy to overcome – the only way to proceed may be to firmly but respectfully affirm change goals and initiatives.

(b) Sources of resistance
Resistance to human rights organizational change can come from many sources. Most people do not object to the idea of "human rights", but many may resist the effect of human rights on specific issues. These may be seen to be a threat or an affront in some way.

Here are some examples of negative reactions to human rights-related efforts in policing:

1. A police service tries to become a more diverse and representative workforce. Some white male officers see such efforts as "favouritism" that unfairly hurts their employment opportunities.

2. A police service works to accommodate religious attire in uniforms. This provokes a reaction among some people who think this is an affront to police unity and policing customs that undermines morale.

3. A police workplace takes steps to accommodate employees with care-giving responsibilities. Many staff view the accommodation as "favouritism" and unfair "preferential treatment."

4. A police service takes steps to acknowledge systemic racial discrimination or racial profiling. Staff deny systemic racism and racial profiling, and feel these steps are insulting to police officers.

The TPS experience

In the Toronto Police Human Rights Project, anticipating and planning for resistance was a regular item of discussion on the various committees. Discussion related to examples described above were just some of the types of resistance that were experienced. Employment equity efforts aimed at a representative police service, in particular, raised concerns. Efforts to respond to this resistance included:

- Clearly and consistently explaining the purpose and need for equity measures

- Showing that these measures were fully consistent with hiring and promotion on the basis of merit

- Affirming through objective data the extent to which new hires and promotions reflected the population.

Some concerns persist, but the project partners believe responding has helped reduce resistance.

7.8.1 Best practices in addressing resistance

- Anticipate, acknowledge and respond to resistance and the perceptions underlying it, through consistent and firm communication by senior leadership and through risk management planning at the start of the project.

7.8.2 Things to avoid in addressing resistance

Do not focus on convincing everyone of the merit of human rights organizational change efforts – which may be impossible. By supporting existing and potential "champions" and allies rather than a small minority of immovable detractors you are more likely to succeed.

7.9 Strategic areas of focus for change

Once an organization has established its human rights policy vision and a governance structure to oversee the design of a comprehensive human rights organizational change strategy, it will need to decide which change efforts to focus on.

While this kind of change involves all facets of an organization, not all areas can be addressed right away. Each organization will have key areas that may draw greater human rights concerns or be particularly important to preventing human rights concerns from arising. You will need to identify and focus on these areas first. The strategic choice of focus areas can make the difference between success and failure.

It is often useful to start with concerns relating to employment and service-based activity. Employment and services are two of the five social areas where discrimination based on *Human Rights Code* grounds is prohibited. For public service organizations like police and school boards, service-based human rights complaints outnumber employment-related ones.

Note that there are strong interactions between an organization's employment and service activities. For example, strongly affirming human rights values and legal requirements in employment will significantly help organizations to show the same commitment in the services it delivers.

In addition to focusing on employment and service functions, some specific human rights issues may be so significant that they need specific attention. For example, some police services have been seen to have strained relations with some communities identified by race, such as the Aboriginal and Black communities. Perceptions of racial profiling have been the source of a large number of human rights complaints from members of these and other communities in the last few years. Another

historical concern in policing has been the lack of opportunities for women to serve as police officers. Each police service may have its own unique set of human rights issues that will need to be tackled.

Training, internal complaint systems and human rights accommodation processes are areas of organizational activity that are particularly relevant to addressing and preventing human rights violations. Training initiatives are usually a major part of efforts to prevent and respond to human rights concerns. Redesigning training systems and programs to serve human rights purposes will usually be a major part of a human rights organizational change plan. This is because staff must have appropriate human rights competencies, skills and knowledge to embed human rights in the work they do.

Organizations that best address human rights concerns also have effective internal complaint mechanisms for dealing with human rights matters. Focusing attention on establishing or improving internal complaint systems to assess human rights concerns will help an organization to better respond to human rights issues as they arise, and to learn from these to prevent future problems.

Both legislation and case law stress the legal requirement to accommodate based on disability, religion and family status. Not accommodating based on disability is the largest single reason that human rights complaints (now called applications) are filed in Ontario. Focusing attention on developing and improving human rights accommodation processes can help to establish a welcoming workplace that is more receptive to the contribution of many marginalized groups in society.

Developing human rights training, internal complaint systems and accommodation processes should be part of a larger human rights organizational change strategy that reviews all organizational policies, systems and structures from a human rights perspective (as discussed in section 7.1). To sustain human rights organizational change and prevent human rights violations, organizations must build human rights into their regular structures and ways of doing business.

The Ontario Provincial Police supports the work of the Ontario Human Rights Commission and its development of Human rights and policing: Creating and sustaining organizational change as a positive step for police agencies to meet their obligations under the Ontario Human Rights Code and to better serve Ontario's diverse communities.

– Chris D. Lewis, Commissioner,
Ontario Provincial Police

The TPS experience

The Toronto Police Service Human Rights Project chose to focus on four separate areas that were entrusted to subcommittees to identify concerns, suggest actions, and plan or implement change. The Recruitment, Selection, Promotion and Retention Subcommittee focused on finding and removing barriers to employment of minority groups and women, and on reviewing any other employment practice that may affect the human rights experience of members. The TPS wanted to develop a staff profile that better reflected the population it served. Before the project, it had already conducted major employment systems reviews to support this. The TPS believes a more representative police service is an essential affirmation of human rights values, and a key way to develop capacity to better serve a very diverse city with many different human rights issues.

The Public Education and Liaison Subcommittee focused on improving community relations with alienated segments of the community, and on making sure that police consultation and communication with the community served human rights aims.

The Accountability Subcommittee focused on reviewing service systems to make sure that police officers were accountable for their human rights obligations in their work. This included looking at complaints processes, performance management systems, and procedures guiding police service activity.

The Learning Subcommittee worked on improving training and other learning activities to support human rights understanding and compliance.

The project's four areas of focus may be helpful for other police services. However, these are only a general guide. Each police service will need to do its own assessment and make its own strategic choices.

7.9.1 Best practices in selecting strategic areas of focus

- Identify areas of focus after assessing the experience and circumstances of the service
- Consider focus areas that relate to employment and service functions
- Consider focus areas related to training, accommodation and internal complaint processes.

7.9.2 Things to avoid in selecting strategic areas of focus

- Do not select strategic areas of focus without a larger organizational change strategy. A larger organizational change strategy informs and directs priority-setting and ensures that change momentum remains strong.

8. Specific actions to consider

Over the last few years, new strategies to support human rights organizational change in policing organizations have been developed. This section describes some of the key actions that were taken during the Toronto Police Service Human Rights Project, but many have also been used in various shapes and forms by other police organizations.

8.1 Core actions

1. Human rights and accommodation policy
Few police service boards have clear and comprehensive human rights and accommodation policies. It is important to create such policies to signal commitments and obligations (for example, see Toronto Police Services Board Policy online at www.tpsb.ca).

2. Review policies and procedures and consider human rights implications
Most policies and procedures have human rights implications, or can be improved to provide better human rights protections. A formal review of all policies and procedures by individuals sensitive to human rights case law and policy will help find barriers or gaps. The OHRC has developed a guide for developing human rights policies and procedures with some sample language (see *Guidelines on Developing Human Rights Policies and Procedures* and *Human Rights at Work*, online at www.ohrc.on.ca).

3. Inclusive design reviews
Inclusive design reviews are research projects to identify barriers to participation for persons who identify with various *Code* grounds. An inclusive design review can be conducted relating to specific *Code* grounds like race, family status, religion, disability or gender, or can focus on an area of concern like employment practice or service delivery. Such reviews are a standard tool used in human rights organizational change, and can be more or less detailed depending on the expertise and resources available.

As part of its human rights work, the TPS has done several formal inclusive design reviews, including a major review of employment practices for both officer staff and civilian staff. It is also planning an inclusive design review of employment practices based on religion.

4. Publicize the commitment to human rights

Publicizing a police service's commitment to human rights both to service members and the general public will help to clarify the goals, raise standards of conduct, and ease any community concerns. A concerted effort to use communication tools for this purpose does not take a large commitment of resources but can have a major impact.

For example, the TPS developed a four-page community newspaper insert to advertise its commitment to fair and equitable policing, and distributed it to over 400,000 homes across Toronto.

5. Integrate human rights element into complaint procedures

Identifying and dealing with human rights complaints in a timely and respectful way is critical to the health and resilience of individuals, and for the organization. A healthy organization is one that learns from its mistakes. Human rights complaints may be addressed in many ways, including by creating human rights complaint systems that deal exclusively with human rights-based conflicts, and/or by monitoring human rights-based grievances and complaints within existing complaint systems and procedures.

The TPS has built a human rights element into their existing complaint procedures by cataloguing and monitoring all human rights concerns from existing grievances and internal complaint processes.

8.2 Actions aimed at improving employment practices

1. Complete a staff census

Police services need to know the makeup of their staff based on *Code* grounds such as race, family status, ethnic origin, disability, gender and sexual orientation if they want to be reflective of their community. The Ottawa Police Service conducted an extensive census of its staff using survey methods that can be used by other services. This type of data can help identify gaps in staff representation and target recruitment efforts. See the OHRC's publication – *Count me in!: Collecting human rights-based data*, available at www.ohrc.on.ca for more information and best practices on how to collect human rights-based data.

2. Work to recruit members of under-represented groups

Representative police services need targeted recruitment efforts to attract under-represented group members. Steps to do this include researching and responding to barriers to police employment for targeted groups, targeted advertising and recruitment, and mentoring targeted group members through the hiring process. The TPS is one of the most successful services in hiring members of under-represented groups. It uses these tools extensively.

3. Include human rights considerations in exit surveys

Exit surveys help employers understand why employees are leaving their jobs. They are used by many employers, including police services, to identify employment concerns. Asking specific human rights-related questions can help identify human rights concerns affecting employees. The Toronto Police Service Human Rights Project included the creation of an exit survey.

4. Create affinity groups

Affinity groups are peer support groups, supported by the employer, that include people from similar backgrounds. They are used widely to allow employees from minority groups to support each other in their employment experience and help the service to better meet their needs.

The TPS lets individuals formally develop "Internal Support Networks" to act as affinity groups for its staff including Black, Women's, Filipino and LGBT Networks.

8.3 Actions related to police service delivery

1. Build human rights considerations into PSA complaints process
Complaint processes under the *Police Services Act (PSA)* are a feature of police experience. While the *PSA* identifies grounds for complaints and sanctions that overlap with the *Human Rights Code*, the human rights implications are rarely clear or acted on as specific human rights actions. Also, some services have internal complaint and grievance processes that supplement complaint processes under the *PSA*. These complaint processes can be used to identify human rights concerns and help to guide institutional responses. The Toronto Police Service Human Rights Project changed complaints procedures and practices to achieve this aim. This included redesigning several forms, processes, databases and investigator training to add a human rights lens.

2. Include human rights considerations in performance management
Performance evaluation and management are major tools for influencing staff behaviour. These can be adapted to serve human rights purposes by explicitly looking at human rights-related behaviour and activity. To address conduct related to diversity and human rights, the Toronto Police Service Human Rights Project changed officer evaluation and performance forms, and developed training to use the newly revised (human rights inclusive) performance evaluation forms.

3. Collect data related to human rights in service delivery
Collecting data to identify patterns of service delivery is important for all organizations including police. Such data is collected routinely to look at who is being served and identify gaps and failings in service. As long as proper safeguards are in placed, the OHRC encourages organizations to collecting data based on *Human Rights Code* grounds to serve human rights purposes such as detecting patterns of discrimination. For more information, see the publication *Count me in!: Collecting human rights-based data,* available online at www.ohrc.on.ca

The Toronto Police Services Human Rights Police Project considered the value of this type of data collection to assess patterns of racial profiling, but did not implement it, noting that the TPS had already acknowledged racial profiling and steps to address it were already underway. Collecting data to identify and develop responses to racial profiling may be appropriate in other police services. This is common practice in many police services in the United States, and also in the United Kingdom.

4. Develop human rights focus for community consultation activity

Police services routinely consult with the communities they serve to better meet their needs, and to share issues of potential concern. In many larger services, consultation is a regular practice, and consultative committees are common. Community consultation can be directed to support human rights goals, especially those relating to allegations of discrimination in police service.

The Toronto Police Service Human Rights Project reviewed its community consultation structures and procedures to develop an explicit human rights role for them. Changes included adding a role into the description of the consultative committee mandate, making human rights training mandatory for committee members, and developing a new consultative committee to address the specific concerns of persons with disabilities. Such targeted community consultations can be very effective in beginning to mend relations with communities seen to have historically poor relations with the police.

5. Develop language guide for internal and external communication

Police communication is a sensitive issue for members of many minority groups. Language chosen to describe a suspect or community grouping can be unintentionally insensitive, or worse, perpetuate stereotypes of minority groups. Developing a language guide to help staff use appropriate and sensitive language in their communication work can be a valuable tool to support a police service's human rights goals. The TPS, with input from the OHRC has developed this type of best practice language guide for its members.

6. Develop outreach tools for hard-to-reach communities

Many communities do not get police information easily due to barriers such as language, homelessness and disability. Identifying these hard-to-reach communities and responding with appropriate measures will support a commitment to human rights. Many police services have developed brochures and guides in the language groups found in their communities. The Toronto Police Human Rights Project identified homeless persons as a particularly vulnerable community that needed enhanced outreach and communication efforts. Efforts to better reach out to this community were initiated during the project.

7. Attend or organize diversity and human rights-related events

Acknowledging and/or celebrating the diversity of a community is an important signal that a police service is connected to all members of its community. Attending or organizing events to acknowledge important dates for minority community members or for human rights in general are one way to affirm this. Many police services attend and/or organize community events for this purpose. This is an easy way to publicize commitment to human rights.

The TPS regularly hosts celebrations in the lobby of their headquarters, to recognize various diversity and human rights-related days of significance (for instance, celebrating the international day for the elimination of racial discrimination).

8.4 Actions related to training

1. Develop generic human rights training programs

Training is an essential part of a police service's efforts to prevent and address human rights concerns. Training should focus on general human rights and on specific human rights issues that arise in police work.

Human rights issues are complex and can take many different forms, so some basic understanding of generic human rights is essential to prepare staff to identify and respond to these concerns. Training should focus on human rights history, values, legal obligations and principles in a way that connects to the organizational context and work experience of the people being trained. This training should be provided to all current staff, and to all new staff as part of their orientation.

Human rights training on a larger scale should be clearly connected to a larger organizational change strategy, to show the organization's commitment to the subject matter. Training should provide staff with the concrete skills and tools required to effectively achieve human rights organizational change strategic goals. It will help to first assess staff and organizational gaps in knowledge and skill, in relation to change objectives, and provide targeted training in those areas.

The Ontario Police College provides some initial training for new recruits. Any human rights organizational change effort needs to go beyond this and extend training to all staff, including civilian staff. Periodic refresher training should also be considered as a standard requirement. As part of the Toronto Police Service Human Rights Project, a full-day in-class training session was prepared for all staff. The OHRC, in partnership with the Ontario Police College, has provided similar training to smaller services over the last few years.

The OHRC provides an e-learning introduction to human rights called "Human Rights 101." This learning module, available at www.ohrc.on.ca, is available to the public and can be used as a component of human rights training.

2. Develop training related to specific human rights issues

In addition to generic human rights training, training on specific human rights issues will be needed from time to time. For example, police services have developed training packages on racial profiling, treatment of transgendered individuals, sexual harassment, etc. The TPS has developed e-learning training on racial profiling for police officers. This training is available for other services to use through the Canadian Police Knowledge Network. Through this network and other associations and networks, smaller police services have access to a wide range of training programs on specific human rights issues.

Appendix A: Structure of Toronto Police Human Rights Project

The HRPC Project Team

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                    Sponsor Group

                    Executive Group

        Steering Group          Special Projects

  Acountability      Learning       Public Education    Recruitment, Selection,
  Sub-Committee    Sub-Committee     Sub-Committee       Promotion & Retention
                                                           Sub-Committee
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Appendix B: Glossary

Anti-racism	A commitment and planned ongoing process to eliminate racism and racial discrimination in its various forms (individual, institutional and systemic). The first step in anti-racism is admitting that racism exists in individuals, organizations and society as a whole and acknowledging the need for active ongoing measures to counter it.
Cultural competence	The behaviours, attitudes and policies that enable organizations and professionals to work effectively in situations that involve or affect a range of cultures.
Diversity	Diversity is the presence, in an organization or a community, of a wide range of people with different backgrounds, abilities and attributes including ethnicity, race, colour, religion, age, gender and sexual orientation.
Duty to accommodate	Duty to accommodate is a legal obligation under the Ontario *Human Rights Code*. It requires employers, service providers, housing providers, unions and contractors to enable people to benefit from and take part equally, in workplaces, housing, services and other areas.
Equality and equity	Equality generally means treating people the same way, to give everyone equal access to opportunities and benefits in society. Equity includes treating some people differently, to take into consideration some people's particular needs and situations. For example, requiring public buildings to have wheelchair accessible entrances to accommodate persons with disabilities (rather than deciding that everyone can climb stairs or open doors themselves).
Harassment	Unwelcome and inappropriate behaviour (e.g. unwelcome attention, remarks, jokes, threats, name-calling, touching or other behaviour, including the display of pictures) that insults, offends or demeans someone because of their belonging to a *Code*-protected group.

|	
Human rights organizational change	Changing an organization into a more inclusive organization that respects and accommodates the dignity, worth and human rights of all people.
Inclusive design	Taking into account differences among individuals and groups when designing something (e.g. policy, program, curriculum, building, shared space) to avoid creating barriers.
Poisoned environment	Insulting or degrading comments or actions in a workplace based on *Code* grounds that cause employees to feel that the workplace is hostile or unwelcoming. Even one comment, if serious enough, may create a poisoned environment.
Racial profiling	Any action that relies on stereotypes about race, colour, ethnicity, ancestry, religion or place of origin rather than on reasonable suspicion, and that singles out a person for more scrutiny or different treatment.
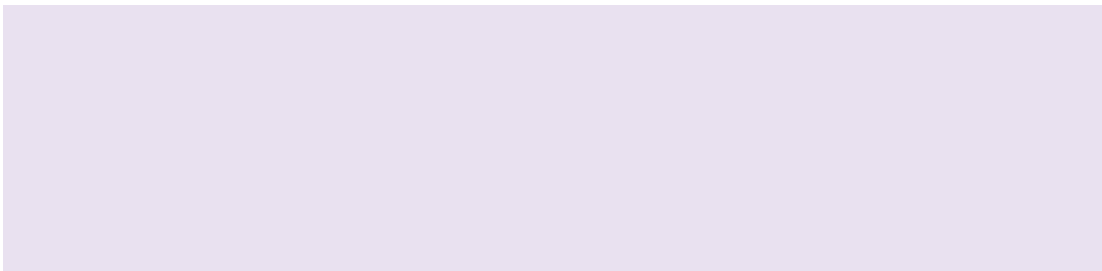
References

Ontario Human Rights policies, guides and guidelines

Count me in! Collecting human rights-based data (2010)

Guidelines for collecting data on enumerated grounds under the Code (Revised by the OHRC November 2009)

Guidelines on developing human rights policies and procedures (March 2008)

Human Rights at Work – Third Edition (October 2008)

Other

Human Rights Project Charter: Framework of relationship between the Ontario Human Rights Commission, the Toronto Police Services Board and the Toronto Police Service (May 17, 2007).

Cross. T. L., Bazron, B.J., Dennis, K.W., & Isaacs, M. R. (1989). *Toward a culturally competent system of care: Vol.1 A monograph on effective services for minority children who are severely emotionally disturbed.* Washington, DC: Georgetown University, Child Development Center, Child and Adolescent Service system Program, Technical Assistance Center.

TPS Human Rights Project Charter Final Report, October 2010.

Toronto Police Service Newspaper Insert. "Toronto Police Service: Committed to Fair & Equitable Policing," May 2009. Includes article on "Partnering to enhance human rights – Human Rights project Charter."

Photos: Ontario Police College, Toronto Police Service

On behalf of the Toronto Police Services Board, I am pleased to support this groundbreaking document. Our Board is a proud sponsor of the Human Rights Charter Project, along with Chief Bill Blair and Chief Commissioner Barbara Hall. The project was born out of our shared vision of a police service that pays the highest attention to issues of human rights in the delivery of services and treatment of people who work for our organization. This project laid the groundwork for *Human rights and policing: Creating and sustaining organizational change.* The principles and best practices captured in this manual provide in-depth information on sources, systems and standards for human rights organizational change in law enforcement agencies. In seeking to develop respect for human rights values among providers of policing services, I am confident that this manual will be an invaluable tool for any law enforcement agency that wishes to embark on systematic human rights organizational change.

— Dr. Alok Mukherjee, Chair, Toronto Police Services Board

I am happy to whole-heartedly endorse the manual as I believe it represents an important step forward in the delivery of professional, inclusive police service to the citizens of Ontario. The completion of the manual is a laudable achievement, representing as it does the fruition of the dedicated efforts of a number of progressively-minded stakeholders. I am proud of the role the Toronto Police Service played, along with the Toronto Police Services Board and the OHRC, in the Human Rights Project Charter which comprises the foundational work of the manual. The next step forward is to promote the manual to the wider Ontario policing community in order that our various police services can be made aware of key principles and best practices of human rights organizational change.

— William Blair, O.O.M., Chief of Police, Toronto Police Service

The Ontario Human Rights Commission's *Human rights and policing* guide provides a useful framework to address human rights issues in police services of various sizes across Ontario. Our current human rights project partnership with the OHRC and Ontario Police College is evidence of our commitment. I strongly encourage other police services to pursue, as we are, the next step of implementing the recommendations contained in the guide.

— Chief Gary Smith, Windsor Police Service

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