



British Columbia's
Office of the Human Rights
Commissioner

From hate to hope: Report of the Inquiry into hate in the COVID-19 pandemic



March 2023



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BCOHRC recognizes the important relationship between protecting the natural environment and protecting human rights. One way we reduce our environmental impact is by limiting print copies of our reports. However, if you have difficulties reading this report in its electronic format, you are welcome to contact our office to request a printed copy.

Support for impacted communities: The data and analysis we are releasing show a pattern of hate and discrimination impacting many communities across British Columbia. We recognize this information will be deeply disturbing for many people in our province to hear. These issues, while critical to examine, are extremely challenging, especially for people who have experienced or witnessed hate incidents. Anyone who experiences distress or who needs immediate help can access a list of crisis lines and emergency mental health supports we have compiled on our website at: hateinquiry.bchumanrights.ca/support

This publication can be found in electronic format on the website of British Columbia's Office of the Human Rights Commissioner: bchumanrights.ca/Inquiry-Into-Hate

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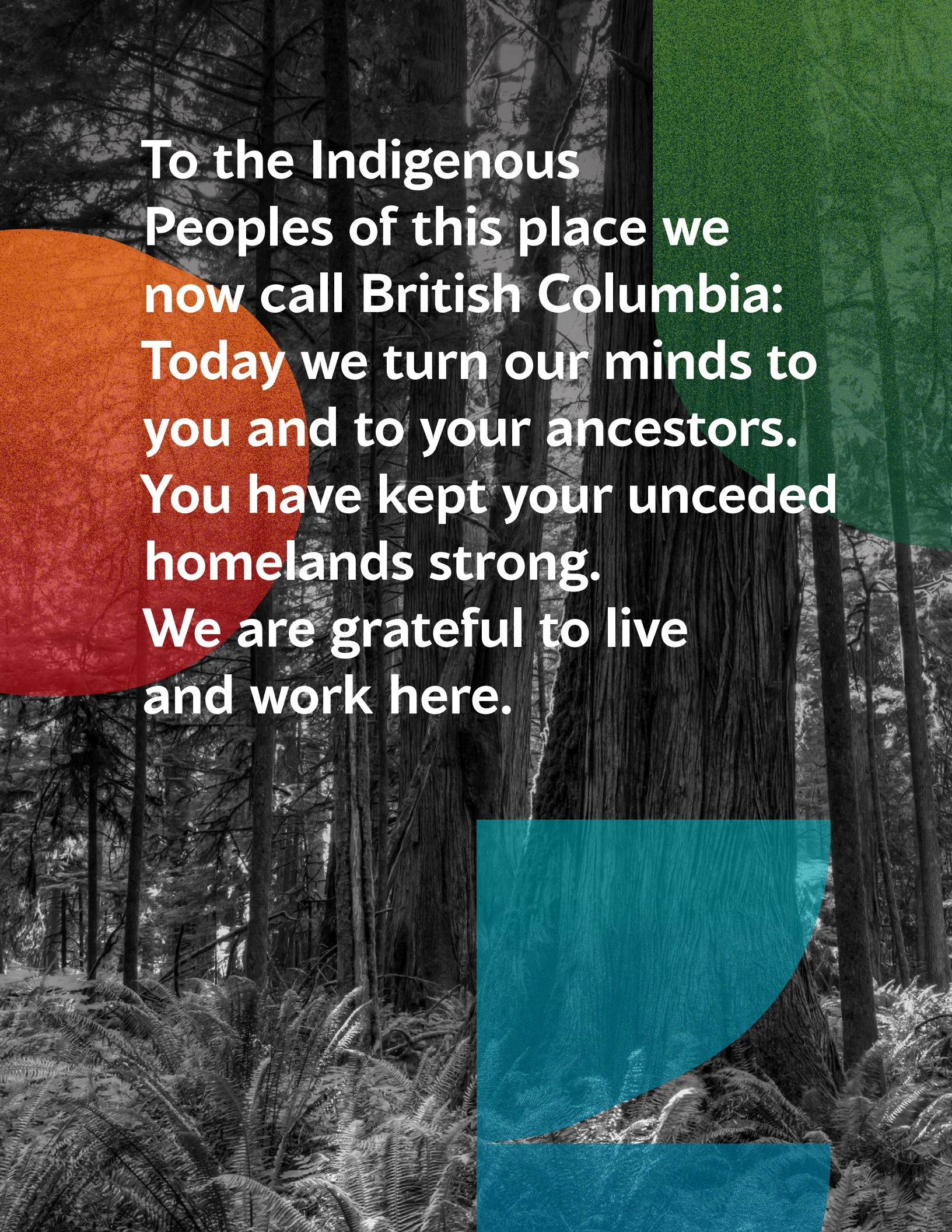


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To the Indigenous Peoples of this place we now call British Columbia: Today we turn our minds to you and to your ancestors. You have kept your unceded homelands strong. We are grateful to live and work here.



March 2023

The Honorable Raj Chouhan
Speaker of the Legislative Assembly
Parliament Buildings
Victoria, BC V8V 1X4

Dear Mr. Speaker,

It is my pleasure to present the Human Rights Commissioner's report "From hate to hope: Report of the Inquiry into hate in the COVID-19 pandemic" to the Legislative Assembly. It has been prepared in accordance with Section 47.15 and 47.20 of the *Human Rights Code*.

Sincerely,

A handwritten signature in black ink, appearing to read "Kasari Govender". The signature is fluid and cursive, with a long horizontal stroke extending to the right.

Kasari Govender
Human Rights Commissioner

cc: Kate Ryan-Lloyd
Clerk of the Legislative Assembly

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If you are unsure about terminology used in this report, we invite you to visit our Human Rights Glossary at: bchumanrights.ca/glossary

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- Knowledge Holders
- Indigenous Elders
- Inquiry terms of reference consultation participants
- Indigenous Nations, organizations and individuals who made oral and written submissions to the Inquiry
- Everyone who completed the Inquiry public survey and shared their experiences and stories with us
- Community Liaison Organizations for support with the public survey
- Public sector agencies, police services, and social media companies who responded to information requests and orders
- Inquiry participants who provided feedback during the Inquiry findings consultations and administrative fairness reviews
- External researchers
- Others who provided advice and reviews along the way

A complete list of Inquiry participants who have consented to be named is found at Appendix A of this report.

Through the course of the Inquiry, many BCOHRC staff were involved at different times. The Commissioner would like to thank the following core Inquiry project team for their contributions to the Inquiry: Khalilah Alwani, Policy Analyst; Lindsey Bertrand, Senior Communications Advisor; Emily Chan, Engagement Advisor; Ruth Fraser, Education Advisor; Natt Hongdilokkul, Research Officer – Quantitative Specialist; Carly Hyman, Staff Lawyer, Inquiries and Investigations; Sarah Khan, General Counsel; Charlotte Kingston, Director, Communications; Guuduniia LaBoucan, Staff Lawyer; Dolapo Makinde, Legal Research Officer; Chitha Manorangan, Acting Manager, Engagement; Vian Mohammed, Legal Assistant; Monica Petek, Research Officer; and Kamila Suchomel, Senior Communications Advisor, as well as former staff who contributed along the way. The Commissioner is especially grateful to Carly Hyman and Sarah Khan for their leadership and dedication during this Inquiry.

The Commissioner also acknowledges that many people and communities have been drawing attention to hate incidents for many decades. The Commissioner is grateful to those who have worked and continue to work to address the many forms of inequality and injustice that lead to hate. We follow in the footsteps of the many who have walked this path before us.

Executive summary

During the COVID-19 pandemic, we lost our collective innocence. We know now that we cannot take our communities, our jobs, our daily routines or our political systems for granted. We know now that something as small as a microbe can create havoc around the world in a matter of weeks. And we know now that along with a health crisis of this proportion we will see social crises, such as the rise of hate and violence. We cannot be surprised by the rise of hate in future states of crisis. We must confront what we have experienced during the pandemic and take action now to prevent it from happening again. Our recommendations chart out a path for action.

While hate is not new, the pandemic marks a period in our collective experience that has been filled with fear, mistrust, division and hate. It has challenged the institutions designed to keep us safe and uphold the rule of law and democracy. It is a period marked not just by hate based on race or religion but also hate directed at homeless people, women, migrant workers, health communicators, politicians and so many more. It is a period where we have seen the voices of those who have been targeted by online hate increasingly silenced.

It is also a period in which we have seen a remarkable degree of collective care. Public awareness about racism and its real impacts on the lives of racialized people has grown significantly. Communities have stepped up to show solidarity to those most affected and to speak out against hate.

It is in this context that B.C.'s Human Rights Commissioner initiated this public inquiry—the Inquiry into hate in the COVID-19 pandemic—to examine the reported rise in hate-related incidents in British Columbia during the pandemic, to examine its root causes and to develop actionable recommendations. To inform the Inquiry, the Commissioner developed terms of reference and a definition of “hate incident.” The Commissioner and her staff developed Inquiry processes that were accessible, enabled broad participation, engaged communities and were trauma-informed.

The Commissioner gathered information and evidence through:

- 46 virtual oral hearings where we heard from 100 people, including 52 organizations
- 20 written submissions
- A public opinion poll of a representative sample of people living in British Columbia
- A public survey where we heard from more than 2,500 people
- Information requests to 46 public bodies
- Two sets of information requests to all municipal police departments in B.C. and the B.C. RCMP
- Orders and information requests to seven social media companies
- Five external research reports on topics relevant to the Inquiry
- Cross-jurisdictional research
- An in-person Elders gathering

Through this evidence, the Commissioner made the following key findings:

- **Hate incidents have increased dramatically during the pandemic.** The Commissioner heard about hate experienced in every corner of B.C. on the basis of race, gender, sexual orientation, religion and Indigeneity and especially by people with intersecting identities. The increase in anti-Asian hate was particularly acute, as was hate and violence perpetrated on the basis of gender.

During the pandemic, many people experienced hate in public and private places that are part of their everyday life. These places included streets, parks, transit, restaurants, stores, schools, health care settings and their own homes. Hate incidents ranged from hateful comments and slurs, graffiti, property damage, physical harassment and aggression, threats of violence and people being spat on or having garbage thrown at them to violent assaults.

- **Hate is disproportionately experienced by marginalized communities** and especially by those with intersecting identities. Hate results in immediate and long-term physical and emotional harm, fear for safety and erosion in a person's sense of belonging. It also has a chilling effect on speech. The impacts of hate are cumulative.
- **Gender-based violence increased dramatically during the pandemic** while systems of support for victim-survivors closed or operated at reduced capacity, putting victim-survivors at significant risk. These increases should have been anticipated and mitigated given that previous societal crises have led to similar increases. The Commissioner takes notice of the growing evidence of the link between gender-based violence, misogyny and mass killings. While hate on the basis of gender frequently manifests in gender-based violence, that violence is rarely considered to be hate either under the law or more generally within society.
- **Online hate increased dramatically during the pandemic.** The Commissioner found that several factors contributed to the increase in online hate during the pandemic, including increased time spent online, the rampant spread of misinformation, disinformation and conspiracy theories, social media platform design and insufficient enforcement of corporate hate speech policies. Many algorithms used by social media companies to generate profit also generate hate by driving viewers to hateful content. The policies and practices of many social media companies demonstrate a lack of commitment to addressing the rise in hate on their platforms. Many companies are not transparent about how hate is showing up on their platforms or how they are addressing hate, which can obscure the scope of the problem and even amplify it.
- **Hate is not new. Hate has a long history in B.C., rooted in power and control and long-standing patterns of discrimination and oppression.** It is difficult to separate the specific conditions of the pandemic (including isolation, fear and anxiety, increased time online and economic stresses) and the rise in white nationalism that resurged prior to the pandemic (particularly in the context of the rise of populist leaders in the U.S. and around the world). The result, however, is the same—hate incidents are increasingly present across British Columbia.

While hate is often reflected through the actions of individuals, it serves to reinforce existing systems of oppression. However, not all discrimination and inequality results in hate speech and violence. With respect to hate in the pandemic specifically, psychological research supports the idea that perception of the threat of disease may be uniquely and powerfully linked to xenophobia and other forms of discrimination.¹ Previous pandemics have seen similar increases in hate incidents. Other associated factors that contributed to the rise in hate in the COVID-19 pandemic include global and local dynamics of blame, mobilization against public health measures, social distancing and isolation, alcohol and mental health challenges, an absence of community and of a sense of belonging, the normalization of hate and the spread of misinformation, disinformation and conspiracy theories, and far-right and ideologically motivated violent extremism.

- **A lack of data on hate incidents that occur in different sectors and settings across the province impedes action.** The Commissioner requested extensive data on hate to inform the Inquiry. The Commissioner found that most public bodies do not collect data on hate incidents. The Commissioner also found that there are data quality issues or limitations with police, prosecution and court data (including that there is no tracking of when hate is considered an aggravating factor in sentencing). Further, social media companies were unable or unwilling to provide the Commissioner with data on hate on their platforms in B.C. or Canada during the pandemic.
- **Legal responses to hate have been largely ineffective** in addressing the problem (including criminal, civil and administrative law responses) because of problems in reporting (a lack of safety in police responses, of coordination between community reporting and of accountability for what happens with reports), a conservative approach to recommending or pursuing charges by police and Crown (resulting in very small numbers of prosecutions compared to the reports of hate emerging from community), the inaccessibility of the civil justice system, a lack of knowledge of civil resolution mechanisms and severe delays at the Human Rights Tribunal.
- **Government responses to hate have been largely ineffective** in addressing the problem because of a lack of relevant policies in public institutions, an absence of data, the underfunding of community organizations who are well-situated to address hate in their communities and the failure to apply a human rights-based approach to emergency management.
- **Community responses to hate can be effective** with adequate funding and centralized coordination. In particular, community organizations are shown to be effective in supporting those who have experienced hate, as well as in providing exit avenues for those who have perpetrated hate.

Commissioner's recommendations

After reviewing the mountain of evidence presented in this report, it is impossible to deny that we are at a reckoning. In our polarized society, we must be decisive in our compassion and creative in devising non-violent responses to hate. The Commissioner's recommendations are organized along the following themes that have emerged from the extensive evidence canvassed in this report:

- Understanding hate and acknowledging its harm
- Building safety and belonging
- Fostering accountability and repairing harm

These themes highlight that the solutions lie in understanding what has been lacking in our societal response to crisis. For example, societal ignorance must be addressed through education, impunity must be addressed through more robust accountability mechanisms, and social isolation must be met with programs designed to foster belonging and connection.

While the Commissioner recognizes that the federal government falls outside her legislative mandate, she hopes that her recommendations directed to social media companies inform the Government of Canada's regulation of these online actors. The Commissioner's recommendations are included below. For the full text of recommendations, see "Analysis and recommendations for change."

To breathe life into the policy changes recommended below, the Commissioner recommends that the Government of British Columbia demonstrate its commitment to addressing hate in our communities during times of crisis and beyond by establishing the following institutional mechanisms:

1. The head of the BC Public Service should create a role at the assistant deputy minister level or higher to coordinate and lead prevention and responses to hate. This role should include the responsibility to oversee the implementation of the recommendations in this report aimed at the provincial government and related public bodies. It is essential that the mandate of this role stretch across all areas of hate, including hate on the basis of gender (including gender identity and expression), race, religion, Indigeneity, sexual orientation, disability, social condition and more.
2. The Premier and Cabinet should commit to producing a whole-of-government strategy and action plan on addressing hate, informed by this report and the Commissioner's recommendations, with clear timelines, deliverables and transparent reporting. The strategy and action plan must be adequately funded and include:
 - a. Creating a community advisory group to support the development of the plan with representation from people with lived experience of hate.
 - b. Committing to publishing reliable data on hate incidents, based on police databases, social media reports and the centralized community reporting mechanism.
 - c. Publishing an annual public report on progress made under the plan, using key performance indicators to measure change over time.
 - d. Introducing, for consideration by the legislative assembly, an amendment to B.C.'s *Human Rights Code* (s.47.12) to provide the Human Rights Commissioner with the legislative mandate to provide independent oversight on the implementation of this strategy.

Recommendations on understanding hate and acknowledging its harm:

- 3.** All of us, as individuals who make up our communities and our province, have an obligation to understand and confront hate in our communities. We are not powerless in the face of hate. We have an obligation to educate ourselves, including by reviewing this report with a focus on the experiences of those who have been subjected to hate. We must realize our responsibility to treat each other with respect and dignity and to create a sense of belonging and acceptance in our communities and our public institutions. To support this important goal, BCOHRC will continue to develop educational initiatives aimed at addressing hate.
- 4.** The Minister of Education and Child Care should significantly expand anti-hate curriculum throughout the K–12 system so that all students develop the knowledge, skills and attitudes necessary to identify and combat hate and extremism. The ministry should:
 - a.** Directly include anti-hate education in the curriculum in at least one “big idea” and support it through specific curricular competencies, content and supporting materials.
 - b.** Add hate, misinformation and disinformation to the ministry’s Digital Literacy Framework.
 - c.** Include in the curriculum the history and contributions of Indigenous, Black and other racialized people, women, LGBTQ2SAI+ people, people with disabilities and other marginalized communities.
- 5.** The Minister of Public Safety and Solicitor General, with support from the Attorney General, should develop, adequately fund and promote a civilian- or community-led province-wide centralized reporting system for hate incidents, which should be designed to:
 - a.** Provide psycho-social support to victim-survivors. This reporting system must include funding for a robust and accessible advocate and counsellor network to immediately connect people who are reporting hate incidents with the help that they need, including mental health supports.
 - b.** Support victim-survivors to navigate the legal system, including human rights complaints, police reports and restorative justice processes.
 - c.** Collect reliable and accessible disaggregated data, analyze the data for trends and recommend to the ministry steps that should be taken to address these trends.
 - d.** Take into account the needs of young people and their experiences of hate in schools and other youth-oriented institutions.

This reporting system should be multilingual, accessible to people with disabilities and utilize a variety of reporting platforms such as online and by phone, text and email. Supports available through the reporting system must be accessible across urban, rural and remote communities. Frontline service organizations in the public and private sector must post information on how to access the reporting system and supports for victim-survivors in ways that are visible to all employees and those they serve.

6. All police services in B.C., including both municipal departments and the RCMP (as it operates under contract with the Province), should redirect internal funds to add additional and mandatory training for new police officers and for ongoing professional development on hate crimes response, investigation and recommending charges. Training should follow standardized benchmarks to be established by the Minister of Public Safety and Solicitor General and should aim to increase non-specialized officer training in this area, including training on how to recognize hate incidents and when gender-based violence should be pursued as a hate-related charge.

Recommendations on building safety and belonging:

7. The Minister of Public Safety and Solicitor General, with support from the Attorney General, should support and fund community development of restorative and healing programs to deal with hate. Restorative justice programs should be developed to both prevent hate and to address hate once it has occurred, and must include robust mental health supports delivered by those with expertise in addressing hate.

Restorative justice approaches should be informed by Indigenous Peoples and Indigenous legal traditions. Restorative processes could also involve multifaith and multicultural communities and leaders as appropriate. Services must be accessible across urban, rural and remote communities. Given the potential risks to the restorative approach (as detailed in the report), regular program evaluation and public reporting on efficacy must be included. Programs should be geared towards both:

- a. Leading perpetrators of hate and people at risk of perpetrating hate away from hateful ideologies and groups, with a focus on building a sense of belonging and community. Former perpetrators of hate should assist with developing restorative justice programs directed at perpetrators of hate or potential perpetrators, and these programs should be available to people who are investigated, prosecuted and/or sentenced for hate-related criminal offences under the *Criminal Code* as well as to those who are at risk of offending.
 - b. Providing support to victim-survivors of hate incidents. Restorative justice processes must centre the perspective, needs and consent of victim-survivors of hate incidents, and should also focus on the importance of community connection and community-based supports.
8. The Minister of Public Safety and Solicitor General should work with the Minister of Emergency Management and Climate Readiness to incorporate a human rights-based approach to existing emergency response procedures. In particular:
 - a. Emergency planning for major crises must include planning to address a rise in hate speech and hate-fueled violence, including gender-based violence. Particular attention should be paid to the safety of frontline workers.
 - b. A communication strategy should be developed for times of crisis to ensure multilingual and accessible, accurate, evidence-based and transparent communication. Communication must promote inclusion and cohesion and swiftly denounce hate in all its forms.

- c. A broad network of well-funded community organizations working against hate, including gender-based violence, should be maintained. Community organizations involved in victim-survivor and offender support should be surveyed to evaluate the impact of government emergency response during the pandemic in order to incorporate those learnings into future emergency response procedures.
 - d. Anti-violence emergency planning must include increased and targeted services for women, young people and gender-diverse people seeking safe refuge and support, such as increased shelter and transition house spaces with room for social distancing and public communication plans to ensure that victim-survivors know where to seek help. Mental health and addiction supports should also be provided for abusers.
 - e. Low barrier mental health supports should be widely available to help people with the potential anxiety, fear, uncertainty and isolation associated with emergencies.
- 9. Social media platforms, including Google, Meta, Reddit, Rumble, Telegram, TikTok and Twitter, should:
 - a. Ensure they have and enforce rigorous terms of service to address hateful content.
 - b. Reform algorithms to favour less divisive, discriminatory and misleading content in order to drive viewers away from potentially hateful information.
 - c. Immediately stop placing advertisements alongside hateful content.
 - d. Allow independent audits in order to assess ongoing risks of hate amplification created by platform design, and develop risk mitigation strategies of ongoing risks.
 - e. Commit to timely, transparent and accurate public reporting on the frequency and nature of hateful online content in B.C. and platform responses including timeliness, actions taken, and appeals and reversals. Transparency requirements should also include providing adequate access to data for independent researchers to evaluate both the prevalence of hate content on platforms and platforms' responses, along with provisions to ensure this access does not compromise social media users' privacy rights.

Recommendations on fostering accountability and repairing harm:

- 10. The Attorney General should institute reforms to Crown policy directives to emphasize the strong public interest in prosecuting hate crimes by:
 - a. Encouraging a broader range of prosecutions of hate-related incidents. Restorative justice measures should be considered as appropriate.
 - b. Issuing guidance on when gender-based violence should be approached as a hate crime, including where gender-based violence may be considered a hate-related aggravating factor in sentencing.

- c. Collecting and publishing data on hate incidents including charge approvals, prosecution outcomes and sentencing and cases involving hate as an aggravating factor in sentencing. This data should include disaggregated demographic data. Data should be analyzed to determine whether further reforms are necessary to improve the effectiveness of criminal justice responses to hate and ensure that prosecutions do not further embed inequities.

11. The Minister of Public Safety and Solicitor General should draft a policing standard on responding to police-reported hate incidents, which must include:
 - a. An emphasis on when gender-based violence should be approached as a hate crime, including guidance on gathering evidence to support cases where gender-based violence may be considered a hate-related aggravating factor in sentencing.
 - b. Hate crime indicators to assist with investigations and charge recommendations.
 - c. A requirement that all police departments appoint and train at least one existing position as a designated hate crimes specialist, who is responsible for consulting with specialized Crown Counsel and BC Hate Crimes.
 - d. Direction to police to provide referrals to victim-survivors for support to the province-wide reporting system.
 - e. Direction to ensure uniform data collection and reporting, including a consistent definition of hate incident/crime and a requirement to record multiple hate motivations where evident as well as disaggregated demographic data on victim-survivors and offenders.
 - f. Direction to police to encourage people to report and to investigate a broader range of hate incidents.

The Commissioner anticipates that the RCMP will harmonize their policing standards in B.C. with this provincial policing standard on hate, in accordance with Article 6.5 of the Provincial Police Service Agreement.

12. The Attorney General should take steps to enable the BC Human Rights Tribunal to be more responsive to hate, including by:
 - a. Ensuring adequate funding to the Tribunal to effectively process complaints.
 - b. Introducing legislation for consideration by the legislative assembly to amend s.7 of B.C.'s *Human Rights Code* to clarify that it applies regardless of whether publications are online or offline.
 - c. Introducing legislation for consideration by the legislative assembly to amend s.7, along with other substantive sections of the Code containing prohibited grounds of discrimination, to include social condition as a prohibited ground of discrimination for the purposes of hateful publications.



Introduction

The COVID-19 pandemic has been a turning point for the world as we knew it. The pandemic's global reach, the number of people who suffered serious illness or death, the social and economic toll of isolation and the sweeping public health measures taken to slow and prevent the spread of the virus have marked our lives in irrevocable ways. While we have all felt the impact of these changes, the impacts of the virus on our society are experienced disproportionately by marginalized communities.

The pandemic—and its ongoing impact—is a period in our collective experience that has been marked with fear, mistrust and hate. It is a period that will be remembered as exceptionally divisive and one that has challenged the institutions designed to keep us safe and uphold the rule of law and democracy. It is a period marked not just by hate based on race or religion but also hate directed at homeless people, women, migrant workers, health communicators and politicians, and so many more. It is a period where we have seen the voices of those who have been targeted by online hate increasingly silenced.

It is also a period in which we have seen a remarkable degree of collective care. Public awareness about racism and its impacts on the lives of racialized people has grown significantly. Communities have stepped up to show solidarity with those most impacted and to speak out against hate.

It is in this context that the Commissioner initiated this public inquiry—the Inquiry into hate in the COVID-19 pandemic—to examine the reported rise in hate-related incidents in British Columbia during the pandemic, to examine its root causes and to develop actionable recommendations.

In examining hate during the COVID-19 pandemic and in understanding its roots far beyond this difficult moment in time, we begin to see that the solutions lie in understanding our societal response to stress. Where we fail to acknowledge the harm caused by discrimination, hate and structural inequalities, we allow hate to grow and the impact on marginalized communities to deepen. Where we fail to protect the safety of marginalized people both online and in real life, especially during times of crisis, we push people out of those spaces and allow hate to flourish in their place. Where we fail to account for basic human needs for belonging and security, and where circumstances such as a pandemic lead to profound isolation, anxiety and fear, human connection and belonging may be found in shared ideologies of hate rather than in compassion. And when we don't hold people to account for the hate and discrimination they have perpetuated, we can never move to the important stages of forgiveness and resolution—either as individuals or as a society.

To learn more about the process and methodology involved in this Inquiry, see the “How we did this work” section. In the “What we have learned about hate” section, we summarize key data points, stories and research shared with the Commissioner during the Inquiry. The analysis section of the report is structured to draw attention to these important findings and to highlight the themes raised above, showing that for each cause of hate that we identified, there is an attendant solution; for example, where a lack of accountability is identified as a contributing factor to the rise of hate, there is a set of recommendations aimed at improving accountability mechanisms.

The Commissioner's goal is not just to respond to hate but to foster cohesion and belonging, to restore safety, to develop accountability mechanisms and to repair harms. This is not work that can be done by government alone. It requires a society-wide response. There is no magic wand. But there is a path forward towards a society more respectful of human rights, and this report offers recommendations based on the Inquiry's findings to chart that path.

Who we are

BC's Office of the Human Rights Commissioner (BCOHRC) envisions a province free from inequality, discrimination and injustice, where we uphold human rights for all and fulfil our responsibilities to one another. We strive to address the root causes of these issues by shifting laws, policies, practices and cultures. We do this work through education, research, advocacy, inquiry and monitoring. One of the key strategic priorities of BCOHRC has been to address hate and white supremacy.

The role of B.C.'s Human Rights Commissioner was established as an officer of the Legislature in 2019 by the Legislative Assembly of British Columbia. Commissioner Kasari Govender was appointed to lead the creation of the new organization and carry out the mandate of the Office. She began her five-year term in September 2019.

The scope of what we are doing

Definition of “hate incidents”

For the purposes of this Inquiry, “hate incidents” are actions and speech rooted in prejudice that, in the view of the person who experiences or witnesses them, are:

- Aimed at a person or a group of people because of their actual or perceived individual, collective or intersecting characteristics, including age, disability, gender expression or identity, ethnicity, Indigenous identity, place of origin, race, immigration status, religion, sex, sexual orientation and social condition, and
- Intended to, or do, significantly dehumanize, humiliate, degrade, injure, silence and/or victimize the targeted individual or group.

This definition of hate incidents is broader than how hate incidents are defined and interpreted under both B.C.’s *Human Rights Code* and the *Criminal Code*.

Terms of reference

The terms of reference for the Inquiry set out three key questions for the Commissioner to inquire into and make recommendations about:

1. What caused the apparent rise of hate incidents in B.C. during the COVID-19 pandemic?
2. What kinds of hate have individuals and communities in B.C. experienced during the pandemic, and how have these experiences affected them?
3. How can we address, eliminate or prevent hate incidents during times of crisis and beyond?
 - How effectively have public and private institutions responded to hate during the pandemic?
 - How effective is our public policy and law in addressing hate?

The Commissioner listed several issues that are out of scope for the Inquiry: discrimination not captured by the definition of hate incidents above, including “adverse effects” discrimination; hate incidents before January 2020, except for the purposes of understanding context; recommendations about *Criminal Code* reform; and investigating or making findings of fact about specific hate incidents, including incidents that are before B.C.’s courts and tribunals.

How we did this work

Terms of reference consultations

In July 2021, before beginning the Inquiry, we met with 27 agencies,² primarily consisting of community organizations, to get input on the draft terms of reference, definition of hate incidents and how to create a trauma-informed approach to the Inquiry. As a result of these consultation sessions, we revised the draft terms of reference and definition of hate incidents. In July 2021, we also notified the Ministry of Attorney General of our intention to begin the Inquiry.

Inquiry launch

On August 18, 2021, the Commissioner held a press conference to publicly launch the Inquiry. The Commissioner stated that the intent of the Inquiry was to explore the impacts of hate on communities that experienced or witnessed hate incidents during the COVID-19 pandemic based on their individual, collective or intersecting characteristics, including age, disability, gender expression or identity, ethnicity, Indigenous identity, place of origin, race, immigration status, religion, sex, sexual orientation and social condition. The Commissioner posted the Inquiry's terms of reference, definition of hate incidents, what was in and out of scope of the Inquiry, media materials, and evidence- and information-gathering processes on the Inquiry website: hateinquiry.bchumanrights.ca.

Opening ceremony with Knowledge Holders

On November 4, 2021, the Commissioner held a livestreamed opening ceremony to open the information-gathering phase of the Inquiry. Ten Knowledge Holders³ representing different communities joined the opening ceremony.

Throughout the ceremony, Knowledge Holders acknowledged the courage of the people sharing their stories, the work that communities are doing to support each other and the importance of doing this foundational Inquiry to recognize and work to prevent hate in B.C. The Knowledge Holders chose to focus their comments not on harms that come from hate but on forces that counter it, including solidarity, love, oneness, community, voice, joy and friendship.

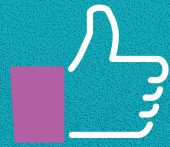
Hearings and submissions

In October and November 2021, we posted a public invitation to participate in the Inquiry across all BCOHRC websites and social media channels and sent out invitations to a broad list of community organizations and Indigenous organizations to participate in the Inquiry by making oral, written and video submissions and/or artistic expressions. We provided these organizations with the option to make oral submissions jointly through community roundtables.

In December 2021 and January 2022, we sent out invitations to a broad list of public bodies, Indigenous governments and organizations, academics, government agencies and independent offices of the Legislature, unions and professional associations and former perpetrators of hate. We offered these governments and agencies the option to make oral, written and/or video submissions. A public invitation to participate was also posted on the Inquiry website.

800

people polled



7

social media companies received orders and information requests



2,642

people completed the Inquiry survey

52

presentations by organizations

24

information requests to police departments and RCMP detachments across B.C.



5

research reports



20

written submissions

46

information requests to public bodies

15

Community Liaison Organizations supported the public survey



46

virtual hearings

We held a series of 46 virtual oral hearings, beginning in November 2021 and ending in April 2022. During these hearings, we heard from 52 community organizations and institutions, government agencies and public bodies, Indigenous governments and organizations, unions and professional associations, academics and former perpetrators of hate. We heard from 100 people in total during these sessions.

To mitigate risk to the physical and emotional safety of those providing their stories, BCOHRC did not conduct these hearings in public. Where participants consented, we posted transcripts and recordings of hearings to the Inquiry website. We also invited written and video submissions and artistic expressions. We received 20 written submissions. Transcripts and submissions from the hearings are available at hateinquiry.bchumanrights.ca/documents.

Funding was made available to support the participation of community organizations and Indigenous governments and organizations. Several applied for and were granted funding. Support was available during the hearings for anyone requesting emotional support, and we developed a process to fund counselling for individuals who were affected by participating in the Inquiry.

Public poll and public survey

BCOHRC commissioned an online poll of a representative sample of B.C. adults about hate incidents in B.C. over the course of the pandemic. Research Co. conducted an online survey of 800 B.C. adults for BCOHRC in December 2021. The data has been statistically weighted according to Canadian census figures for age, gender and region. The margin of error is +/- 3.5 percentage points, 19 times out of 20. Poll results are described in later sections of this report, and details of the poll methodology are available in Appendix B. Throughout the report, data and analysis from this poll is referred to as the “public poll.”

On January 27, 2022, BCOHRC opened a public survey and asked the public to share their experiences with hate incidents through a confidential survey that was available online from January 31 to March 6, 2022. The survey was available in 15 languages online or with language support by phone in 25 languages and could be completed in person with peer support through 15 Community Liaison Organizations (2,642 people completed the survey). Survey methodology and results are available in Appendix C.

We consulted with 15 community organizations on the draft survey questions, and questions were revised as a result. Throughout the report, data and analysis from this survey is referred to as the “public survey.”

We received a large number of responses to the survey from individuals reporting experiences that did not align with the Inquiry’s definition of hate or discrimination under the *Human Rights Code*. The themes among these responses spanned a spectrum, from people who were hesitant to get the COVID-19 vaccine to anti-government and anti-pandemic rhetoric, dissatisfaction and anger related to pandemic mandates, and calls for the prosecution of various provincial or federal government officials perceived to be responsible for various mandates and orders.

A report titled “Experiences of hate in B.C. during the pandemic: What we heard from British Columbians,”⁴ which details the results of the public survey, can be found at Appendix C. A separate report titled “Supplementary report on additional responses not relevant to the Inquiry,” which describes the survey responses that did not align with the Inquiry’s definition of hate incidents, can be found at Appendix D.

Community Liaison Organizations

We put out a call for community organizations to act as Community Liaison Organizations (CLOs) to promote the survey, assist individuals to complete it and ensure individuals who completed the survey had access to support for their well-being if they needed it. We offered the CLOs financial support and the nine organizations which applied for funding received it. Fifteen community organizations signed up to be CLOs, and we provided training to them prior to the survey going live. We also advertised the survey through the networks of CLOs, radio and social media ads, and through the Inquiry website and BCOHRC’s social and mainstream media reach. We want to express our gratitude to all the CLOs for their work to support community participation in this Inquiry. A full list of CLOs can be found in Appendix A.

Information requests and orders to produce records

We issued information requests about hate in B.C. since the start of the pandemic to 46 public sector agencies, including various provincial government ministries, municipal governments, school districts, transportation agencies, and the BC Prosecution Service and Court Services Branch. Appendix A contains a full list of the agencies who responded to information requests.⁵

Requests to policing agencies

The Commissioner issued two separate information requests to the B.C. Royal Canadian Mounted Police (RCMP) and all municipal police agencies, listed in Appendix A. The Commissioner requested data on hate incidents and gender-based violence in B.C. between 2015–2021. The Commissioner also requested hate crimes investigation policies and information about training for the investigation of hate crimes. Prior to issuing the requests, BCOHRC staff held several meetings with police services about the information we were seeking.

Overall, the Commissioner found data quality issues in the hate incident and gender-based violence data we received from the RCMP and municipal police departments. There was significant inconsistency in how incidents were entered into the police information management system and many fields had missing or incomplete data. In addition, the RCMP did not provide individual-level demographic information to the Commissioner for review.

Requests and orders to social media companies

The Commissioner also issued information requests and orders under s.47.16 of B.C.’s *Human Rights Code* to seven social media companies listed in Appendix A.

The information gathered through this process is reflected throughout the report and in the appendices.

Contextual research

BCOHRC funded external academics to prepare five research reports on topics relevant to the Inquiry:

- Indigenous legal responses to hate
- Online hate during the pandemic
- COVID-19 and domestic violence in B.C.
- Gender-based violence as a form of hate
- The roots of hate in B.C.

The Commissioner published these reports on the Inquiry website as they were completed. The research reports are available on the Inquiry website: hateinquiry.bchumanrights.ca/documents.

BCOHRC staff conducted cross-jurisdictional research in several key areas to inform the Inquiry, including the causes of hate, support for people who experience hate incidents, systems for reporting hate incidents, international human rights law on hate speech, restorative justice approaches to hate crimes, educational initiatives, regulation of online hate, civil remedies for responding to hate and human rights-based approaches to emergency management planning.

BCOHRC also tracked all hate incidents that were reported in major and regional B.C. media outlets from January 2020 to November 2022 using media monitoring platforms. The list of tracked media stories can be found in Appendix E.

Elders gathering

On March 17, 2021, we held an in-person Indigenous Elders gathering with 10 Elders from across the province and sought input and feedback on the Inquiry.

Inquiry findings consultations and administrative fairness

Between October and November 2022, we returned to participants in the Inquiry to provide an overview of this report and seek feedback on the final recommendations. In October and November 2022, the Commissioner conducted administrative fairness reviews where participants had an opportunity to review portions of the draft final report where we relied on their submissions.

Taking a trauma-informed approach

BCOHRC recognizes that people affected by hate are often marginalized, and that the information people have shared during the Inquiry is painful and can be re-traumatizing. During the Inquiry, we followed BCOHRC's guiding principles on trauma-informed practices and sought input on Inquiry processes along the way. For example, we:

- Sought feedback from community and Indigenous organizations on various processes we planned to use, and on the questions and process for the public survey
- Sought feedback from Knowledge Holders
- Did not hold public hearings but posted transcripts and recordings of hearings on the Inquiry website with consent
- Engaged Community Liaison Organizations with existing community relationships and trust to assist people to fill out the public survey, and provided financial support to organizations that applied for funding
- Developed detailed consent forms which allowed participants to choose what they would like publicly disclosed
- Provided funding for counselling support for Inquiry participants, both during hearings and outside the hearing context
- Conducted administrative fairness reviews with participants whose input is included in this report

The totality of the hate incidents described in the report is devastating, overwhelming and may be triggering to some readers. We have removed identifying information for the people involved in these incidents, except where those incidents have already been made public. However, we have included the details that follow because the Commissioner believes that to move forward as a cohesive society, we need to start with listening to the people and communities who experience hate and understand the impacts and the harms on them from their perspectives. We have, however, omitted hateful language as much as possible and tried to stay away from sharing stories of trauma without a clear reason for doing so.

“Thank you for doing this. It means a lot to be seen and valued.”

—Respondent to the Commissioner's public survey

We have included descriptions of conspiracy theories and hateful ideologies. Their inclusion here is not intended to raise their profile, but rather to acknowledge and address their impact on our communities. The Commissioner urges readers to care for themselves and access support as needed. Resources to support Inquiry participants and readers are available on our website at: hateinquiry.bchumanrights.ca/support.



What we have learned about hate

The Commissioner heard from individuals and organizations across the province that they experienced or observed a significant rise in hate during the pandemic. Many told us that hate incidents increased not only in frequency but also in severity during the pandemic.

This section of the report summarizes the stories and data shared with the Commissioner during the Inquiry. The Commissioner heard about hate experienced in every corner of the province based on race, gender, sexual orientation, religion, Indigeneity and more by people with different and intersecting identities. The Commissioner heard many stories about microaggressions, discrimination, systemic discrimination and hate. Every story and experience we heard about is important, both to the individual and community who shared it, as well as to paint the overall picture of discrimination and oppression in the province. For the purposes of this report, we have included only those stories that most closely align with the Inquiry's definition of hate incident.

We also know that for every story that was shared with us, there are likely many more we didn't hear about. In the words of Chief Fred Robbins from the Esk'etemc First Nation:

“You’re hearing, firsthand, some of the impacts, but I am one person. And with what happened to the young man and the elder in my community, if it’s happening here, it must be happening somewhere else.”⁶

The information presented in this section leads to the conclusions that:

- Hate has very deep roots in British Columbia.
- The pandemic marks a period of unprecedented division, intolerance and hate in the province.

We have much work to do. Despite the pervasiveness of hate during the pandemic, the Commissioner also heard about the strength of individuals and communities. This section of the report concludes with a discussion of those points of strength.



Has there been a rise in hate in B.C. during the pandemic?

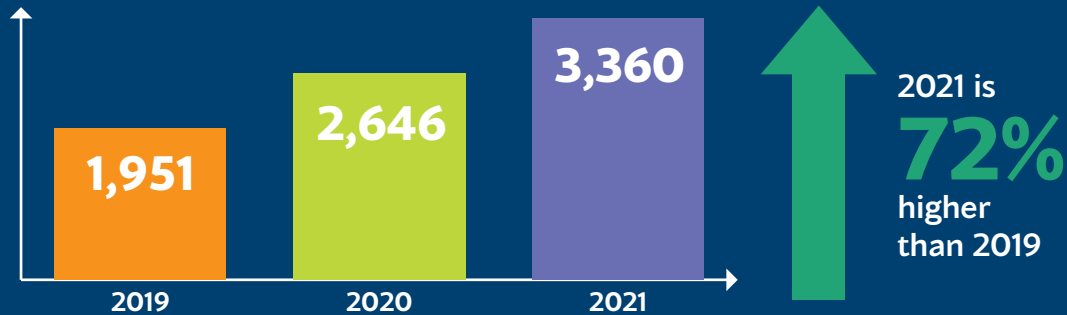
To assess whether there has been a rise in hate in B.C. during the pandemic, the Commissioner gathered information and evidence from many different sources, including individuals, community organizations, media reports, the police and Statistics Canada. The numbers clearly show that there has been a significant rise of hate in the province during the pandemic.

As the Commissioner heard from BC Hate Crimes: “Basically any type of high-profile event that relates to a particular identifiable group that’s historically marginalized in Canada, you’ll see hate crime and incidents rise relative to that group, which is a disturbing thing to say.”⁷

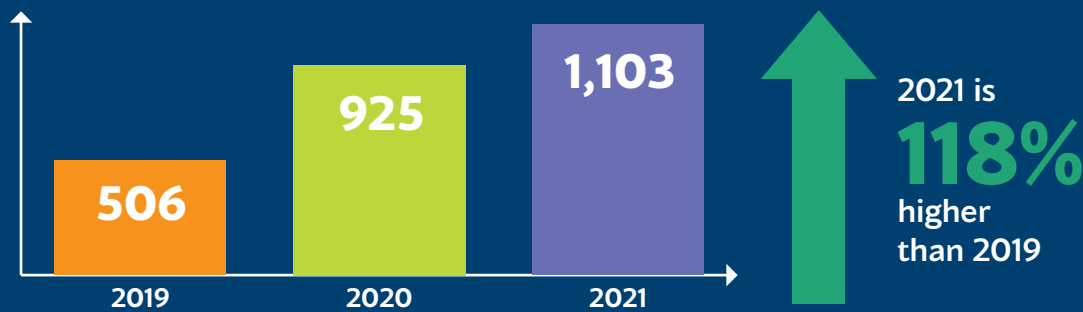
By the numbers: Hate during the pandemic

- As reported by Statistics Canada, the number of police-reported hate crimes⁸ increased by 36% during the first year and 27% during the second year of the pandemic, rising from 1,951 incidents in 2019 to 2,646 in 2020 and to 3,360 in 2021.⁹
- In total, police-reported hate crimes in Canada have increased 72% over the last two years.¹⁰ This marks the largest number of police-reported hate crimes since comparable data became available in 2009.
- From 2019 to 2020, there were substantially more police-reported hate crimes in Canada targeting race or ethnicity but slightly fewer hate crimes targeting religion and sexual orientation.¹¹ From 2020 to 2021, however, hate crimes based on race or ethnicity increased by 6% while police-reported hate crimes involving religion and sexual orientation rose by 67% and 64% respectively.¹²
- British Columbia is one of the provinces reporting the largest increase in hate crimes (+198 incidents) from 2019 to 2020.¹³
- Between 2019 and 2020, race- or ethnicity-related incidents in B.C. increased by 122% (from 161 incidents to 357 incidents), while those related to religion and sexual orientation did not change substantially.¹⁴
- Hate crime incidents increased in all of B.C.’s three metropolitan census areas: Vancouver, Victoria and Kelowna.¹⁵ Statistics Canada will release the statistics on police-reported hate crimes in B.C. for the year 2021 in early 2023.¹⁶

NUMBER OF POLICE-REPORTED HATE CRIMES IN CANADA (PROVIDED BY STATISTICS CANADA)



NUMBER OF POLICE-REPORTED HATE CRIMES IN B.C. (PROVIDED BY POLICE SERVICES)



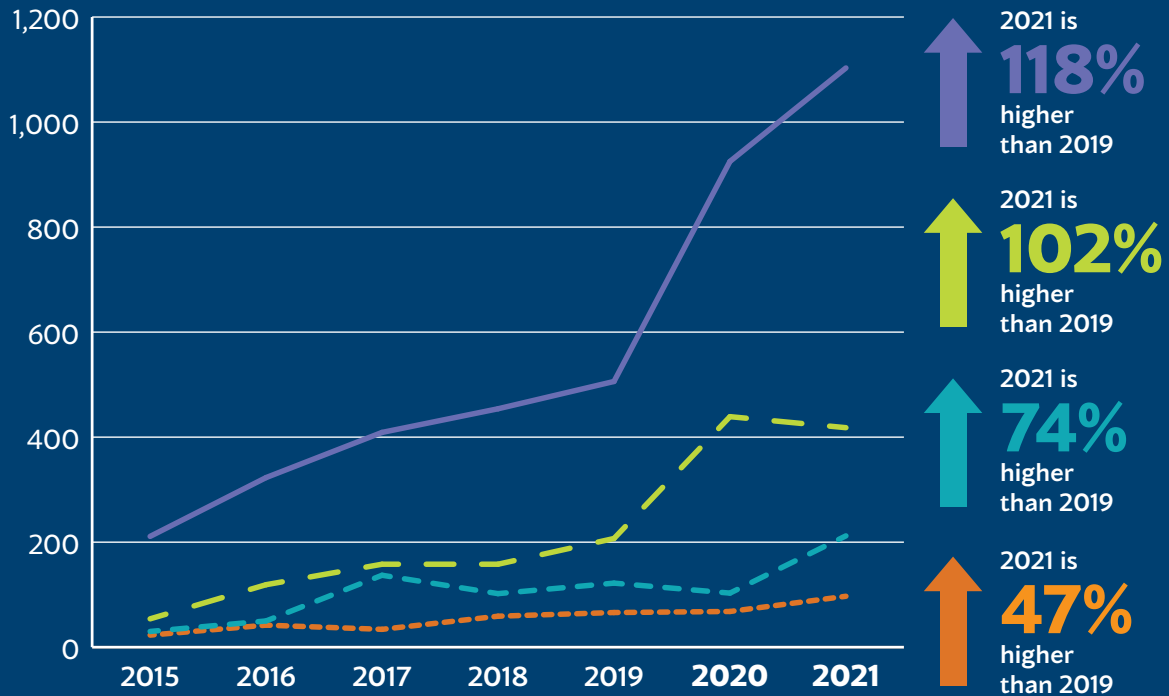
STATISTICS CANADA NUMBERS CONTINUE TO UNDER-REPRESENT POLICE-REPORTED HATE CRIMES

In addition to the data shown on the previous page, the Commissioner also requested data directly from police services on police-reported hate incidents in B.C. between 2015–2021. In total, we received data on 3,931 incidents reported to the police in B.C. with an indication of hate motivation. According to this data source, police-reported hate incidents in B.C. increased by 118% between 2019–2021 (506 incidents in 2019, 925 in 2020 and 1,103 in 2021).

The hate incident data provided to the Commissioner is more comprehensive than the data provided by police across Canada that Statistics Canada reports on. While Statistics Canada advised that all confirmed or suspected hate crimes should be reported to Statistics Canada through the Uniform Crime Reporting (UCR) survey, the Commissioner learned that data is not entered into the Police Records Information Management Environment (PRIME) consistently. The data provided to the Commissioner's office includes additional indicators or fields that indicate possible hate motivation that is not reported to Statistics Canada. Data provided to the Commissioner on hate incidents gives a more complete picture about hate incidents reported to the police in B.C.

We know that police-reported hate incidents represent only a fraction of all hate incidents that occur, with some marginalized communities being less likely than others to report incidents to the police for a wide variety of reasons. All the data in this report should be understood in light of the likelihood of significant under-reporting.

NUMBER OF POLICE-REPORTED HATE INCIDENTS IN B.C. FROM 2015–2021¹⁷



Year	Overall*	Race or ethnicity	Religion	Gender or sexual orientation
2015	211	54	30	23
2016	323	119	50	42
2017	409	158	137	34
2018	454	158	102	59
2019	506	207	122	66
2020	925	439	103	68
2021	1,103	418	212	97

*Please note that this graph shows only the three categories with the highest counts for hate incidents in these years, and does not include incidents categorized as “other motivation” or “motivation unknown.”

Hate based on race

The Commissioner reviewed considerable evidence confirming that race-based hate increased in both frequency and severity during the pandemic.¹⁸ The rising concern of many individuals and organizations about hate in their communities was evident in their letters to government, urging action as a response. For example:

“Over the past few months, we have seen repeated attacks on ethnic communities in the wake of the COVID-19 crisis. We have seen the elderly assaulted and young women repeatedly punched in the face. We have seen calls for genocide on Canadian soil. Racist attacks on the ethno-cultural communities have increased, with the irrational notion that these communities should be scapegoated for recent world events. Such a notion is grounded in hatred and prejudice and has no place in the multicultural nation of Canada. Our strength is founded upon embracing all ethnicities and cultures so that we can work together to build our nation as neighbours. It is only through the mindset of loving our neighbours that our country can thrive.”

— May 11, 2020, Letter to the Premier from Stop Racism Alliance¹⁹

“We appeal to the Canadian communities at this time to stay united, not divided; to spread love, empathy and care but not hate, frustration or anxiety. Refrain from stigmatization of any ethnic population in the country; people are not viruses. There is no worse community outbreak than the outbreak of racial prejudices and hate crimes. It is contagious and can spread like wildfire, like COVID-19, and everybody can be infected by it indiscriminately in the end. We advocate for more community dialogue to enhance mutual understanding, social tolerance and acceptance. We ask our political and community leaders to set a good example in addressing the issue.”

— Open letter to Canadian communities from Chinese Christian Mission of Canada²⁰

The sharp rise in hate incidents targeting people of East Asian descent has garnered widespread public attention. However, other racial and ethnic groups have also experienced a significant rise in hate during the pandemic. As explored in greater detail below, race-based hate often intersects with hate based on language, immigration status, religion, gender and other identity characteristics. We explore below how hate has been amplified by the pandemic. The Commissioner heard a lot about the online hate directed at different racial and ethnic and religious groups, with one participant noting that “being online doesn’t always feel safe for racialized or vulnerable people.”²¹

By the numbers: Hate based on race during the pandemic

- In Canada, between 2019 and 2020, the number of police-reported crimes motivated by race or ethnicity increased 80%, from 884 (45% of total hate crimes) to 1,619 (61% of total hate crimes),²² accounting for most of the national increase in hate crimes.²³ Much of the rise in police-reported hate crimes targeting race or ethnicity between 2019–2020 was the result of crimes targeting:
 - East or Southeast Asian populations (+202 incidents or +301%)
 - Indigenous populations (+44 incidents or +152%)
 - Black populations (+318 incidents or +92%)
 - South Asian populations (+38 incidents or +47%)²⁴
- From 2020 to 2021, police-reported hate crimes in Canada motivated by race or ethnicity rose again, slightly increasing to 1,723 incidents.²⁵ Much of the rise in hate crimes targeting race or ethnicity was the result of more reported crimes targeting Arab or West Asian populations (+58 incidents or +46%), and more crimes targeting East or Southeast Asian populations (+42 incidents or +16%) and South Asian populations (+29 incidents or +21%).²⁶
- In British Columbia, between 2019 and 2020, the increase in police-reported hate crimes related to race or ethnicity was the result of more crime targeting East and Southeast Asian populations (+106 incidents or +482%) and Black populations (+47 incidents or +115%). (Note that this B.C.-specific data is based on Statistics Canada rather than the more complete police data set received by the Commissioner.)²⁷
- The Vancouver Police Department reported that in Vancouver, anti-Asian hate crime rose by 717% from 2019 (12 incidents) to 2020 (98 incidents).²⁸
- Among North American cities in 2020, Vancouver had the highest rates of total hate crimes (44.3 incidents per 100,000 people) and anti-Asian hate crimes (35.3 incidents per 100,000 Asian people) compared to Boston (21.0 and 20.8), Ottawa (19.5 and 6.9), Washington, D.C. (18.7 and 3.5), Seattle (18.4 and 11.0), Los Angeles (8.9 and 3.2), Toronto (7.7 and 3.1), San Francisco (5.9 and 2.9), New York City (3.2 and 2.3) and Montreal (1.3 and 2.3).²⁹ However, comparing hate crime statistics in Canada and the U.S. may be impaired due to potential differences in definitions of “hate crime.”

- Evidence also suggests alarming rates of online hate incidents in Canada and B.C. targeting people’s racial/ethnic identities.³⁰
 - In January 2021, a survey of over 2,000 Canadians asked whether they had experienced or seen online hate. The survey found that 7% of Canadians experienced racist comments or content, 14% of racialized respondents were targeted by racist comments or content, 40% of Canadians had seen racist content, 6% were targeted by content inciting violence and 36% had seen it.³¹
 - A survey of Canadians in March 2021 found that 44% of B.C. residents had been targeted by or seen online hate or racism in the preceding few months—the highest percentage of any province in Canada.³²

Hate experienced by Indigenous communities

Although the Commissioner heard that hate is a word and concept that is generally not used in Indigenous cultures, we also heard that hate experienced by Indigenous Peoples during the pandemic occurred within the context of widespread current and historic racism that is a common experience for many Indigenous Peoples. While we heard extensive evidence of rampant anti-Indigenous racism and hate in B.C., organizations that work with or represent Indigenous individuals indicated uncertainty or opposition to the idea that hate towards Indigenous Peoples has increased during the pandemic. As Chief Joe Alphonse shared:

“Anything that’s about racism, you don’t have to look far. Any First Nation that’s sitting, and you ask them, ‘Have you encountered any racism?’ And they’ll give you a long list of things.”³³

Respondents to the Commissioner’s public survey reflected similar ideas, with 72% of Indigenous respondents reporting that they experienced a hate incident before the pandemic, as opposed to 62% of overall respondents.³⁴

Another representative expressed that while hate aimed at Indigenous Peoples has not necessarily increased during the pandemic, it has become more visible during the pandemic.³⁵ In a similar vein, for participants in a community program for Indigenous women, girls, two-spirit, non-binary and trans youth, “systemic discrimination is a daily experience and embedded in almost all aspects of their lives, so it is difficult to discern if hate increased due to the pandemic.”³⁶

We heard from Dr. Bonnie Henry that there was considerable backlash against Indigenous Peoples, as well as the Provincial Health Officer and government officials, following the announcement that Indigenous Peoples would be prioritized for vaccination in recognition of systemic factors that make Indigenous individuals and communities more at-risk for adverse outcomes of COVID-19.³⁷ During the pandemic, several First Nations communities experienced discriminatory treatment and public backlash in response to public announcements of COVID-19 cases and other attempts by First Nations to protect their community members.

**“I am First Nations.
They thought I was
Chinese. They told
me to go back to my
country. Ironic.”**

—Indigenous respondent to the
Commissioner’s public survey

For example, in January 2021, the Cowichan Tribes' community experienced a COVID-19 outbreak, with a small number of cases among its 5,000 members.³⁸ After news of this outbreak was made public as part of efforts to contain the transmission, many Cowichan Tribes members and other Indigenous Peoples experienced hate and discrimination, including online hate, refusal of services and cancellation of medical appointments.³⁹

“We’re seen as others, we’re seen as aliens, we’re seen...as a virus.”

— BC Association of Aboriginal Friendship Centres on the experiences of Cowichan Tribes members during a COVID-19 outbreak in their community⁴⁰

Similar incidents occurred around the same time in Williams Lake in response to the announcement of cases among members of the Tl’etinqox Nation, with members being denied service, including not being allowed to access the bank.⁴¹ Racist incidents targeting the Snunymuxw First Nation in Nanaimo were also reported.⁴² We heard about Indigenous Peoples being associated with COVID-19. For example, we heard one story of a father asking his son about a First Nations girl he’s friends with, saying: “COVID is out there, be careful. They are dirty people.”⁴³ There have been no reports of comparable incidents where predominantly white communities with high infection rates or community outbreaks have become uniquely associated with COVID-19.

First Nations communities also reported difficulties in enacting public health measures in their communities because of a lack of institutional support. For example, when enacting measures to limit outsider access to their communities, the Tl’etinqox First Nation reported facing a lack of provincial or RCMP support.⁴⁴

The pandemic coincided with other high-profile events related to Indigenous sovereignty and rights. These events sometimes resulted in anti-Indigenous hate emerging as a backlash or response. The Inquiry heard about this backlash in relation to recent instances of Indigenous land defence like the Wet’suwet’en land defence actions against the Coastal GasLink pipeline.⁴⁵

We also heard about how the discovery of unmarked graves at residential schools impacted Indigenous individuals and communities.⁴⁶ At the same time as these discoveries caused deep pain, “they’ve also really seemed to have triggered push back and defensiveness and almost refueled anti-Indigenous racism in communities.”⁴⁷

Throughout the Inquiry, we heard about many instances of online hate directed at Indigenous Peoples.⁴⁸ The Canadian Anti-Hate Network documented increases in online hate on social media sites, including racial slurs and people advocating violence.⁴⁹ For example, a Nuu-chah-nulth Nation individual posted a message supporting land protectors on their Instagram post and received more than 600 death threats and racial slurs after posting it.⁵⁰

We also heard about hate targeting Indigenous Peoples in comments of online media news stories. One Inquiry participant provided the Commissioner with screen shots of racist and hateful comments targeting Indigenous Peoples on a local B.C. news site.⁵¹

For example:

- “Isn’t it about time that taxpayers just pay to have an ATM installed in every lazy Indian’s house and be done with these endless stories of manufactured hardship.”
- “Why have the FN never exhumed the bodies to determine cause of death? It would be appropriate to know whether it was natural causes or other causes? Right now ‘unmarked graves’ is a great selling point!”
- “Well if they found out cause of death was natural would not fit the narrative. Besides it is time for new trucks for all FNs.”

We also heard about hate targeting Indigenous students in schools. For example, we heard about how on Orange Shirt Day, September 30, 2020, a white supremacist group dropped propaganda pamphlets on the sidewalks around several schools, advertising far-right websites and leaders.⁵²

“The fact that it was shared on Orange Shirt Day, you know I don’t feel like that was coincidental, because of course we know that anti-Indigenous racism exists in our community, and it exists in our schools.”

—School District 22, Vernon⁵³

School District 57 told the Commissioner about hate incidents that occurred around the renaming of the newly constructed Kelly Road Secondary School in Prince George in February 2020 to a Dakelh name, Shas Ti, based on a gifted story. The renaming caused a huge community divide: “... thousands of people wrote in against the name change, students walked out of school with the support of their parents, there was a binder of redacted comments which First Nations were not allowed to see, blockades went up, kids were involved in fights, and it was traumatic for Indigenous people.”⁵⁴ These incidents resulted in the Minister of Education appointing a special advisor to inspect and evaluate the board’s governance practices and assist it with best practices for culturally appropriate and racially sensitive governance, policies, practices and planning. The special advisor’s report was released in 2021.⁵⁵

Throughout the pandemic, experiences of hate and racism were commonplace for Indigenous Peoples and First Nations communities. While some instances had clear and direct connections to COVID-19 surges or public health measures, other instances appeared more closely connected to different high-profile events. Whether a direct result of COVID-19 or not, Indigenous communities have been dealing with both hate and the pandemic at the same time.

By the numbers: Hate experienced by Indigenous communities during the pandemic

- In Canada, police-reported hate crimes targeting Indigenous Peoples increased by 169% in 2020 (78 incidents) and dropped by 1% in 2021 (77 incidents).⁵⁶
- In British Columbia, 20% of Indigenous respondents to BCOHRC's public survey reported experiencing a hate incident during the pandemic.⁵⁷
- The Commissioner received data related to 3,931 hate incidents reported to police in B.C. between 2015–2021. The police recorded a motivation for 2,444 of the 3,931 incidents. Among the 2,444 hate incidents for which motivation is recorded, 1,553 incidents (64%) were recorded as motivated by race or ethnicity. Of those, Indigenous Peoples were targeted in 43 incidents (2.8%).
 - Although the volume of police-reported incidents motivated by Indigenous identity is small as a result of under-reporting, they increased by 367% between 2019–2021 (three incidents in 2019, nine in 2020 and 14 in 2021).



POLICE-REPORTED HATE INCIDENTS TARGETING INDIGENOUS PEOPLES IN B.C. FROM 2015–2021⁵⁸



Year	Incidents	Change
2015	3	–
2016	3	0%
2017	3	0%
2018	8	167%
2019	3	-62.5%
2020	9	200%
2021	14	56%
TOTAL	43	–

Hate experienced by Black communities

The Commissioner heard that even though hate experienced by Black people in B.C. is significant, it is often ignored or not acknowledged because of the small size of the Black population in the province.⁵⁹ We heard from one community organization that works closely with Black community members across Greater Vancouver that they have observed a significant rise in hate during the pandemic, especially towards Black women and youth, and that this hate is especially pronounced for those who are immigrants and/or have lower incomes.⁶⁰ The Commissioner heard about experiences of anti-Black hate in schools, stores and workplaces, as well as in public spaces. For example, we heard about a Black man who was threatened by a person driving a car that accelerated towards him while he was crossing the street and then suddenly braked before hitting him.⁶¹

The bullying and hate experienced by Black children and youth in schools was described as pervasive. One presenter noted:

“It started from their childhood. Since they come here, they are facing bullying in schools, in playgrounds, everywhere.”⁶²

We heard about high rates of suicide among Black youth. Another community organization representative shared:

“These kids had notes of being bullied at school, being spoken at in different ways. You know, being told that they don’t belong here, Canadian kids.”⁶³

The increase in anti-Black hate during the pandemic may also be linked to specific events and trends distinct from those driving the rise of anti-Asian hate. For instance, we heard from BC Hate Crimes that the murder of George Floyd and subsequent protests against police violence in the summer of 2020 were associated with a spike in anti-Black hate incidents in B.C. and across Canada.⁶⁴

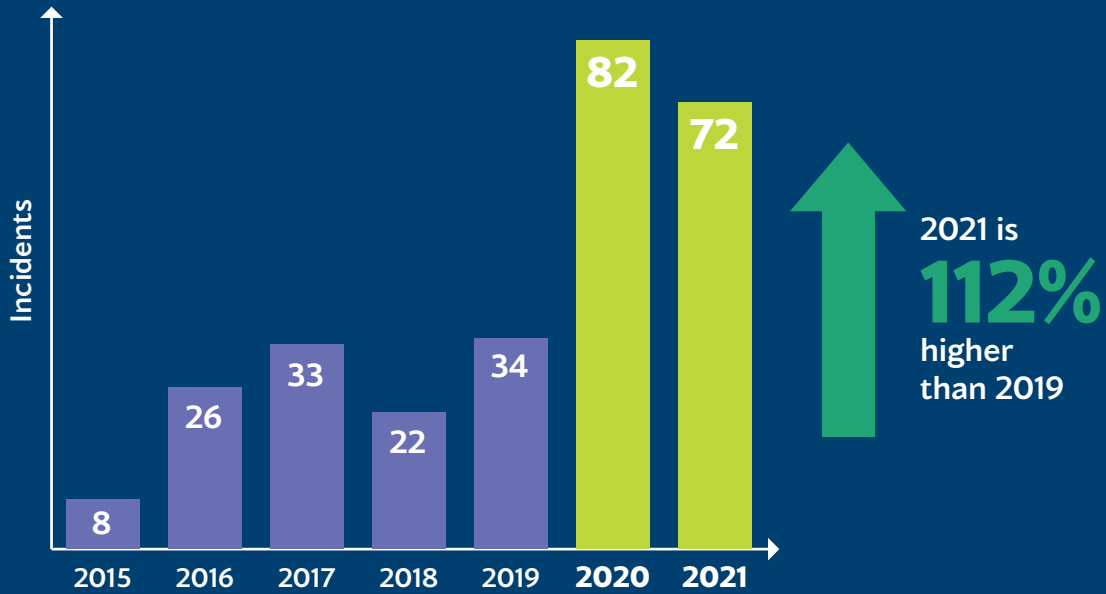
We heard about an incident that happened during a Black Lives Matter protest in Kelowna in June 2020. Protestors were observing eight minutes and 46 seconds of silence, the amount of time that a police officer knelt on George Floyd’s neck before he died, when a truck drove by the protest and a passenger in the vehicle put his hand out of the window in what was described as a Nazi salute and then threw a beer can at protestors who confronted them.⁶⁵

As with the discovery of residential school gravesites, high-profile events, including incidents of police violence, are made even more painful when compounded by hate incidents in our communities.⁶⁶ Black communities facing hate fueled by COVID-19 have been double-burdened with hate incidents sparked by separate but concurrent high-profile events while navigating the pandemic itself.

By the numbers: Hate experienced by Black communities during the pandemic

- In Canada in 2020, Black people were the most frequently targeted group overall. Police reported 676 incidents motivated by hatred against Black people in 2020, which was a 96% increase from 2019 (345 incidents). Police-reported hate crimes targeting Black people in Canada dropped by 5% in 2021 (642 incidents).⁶⁷
- In a B.C. survey conducted in spring 2021, approximately 17% of Black respondents reported increased discrimination because of their ethnicity, nationality, race or skin colour since the beginning of the pandemic.⁶⁸ This statistic should be interpreted with reference to very high levels of discrimination prior to the pandemic.
- There were 33 Black individuals who responded to the Commissioner’s public survey. Many respondents reported that they were affected by hate many times (44%) during the pandemic, and most noted that the hate incident was committed by strangers (70%).
 - Black respondents felt that the rise in hate incidents was due to hateful political commentary (45%) and the normalization of hate incidents (45%).
- Police data shows a significant increase in hate targeting Black people in B.C. during the pandemic. The Commissioner received data related to 3,931 hate incidents reported to police in B.C. between 2015–2021. The police recorded a motivation for 2,444 of the 3,931 incidents. Among the 2,444 incidents for which motivation is recorded, 1,553 incidents (64%) were recorded as motivated by race or ethnicity. Of those, Black people were the most targeted group (18% or 277 incidents).
 - Hate incidents targeting Black people rose from 34 incidents in 2019 to 82 incidents in 2020 and 72 incidents in 2021. Between 2019–2021, police-reported hate incidents targeting Black people in B.C. increased by 112%.

POLICE-REPORTED HATE INCIDENTS TARGETING BLACK PEOPLE IN B.C. FROM 2015–2021⁶⁹



Year	Incidents	Change
2015	8	–
2016	26	225%
2017	33	27%
2018	22	–33%
2019	34	55%
2020	82	141%
2021	72	–12%
TOTAL	277	–

“What we had never seen before was the speed that it increased at. That rate was just like nothing anyone had ever seen.”

—Corporal Anthony Statham, BC Hate Crimes, reflecting on the surge in anti-Asian hate incidents across the province in spring 2020⁷⁰

Deeper dive: Hate experienced by Asian communities

Hate targeting East Asians, Southeast Asians and South Asians increased swiftly during the pandemic, driven by racist and xenophobic narratives which scapegoated and blamed China and Asians more generally for COVID-19. Many Inquiry participants of Asian descent shared their experiences of racism and harassment.⁷¹ These experiences of hate took many different forms, from racist graffiti in their neighbourhoods to seeing hate online, being verbally harassed or being threatened or violently assaulted.

The Commissioner heard that the homogenization of Asian identity—the assumption that all Asians are Chinese—is a common aspect of anti-Asian discrimination.⁷² We also heard in the written submission from West Coast LEAF that:

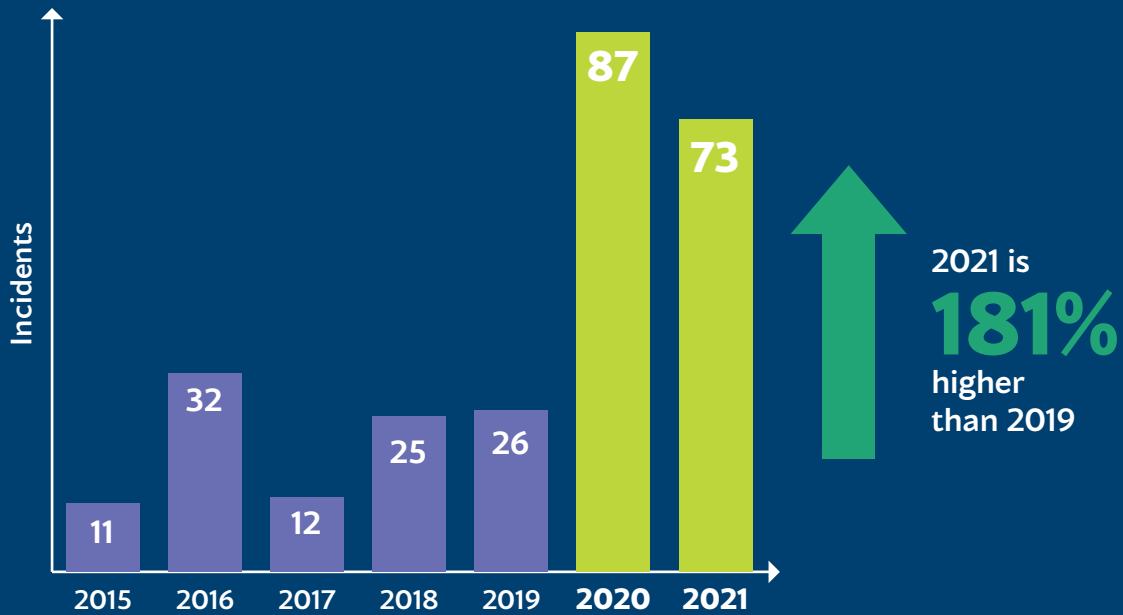
“It is important that this violence aimed at the Asian community on the basis of race and ethnicity is also approached through an intersectional lens, as Asian people are not a monolithic group and have differing experiences of migration, trauma and socio-economic realities, among other differences. These incidents must also be recognized as gendered, taking into account historical and contemporary manifestations of prejudice and harmful racist and sexist stereotypes faced by women, trans and non-binary people, and gender-nonconforming people who identify or are identified as Asian.”⁷³



By the numbers: Hate experienced by Asian communities during the pandemic

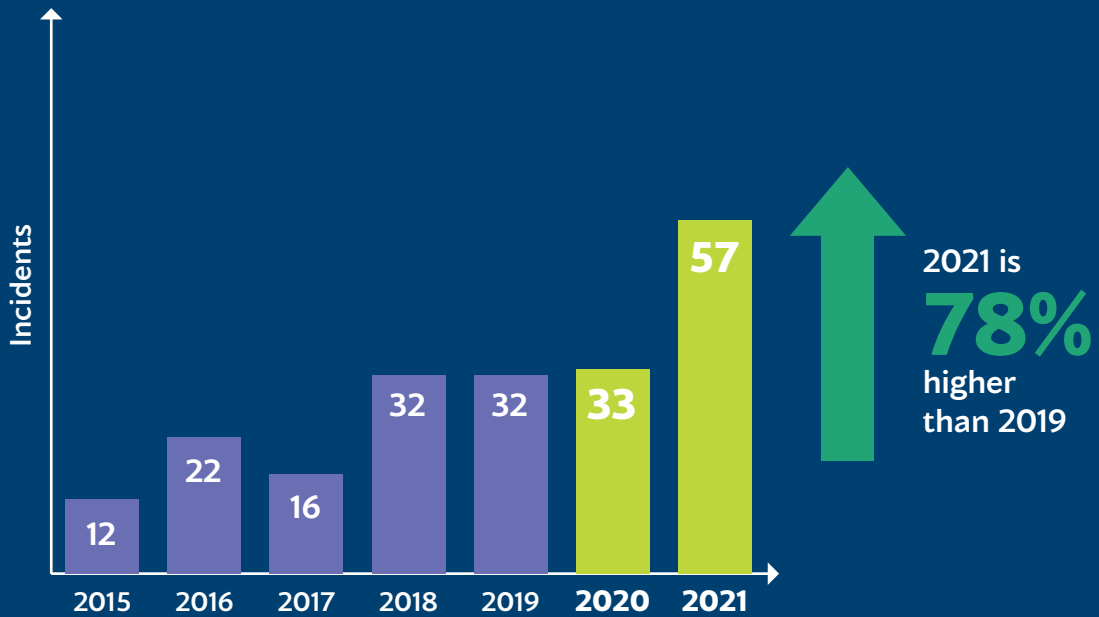
- In Canada, police-reported hate crimes reported by Statistics Canada targeting race or ethnicity almost doubled (+80%) in 2020 compared with 2019, accounting for the vast majority of the national increase in hate crimes.⁷⁴
 - Much of the rise in police-reported hate crimes targeting race or ethnicity was the result of crimes targeting East or Southeast Asian populations (+202 incidents or +301%) and South Asian populations (+38 incidents or +47%).⁷⁵
- From 2020 to 2021, police-reported hate crimes targeting race/ethnicity increased again, with more crimes targeting East or Southeast Asian populations (+42 incidents or +16%) and South Asian populations (+29 incidents or +21%).⁷⁶
- The Vancouver Police Department reported that between 2019 and 2020, there was a 717% increase in hate incidents targeting East Asian residents (from 12 reported incidents in 2019 to 98 in 2020).⁷⁷
- The Commissioner received data related to 3,931 hate incidents reported to police in B.C. between 2015–2021. The police recorded a motivation for 2,444 of the 3,931 incidents. Among the 2,444 incidents for which motivation is known, police reported that 1,553 (64%) were incidents targeting race or ethnicity. East and Southeast Asian people were targeted in 17% of the incidents and South Asian people were targeted in 13% of the incidents. Police-reported hate incidents targeting East and Southeast Asian people in B.C. increased by 180% between 2019–2021 and police-reported hate incidents targeting South Asian people increased by 78% in the same time period.

POLICE-REPORTED HATE INCIDENTS TARGETING EAST AND SOUTHEAST ASIAN PEOPLE IN B.C. FROM 2015–2021⁷⁸



Year	Incidents	Change
2015	11	–
2016	32	191%
2017	12	–62.5%
2018	25	108%
2019	26	4%
2020	87	235%
2021	73	–16%
TOTAL	266	–

POLICE-REPORTED HATE INCIDENTS TARGETING SOUTH ASIAN PEOPLE IN B.C. FROM 2015–2021⁷⁹



Year	Incidents	Change
2015	12	–
2016	22	83%
2017	16	–27%
2018	32	100%
2019	32	0%
2020	33	3%
2021	57	73%
TOTAL	204	–

In addition to the increase in hate incidents targeting Asian people reported by police, surveys, community reporting tools and research also reported significant increases in hate targeting Asian people during the pandemic:

- In Canada, two of the largest online platforms collecting voluntary reports from individuals about experiences of hate, EliminateHate and covidracism.ca, documented over 1,000 reports of anti-Asian racism across Canada between March 10, 2020, and February 28, 2021. Updated in June 2021, the total number of reports exceeded 1,500.⁸⁰
 - 73% of reported incidents were verbal harassment
 - 11% were physical force/assaults
 - 10% were coughed at/spat on
 - 4% vandalism or graffiti
 - 1% was denial of service
 - 1% was workplace graffiti⁸¹
 - Common themes included “xenophobia, yellow peril, hygiene, the fetishization of Asian women, and, interestingly, real estate as well.”⁸²
- 44% of reports documented by EliminateHate and covidracism.ca occurred in B.C. and 40% in Ontario despite Ontario’s Asian population being almost three times the size of B.C.’s.
- Of the over 150 news stories about hate incidents collected by BCOHRC, approximately 25 hate incidents targeted Asian people or people who appeared Asian. For example, in May 2020, CTV News reported that a white man in his mid-30s repeatedly punched a young Indigenous woman while yelling anti-Asian slurs—presumably having mistaken her ethnicity.
- A poll of Asian British Columbians conducted in April 2021 found that 87% of respondents believe anti-Asian racism has “gotten worse” since the start of the pandemic and 64% of respondents feel it has “gotten a lot worse.”⁸³
- The Commissioner’s public survey also found evidence of an increase in anti-Asian hate during the pandemic. There were 219 East or Southeast Asians who responded to the Commissioner’s public survey. Compared to overall respondents, East or Southeast Asian respondents were more likely to experience hate incidents occurring in an outdoor public space (71% vs. 48%), on public transit (33% vs. 20%) and as spitting or deliberately coughing on them (31% vs. 18%). Of the East and Southeast Asian respondents to the Commissioner’s public survey, 83% felt that the rise in hate incidents was due to the blaming of some groups for the pandemic or a perception that groups are aggravating the pandemic.
- We heard reports of significant increases in anti-Asian graffiti in geographic areas with large Chinese populations, including Vancouver’s Chinatown and Richmond.⁸⁴

- In response to a national survey of approximately 43,000 Canadians in May 2020, 30% of those identifying as Chinese reported perceiving an “increase in harassment or attacks on the basis of race, ethnicity or skin colour” in their neighbourhood since the start of the pandemic. This was also reported by 27% of Korean, 19% of Southeast Asian, 16% of Filipino, and 15% of Japanese respondents.⁸⁵
- An analysis of anti-Asian tweets originating in B.C. found a 677% increase between 2019 (288 tweets) and 2020 (2,238 tweets). The tweet count declined in 2021 to 843 but remained well above pre-pandemic levels. The same study found an even greater corresponding increase in counterspeech during the same period.⁸⁶
- Canadians were the fourth largest nationality of people globally who looked at anti-Chinese and anti-Asian content on Twitter during the pandemic.⁸⁷
- These experiences of racism persisted beyond the early months of the pandemic. In a national survey conducted in June 2021, with a total of 631 respondents (580 of whom were ethnically Chinese and the remainder self-identifying as East Asian or Southeast Asian):
 - 58% reported experiencing discrimination within the past 12 months
 - 28% said these incidents happen “often” or “all the time”⁸⁸

ASIAN PEOPLE EXPERIENCED PANDEMIC-SPECIFIC FORMS OF HATE

The Commissioner heard a disturbing number of stories about hate incidents directed at Asians that included explicit blame for COVID-19 and comments like “go back to China.” We heard that many people of Asian descent experienced verbal attacks in public places and that these verbal attacks were sometimes accompanied by spitting or having objects thrown at them, sometimes escalating into further violence. We heard that experiences of street harassment were extremely common.⁸⁹ We heard about people experiencing hate and harassment because they were blamed for the virus and when they wore masks or took other precautionary measures.⁹⁰

The South Asian Legal Clinic of British Columbia attributed a rise in anti-South Asian hate in Surrey and Abbotsford to statements by the Provincial Health Officer about high rates of COVID-19 infection in the South Asian community, attributing it to “cultural practices” of living in large, inter-generational households. They told us that this perpetuated the idea that the South Asian community was uniquely not adhering to provincial public health guidelines and “perpetuates this stereotype of uncivility within the South Asian community.”⁹¹

Here are just some of the examples that were shared with us through the submissions and the public survey:

- A woman was verbally attacked by another set of customers at a restaurant. “They told her to go back to China, and to take her disease with her. She was embarrassed and she left the restaurant.”⁹²
- A person “who identified as Asian Canadian reported that someone had thrown a can of pop at her and her partner from a moving vehicle, screaming ‘Thanks for COVID,’ and using a racist slur.”⁹³
- Another person “who identified as half Japanese said he was waiting in line at a pharmacy when a woman who was also waiting in line and speaking to another woman about COVID-19 turned and said to him: ‘We need to deport all of you people back.’”⁹⁴
- In the street in Richmond, a Vietnamese woman was verbally attacked by a Caucasian male saying: “Go back to your country.”⁹⁵
- A “white male in a kilt and pulling a wheeled shopping bag behind a silent, twenty-something Asian woman...screamed repeatedly to go back to her own country.... She darted inside [identifier removed] restaurant.”⁹⁶
- “In downtown Vancouver, an Asian woman (Korean) was walking on the road with her one-year-old toddler, and suddenly a Caucasian male yelled at her: ‘Go back to China, you are the problem....’ A few groups of people who were also passing by immediately came to apologize and said: ‘Sorry that you have to go through this.’”⁹⁷
- “I was told to go back to where I came from and take your f***n ch**k virus with you!!”⁹⁸
- An Asian man was driving and waiting at a red light when two men in the car next to him shouted a racial slur, and then they threw garbage at him.⁹⁹
- A Filipino mother and two young children were yelled at, sworn at, and spat on by a white man at a bus stop.¹⁰⁰
- “A middle-aged man was coughing very loudly and spitting towards me. He was very unfriendly and stared me down while he was walking towards me. I quickly walked toward another dog walker because I felt threatened.”¹⁰¹
- “...cyclist, in September 2020, was chased near Broadway and Manitoba, in Vancouver, by a man and woman riding an electric motorcycle on the sidewalk. When [cyclist] (who was walking his bike) said they should be on the street, they angrily called him ‘a f***** ch**k’ and chased him with their motorcycle, catching up and ramming him.”¹⁰²
- “I was walking outside [identifier removed] at lunch hour and was shoved from behind. I could not confront this man or say anything because there were no people around and I feared for my safety. I was not physically injured but was mentally affected and felt totally helpless.”¹⁰³
- One woman reported: “I had myself with my young son on the ferry and everyone around us got up and moved away from us, sort of the avoidance of, you know, the contagion. I had various incidents like that.”¹⁰⁴

- We heard about a worker on the Crisis Line with an Indian accent, who had someone calling for help and saying that he was part of the problem, he had brought the virus.¹⁰⁵
- “My children (ages five and seven) and I went for a walk around our neighbourhood. An older Caucasian lady started yelling at us from across the street about bringing the virus here and told us to get off the streets. She then marched across the street, came up to my five-year-old who was sitting in a wagon, and coughed in her face. She is now terrified of going out and constantly asks if the police have caught her. My seven-year-old is confused and doesn’t understand how we had anything to do with the virus.”¹⁰⁶
- Sometimes these associations of Asian people with COVID-19 escalated into overt conspiracy theories. We heard how anti-Asian hate linked to the idea that the virus was “engineered” in China.¹⁰⁷
- “People are being blamed. In particular, for this client, at the beginning of COVID, there was a real, sort of, attack on Asian-Canadians, in particular China, Chinese Canadians, and that there were videos being shown off, kind of, conspiratorial stuff happening—that China, Chinese people were spreading the virus, and that they’re a threat to Canadian society.”¹⁰⁸

We heard that misinformation and conspiracy theories were often spread through mainstream institutions and the media. For example, we heard from Hua Foundation about how the media played a role in perpetuating narratives of blame (scapegoating, fearmongering) towards China. For example, The Province newspaper put “China Virus” in one headline.¹⁰⁹ Hua Foundation was also critical of “disproportionate media coverage” of the hate-based rhetoric and no recognition of community support efforts.¹¹⁰

ASIAN SENIORS, WOMEN AND YOUTH WERE TARGETED

Community organizations told the Commissioner about many reports from Asian seniors¹¹¹ as well as women and youth.¹¹²

We heard that the rise of anti-Asian hate had distinct impacts on older community members.¹¹³ We heard about many older adults who were afraid to leave their homes.¹¹⁴ We heard of younger generations rallying to stand up for their parents and grandparents.¹¹⁵ Several East or Southeast Asian respondents to the Commissioner’s public survey described hate targeting elderly individuals, particularly women. For example, the Commissioner heard a story of an older Asian senior who was visibly disabled. She was going to a community resource centre she goes to regularly, but on her way, a man hit her in the head. The woman said: “I think it was because I’m older and I’m also a woman, and I’m Chinese, so perhaps this is why I’m being discriminated against.”¹¹⁶ An 80-year-old Japanese person reported: “What happened to me, I’ve experienced many times before. I am in my mid-80s, and I’ve lived through Japanese Canadian internment. I know how to handle it.”¹¹⁷

We heard from the University of Victoria Student Society that in response to a survey they conducted in fall 2021, over half of all East Asian students and over one-third of Asian students more generally agreed that they had experienced increased anti-Asian racism since the beginning of the pandemic.¹¹⁸ The Commissioner also heard many reports of anti-Asian incidents occurring in schools. For example:

- Chinese students at a high school had garbage thrown at them and were told to go back to China.¹¹⁹
- In one school, a woman was verbally abused by a student calling her “f**king Chinese.”¹²⁰
- A school district representative described an interaction with a community member who felt that Chinese students should be blocked from coming to their city and their international student program because of the threat of them bringing COVID-19. The community member said, “Why are you letting all these Asian students in... when they created the pandemic?” and commented that they were going to go to the newspaper regarding their concerns.¹²¹

We heard that Asian women were disproportionately targeted in hate incidents. A representative from Hua Foundation attributed the targeting to long-standing stereotypes about Asian women that can make them vulnerable to violence.¹²² project1907 stated that throughout the pandemic, around 60% of their reports have come from women.¹²³



Hate based on religion

“The global health crisis caused by the COVID-19 pandemic has turned into a socio-economic crisis as well as a human rights crisis rolled into one. It has exacerbated the vulnerability of the least protected in society. While the virus does not discriminate, its impacts do. Crises, including outbreaks of diseases, create anxiety and fear that are key ingredients for racism, xenophobia and religious intolerance to thrive.”

—United Nations Alliance of Civilizations, July 7, 2021¹²⁴

“...Divisions based on race, ethnicity or religion only serves to erode our social fabric and collective well-being...”

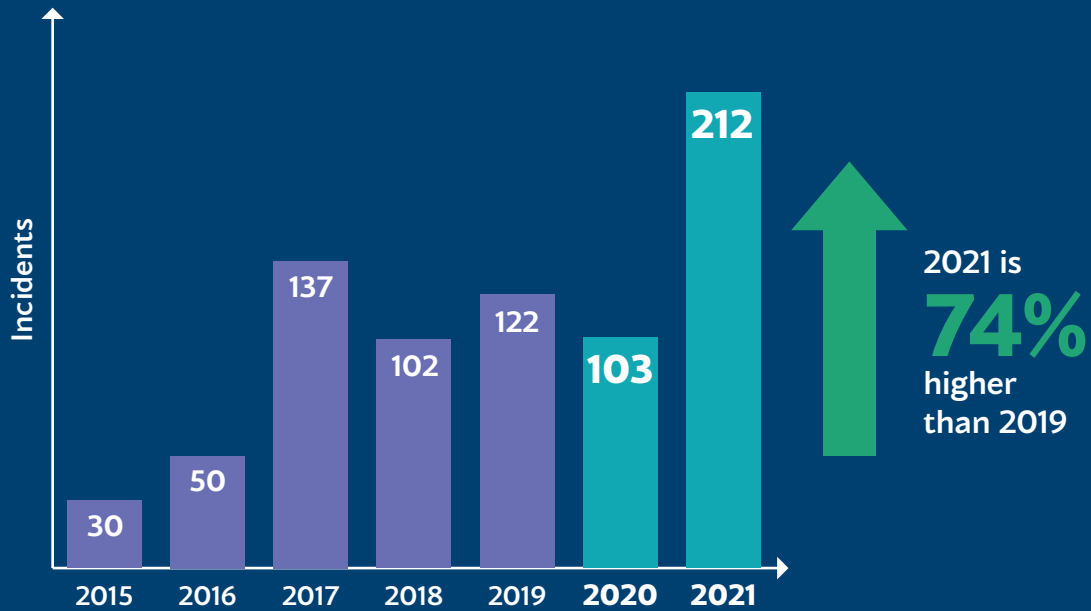
—Unifor (Email to Premier Horgan dated July 28, 2020)¹²⁵

Hate targeting people based on religion, in particular based on visible symbols of faith, fluctuated over the course of the pandemic, although overall numbers indicate an increase during the pandemic.

By the numbers: Hate based on religion during the pandemic

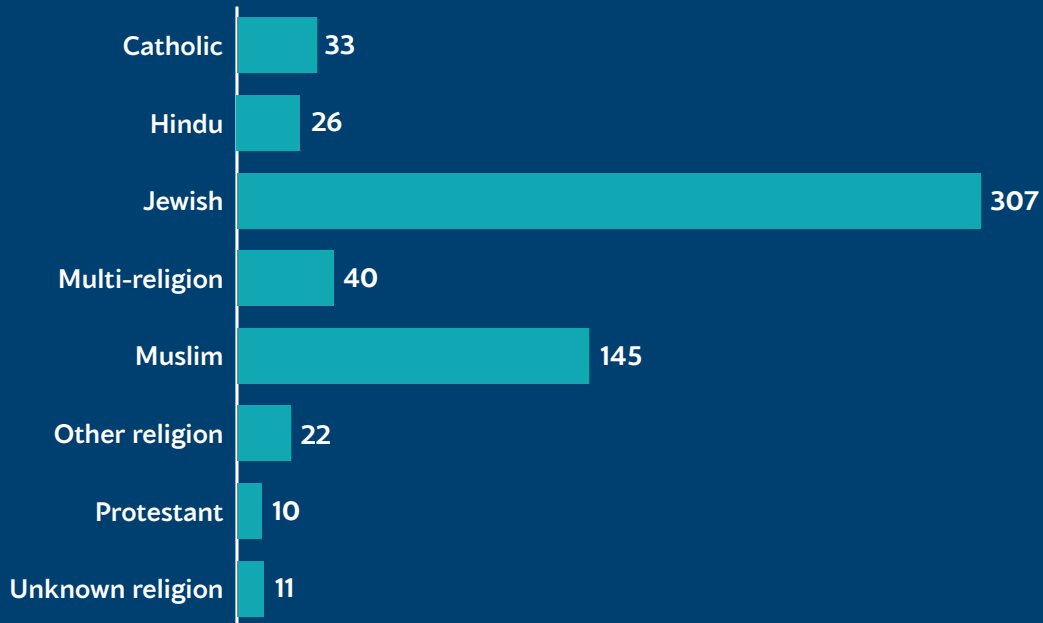
- In Canada, police-reported hate crimes targeting religion decreased from 613 incidents in 2019 to 530 incidents in 2020 and then increased by 67% to 884 incidents in 2021.¹²⁶ In 2021, there were increases in police-reported hate crimes targeting Jewish (+47% or 487 incidents), Muslim (+71% or 114 incidents) and Catholic (+260% or 155 incidents) communities.¹²⁷
- 19% of people who responded to the Commissioner’s public survey reported that the hate incident they experienced or witnessed was motivated by religious or spiritual beliefs, or cultural markers or traditions.
 - One respondent commented: “I was targeted because I belong to a visible minority community. I wear a turban and keep unshorn facial hair.”
 - Another respondent shared: “I was wearing hijab and I was with my young children.”
- In British Columbia, the Commissioner received data related to 3,931 hate incidents reported to police in B.C. between 2015–2021. The police recorded a motivation for 2,444 of the 3,931 incidents. Among the 2,444 incidents for which motivation is recorded, 31% (756) were recorded as motivated by religion.¹²⁸ The figures below show the breakdown of counts of hate incidents motivated by religion.
 - Hate incidents targeting the Jewish population (41%) were the most common followed by incidents targeting Muslim communities (19%).

POLICE-REPORTED HATE INCIDENTS TARGETING PEOPLE
BASED ON RELIGION IN B.C. FROM 2015–2021¹²⁹



Year	Incidents	Change
2015	30	–
2016	50	67%
2017	137	174%
2018	102	–26%
2019	122	20%
2020	103	–16%
2021	212	106%
TOTAL	756	–

POLICE-REPORTED HATE INCIDENTS BY TARGETED RELIGION IN B.C. FROM 2015–2021¹³⁰



The total number of police-reported hate incidents targeting religion during this period was 756. The numbers in this chart do not add up to 756 because the police did not always specify the targeted religion in the data.

Hate experienced by Muslim communities

“We are too far to abolish hate and racism from Canada.... I hate for my kids to grow up and face hate the way I experienced in Canada. Hence, I am leaving for good to my home country.... The sad part of my story is that my daughter faced a lot of prejudice from teachers because of her wearing a Muslim scarf.”

—Muslim respondent to the Commissioner’s public survey

The Commissioner heard evidence of highly prevalent Islamophobic attitudes before the pandemic and examples of hate incidents targeting Muslims during the pandemic. For example, in a 2017 survey, Islam was viewed unfavourably by almost half of Canadians (46%), while one in three (32%) respondents said it was unacceptable if one of their children were to marry a Muslim, compared to only 4% for a Christian.¹³¹ A Radio Canada survey also from 2017 found that one in four Canadians would support a ban on Muslim immigration, and 51% felt somewhat or very worried about security due to the presence of Muslims in Canada.¹³²

According to the National Council of Canadian Muslims, more Muslims have been killed in hate-targeted attacks in Canada than in any other G7 country in the five years before 2021.¹³³ The Commissioner heard how the Muslim community in B.C. was impacted by the June 2021 murder of a Muslim family in London, Ontario, and how many community members had significant concerns about similar attacks occurring in B.C.¹³⁴ For example: “The virtual vigil for these victims of this attack, was Zoom-bombed by far-right trolls, who then, within this virtual vigil, started posting Islamophobic comments to disrupt the event.”¹³⁵ The Commissioner heard that these trends have been driven by factors such as the election of far-right political leaders globally as well as rhetoric from Canadian politicians,¹³⁶ occurring against the backdrop of the Syrian¹³⁷ and Afghan refugee crises.

A respondent to the Commissioner’s public survey wrote:

“I am afraid that racism is normalized. The white supremacy with the trucker convoys supported by the police is scary for [Black, Indigenous, and People of Colour]. Our governments are not making meaningful systemic change and I am afraid for my family. A family was run over and killed simply walking in this country. A shooter killed people in a mosque. White supremacists are supported by politicians and the police. This IS our Canada.”

The Commissioner also heard that Islamophobic online hate is common, with Facebook pages routinely sharing Islamophobic fake news stories with hundreds of thousands of followers.¹³⁸

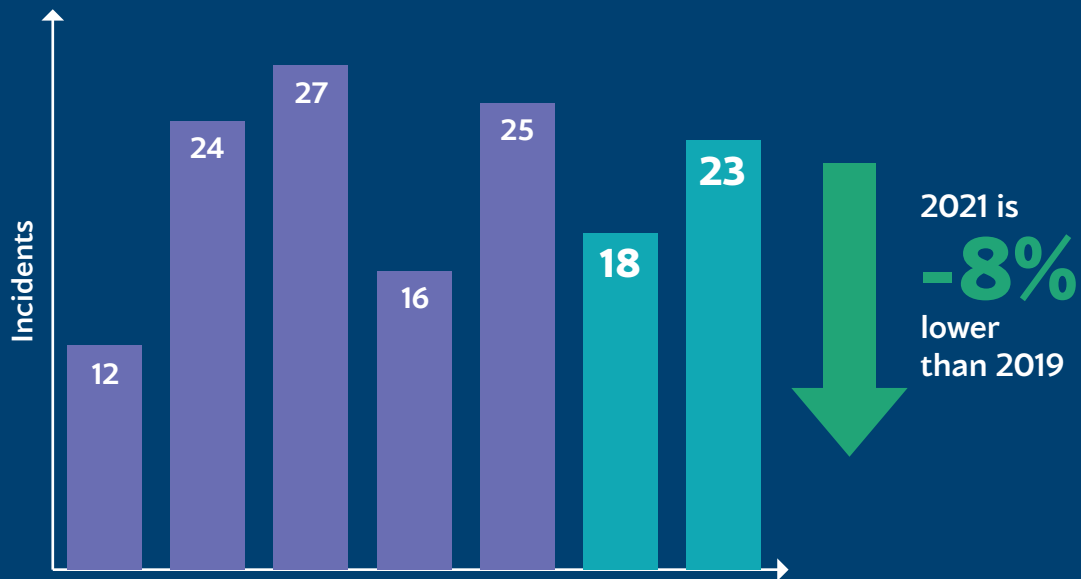
By the numbers: Hate experienced by Muslim communities during the pandemic

- In Canada, police-reported hate crimes targeting religion decreased by 16% between 2019 and 2020.¹³⁹ This trend was driven by a significant decrease in police-reported hate crimes targeting Muslims, from 182 reported incidents in 2019 to 84 in 2020, following significant increases in Islamophobic hate from 2013 to 2017, and especially between 2016 and 2017.¹⁴⁰ However, from 2020–2021, police-reported hate crimes targeting Muslim people increased by 71% to 144 incidents.¹⁴¹
- In British Columbia, a 2021 report showed that 14% of British Columbian residents reported that they would like to live with neighbours who “are their colours.” 17% reported feeling “cold” toward Muslim Canadians.¹⁴²

- Violent hate incidents targeting Muslims were more likely than other types of hate crimes to be perpetrated against women (47% vs. 32%).¹⁴³ Recent research has attributed this to the practice of wearing head coverings, which may make religious identity more visible for Muslim women than for men.¹⁴⁴
- There were 10 Muslim people who responded to the Commissioner’s public survey. They reported that the hate incident they experienced was motivated by race, ethnicity, ancestry, religion or spiritual beliefs, or cultural markers or traditions. Seven of the 10 respondents noted that the hate incident was committed by perpetrators who were strangers. Regarding the perceived causes of the rise in hate incidents, half of the Muslim respondents felt that the rise in hate incidents was due to stress related to the pandemic.
- The Commissioner received data related to 3,931 hate incidents reported to police in B.C. between 2015–2021. The police recorded a motivation for 2,444 of the 3,931 incidents. Among the 2,444 incidents for which motivation is recorded, 31% (756) were recorded as motivated by religion. Of those, 19% (145 incidents) were targeting Muslim people. The year-to-year data for incidents targeting Muslims were relatively steady during the study period with an 8% decrease between 2019–2021.¹⁴⁵



POLICE-REPORTED HATE INCIDENTS TARGETING MUSLIM PEOPLE IN B.C. FROM 2015-2021¹⁴⁶



Year	Incidents	Change
2015	12	–
2016	24	100%
2017	27	12.5%
2018	16	–41%
2019	25	56%
2020	18	–28%
2021	23	28%
TOTAL	145	–

Hate experienced by Jewish communities

2021 was the sixth consecutive year where vandalism, violence and online hate aimed at Jews increased substantially in Canada.¹⁴⁷ The Commissioner heard about antisemitic conspiracy theories linked to the pandemic, about the “inappropriate and highly offensive” appropriation of Holocaust symbols and terminology by anti-public health measure protestors,¹⁴⁸ about the prevalence of antisemitism in schools, about increases in online antisemitism and that antisemitism is a key element in virtually all extremist hate groups.¹⁴⁹

The Vancouver Holocaust Education Centre told us that while antisemitic events in schools “used to be something that we responded to every now and then,” they now get calls about “multiple incidents on a weekly basis.”¹⁵⁰ We heard about specific incidents of antisemitic graffiti in Victoria, Kelowna, Richmond and Smithers, including on a synagogue, a billboard and a park in which someone painted “COVID is Jew world order.”¹⁵¹

We heard a disturbing example of how easily online hate can translate into real-world hate. Elementary students had been sharing antisemitic memes on Snapchat. One day at lunch, a student in the class asked the other students who in the class was Jewish. The boy then pointed at the Jewish students with his hand as a gun and pretended to shoot them.¹⁵² Earlier the same day, kids in the class were shouting “Heil Hitler,” and “Death to Jews.” The student who shared this story explained:

“When it happened, I felt singled out, and it made me feel bad. I thought this was all in the past, that after World War II, we had moved on. I don’t like to think or talk about it, but I thought I should share so that things like this don’t happen to others and so they don’t get worse.”¹⁵³

The Commissioner commends this student for having the courage to speak out against hate.

Several people who responded to the Commissioner’s public survey reported experiencing antisemitic hate incidents. As one respondent noted: “It is not possible to speak of a single incident. There has been a relentless deluge of incidents aimed at the Jewish community.” Others described specific incidents of antisemitism:

- “The incident occurred when our synagogue was holding outdoor prayer services every week on Saturday mornings/on our sabbath last winter during covid. Twenty people were praying outdoors on the synagogue property when a car drove up with two men inside. They stopped the car and yelled threatening, hateful, anti-Jewish slurs.”
- “As we were leaving synagogue after the high holy days, they yelled antisemitic epithets at us and threatened us.”
- “Someone used chalk to draw swastikas on the entrance to a local synagogue.”
- “Spray painted my vehicle with ‘All Jews(sic) must die.’”

Several public survey respondents drew attention to how some of those opposed to COVID-19 safety measures co-opted Holocaust stories and imagery:

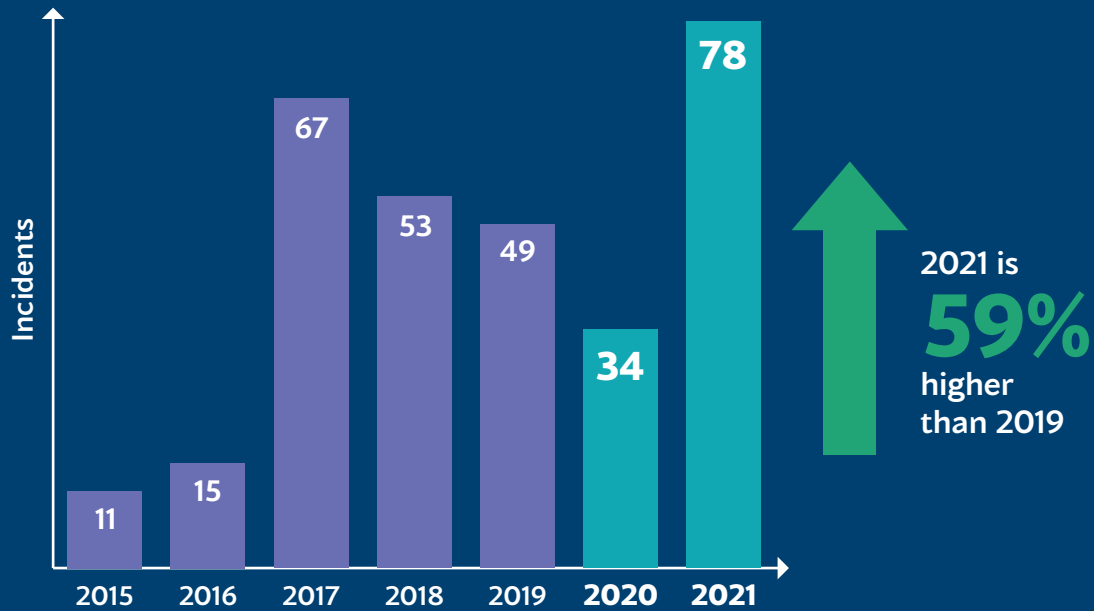
“Activists within the anti-vaccination / anti-vaccine mandate movement intentionally amplified Holocaust themes (wearing of the yellow star of David, citing the Nuremberg Code with reference to ‘forced vaccines’) around the time of International Holocaust Awareness Day. At the same time, they were propagating antisemitic narratives that an elite ‘cabal’ is behind global governments.”



By the numbers: Hate experienced by Jewish communities during the pandemic

- In Canada, police reported hate crimes targeting Jewish people increased by 18% between 2019 (306 incidents) and 2020 (331 incidents) and increased by 47% between 2020 and 2021 (487 incidents).¹⁵⁴
- There were 41 Jewish people who responded to the Commissioner’s public survey. Of the Jewish respondents, 71% felt that the rise in hate incidents was due to the normalization of hate, 44% reported an incident occurring on social media platforms, 20% reported the hate incident they witnessed or experienced occurring at a place of worship or a religious institution, and 29% reported that the incident involved property damage, vandalism or graffiti.
- The Commissioner received data related to 3,931 hate incidents reported to police in B.C. between 2015–2021. The police recorded a motivation for 2,444 of the 3,931 incidents. Among the 2,444 incidents for which motivation is recorded, 31% (756) were recorded as motivated by religion. Of those, 41% (307 incidents) were targeting Jewish people.
- B’nai Brith Canada issues an annual audit of antisemitic incidents in Canada gathered from police and direct reports to them. There was a 59% increase in police-reported hate incidents targeting Jewish people between 2019–2021. Their 2021 audit reported:
 - A 59.8% increase in antisemitic incidents in Canada between 2017 and 2021 and a 7.2% increase between 2020 and 2021. Antisemitic incidents, reported to police and B’nai Brith Canada, in B.C. and the Yukon increased from 194 in 2020 to 409 incidents in 2021.
 - B’nai Brith Canada recorded 2,093 incidents of antisemitic online hate in 2021. This was an increase of 12.3% over 2020 (1,863 incidents), and they noted that “online hate has become the preferred method of targeting Jews.”

POLICE-REPORTED HATE INCIDENTS TARGETING JEWISH PEOPLE IN B.C. FROM 2015-2021¹⁵⁵



Year	Incidents	Change
2015	11	–
2016	15	36%
2017	67	347%
2018	53	–21%
2019	49	–7.5%
2020	34	–31%
2021	78	129%
TOTAL	307	–

Hate experienced by Christian communities

In 2021, following the discovery of unmarked graves on former residential school sites, there were reports of hate incidents targeting Indigenous populations as well as churches and other religious institutions.¹⁵⁶ A series of fires in June and July 2021 damaged or destroyed 68 Christian churches across Canada, including many in British Columbia. Government officials, Indigenous leaders, church leaders and others speculated that the fires were reactions to the discovery of unmarked graves at the site of the former residential school in Kamloops.¹⁵⁷

The Commissioner heard from the Roman Catholic Archdiocese of Vancouver about church arson and vandalism following the discovery of the grave site near the Kamloops Indian Residential School in the summer of 2021. The Catholic Archdiocese shared that, following the discovery in Kamloops, there was also an increase in vitriol directed at churches across Canada, including the Catholic church, and the church was concerned about what they characterized as a “lax response” from public officials rather than a strong denunciation:

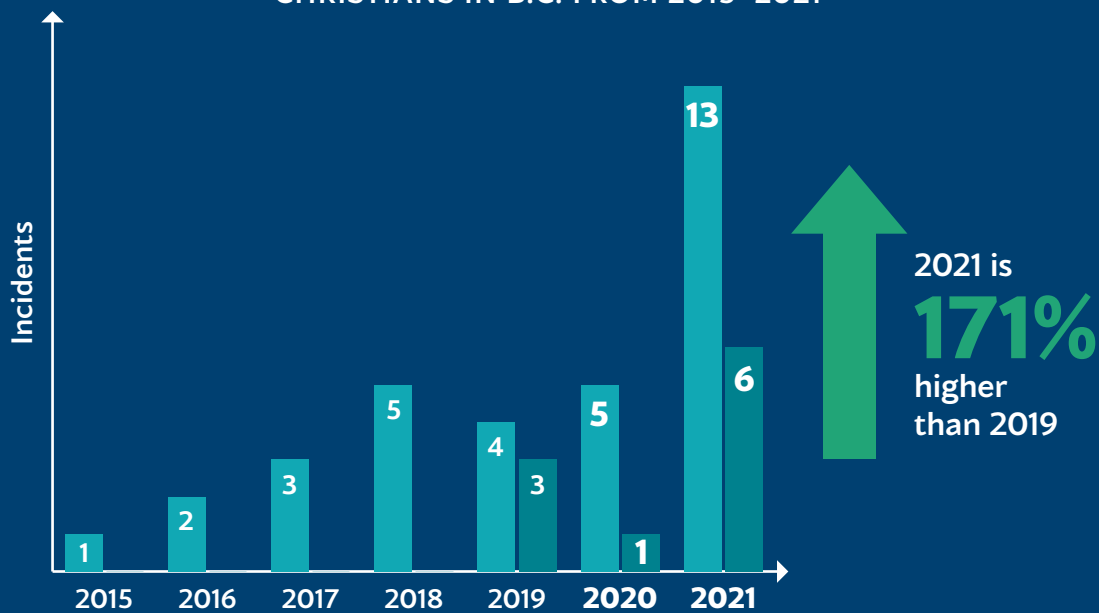
“I really do think that there needs to be less picking and choosing by our civic leaders about which hate crimes they get upset about—which hate crimes they stand up in saying, ‘This has to stop, we’re a civil society, we are the rule of law. It’s terrible that you’re doing this, stop doing this.’ We didn’t get that from enough people.”¹⁵⁸



By the numbers: Hate experienced by Christian communities during the pandemic

- In Canada, police-reported hate crimes targeting Catholics decreased by 16% between 2019 (51 incidents) and 2020 (43 incidents) and increased by 260% between 2020 and 2021 (155 incidents).¹⁵⁹
- The Commissioner received data related to 3,931 hate incidents reported to police in B.C. between 2015–2021. The police recorded a motivation for 2,444 of the 3,931 incidents. Among the 2,444 incidents for which motivation is recorded, 31% (756) were recorded as motivated by religion. Of those, 33 incidents were targeting Catholic people and 10 targeting Protestants. Taken together, hate motivated by Christianity comprises 6% of the incidents motivated by religion. The year-to-year counts were relatively stable across the study period until 2021. In 2021, 19 incidents occurred that targeted Christians, which is approximately three times higher than 2019, the next-highest year.
- The Catholic Civil Rights League began tracking attacks against Catholic churches in Canada in 2021. Their database tracked 57 attacks targeting Catholic churches in Canada in 2021.¹⁶⁰

POLICE-REPORTED HATE INCIDENTS TARGETING CHRISTIANS IN B.C. FROM 2015–2021¹⁶¹



Year	Denomination		Total Christian incidents	Change
	Catholic incidents	Protestant incidents		
2015	1	0	1	–
2016	2	0	2	100%
2017	3	0	3	50%
2018	5	0	5	67%
2019	4	3	7	40%
2020	5	1	6	-14%
2021	13	6	19	217%
TOTAL	33	10	43	–

Hate based on sexual orientation

This section deals specifically with hate based on sexual orientation, as the next section deals with hate targeting people based on gender and gender identity, including transphobia. Community organizations and professionals working with the LGBTQ2SAI+¹⁶² community reported hearing about more hate incidents based on sexual orientation during the pandemic.¹⁶³

Before the pandemic, LGBTQ2SAI+ Canadians were more likely to report being violently victimized in their lifetime and to have experienced more inappropriate behaviours in public and online than non-LGBTQ2SAI+ Canadians.¹⁶⁴ In 2017, homosexuals or bisexuals had a rate of sexual assault that was six times higher than those who identified as heterosexual. Violence targeting LGBTQ2SAI+ Canadians was also more likely to result in injuries than violence committed against non-LGBTQ2SAI+ Canadians.¹⁶⁵ In addition, LGBTQ2SAI+ Canadians were less likely to report their physical assaults to the police.¹⁶⁶

During the pandemic, the Commissioner heard about graffiti directed at LGBTQ2SAI+ communities. In Nanaimo in July 2021, a rainbow crosswalk and pride-themed mural downtown were both defaced with black paint.¹⁶⁷ In a similar incident, someone poured paint over a rainbow sidewalk in Coldstream.¹⁶⁸

We heard about discrimination and hate faced by LGBTQ2SAI+ youth in schools and online.¹⁶⁹

We also heard that homophobia and transphobia are key elements of virtually all extremist hate groups.¹⁷⁰ For example, we heard about an incident in a school where there was an LGBTQ2SAI+ pride poster campaign. The pride posters were torn and replaced with “super straight” posters, which we heard was aimed at mocking LGBTQ2SAI+ students and their activism.¹⁷¹

We heard about multiple violent assaults based on homophobia, with no reports of hate crime charges in any of these incidents.¹⁷² For example, a street preacher was loudly saying homophobic hate when an ally confronted him and was violently attacked and injured, a gay man was chased and threatened with being shot in downtown Vancouver, and another gay man camping in Summerland was violently assaulted because of his sexual orientation.¹⁷³



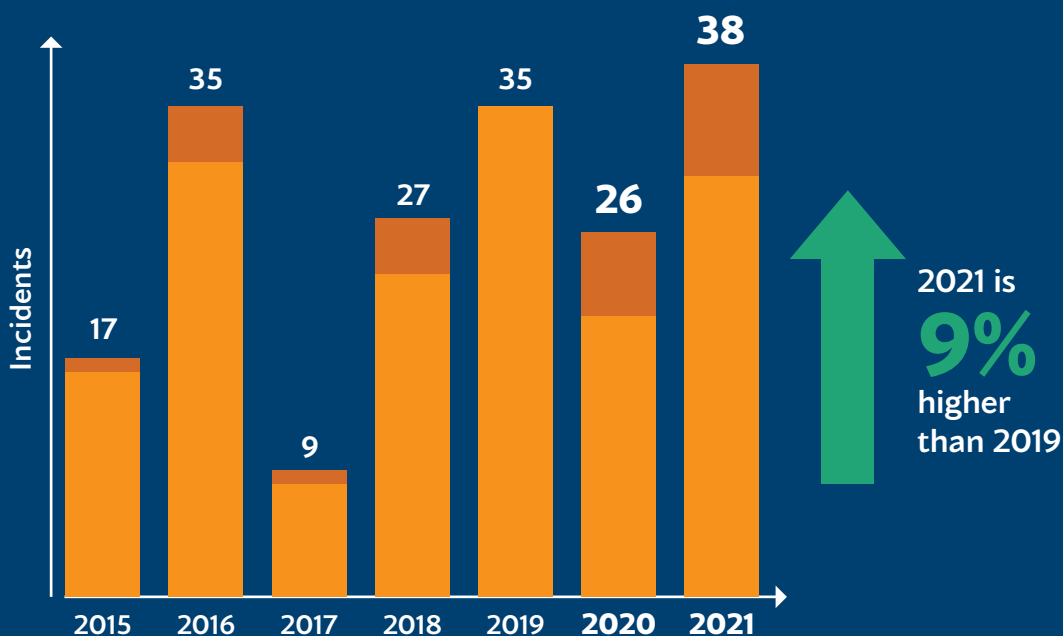
“I was waiting for the bus with my friend on [street and location removed] (we’re both gay) and a man down the street started yelling that he ‘felt like killing some fa*ts. Especially the one with the bag (that would be me).’ I’ve had a handful of other incidents like this over the years in Victoria but nothing quite so violent.”**

—Respondent to the Commissioner’s public survey

By the numbers: Hate based on sexual orientation during the pandemic

- In Canada, police-reported hate crimes targeting sexual orientation decreased by 3% between 2019 (265 incidents) and 2020 (258 incidents) and increased by 64% between 2020–2021 (423 incidents).¹⁷⁴
 - 423 incidents accounted for around 13% of all hate crimes in Canada in 2021,¹⁷⁵ while the LGBTQ2SAI+ community is estimated to be around 4% of Canada’s population.¹⁷⁶
 - 77% of these crimes targeted the gay and lesbian community, 2% targeted people with bisexual orientation, 11% targeted other sexual orientations, such as asexual, pansexual or other non-heterosexual orientations, and 10% were incidents where the targeted sexual orientation was reported as unknown.¹⁷⁷
- There were 90 individuals who identified as LGBTQ2SAI+ who responded to the Commissioner’s public survey. Compared to overall respondents, respondents who identified as LGBTQ2SAI+ were more likely to report that the hate incident they experienced or witnessed occurred at school and/or in public.
- The Commissioner received data related to 3,931 hate incidents reported to police in B.C. between 2015–2021. The police recorded a motivation for 2,444 of the 3,931 incidents. Among the 2,444 incidents for which motivation is recorded, the police recorded 389 hate incidents targeting gender or sexual orientation, among which 163 incidents (42%) targeted lesbians and gay men. Hate incidents targeting people based on sexual orientation were variable but relatively stable throughout the study period and did not appear to increase substantially during the pandemic.

NUMBER OF POLICE-REPORTED HATE INCIDENTS TARGETING
SEXUAL ORIENTATION IN B.C. FROM 2015–2021¹⁷⁸



Year	Sexual orientation		Total sexual orientation	Change
	Homosexual	Bisexual and other non-heterosexual		
2015	16	1	17	–
2016	31	4	35	106%
2017	8	1	9	–74%
2018	23	4	27	200%
2019	35	0	35	30%
2020	20	6	26	–26%
2021	30	8	38	46%
TOTAL	163	24	187	–

Deeper dive: Gender-based violence—the “shadow pandemic”

“It is not the infection of COVID-19 that increases the risk of [gender-based violence] but rather the gender-insensitive systems and policies that magnify the risk.”¹⁷⁹

Defining gender-based violence

Gender-based violence is violence that is committed against someone based on their gender identity, sex or gender expression or perceived sex or gender. It takes many forms, including physical, economic, sexual or emotional (psychological) abuse and includes intimate partner violence. This section focuses predominantly on gender-based violence as a form of hate. Although some statistics are included on gender-based harassment, it is not the primary focus of this section of the report. However, similar to hate in other forms, gender-based hate is limited not only to violence but can also manifest in hateful speech, publications, graffiti and harassment.

Intimate partner violence is violence that is committed against a person by someone with whom they have or had a close and personal intimate relationship. Intimate partner violence can happen in a marriage, common-law or dating relationship, in a heterosexual or homosexual relationship, at any time in a relationship, including after it has ended, and whether partners live together or are sexually intimate with one another. It takes many forms, including physical, sexual, emotional (psychological), spiritual or financial harm. While intimate partner violence can happen to anyone, women and girls are disproportionately targeted, and men are disproportionately the perpetrators.

Gender-based violence is rooted in gender inequality, abuse of power, patriarchal systems and harmful gender norms. Ultimately, gender-based violence is about power and control. Gender-based violence causes physical, emotional and social harm to those who experience and witness it and can be deadly.¹⁸⁰

Some people are at higher risk of being targeted for gender-based violence because of the ways that sexism, racism, colonialism, homophobia, transphobia and ableism impact them. Indigenous women and girls, transgender people, women living with disabilities, Black women and newcomer women to Canada all experience high levels of gender-based violence.¹⁸¹

Gender-based violence has long been a persistent global issue

As reflected in the data below, gender-based violence was a persistent global issue long before the COVID-19 pandemic. Despite international and domestic laws aimed at ending gender-based violence, it continues to be a “social problem of global proportions.”¹⁸²

By the numbers: Gender-based violence before the pandemic

Globally and in Canada, women experienced extraordinary rates of physical and sexual violence prior to the pandemic.

- Globally, one in three women, or an estimated 736 million women, experience physical or sexual violence at least once in their lives, making gender-based violence one of the world's most prevalent human rights issues.¹⁸³
- In 2018, women in Canada reported that:
 - 44% experienced some form of psychological, physical or sexual violence by an intimate partner in their lifetime (since the age of 15)¹⁸⁴
 - 30% experienced sexual assault outside of an intimate relationship at least once since the age of 15¹⁸⁵
 - One in three (32%) were subjected to unwanted sexual behaviour, including unwanted sexual attention, unwanted physical contact and unwanted comments about their sex or gender, while in a public place¹⁸⁶
- In Canada in 2019, of the 107,810 people aged 15 and over who experienced intimate partner violence, 79% were women. The most common type of intimate partner violence was physical assault, followed by other offences involving violence or threats of violence and sexual assault.¹⁸⁷
- Between 2014 and 2019, there were 497 victims of intimate partner homicide in Canada, and 80% were women.¹⁸⁸
- Women are five times more likely than men in Canada to experience sexual assault.¹⁸⁹

Gender-based violence and intersectional identities

“I felt I was singled out being a woman alone, also ‘looking like a foreigner’ (brown skin, hijab), though I am not a foreigner... might have felt like an easy target to harass.”

—Public survey respondent

While gender-based violence happens in all communities across the province, some women, including Indigenous women, Black women, women with disabilities and LGBTQ2SAI+ women are at greater risk. Women living in rural and remote areas, as well as immigrant women, are also at a higher risk of gender-based violence.

INDIGENOUS WOMEN

As concluded by the National Inquiry into Missing and Murdered Indigenous Women and Girls:

“The truths shared in these National Inquiry hearings tell the story—or, more accurately, thousands of stories—of acts of genocide against Indigenous women, girls and 2SLGBTQIA people. The violence the National Inquiry heard amounts to a race-based genocide of Indigenous Peoples, including First Nations, Inuit and Métis, which especially targets women, girls and 2SLGBTQIA people. This genocide has been empowered by colonial structures evidenced notably by the Indian Act, the Sixties Scoop, residential schools and breaches of human and Indigenous rights, leading directly to the current increased rates of violence, death and suicide in Indigenous populations.”¹⁹⁰

- In 2018, Indigenous women were more likely than non-Indigenous women to report experiencing some form of intimate partner violence in their lifetime (since the age of 15) (61% vs. 44%).¹⁹¹
- Although about 5% of the population of Canada is Indigenous, one quarter (26%, 125 victims) of intimate partner homicides between 2014–2019 involved Indigenous victims.¹⁹²
- Indigenous women are sexually assaulted three times more often than non-Indigenous women, and most of the women and children trafficked in Canada are Indigenous.¹⁹³
- In 2020, the rate of homicide of Indigenous women (3.76 per 100,000 people) was 5.4 times greater than that among non-Indigenous women (0.69 per 100,000 people).¹⁹⁴
- Indigenous women and girls are 12 times more likely to be murdered or missing than any other women in Canada and 16 times more likely than Caucasian women.¹⁹⁵

BLACK WOMEN

There is a gap in statistics about violence experienced by Black women in Canada and in B.C. However, there is some recent relevant research:¹⁹⁶

- The federal project *Advancing Gender Equity for Black Women and Girls in Canada to Respond to COVID-19* found that Black women, girls and members of the Black LGBTQ2SAI+ community remain at particular risk for gender-based violence.¹⁹⁷
- A study out of Toronto found that Black women had the highest rate of investigations for sexual assault among all women, double the rate of white women. While the data gives insights into the experience of Black women, it reflects only the reported instances of violence.¹⁹⁸

WOMEN WITH DISABILITIES

We know that women living with disabilities are more likely to experience gender-based violence than women living without disabilities:

- Women living with disabilities in Canada are three times more likely to experience violence or victimization than women living without a disability.¹⁹⁹
- Women with a disability are more likely to experience unwanted sexual behaviour in public (1.8 times higher odds).²⁰⁰

TRANSGENDER PEOPLE

Data shows that transgender people are at higher risk of victimization:

- Transgender and gender-diverse people in Canada were significantly more likely than cisgender people to report having been physically or sexually assaulted at least once since the age of 15 (59% vs. 37%).²⁰¹
- In 2019, a national survey found that three in five trans women have experienced intimate-partner violence since the age of 16, 56% of trans women had a partner that insulted, swore, shouted or yelled at them, and 33% of trans women were forced or pressured to engage in sexual activity they did not want to engage in.²⁰²
- 49% of LGBTQ2SAI+ women indicate that they have been physically or sexually assaulted by an intimate partner since the age of 15.²⁰³
- A Canadian trans youth health survey showed that 23% of transgender youth reported being forced into unwanted sexual encounters and that trans youth face significant barriers accessing health care.²⁰⁴
- In the second national climate survey on homophobia, biphobia and transphobia in Canadian schools, 62% of LGBTQ2SAI+ students feel unsafe at school, compared to 11% of cisgender or heterosexual students. Regarding racialized differences with LGBTQ2SAI+ students, the survey found that Indigenous students (64%) were more likely to experience verbal harassment due to their gender identity or their perceived gender identity, compared to white (53%), Black (52%) and Asian students (42%).²⁰⁵

WOMEN LIVING IN RURAL AND REMOTE AREAS

Women living in rural and remote areas of Canada are also at increased risk of gender-based violence:

- In 2019, women living in rural areas of the provinces of Canada experienced rates of intimate partner violence that were almost twice as high as women living in urban areas (860 vs. 467 per 100,000 people), with rates close to four times higher than those for men in these areas (246).²⁰⁶

IMMIGRANT WOMEN

Data also shows that immigrant women are more likely to experience gender-based violence:

- 18.8% of immigrant women say that they have been physically assaulted since the age of 15 while 21.7% say that they have been sexually assaulted since the age of 15.²⁰⁷
- 27.6% of immigrant women said that they have encountered unwanted sexual behaviour in the public between 2017 and 2018, while 15% said that they encountered unwanted behaviour online between 2017 and 2018.²⁰⁸

The statistics above illustrate the groups that are most at risk of experiencing gender-based violence generally. The section below moves on to examine the experience of gender-based violence during the COVID-19 pandemic.

Gender-based violence generally increases in times of crisis

While gender-based violence existed long before the pandemic started, the evidence shows that gender-based violence, and specifically violence perpetrated by men against women, increased in severity and frequency during the COVID-19 pandemic.²⁰⁹

The Provincial Health Officer and the BC Centre for Disease Control concluded that gendered impacts and inequities “are not new” during COVID-19 given experiences during previous pandemics and other emergencies.²¹⁰ This is confirmed by Stark et al. in their research into gender-based violence in humanitarian settings. They note:

“Given that humanitarian crises are associated with periods of extreme chronic stress, loss of health and social service infrastructure, and a strained social support network, consequences of all forms of [gender-based violence] are aggravated, thereby increasing risks such as victimization and adverse intergenerational impacts. These risks are also evident during infectious disease outbreaks, leading researchers to identify how women are more affected by men economically, socially and in regard to violent victimization during pandemics.”²¹¹

Natural disasters are also often accompanied by spikes in gender-based violence against women and LGBTQ2SAI+ individuals, primarily by men.²¹² Mittal and Singh share:

“In the past, crises have been linked with a surge in cases of gender violence. A surge in intimate partner violence was observed during other disasters such as the earthquake in Haiti in 2010 [sic], Hurricane Katrina in 2005, and eruption of Mount St. Helens in the 1980s, due to unemployment, family and other stressors. Even during the South Asian tsunami of 2004, a surge in gender-based violence was observed.... Recent outbreaks, such as Ebola, cholera, Zika, and Nipah, have also led to an increase in the cases of domestic violence. During the Ebola virus outbreak, women and girls were especially vulnerable to violence because of the inability to escape their abuser.”²¹³

West Coast LEAF explained this phenomenon in their submissions:

“During times of economic, epidemiological and environmental crises, such as the COVID-19 pandemic, gender-based violence has been found to consistently increase. Times of crises also exacerbate the harms and inequities associated with other forms of social identity, such as race, Indigenous status, disability status, economic status, place of origin, newcomer status and other identities.”²¹⁴

In their research, Yercich and Jackson also note that previous pandemics and health crises saw essential daily health services diverted to emergency measures in a way that was predominantly gender-biased. They explain that in those cases, funding for and access to sexual, reproductive and women’s support services (including shelters) were disrupted at higher rates than other types of services.²¹⁵

Gender-based violence increased in this crisis

In early 2020, community organizations in B.C. and elsewhere sounded the alarm about pandemic public health measures fueling gender-based violence. As described by Angela Marie MacDougall: “When the COVID-19 pandemic began, it became glaringly clear the conditions created by lockdown measures would lead to increased risk for victims while simultaneously creating difficult conditions for those experiencing gender-based violence to seek help.”²¹⁶

In May 2020, UN Women, the United Nations body dedicated to gender equality and the empowerment of women, reported that globally, all types of violence against women and girls, particularly domestic violence, intensified from the beginning of the pandemic, coining it the “shadow pandemic.”²¹⁷



Derived from “The Shadow Pandemic: Violence against Women during Covid-19,” by UN Women

In April 2022, the UN Development Programme estimated that an additional 31 million people would experience gender-based violence if stay-at-home measures continued for six months.²¹⁸

When the Inquiry was launched in August 2020, the Commissioner included within its scope an examination of the rise in gender-based violence in the pandemic and a consideration of gender-based violence as a form of hate. West Coast LEAF noted the Inquiry was “an opportunity to investigate gender-based violence as a phenomenon not only rooted in long-standing social and economic gender inequality but also in pervasive prejudices such as sexism, misogyny, transphobia, cisgenderism and other oppressive patriarchal norms.”²¹⁹ Battered Women’s Support Services noted that the inclusion of gender-motivated hate and gender-based violence in the terms of reference of the Inquiry is likely the first time this has happened in Canada.²²⁰

While periods of lockdown were important to slow the spread of disease, isolation in the home combined with stress and instability resulted in increased risks of gender-based violence, including intimate partner violence, especially perpetrated by men against women and girls.²²¹ Rise Women’s Legal Centre described the rise in frequency and intensity of gender-based violence as driven by two main factors. First, the pandemic reduced safety strategies available to women, especially during the early lockdown period. For instance, it was harder for women to go stay at a friend’s place during this time. The other major factor causing increased gender-based violence during the pandemic was heightened opportunities for perpetrator control due to lockdowns and a limited availability of alternative housing options.²²²

The Commissioner heard about the following factors leading to increases in gender-based violence during the pandemic:

- Increased stress for perpetrators, including financial stress, loss of employment or wages, housing and food insecurity
- Increased use of alcohol and drugs
- Victim-survivors unable to flee or seek help because of isolating at home with perpetrators
- Increased coercive control, including monitoring of phone calls, text messages, emails, movements, finances and a reduced ability to access online services
- Limited access to personal and community supports
- Reluctance to seek medical help because of public messaging to reduce the burden in health care settings
- Threats to intentionally transmit COVID-19
- Delayed court dates and violations of custody arrangements
- Victim-survivors staying longer because of uncertainty and fear²²³

We heard that gender-based violence increased in both frequency and severity, with perpetrators becoming more violent and with a higher risk of death.²²⁴ One Inquiry participant described gender-based violence at the start of the pandemic as being “on a scale that was not seen before.”²²⁵

We heard about increases in cyber violence, also known as technology-assisted violence. We heard that more time spent online during the pandemic resulted in women experiencing increased online threats, harassment and abuse, including the sharing of non-consensual images.²²⁶

We heard that individuals with intersecting social identities were at greatest risk of experiencing gender-based violence during the pandemic. The Commissioner heard that racialized women, Indigenous women, women with disabilities, immigrant and refugee women and women in rural and remote communities faced heightened risks of gender-based violence and disproportionate impacts during the pandemic.²²⁷ Yercich and Jackson note that “an intersectional lens allows for a radical rethinking of the impacts of COVID-19, as a range of interconnected factors impacting survivors’ experiences with risk and barriers to safety and security while living through the pandemic.”²²⁸

By the numbers: Police data on gender-based violence

- There was a 9.6% increase in femicides²²⁹ in Canada, from 146 femicides in 2019 to 160 femicides in 2020. The highest months were March, April and July 2020.²³⁰
- While the rate of police-reported family violence remained unchanged between 2019 and 2020, there was a 4% increase in the rate between 2020 and 2021 (from 324 to 337 per 100,000 people). Between 2020 and 2021, increases were noted for all subgroups: family violence against children and youth aged 17 and younger increased by 14%, family violence against seniors aged 65 and older increased by 8%, and family violence against adults aged 18 to 64 increased by 2%. Increases were also noted for all subgroups when comparing rates in 2021 to those from 2019, before the COVID-19 pandemic. In all, there were 127,504 people who experienced family violence in 2021 in Canada.²³¹
- In Canada, there were 34,242 police-reported sexual assaults (level 1, 2 and 3) in 2021, representing 90 incidents per 100,000 people.²³² This rate was 18% higher than in 2020, and the highest rate since 1996.²³³
- In British Columbia, the rate of police-reported sexual assaults was 87 incidents per 100,000 people, 15% higher than in 2020.²³⁴ Although the rate in 2021 was substantially higher than in 2020, we should not interpret that sexual assault was less severe in 2020, in which pandemic-related lockdown conditions could have exacerbated the under-reporting of sexual assaults.²³⁵
- The Commissioner requested police data related to gender-based violence, including intimate partner violence, from the B.C. RCMP and all municipal police departments. The analysis of gender-based violence events is challenging since no common police definition of gender-based violence exists, and gender-based events are not flagged in the PRIME database (unlike family violence). As a result, we focused our request and analysis on offences where women, girls and people of non-binary genders are known to be victimized disproportionately by gendered violence. We grouped the offences into six types: murder or attempted murder, major assault, common assault, sexual assault, threats and harassment.

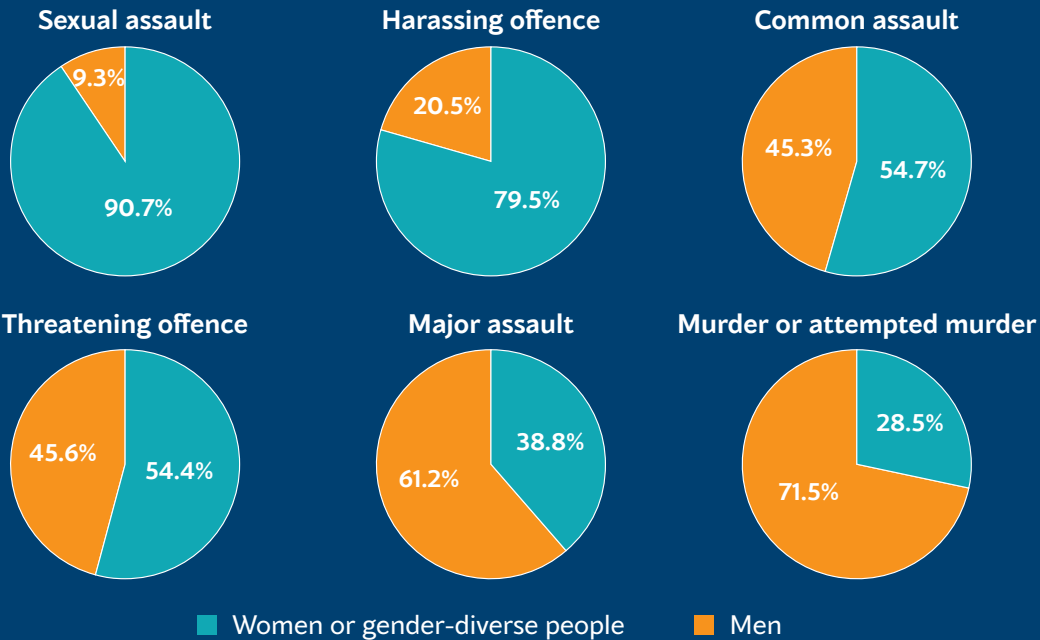
We analyzed the ages of victims-survivors and accused by offence type. Relative to all types of offences, people aged 18–24 years old were more likely to be victimized by sexual assault (28.5% vs. 17.7%), while people aged 45–64 years old were more likely to be accused of a harassment offence (31.5% vs. 24.3%). People aged 25–44 years old were more likely to be both victimized by (58.9% vs. 45.7%) and accused of (61.5% vs. 51.9%) family violence.

We analyzed the gender of victim-survivors (recorded in police files as male, female or gender-diverse) and accused by offence category. Relative to men, women and gender-diverse people were substantially more likely to be victimized by sexual assault (90.7% of total victim-survivors, including 84 gender-diverse victim-survivors) and harassment (79.6%, including 11 gender-diverse victim-survivors), and were somewhat more likely to be victimized by common assault (54.7%, including 112 gender-diverse victim-survivors) and threat offences (54.6%, including 29 gender-diverse victim-survivors). However, women and gender-diverse people were less likely to be victimized by major assault (38.8%, including 28 gender-diverse victim-survivors) and murder or attempted murder (28.5%) as compared to male victim-survivors. It is important to note that we have no way of knowing from these statistics which of the major assaults and murders or attempted murders were motivated by gender-based hate.

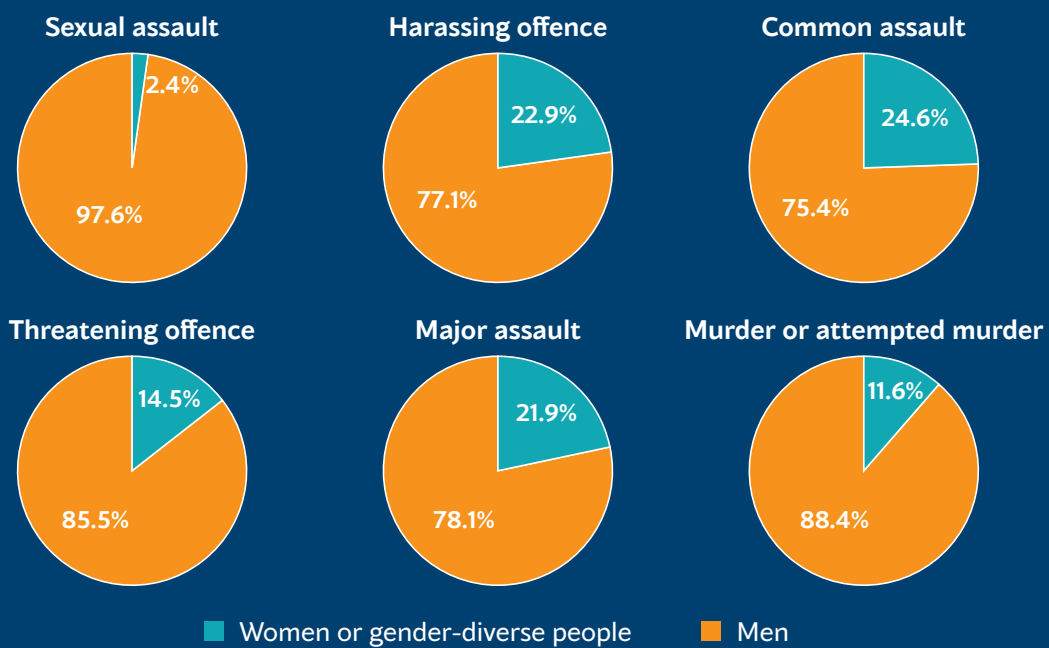
We also found that, compared to men, women and gender-diverse people were substantially more likely to experience family-related violence (in both spousal (77.4%) and non-spousal relationships (63.3%)), as compared to non-family violence (45.2%).



GENDER OF VICTIM-SURVIVORS BY OFFENCE TYPE IN B.C. FROM 2015–2021²³⁶



GENDER OF ACCUSED BY OFFENCE TYPE IN B.C. FROM 2015–2021²³⁷



We analyzed the yearly trends of incidents in which females and gender-diverse people were more likely to be victimized. Lockdown restrictions during the COVID-19 pandemic impacted incidents of family violence. In 2020, the number of incidents flagged as spousal and non-spousal family violence reported to the police increased by 2.4% and 1.6%, respectively, from 2019, while the number of incidents of non-family violence decreased by 1.6%. These increases could be attributed to the increased time spent at home during lockdowns, stress from loss of employment, reduced income, remote schooling for children and/or the requirement to work from home. Moreover, the number of harassment offences increased by 4.3%, compared to a 0.5% decrease in their overall number from 2019 to 2020. We found that the number of sexual assaults increased by 15.2% in 2021 compared to 2020. The Commissioner notes that this disparity between 2020 and 2021 is likely a result of under-reporting due to difficulties in reporting during the pandemic and particularly during periods of lockdown.

Given the prevalence of gender-based violence in the province, the Commissioner sought to understand how often acts motivated by hate on the basis of sex, gender identity or sexual orientation are recorded or investigated as hate crimes. The Commissioner found that between 2015–2021, sex and gender were infrequently recorded by police as motivating factors in hate crimes in B.C. In these six years, police in B.C. recorded 42 incidents motivated by hate towards females and another 47 incidents motivated by hate towards gender-diverse people. Although the number of police-reported incidents targeting gender or gender identity is low, incidents targeting females increased by 83% between 2019 and 2021, while police-reported incidents targeting transgender and gender-diverse people increased by 650%. In their review of hate as an aggravating factor in sentencing in Canada, the Department of Justice found that in case law and police-reported hate crime statistics, sex is rarely recorded as a motivating factor in crimes.²³⁸ These findings are concerning considering the prevalence of gender-based violence in B.C. and Canada. Although the overall numbers are extremely low, the number of police-reported hate incidents motivated by gender nearly doubled between 2020 (14 incidents) and 2021 (26 incidents).

By the numbers: Non-police data sources on gender-based violence

We know that police-reported data alone is insufficient to understand gender-based violence since many people who experience gender-based violence do not report to the police “because of mistrust and prior experiences of abuse or violence perpetrated by authorities.”²³⁹ “Examining the Societal Consequences of the COVID-19 Pandemic” on gender-based violence describes several issues with gender-based violence data collection, including that:

- Gender-based violence is under-reported out of fear of consequences (including breaking apart a family and child welfare involvement) and fear of retaliation from the abuser.
- Data systems are not set up to collect relevant, complete, or timely information and often only include physical violence and not emotional or financial abuse.
- Criminal charges are extremely rare, creating fear that the risks of reporting may outweigh the benefits.
- People responding to gender-based violence calls (for example, first responders) are limited to dealing with a specific form of violence and are unable to provide the specialized interdisciplinary care people may need.²⁴⁰

The following additional evidence suggests an alarming increase in the prevalence and severity of gender-based violence in Canada and B.C. during the pandemic.

- As reported by the Canadian Femicide Observatory for Justice and Accountability, 92 women and girls were killed in the first six months of 2021, which is 14 more killings than over the same period in 2020 and 32 more than in 2019.²⁴¹
- Indigenous women reported an increase in the prevalence and severity of domestic violence perpetrated against Indigenous women during the first three months of the pandemic,²⁴² and some women stated that they were more concerned about increases in gender-based violence than COVID-19.²⁴³
- Through lockdown periods during the pandemic, violence targeting women with disabilities increased by an estimated 300%.²⁴⁴
- Among service providers offering support to people experiencing gender-based violence, 46% reported noticing changes in the prevalence and severity of violence faced by victim-survivors, with 82% of workers describing an increase in the prevalence and severity of violence and 20% of workers noticing changes in the tactics used to commit violence and increase control.²⁴⁵
- There was a 58% increase in reports of non-consensual sharing of intimate images in the nine months following the initial lockdown period, compared with the nine months prior.²⁴⁶

- The majority of respondents to the Commissioner’s public survey who reported experiencing gender-based hate incidents also reported that the hate incident was motivated by either race, ethnicity or ancestry (63%), sexual orientation (37%), marital or family status (11%), age (33%) and cognitive or intellectual disability (15%), demonstrating the true intersectional nature of hate incidents.²⁴⁷

“In my role as a counsellor I hear about this behaviour all the time—the pandemic has I think increased frequency and severity of these incidents as women’s options and supports have been even more limited than usual and overall stress has been increased, especially on low-income and financially dependent women, and especially those with children.”

—Respondent to the Commissioner’s public survey

DEMAND FOR ANTI-VIOLENCE SERVICES INCREASED DURING THE PANDEMIC

At the same time as victim-survivors found themselves isolated with perpetrators, public health orders resulted in already strained services moving online, operating at significantly reduced capacity or closing, making it more difficult for people experiencing gender-based violence to access services and support.²⁴⁸ On top of that, informal systems of support disappeared as people were mandated to stay at home and not socialize outside of their immediate households or bubbles.

“The pandemic and related public health orders have resulted in a two-fold problem: the frequency, prevalence and severity of abuse worsened, while the reporting of abuse and availability of support services also decreased.”²⁴⁹

The Commissioner heard about how some transitional housing spaces, for example, had reduced capacity due to staffing constraints and distancing requirements. The Commissioner also heard about how people experiencing gender-based violence were disproportionately affected by the loss of community-based programs and services. Rise Women’s Legal Centre told us that women often used these types of programs on a day-to-day basis to relieve pressure and get pockets of safety during the day in normal times.²⁵⁰

Many women's shelters had to reduce their capacity to comply with pandemic protocols or close during the pandemic.²⁵¹ While crisis lines continued to operate, some people experienced barriers accessing them while isolating at home with an abusive partner.²⁵² In addition, many court proceedings were delayed as courts shifted to online hearings.²⁵³ The Commissioner also heard that pandemic measures increased the dependence many women with disabilities had on their abusive partners, and resulted in fewer housing options available for women trying to leave abusive relationships.²⁵⁴

By the numbers: Demand for anti-violence services during the pandemic

- Canada's Assaulted Women's Helpline received 51,299 calls from April 1 to September 30, 2020, compared to 24,010 in the same period in 2019. An additional 20,334 calls were received between October 1 and December 31, 2020, compared to 12,352 over the same period the previous year.
- Domestic violence service providers in many regions of Canada reported a 20–30% increase in calls for help during the spring of 2020 compared to their usual volume of calls.²⁵⁵
- Shelters saw a general increase in demand for support services and a decline in requests for assistance from immigrant and refugee women and those with marginalized intersectional identities, such as Indigenous women and women of colour,²⁵⁶ yet 71% of shelters and transition houses were operating at reduced capacity Canada-wide to meet public health regulations between March and May 2020. Many of them had to operate at a capacity of 50% or less to accommodate requirements for physical distancing.²⁵⁷
- In a typical year, Battered Women's Support Services receives 18,000 calls. In the early months of the pandemic, they experienced a 300% increase in calls, including over 32,000 requests for support. 40% of those calls were from women isolated with their abusers. 40% of callers were calling for the first time.²⁵⁸
- Provincial mental health lines received 75% more calls relating to familial and spousal/ex-partner conflicts and twice as many calls related to abuse and violence as before the pandemic.²⁵⁹

SERVICE PROVIDER RESPONSES TO INCREASED VIOLENCE DEMONSTRATE BEST PRACTICES

Despite the challenges faced by service providers serving those experiencing gender-based violence during the pandemic, the Commissioner also heard about significant strengths in their responses.

Many organizations received increases in funding from the federal government under pandemic relief initiatives. In May 2020, the government of Canada announced a one-time emergency relief fund of up to \$30 million for shelters throughout Canada. The Commissioner heard from some agencies that this emergency fund was critical in ensuring shelters could meet public health guidelines while continuing to operate. For example, training was initiated for health care professionals to ask about potential violence and develop safety plans with clients.

In B.C., community supports and other services that provide help to gender-based violence victim-survivors (for example, the health care system, shelters, victim services, violence against women and girls programs) have changed how they offer and deliver services to adapt to COVID-19 response measures. For example, remote/virtual services were introduced. Some services became more accessible during the pandemic because they could be accessed online, by phone or by text.²⁶⁰

ONLINE GENDER-BASED VIOLENCE INCREASED DURING THE PANDEMIC

The Commissioner heard disturbing examples of targeted cyberbullying and online hate towards LGBTQ2SAI+ students.²⁶¹

“Students have reported encountering an increasing number of transphobic messages online, especially on platforms informally associated with the University of Victoria (but not actually managed by the university). These comments have ranged from inappropriate questions and comments undermining the validity of trans identities and experiences, to blatantly aggressive and hostile comments.”²⁶²

We also heard that women experience gendered forms of online hate.²⁶³ We heard that the move to online spaces during the pandemic resulted in increased sexual harassment online and that this type of hate online is often normalized. For example, the Commissioner heard about increased incel activity during the pandemic. The incel movement is an online community of men who “define themselves by their inability to access sex with women.”²⁶⁴ In their report “Understanding and Preventing Incel Violence in Canada,” Moonshot describes the incel movement:

“Incel ideology is centered on the belief that men are owed sex and romantic fulfillment by women. Incels see themselves as victims, asserting that the rise of feminism has robbed them of their ability to find a mate. Incels congregate almost exclusively online, leveraging social media platforms and incel-specific websites as hosts for their communities.”²⁶⁵

Moonshot found that individuals often become exposed to incel ideology on mainstream platforms like Twitter and YouTube and that these platforms can direct people to other online spaces with more extreme content, including incel-specific websites and platforms like Telegram and Reddit.

Moonshot analyzed the Canadian incel community. They found that Canadian users were responsible for approximately 4% of content on the leading English incel website, producing over 228,774 posts between November 2017 and November 2020. Canadians were 65% more likely to post on incel sites than people from other places in the world.²⁶⁶

“Moonshot observed that Canada is a centre of discussion in the incel community. Incels’ fixation with Canada takes two forms. First, incels believe that Canada’s ‘progressive and feminist agenda’ is antithetical to the incel plight. They believe it is a zero-sum game, where any advancement of women’s rights diminishes the rights of Canadian men, especially other incels. Second, the prevalence of incel-related violence in Canada is watched closely by incel communities online. Incels frequently glorify acts of misogynistic violence within Canada and idolize their perpetrators as ‘saints’ who have sacrificed themselves for the black pill community.”²⁶⁷

Moonshot noted that users typically operate anonymously, making it challenging to identify where users are based geographically.

Considering gender-based violence as a form of hate

“Perpetrators of some of the worst terrorist attacks have something in common—they abuse women.”

—Joan Smith, “What do many terrorists have in common?”²⁶⁸

When we think about hate incidents, our minds often turn to hate motivated by race or religion, or to hate based on a person’s sexual orientation. Despite the prevalence of gender-based violence in British Columbia and the severity of this violence, we rarely hear about this violence discussed as hate motivated by sex, gender or gender identity. In the course of the Inquiry, the Commissioner sought to address this gap.

Research shows that there is a connection between male violence against women, misogyny and mass killings that is often overlooked.

“We can state with increasing confidence that most of those who do commit mass casualty attacks have committed violence against women, usually in the context of an intimate or family relationship, either as part of the attack or previously.”²⁶⁹

Evidence from Canada supports this, for example:

- The perpetrator of the 1989 massacre at Montreal’s École Polytechnique deliberately targeted and murdered 14 women after announcing his hatred of “feminists.”²⁷⁰
- In 2018, a man drove a van at pedestrians in Toronto, killing 10 people, including eight women. The perpetrator identified as an incel and his online posts point to hostility against women as a motive.²⁷¹
- The 2020 mass murder in Nova Scotia that left 22 people dead started with an assault on the perpetrator’s girlfriend.²⁷²
- In late 2022, a Winnipeg man with a history of domestic violence was charged in connection with the deaths of four Indigenous women. While the police haven’t commented on a motive, CBC reviewed Facebook posts from the accused, which were “rife with violent sentiments, as well as antisemitic, misogynistic and white supremacist material.” In his Facebook bio, the accused described himself as a member of “Holy Europe,” a small fraction of a broader far-right movement.²⁷³

Data analyzed by Project Starlight in England and Wales supports the connection between mass killings and misogyny. A review of over 3,000 referrals to the Prevent program in England and Wales in 2019 shows that almost 40% of adults referred to the program had a history of perpetrating domestic violence.²⁷⁴ Importantly, research shows that this link is visible across ideologies. This has led journalist Joan Smith to conclude that mass killings are at least as much about male violence as they are about ideology.²⁷⁵

“And yet, despite the mounting carnage, we fail to draw any connections between these crimes, preferring to see them as unfathomable, unpredictable and random. They’re none of those things. Violence perpetrated against women is widespread, exists in a spectrum, and comes with a whole series of red flags that we continue to ignore at our peril—until the next tragedy has officials scratching their heads again, wondering how such a horrible event could occur.”²⁷⁶

This next section of the report summarizes stories and knowledge shared with the Commissioner during the Inquiry on why gender-based violence should be regarded as a form of hate. It also considers how we as a province can ensure the safety and protection of women, girls and gender-diverse individuals by affording them the necessary legal protection against gender-based violence inherent in a hate crime framework.

The Commissioner heard submissions from two women’s organizations—Rise Women’s Legal Centre (Rise) and West Coast LEAF—that spoke to the normalization of gender-based violence and the impact of that normalization on responses to violence. As explained by Rise:

“While gender-based violence is often viewed through the lens of criminal or family law, we believe it is critical to understand that the experience of violence based on gender is also an equality issue and one that is relevant to the work of the Human Rights Commission. At a basic level, hate incidents are criminal or detrimental actions coupled with a biased or discriminatory motivation. It is widely recognized that women and gender-diverse individuals experience violence at much higher rates than men. The basis for this negative treatment is their gender identity and/or sex. Despite this, and perhaps because violence against women and gender-diverse people is so ubiquitous in Canadian society, violence is often normalized and not viewed as hatred or evidence of systemic discrimination.”²⁷⁷

In Angela Marie MacDougall’s view, as published in *The Georgia Straight*: “Despite the gendered nature of most forms of sexualized and intimate-partner violence, this area of social and legal scholarship has remained distant from the categorization of ‘hate crime.’”²⁷⁸ MacDougall considers this “a glaring omission, considering the targeted and often biased motives involved in such violence, especially where gender and race intersect.”²⁷⁹

West Coast LEAF also welcomed the recognition of gender-based violence as hate as an opportunity “to identify, name and address the root societal prejudices that sustain and provoke this type of violence.”²⁸⁰ They submitted that “by recognizing intimate partner violence as a form of hate, it can be taken out of the realm of the personal and individual, and instead be viewed as a gendered, systemic phenomenon that is rooted in pervasive prejudices, which ought to be addressed as an urgent public concern.”²⁸¹

The Commissioner heard that gender-based violence is often rooted in the same “biased or discriminatory motivation[s]” as other types of hate incidents.²⁸² “While the lens of hate has not always been applied to intimate partner violence, doing so may provide an opportunity to identify, name and address the root societal prejudices that sustain and provoke this type of violence.”²⁸³

“CONSIDERING GENDER-BASED VIOLENCE AS A FORM OF HATE: A SOCIO-LEGAL EXAMINATION” BY DR. MYRNA DAWSON

BCOHRC commissioned Dr. Myrna Dawson to conduct research and prepare a report (“the report”) on gender-based violence as a form of hate, using a socio-legal lens. The report explains the importance of considering gender-based violence as a form of hate, how this can be achieved in Canada and its attendant benefits, challenges and critiques. We have summarized the report below. The full report can be found at hateinquiry.bchumanrights.ca/documents.

Dr. Dawson points out that there have been numerous cases of gender-based violence in Canada over the years that can be and are considered a form of hate. On December 6, 1989, a white man killed 14 women and injured 14 women and men at École Polytechnique, at the Université de Montréal, Quebec. His goal was to kill women simply because they were women. Prior to shooting the women, he said, “You’re all a bunch of feminists,” and left behind a three-page document where he castigated feminists and berated them for ruining his life.²⁸⁴ Despite this, it was not until 2019 that the City of Montreal recognized the incident as an anti-feminist attack.²⁸⁵ The Toronto van attack on April 23, 2018, which led to the death of nine women and two men while injuring 15 others, was perpetrated by a man who identified with the incel movement, a misogynistic men’s movement. Canada’s violent history also includes the crisis of violence against Indigenous women, as evidenced by the National Inquiry into Missing and Murdered Indigenous Women and Girls.²⁸⁶ Other reports have revealed that Indigenous and Black women have been and continue to be abused by the police.²⁸⁷

Despite these and other examples of gender-based violence as hate-related incidents, limited attention has been paid to the recognition of gender-based violence as a form of hate in Canada. Although hate based on sex, sexual orientation and gender identity or expression is recognized in Canada’s criminal law provisions, acts motivated by hate based on these protected characteristics are often not reported as hate crimes, and offenders are not prosecuted or sentenced using hate-based offences. In Dr. Dawson’s view, the questions that therefore arise are: “Why are women and girls, historically and today, consistently overlooked in the context of hate crimes, despite being protected in Canada’s hate crime legislation? Why is gender-based violence, which is often motivated by hate based on sex, sexual orientation or gender identity or expression, not more frequently the focus of hate crime responses by legal actors in Canada and, arguably, anywhere in the world?”

HATE CRIME PATTERNS IN CANADA

To set the stage for the following discussion on gender-based violence as hate, Dr. Dawson considers a snapshot of hate in Canada in the report as set out below.

- Police-reported statistics in Canada from 2006–2020 show that hate based on sex has not accounted for more than three percent of hate crimes as reported by police. Also, although the number of hate-motivated crimes has increased in the past 15 years, statistics on crimes motivated by hate based on sex have not increased in the same fashion²⁸⁸ (page 26 of Dawson’s report).
- Hate incidents related to gender and sexual orientation are under-represented in police-reported statistics as compared to self-reporting instruments like the Statistics Canada General Social Survey on Canadians’ Safety (GSS). For example, hate incidents motivated by sex represent less than three percent

of all police-reported hate incidents, whereas more than 22% of all hate incidents reported through the GSS are related to hate incidents based on sex.

- There is a low number of successful prosecutions under hate crime provisions for all people victimized by hate crimes across Canada. For example, between 1994 and 2004, there were 12 prosecutions and six convictions under s.318 of the *Criminal Code* (advocating genocide) and 93 prosecutions and 32 convictions under s.319 (incitement to hatred) and no reported convictions for s.430(4.1) (mischief). About 23 cases reported between 1996 and 2006 had hate applied as an aggravating factor at sentencing, but Dawson points out that it is likely that few (if any) of these cases relate to sex or sexual orientation as an aggravating factor (page 28 of Dawson’s report).
- There is a tendency to prioritize more commonly recognized hate motivations over sex as seen in the case of *R. v. Gillard 2022 ONCJ 164*. This case involved race and sex-based hate motivations which involved an offender physically assaulting a Muslim woman, yanking off and discarding her hijab. The judge hearing the case prioritized race-based motivations over sex. The failure of legal actors to recognize the intersectionality of hate crime experiences is a concern.

CURRENT AND POTENTIAL MECHANISMS FOR INCLUDING GENDER-BASED VIOLENCE AS HATE IN CANADA

Sex, sexual orientation and gender identity are already included as protected characteristics in various federal and provincial statutes. This section sets out current and potential legal mechanisms that can be utilized in bringing gender-based violence within the hate crime framework.

- Section 15(1) of the *Canadian Charter of Rights and Freedoms* guarantees that every individual is equal before and under the law and has the right to the equal protection and equal benefit of the law without discrimination, including without discrimination based on sex. Therefore, it is expected that any human rights or criminal law initiatives to combat hate should include hate based on sex.
- In the *Canadian Human Rights Act (CHRA)*, sex, sexual orientation and gender identity or expression are prohibited grounds of discrimination. The inclusion of these protected characteristics in the CHRA presents an avenue through which gender-based violence may be treated as a form of hate. Each province and territory has human rights legislation that prohibits discrimination based on similar grounds.
- The *Criminal Code* includes three hate propaganda offences in sections 318(1), 319(1) and 319(2) and an offence regarding hate-motivated mischief to property. A person can be charged with any of these hate offences where they are motivated by hate targeting sex, sexual orientation or gender identity or expression.
- Hate motivation can also be considered as an aggravating factor at sentencing under s.718.2(a)(i), including hate motivated by sex, sexual orientation and gender identity or expression. Any offence can be punished more harshly where there is evidence that the crime was motivated by hatred towards a protected characteristic. This sentencing option may be the most appropriate existing option for responding to gender-based violence as a form of hate.

THE BENEFITS OF TREATING GENDER-BASED VIOLENCE AS A FORM OF HATE

Treating gender-based violence as a form of hate has substantial benefits which include:

- Helping to set a higher bar for the expected behaviours of a community and its citizens. The application of hate crime laws to incidents related to gender-based violence and the application of increased sanctions emphasize to the broader society that gender-based violence will not be tolerated.²⁸⁹
- Encouraging enhanced public awareness and promoting richer discussions on the seriousness of gender-based violence and its root causes.
- Revealing the extent to which gender-based violence incidents negatively impact women and girls who have been subjected to abuse.
- Enhancing women's agency by protecting their safety.

THE CHALLENGES OF TREATING GENDER-BASED VIOLENCE AS A FORM OF HATE

Dawson identifies a number of challenges that arise in treating gender-based violence as hate. Some of these challenges and their critiques are set out below.

- Without education, training and enforcing, the symbolic impact of recognizing gender-based violence as hate may be weak to non-existent. Dr. Dawson questions whether this was a consideration for other forms of hate motivation for which enforcement has also remained low.
- Opponents of treating gender-based violence as a form of hate express concerns that the criminal legal system will become overburdened (the "floodgates argument"). Dawson, however, points out that the existence of a concern about a floodgate of gender-based violence hate-related incidents buttresses the need for gender-based violence to be included in the hate crime legislation framework and that if an incident is a hate crime, it should be treated as such regardless of how often it occurs.
- There are also concerns that emphasizing gender-based violence as a form of hate will require a significant amount of resources given the number of potential cases. In response, Dawson argues that resources should not determine what is treated as hate if it is clearly motivated by hate. Dawson also notes that not all gender-based violence would be categorized as motivated by hate.
- The challenge of training criminal legal actors is another concern. Studies have shown that legal actors often do not understand that gender-based violence is rooted in power and control. Thus, they are unlikely to recognize hate-motivated gender-based violence. To address this, Dawson suggests focusing on the extent and quality of training legal actors (for example, the police).
- Opponents of the gender-based violence as hate approach argue that gender-based violence is already addressed in existing legislation, such as with offences that relate to sexual assault and domestic violence. Dawson, however, asserts that this point of view fails to take into consideration that such laws do not emphasize the discriminatory and hate-based aspects of these crimes which could be adequately captured in hate crime legislation.

- Some anti-violence against women and girls organizations argue that viewing gender-based violence as hate will dilute existing responses to violence experienced primarily by women because, for example, police don't have the needed expertise to deal with gender-based violence as a form of hate.²⁹⁰ Dawson, however, points out that 1) it can be argued that many police and legal actors do not currently have expertise to respond to gender-based violence using other legal mechanisms, and 2) not all forms of gender-based violence may fall into the hate crime framework initially or possibly at all, depending on how the legislation is written.
- Some argue that including gender-based violence in legislative protections for hate will lead to increased sanctions against perpetrators, with emphasis on penalties rather than alternative approaches such as restorative justice processes. The rationale behind this argument is that increased sanctions do not deter offenders. Such sanctions are often imposed on marginalized groups who are over-represented in the criminal justice system. Dawson agrees that there is a need for better responses to hate crimes as opposed to more laws and more criminalization but emphasizes that gender-based violence as hate needs to be addressed in the same manner as other forms of hate are being addressed.
- Gender-based violence is different from other hate crimes because women do not constitute a minority and should therefore not be included in hate crime legislation. Dawson, however, argues that while women may not be a minority in numbers, they are a minority in power given the historical and present oppression inherent in our patriarchal society. In addition, some women, depending on overlapping identities, do comprise a minority (for example, Indigenous or Black women). Also, it is believed that while most hate crimes involve strangers, gender-based violence often involves known perpetrators. Dawson challenges this viewpoint by asserting that hate crime statistics often do not record the relationship between victim-survivors and perpetrators. Feminists have also asserted that violence against women and girls in their relationships with men is motivated by a desire for power and control, but Dawson points out that power and control are not mutually exclusive of hate and that the desire for power and control over another individual is in itself an expression of hate.
- There is a history of unintended consequences for victim-survivors of gender-based violence, which although starting out with good intentions, often do more harm than good, with victim-survivors being negatively affected by adverse improvements to legislation. Thus, vital parameters must be put in place to ensure that any such legal improvement must protect people who experience gender-based violence.

Recognizing the lack of knowledge about gender-based violence as a form of hate in Canada in her report, Dawson sets out research, policy and practice priorities to consider in furthering or beginning the conversation about the role of hate in gender-based violence.

Hate based on disability

“People who identify with having disabilities have been systematically and privately experiencing discrimination and hate forever—but now we are experiencing that while being more vulnerable to the virus impacting everyone—and people are lashing out about any extra efforts to protect ourselves.”

—Respondent to the Commissioner’s public survey

Although many people with disabilities experience ableist hate incidents, disability-motivated hate is often not recognized as hate. Disability-motivated discrimination is also often experienced in institutional contexts, such as in the health care system, in schools, in group homes and in disability service agency and policing settings.²⁹¹ Significant, sometimes life-threatening, power imbalances within these settings can make it very difficult for people with disabilities to report their experiences for fear of retaliation.²⁹² These dynamics also mean people with disabilities are often subject to repeated hate attacks.²⁹³

Over the past decade, there has been a great deal of work on recognizing and addressing disability-motivated hate in the United Kingdom, but this has been largely absent in Canada.²⁹⁴ Studies from the United Kingdom suggest that hate against persons with disabilities is often perpetrated by people they know, including people they live with.²⁹⁵ As with gender-based violence, this conflicts with popular conceptions of hate incidents as attacks by strangers.²⁹⁶ Many factors associated with increased gender-based violence, such as increased opportunities for control, heightened stressors and the loss of access to supports, may have also increased the incidence of disability-related hate during the pandemic. The similarities between disability- and gender-motivated hate point to the intersections of these incidents, putting women and gender-diverse people with disabilities at higher risk.

During the pandemic, the Commissioner heard how the movement resisting pandemic health measures felt hateful in itself. One respondent to the Commissioner’s public survey shared:

“Eugenics or eugenics-adjacent beliefs and statements against disabled people have escalated astronomically during the pandemic. Disabled/chronically ill people like me have endured being repeatedly told that it’s ‘natural selection’ if we experience disability or death from covid and that taking public health precautions to protect us is interfering with nature taking its course.”

We heard that the disability community was not included in emergency management planning. One Inquiry participant shared: “We were not considered human enough to include us. That is hate.”²⁹⁷ This exclusion had many detrimental impacts on people with disabilities, including the many disproportionate impacts of distancing and isolation measures. We heard that most support systems that people with disabilities rely on were closed or greatly reduced during the pandemic, especially during lockdowns, including daily home health and home support services, accessibility support services, schools, bus services, HandyDART and libraries where people can use computers and food banks.

We heard examples of incidents involving people who are low vision or blind being yelled at and worse, for not keeping the required distance or following directions, despite not being able to see lines on floors or plexiglass. We also heard the devastating impact of people with disabilities being denied having a support person to accompany them to appointments with doctors or at the hospital,²⁹⁸ including a tragic example of a non-verbal woman with a disability dying isolated and alone after being denied a support person at a hospital.²⁹⁹ Exclusion from emergency planning also meant that people with disabilities had difficulty accessing important COVID-19 related information because it was not provided in accessible formats, and that young people with disabilities and their families faced a loss of essential services with the closure of schools.³⁰⁰

We heard from the Wavefront Centre for Communication Accessibility that the pandemic exacerbated many existing barriers and inequities for people who are deaf or hard of hearing. We heard about a hearing-impaired man who was assaulted by a security guard who thought he was ignoring him when he just could not hear him, especially given the use of masks.³⁰¹

We also heard about hate directed at people with mental health disabilities or substance use disorders, particularly at people with these disabilities and living in poverty or homeless, as described in greater detail below.³⁰² We heard from a representative from First United Church Community Ministry Society about significant and highly pervasive hate towards people who use drugs.³⁰³ They described how drug users internalize this, for example, by “consistently having to say that they don’t have any addictions as a way to show that they are worthy of keeping their housing or are worthy of dignity and respect.”³⁰⁴ This hate can take the form of discrimination, such as being evicted or denied access to services because of their drug use. It can also take the form of targeted violence.³⁰⁵ Health Justice told us that there is a stereotype that people with mental health and substance use challenges are inherently dangerous and threaten public safety.³⁰⁶ They explained that this has occurred within the context of the toxic drug supply crisis, which has been deeply amplified by the pandemic.

We heard that policy responses to substance use are “deeply entrenched in racism” with criminalization of drugs “because of connections to racialized communities that were perceived to be a threat to white communities.”³⁰⁷ The Commissioner was also reminded about the need to understand drug use as a response to pain, including racism and hate.³⁰⁸

By the numbers: Hate experienced by people with disabilities during the pandemic

- Canadian data on the incidence of disability-motivated hate is extremely limited, which makes it difficult to assess whether this form of hate has become more prevalent during the pandemic. Leading into the pandemic in 2019, people with a disability were almost three times more likely to experience violence (141 incidents per 1,000 people) than people without a disability (53 per 1,000 people).³⁰⁹ In that year, there were 184 violent incidents for every 1,000 women with a disability, well above the rates recorded among men with a disability (84 per 1,000 people) in Canada.³¹⁰ There were 94 incidents of sexual assault for every 1,000 women with a disability, a rate over four times higher than that among women without a disability (22) and well above the rates among men with (15) or without (7) a disability.³¹¹
- In Canada, despite the high levels of violence against people with disabilities, in 2020 there were only eight police-reported hate crimes (0.4% of 2,646 total hate crimes) motivated by disability.³¹²
- The Commissioner received data related to 3,931 hate incidents reported to police in B.C. between 2015–2021. The police recorded a motivation for 2,444 of the 3,931 incidents. Among the 2,444 incidents for which motivation is recorded, only seven incidents were recorded as motivated by disability.
- 90 people with disabilities responded to the Commissioner’s public survey. Compared to overall respondents, they were more likely to report being denied the same treatment as others (50% vs. 30%) and being refused entry or asked to leave a store, business, public transportation or public facility (33% vs. 18%).
 - A number of respondents spoke to the impact of the trucker convoy, including one person who reported: “I was attacked by a member of the trucker convoy after expressing a different viewpoint.”

Hate based on social condition

“Discrimination and hate based on someone’s income or socio-economic status is not prohibited by B.C.’s Human Rights Code, leaving instances of poor bashing and discrimination against people who are homeless, for example, outside the protections of the law. Such conduct as we have seen in Vancouver in particular has been all too frequent during the pandemic. We’ve seen it in public and neighbour responses to encampments and other visible manifestations of failed social and economic policy to address poverty, inadequate and unsafe housing, and the deadly drug poisoning crisis.”

—Community Legal Assistance Society, oral submission

Community organizations told us that hate based on social conditions increased in both frequency and intensity during the pandemic.³¹³ One organization described observing increased violence “towards people who are perceived to be or who are experiencing homelessness, mental health and substance use in communities.”³¹⁴ This is often tied into ableist attitudes towards those with mental health challenges or towards those who use drugs. Because of the over-representation of Indigenous Peoples among the homeless population, this type of hate is also frequently linked to hate and racism.³¹⁵ For example, the latest “point in time” report on homelessness in Prince George states that 70% of homeless people in the area are Indigenous.³¹⁶

The Commissioner heard that hate on public forums, including online comments and local government engagement processes, has increased in both incidence and “overtness.” Health Justice described hate that occurs in the context of “debates” about how to address concerns faced by communities, and how hateful attitudes are often embedded within these “debates.”³¹⁷ For example, people are framed as a burden on community services and finances, framed as dangerous, as nuisances, as outsiders to the community, and as lacking the agency to make their own choices.³¹⁸ Common themes include blaming the individual and not the “systemic failures that have caused the person to be in that situation,” assuming people do not have capacity to decide for themselves, and the “very deeply held belief that people experiencing marginalization are not real members of their community.”³¹⁹ The Commissioner heard about Penticton City Council members saying they “do not want these people here” of mostly Indigenous Peoples experiencing homelessness and accessing services through the Oonakane Friendship Centre.³²⁰

2022 saw horrific targeting of homeless people in B.C. For example:

- Two homeless people died in a shooting spree in Langley in July 2022³²¹
- A woman who was sitting on a sidewalk in the Downtown Eastside was deliberately burned by a man who poured a liquid on her and set it on fire³²²
- Flyers threatening to burn the tents and belongings of homeless people and to burn the Insite building (a supervised injection site) were distributed in Vancouver’s Downtown Eastside³²³

“I was refused treatment at the emergency room after being brought to the emergency room by the RCMP during a mental health crisis. The psychiatrist on call refused to see me and said I was attention seeking and not in need of medical care.”

—Respondent with a disability who was living in poverty and homeless at the time of the incident

By the numbers: An absence of data on social condition

There is an absence of quantitative data available to assess trends in hate based on social condition over the time of the pandemic. This may be attributed to the fact that social condition is not included as a protected ground under B.C.'s human rights legislation or in the *Criminal Code*. As a result, police and others do not generally record social condition as a motivating factor or grounds for discrimination in the data they collect.³²⁴

However, 53 people who responded to the Commissioner's public survey identified as living in poverty or being unhoused. Compared to overall respondents, they were more likely to report that the hate incident they experienced or witnessed occurred at a hospital emergency room (15% vs. 6%) or by phone/text (21% vs. 6%) and that they were denied the same treatment as others (43% vs. 30%).

Hate based on age

“The pandemic, its deadly impact, and the policies and actions put in place to manage it, all appeared to have exacerbated discrimination against older adults.”³²⁵

—Martine Lagacé, “A Case Study on Ageism during the Pandemic”

“If ageism against older people was called out on several occasions during the Covid-19 pandemic, the stereotyping and stigmatization of younger people remained very much in the shadow.”³²⁶

—From the report “Younger People and Ageism during COVID-19”

Older adults in B.C.

Older adults were disproportionately impacted by the COVID-19 pandemic in many respects, including physical, psychological and social. During the first wave of the pandemic, over 80% of COVID-19 related deaths were older adults living in long-term care homes.³²⁷ We heard that many ageist misconceptions and myths persisted throughout the pandemic. A report of the Federal-Provincial-Territorial Forum of Ministers Responsible for Seniors on ageism during the pandemic explained that ageism towards older adults can be expressed in the following ways:

- Hostility (for example, #BoomerRemover was used on social media at the beginning of the pandemic)
- Compassion (where older adults are portrayed as frail, vulnerable, in need of help or not being able to make decisions)
- Intergenerational pressures (for example, statements that the health care system is strained by older adults) and intragenerational comparisons (for example, older adults that are in good health not wanting to be associated with older adults with health challenges)³²⁸

The Office of the Senior's Advocate observed some backlash towards seniors in response to public health measures.³²⁹ The Senior's Advocate also suggested that paternalism contributed to actions that unnecessarily curtailed the autonomy and threatened the dignity of older adults, including the decision to restrict visitor access in long-term care facilities.³³⁰

We learned that elder abuse, including in long-term care and assisted living facilities, can also be recognized as a form of hate, as ageism motivates and normalizes the abuse of older adults by dehumanizing and undervaluing older adults.³³¹ The BC Aboriginal Friendship Centre questioned whether the lack of sufficient care for older adults throughout the pandemic, including in long-term care, should be considered a form of hate.³³²

Younger people in B.C.

With respect to discrimination faced by young people during the pandemic, the Commissioner heard that some young people felt they were stereotyped or viewed as high-risk contacts or virus carriers.³³³ In addition, during periods of lockdowns, young people were portrayed as unlikely to follow public health orders.

By the numbers: Hate experienced on the basis of age during the pandemic

- In the recent survey by the Office of the Seniors Advocate, reports of senior abuse and neglect significantly increased in British Columbia.³³⁴ Specifically:
 - Reports of abuse, neglect and self-neglect provided to designated agencies increased by 49% from 2018 to 2020
 - Reports of violent crime targeting seniors increased by 69% from 2016 to 2020
- 8% of respondents to the Commissioner's public survey felt like they were targeted because of their age.
- The Commissioner received data related to 3,931 hate incidents reported to police in B.C. between 2015–2021. We analyzed the ages of victim-survivors and found that 10% were under 18 years old, 33% were between 18–30, 37% were between 31–50 and 20% were over 51.

Hate based on immigration status

We heard that anti-immigrant sentiment has grown during the pandemic, particularly towards racialized immigrants.³³⁵ We heard examples of immigrant business owners experiencing bullying and hate.³³⁶ We heard about the proliferation of anti-immigrant sentiment online. Global Access and Inclusion Foundation explained that heightened xenophobia may be partially attributed to the general sense that COVID-19 was “imported from elsewhere.”³³⁷

We heard from Radical Action with Migrants in Agriculture (RAMA) that temporary migrant workers are especially vulnerable to hate from both employers and community members.³³⁸ During the pandemic, pre-existing systemic discrimination experienced by this group was amplified in many ways that worsened the frequency and impact of hate incidents. Many experienced hate-based abuse by employers and had little to no recourse in such situations. These incidents often go unreported as migrant workers fear losing their ability to work in Canada. For example, in the Okanagan, one of the first major COVID outbreaks was on a farm with many migrant workers. This led to fear and overt discrimination and racism against migrant workers, “letting them know that they weren’t welcome here in a lot of ways.”³³⁹

We heard examples of migrant workers going for walks together near their quarantine hotel who were avoided and sometimes experienced verbal aggression.³⁴⁰ Ironically, while public perception was that migrant workers were bringing the virus from their home countries, they went through a strict quarantine process upon arrival and were in fact more at risk through unsafe working and living conditions in B.C.³⁴¹

At the same time, we heard that immigrants may be more reluctant to report incidents of hate, fearing repercussions, described as rooted in a “fear of displacement.”³⁴² While this fear is most pronounced for those without permanent status, and even more so for those without any official status at all, this fear can persist even for people who may have had full Canadian citizenship for many years. Respondents to the Commissioner’s public survey shared:

“Perpetrator accused me of being a savage by culture and nature due to my ethnicity and where I come from. He accused me based on misinformation and myth created by media propaganda against Middle Easterners.”

“I was at a store. He started swearing at me, saying that he never thought he would one day live in a F* foreign country. (I was dressed in distinct Mexican attire.) And then, he asked me if I had at least had my vaccine yet.”

“When there is a crisis, ‘real Canadians’ always resort to blame ‘outsiders’ for their collective problems. Canadian history is full of those examples. This pandemic is no exception.”

—Immigrant respondent to the Commissioner’s public survey

By the numbers: Hate based on immigration status during the pandemic

- Hate incidents based on immigration status are not tracked by Statistics Canada or through the B.C. policing data that was submitted to the Commissioner. However, there were 155 people who identified as being immigrants who responded to the Commissioner's public survey. Of these respondents:
 - The majority (80%) experienced a hate incident directly
 - 55% experienced hate incidents before the pandemic
 - 52% were impacted by hate many times during the pandemic
 - 59% reported that the incident involved hateful comments made in public
- Regarding the perceived causes of the rise in hate incidents, respondents who are immigrants felt that the rise in hate incidents was due to groups being blamed for the pandemic or the perception that groups are aggravating the pandemic (62%).



Hate based on occupation or position

In addition to hate based on identity characteristics, we heard of hate experienced by people based on their occupation or position, including hate towards health workers and health communicators, elected officials, media workers and frontline workers more generally.

While this form of vitriol does not strictly fall within the definition of hate incident for the purposes of this Inquiry, the evidence revealed that gender-, race- and disability-related discrimination played key roles in the hate directed at professions like health care workers, journalists and frontline workers. For example, a 2021 research report on online harm faced by journalists and others working in the media sector in Canada found that women and younger journalists/media workers who are Indigenous, Black or racialized people or who are LGBTQ2SAI+ face more online harassment than others and the severity of the harassment is greater.³⁴³

Hate against journalists

We heard that the media is a major target of broader anti-government, anti-institutional sentiments, including those promulgated by extremist groups. For example, Unifor representatives cited an Ipsos poll of 1,000 media workers where 72% said online harassment is a problem. 73% of those respondents said it has become more frequent over the past two years.³⁴⁴

We heard from a Unifor representative who also sits on the Executive Committee of the International Federation of Journalists that a majority of media workers have experienced increased online harassment, with 55% reporting being directly targeted because of COVID-19.³⁴⁵ As the Unifor representative explained: “COVID is a flashpoint when you’re covering the pandemic. It’s a flashpoint for online harassment, and it’s a flashpoint for covering live events like anti-vaxxing protests, for example.... Covering protests is not safe anymore.”³⁴⁶

In their submissions to the Commissioner, the Unifor representative continued:

“I heard, on our Media Council, women that have been in the industry for 30 years saying, ‘I am, for the first time in my life, scared.’ Hospitality workers that I’ve seen with my own eyes where we have these protesters—truck rallies and convoys staying at our hotels—screaming at workers behind the desk and slamming things and telling them, specifically targeting women and racialized people.”³⁴⁷

Unifor also noted that the online harassment of journalists is very gendered, with many women facing threats of gender-based violence.

Dr. Natasha Tusikov referred to research about how journalists, especially racialized women, face a much higher level of personal attacks, and how it affects them. She described this as part of a general chilling effect on the speech of elected officials and journalists, which has a detrimental effect on democracy. “Too often victims of hate crime, those silenced, harassed and driven from

online spaces, are overlooked when debates simplistically focus on protecting free expression. Our democracy is much poorer if we discount people who are already driven out of participating in public debates, and this includes elected officials harassed and vilified online, like the former Environment Minister, Catherine McKenna, who also faced death threats.”³⁴⁸

Hate against frontline workers

“Hate is more likely to be experienced by those providing frontline services and support to the public.”

—Submission by the BC Federation of Labour³⁴⁹

The Commissioner heard that the pandemic created new vulnerabilities for frontline workers, including health care workers, retail and restaurant workers, transport drivers, transit workers and hotel workers. We heard that frontline workers were “taking the brunt of it” and that this was both normalized and expected. We heard that this had a disproportionate impact on workers who are women, racialized, or older adults or youth.³⁵⁰ We heard that pandemic-related frustrations or stigma around COVID-19 infection often evoked race- and gender-based forms of hate.³⁵¹ We also heard about how hate and workplace discrimination have major impacts on those working frontline jobs that they need to support themselves and their families.³⁵²

Unions and professional associations described unprecedented levels of abuse directed at their staff, particularly when attempting to enforce item limits, mask mandates, vaccine requirements and other public health-related measures.³⁵³

For instance, from the Retail Council of Canada:

“We have seen a general rise in anxiety through the pandemic, people are more on edge and in some cases, unfortunately, have chosen to take this out on retail employees who are just trying to do their jobs while keeping customers and themselves safe.”³⁵⁴

“Retail cares for our frontline workers, and we have worked to afford them protections throughout the pandemic, particularly in our advocacy for mask protections before they were widely used or ordered. These protections have helped workers feel more secure as they deal with members of the public, but unfortunately have resulted in some confrontations that have had serious and lasting consequences, such as a case where an employee was severely assaulted after asking customers to please wear their masks while shopping.”³⁵⁵

Many of these interactions were directly in response to public health measures.

“These interactions have included, most prominently, confrontations with customers who do not wish to wear a mask or who wear their mask improperly, but also management of lineups (including capacity control and at points of sale), particularly earlier on in the pandemic, asking for proof of vaccination (in those limited retail settings where this is required) and while enforcing quantity limits on items, again most prominently early in the pandemic and again when dealing with the flooding impacts of November and December 2021.”³⁵⁶

A Unifor representative told us about how transport drivers experienced a significant increase in verbal abuse on the job during the pandemic.³⁵⁷ We also heard about verbal, physical and sexual assaults on transit workers.³⁵⁸ We heard about how hotel workers, many of whom are racialized women, experienced hate and abuse from guests, with management often unwilling to do anything about it.³⁵⁹

Hate against public health workers and health communicators

“The public turned on us in a way we’d never seen before.”

—Health communicator³⁶⁰

During the pandemic, health communicators engaged in unprecedented on- and offline communication and faced unprecedented on- and offline abuse. Accurate, timely and accessible information is a critical part of crisis response, and there was an intense public demand for information, particularly at the beginning of the pandemic.³⁶¹ Many health communicators increased their communication to reach more people on issues like mask wearing, social distancing and vaccination. They engaged in pandemic response advocacy and in addressing and responding to misinformation and disinformation related to the pandemic.

The Commissioner heard that during the pandemic, health communicators and health care workers were attacked and accused of being corrupt, incompetent and responsible for injury, death and loss of liberties. Many health communicators received threats of violence and death threats. Health communicators described impacts on their mental health, their ability to work and spending excessive time assessing or responding to threats. They also described concerns about public health information being diluted by misinformation and disinformation and that the abuse and hostility was preventing the public from discussing important public health issues. Tworek and Tenove note that “interviewees saw the hostility directed against individuals holding such positions to be corrosive to social solidarity and to public health communication.”³⁶²

We heard from Dr. Bonnie Henry about violent threats and hateful speech directed at her and her staff in response to the public health measures.³⁶³ She described how, while this hate has been present throughout the pandemic, since the convoy started, the frequency and intensity of hate directed at her and her office “has gone up exponentially.”³⁶⁴ Dr. Henry told the Commissioner that she received over 200 direct threats through email since January 2020 and between 10 and 50 abusive or threatening phone calls a day. She also described receiving used masks and human feces in the mail.

Some health communicators faced more frequent, more explicit and more violent threats and abuse based on their racial, ethnic and gender identities. Dr. Henry shared: “Teresa Tam has experienced it. I think, as women, we experience it more than some of our male colleagues, although our racialized male colleague back in Saskatchewan, for example, has had similar things. I will say that I do believe just because of the role that I’ve played here in B.C., relative to you know the politicians, I think I’ve received more than most people in terms of the hate, and the vitriol and the messages and the intensity.... You know, I look at the stuff that the Premier gets, and Minister Dix gets, and there is a different tone to it, and it’s definitely because I’m a woman.... Definitely misogynist, sexist, the comments that are demeaning and meant to, you know, invoke fear.”

Some of the abuse sought to undermine the authority of women and/or racialize health communicators. For example, as noted in the quote above from Dr. Henry, Dr. Teresa Tam, Canada’s Chief Public Health Officer and central figure in Canada’s pandemic response, faced abuse targeting her Chinese ethnicity and gender identity.

“[T]he majority of racialized individuals we interviewed had experienced at least one instance, and some faced it more regularly. Much more frequently, individuals faced insults and ambiguous threats. These messages reached health communicators via the same online channels (social media and email), from similar types of sources and had similar effects on people’s psychological health and professional effectiveness. However, the instances of hate speech—most often racist—promote broader social harms, exacerbating deep-rooted inequities and intergroup conflicts, and therefore deserve particular attention.”³⁶⁵

Dr. Henry spoke about the impact of these incidents on her staff and herself. She described staff being fearful to come into work, wanting to protect staff from the vitriol in her inbox and staff leaving. She described a sense of losing faith in humanity and that one of the impacts is that it affects the way you see other people, in general. “It shapes you.”

Who is responsible for perpetrating hate?

“The people that are perpetrating hate that I see in public, on the internet, in real time, are not Nazis, typically. They are not national socialist. Some ascribe to some white nationalism, different labels and titles. You could lump them in as right-wing extremist, whatever. But a lot of them are tradespeople and people who are just regular citizens in a way.”

—Oral submission by Daniel Gallant³⁶⁶

In the Commissioner’s public survey, respondents had the option of identifying the demographics that they believe best described the perpetrator(s) of the hate they experienced or witnessed. Overall, three-quarters of respondents reported that the perpetrator was white. Respondents indicated that perpetrators of the hate incidents tended to be men (67%) and between the ages of 25 and 65.

Respondents were also asked to report whether they had a relationship with the perpetrator of the hate incident. Most respondents (73%) reported that the perpetrator was a stranger, followed by a person in authority (19%), or someone acting in a professional capacity (16%).

Anthony Statham, former head of BC Hate Crimes shared:

“What we’re talking about is individuals, with maybe a couple of exceptions here or there, who likely have some pre-existing hate, prejudice, or bias toward a certain group, and may not otherwise act out on them, but the conditions of the pandemic and the lockdown made them act out in ways that they may not otherwise would have.”³⁶⁷

With respect to people engaged in violent extremism, we heard from Yorktown Family Services, a community services organization that supports women, children, youth and families to create positive change in their lives, that “most of the people engaged in the hate space from a white national standpoint are white men.”³⁶⁸

By the numbers: Perpetrators of hate

The Commissioner analyzed police-reported hate incidents from 2015–2021 submitted through the Commissioner’s requests for information to policing agencies across B.C. To further our understanding of the root causes of hate incidents, we analyzed the characteristics of victims, suspects and their relationships. There was not a victim and/or suspect associated with every incident. Of the incidents where this data was available for suspects or perpetrators:

- 77.4% of hate incidents were committed by strangers, 6.3% were committed by acquaintances, 4.8% by neighbours, 6.3% by someone in a business relationship and 1.9% by family or relatives.
- White or European individuals were accused in 70% of incidents. The over-representation of whites/Europeans as accused persons is on the rise.
- Men were accused/suspects in 86% of police-reported hate incidents.
 - Regarding the age of the accused, 13% were under 18, 22% between 18–30, 43% between 31–50 and 22% were over 51
- 14.1% of the accused are noted in police records as having a dependency (for example, a disability or drug/alcohol addiction).

What kinds of hate have individuals and communities in B.C. experienced during the pandemic and how have these experiences affected them?

In addition to examining who is affected by hate, the Commissioner sought to understand where hate is occurring and what kind of hateful acts people are experiencing. Below, we discuss where hate is occurring, what kinds of hate people are experiencing and how hate impacts those who are targeted.

Where is hate occurring?

It is extremely difficult to assess whether the incidence of hate varies significantly by geographic area due to reporting practices, the absence of a provincial reporting system, the distribution of reporting mechanisms, and/or social and economic factors that might make people in some communities less likely to report, even through an informal mechanism like a survey tool.

In terms of the places where individuals experience hate, we heard numerous examples of people experiencing hate in public places that are part of their everyday life. There are many examples of hate incidents occurring on streets and in public parks. We heard about hate on public transit. We also heard about hate in restaurants, stores and other businesses open to the public. Of particular concern are the many incidents of hate reported in health care settings, schools and other institutions.

For example, the Commissioner heard about the inhumane treatment of prisoners resulting from efforts by BC Corrections to comply with public health orders. The Commissioner heard that during the pandemic, many prisoners experienced extended solitary confinement, including prisoners with mental disabilities, as part of quarantine and public health requirements.³⁶⁹

“It doesn’t seem reasonable, and this is not what we would do in the community, and I think it’s because these people are incarcerated that their rights are being violated, and they are being isolated.”³⁷⁰

By the numbers: Where hate happens

- The Commissioner's public survey asked people to share the geographic location where the hate incident they experienced or witnessed occurred. Most respondents reported that the incident occurred in the Lower Mainland area (57%), followed by the Vancouver Island/Coastal region (25%).
- The Commissioner's public survey also asked people to share the types of locations of hate incidents. Respondents reported that incidents were most likely to occur in an outdoor public space (48%), on social media platforms (39%), in an indoor space that is not someone's home (32%), at work (24%) or on the internet (23%).
- The Commissioner tracked hate incidents reported in the media between March 1, 2020 and November 2022. More than 150 news stories about hate incidents were reported in the media and recorded by BCOHRC. The highest number of incidents (65+) occurred in the Metro Vancouver region. Over 40 incidents occurred in the City of Vancouver itself. Beyond Metro Vancouver, the second-highest number of incidents occurred in Victoria (10+) and Kelowna (10+).
- From the Commissioner's analysis of police-reported hate incidents (3,931 incidents between 2015–2021), 28.2% occurred on the street, 18.7% occurred at businesses, including bars, restaurants, gas stations or banks, 17% occurred in residences and 6.2% occurred in schools.

Government data

Despite not collecting data on hate or hate incidents specifically, some public bodies were able to conduct additional analyses to respond to the Commissioner's request for data on hate incidents between 2015–2021. Some trends from the data submitted to the Commissioner are highlighted below. A more detailed analysis can be found in Appendix L.

- The Crime Safety and Crime Prevention Branch of the Ministry of Public Safety and Solicitor General reported that VictimLinkBC experienced a 138% increase in hate crime calls from 2020–2021, with a rise from 29 calls in 2020 to 69 calls in 2021. They also reported a perception among staff and volunteers that hate incidents have increased during the pandemic.
- BC Corrections reported significantly fewer individuals being charged and convicted of intimate partner violence and sexual assault during the pandemic, a trend that is deeply concerning given the evidence of increases in gender-based violence during the pandemic.
- The Ministry of Health, Ministry of Mental Health and Addictions and the health authorities do not collect data on hate incidents. To respond to the Commissioner's request, health authorities developed a methodology for

identifying and manually reviewing records for incidents that align with the Commissioner’s definition of hate incidents.³⁷¹

- Overall, the data shows increases in “reported incidents” or “proven incidents” of hate across almost all health authorities in 2020 and 2021.
- Provincial Health Services Authority showed no increase or decrease in these numbers. However, their human resources data showed a significant increase in reported incidents among staff in 2020 and 2021.
- Interior Health did not provide annual data, making it difficult to isolate any trends.
- Several health authorities also noted seeing significant increases in hateful or otherwise inappropriate social media posts on their accounts.
- The Ministry of Education and Child Care has a voluntary and anonymous provincial reporting tool called ERASE. ERASE data shows that racist or discriminatory incidents increased during the pandemic (28 in 2018–2019 to 76 in 2021–2022). This is self-reported data, and it is unlikely that it reflects the true number of incidents occurring in schools. The Commissioner notes a concerning number of reports in ERASE (619 reports) related to bullying/cyberbullying between 2018–2019 and 2021–2022.



- Post-secondary institutions generally collect data on complaints about discrimination, bullying and harassment, sexual harassment and gender-based violence but don't collect data on hate. Data provided by post-secondary institutions shows a disturbing number of sexual harassment, sexual violence and gender-based violence incidents both before and during the pandemic. They reported a 100% increase in harassment and discrimination incidents between 2018–2019 and 2020–2021.
- Most municipalities reported that they do not use the classification of “hate” or “discrimination” in their data collection.
 - The District of Squamish reported that the Inquiry process prompted them to look more closely into how they can monitor and mitigate hate going forward.
 - The City of Kelowna tracks incidents of hate and discrimination from security reports and saw a significant increase in reported incidents between 2020 (5 incidents) and 2021 (23 incidents). The largest proportion (nearly 75%) of incidents involved discrimination based on race/ethnicity, followed by poverty, gender, disability, religion, age and sexual orientation.
 - Both Kelowna and Vancouver noted an increase in racist and offensive graffiti. In the City of Vancouver between 2015–March 2022, there were 3,782 removals of hateful or racist graffiti. Incidents rose from 83 in 2018 to 793 in 2019 and 1,300 in 2020.
- BC Ferries, BC Transit and TransLink don't collect data on hate or hate incidents specifically. In response to the Commissioner's request, they identified incidents consistent with the Commissioner's definition of hate.
 - BC Ferries identified 98 incidents between 2015–2021: 34 related to mistreatment on the basis of race/ethnicity, 20 related to disability, 15 related to mask mandates, 12 related to Indigenous identity, eight related to gender/sexual harassment, three based on sexual orientation, two based on religion, one related to age and three unknowns. There were significantly more incidents in 2020 compared to 2021.
 - BC Transit provided data on 158 incidents that occurred between 2015–2021. The data shows a small increase in the number of incidents during the pandemic. Race was by far the highest area of incidents accounting for 128 of the 153 incidents.
 - TransLink provided over 2,000 internal and external complaints that it identified as relating to human rights between 2016 and 2021. The data reported includes incidents between customers and employees including transit drivers. With a particular focus on incidents after the start of the COVID-19 pandemic, a review suggests a pattern of complaints about discriminatory behaviour by, but not limited to, TransLink employees. Complaints relate to hateful speech, discriminatory graffiti, accusations of uneven rule enforcement, and reports of unfair denial of service. The data reflects the total number of complaints received by TransLink, including founded and unfounded complaints.

What kind of hate incidents are people experiencing?

Throughout the Inquiry, we heard many disturbing stories of hate incidents. We heard a lot about hateful comments, physical harassment and aggression, threats of violence and people being spat on or having garbage thrown at them.

We heard about hateful graffiti and property damage, and how this can make entire neighbourhoods feel less safe. For example, we heard about a significant increase in racist graffiti in Vancouver’s Chinatown³⁷² and racist graffiti and slurs on sacred sites and pictographs of the Syilx Okanagan Indian Band.³⁷³ In their submission, the Vietnamese Professionals Association shared:

“So you’re having graffiti all over the place, and it just leads to this acceptance that racism is okay. It’s okay to hurt those who are disadvantaged.”³⁷⁴

The Commissioner also heard about microaggressions. While these incidents generally wouldn’t meet the threshold of hate incidents, they have a profound impact.³⁷⁵ Examples include Asian individuals reporting others distancing themselves, as if they were creating distance from contagious individuals. Black and Indigenous individuals told us about their experiences of being followed around stores every time they went shopping.³⁷⁶ These day-to-day systemic microaggressions are “creations of broader psychological unsafety.”³⁷⁷



By the numbers: Characteristics of hate incidents experienced during the pandemic

The Commissioner received data related to 3,931 hate incidents reported to police in B.C. between 2015–2021. We analyzed the characteristics of the hate incidents from the police-reported hate incident data and found that:

- One quarter (25.4%) of the incidents involved threats and use of force, including 5.5% that involved the use of a weapon.
- Compared to the overall percentage, incidents targeting gender or sexual orientation were more likely to involve the use of force (38.8% vs. 25.4%).
- Most hate incidents did not involve force or the use of a weapon (74.6%), while 8.1% involved threats and 12.9% involved physical force.
- The year-to-year counts of force usage are variable across the study period, with no substantive percentage increases for any of the force categories (physical force, threat and weapon use) during the pandemic.

The Commissioner's public survey asked people to identify the kind of hate they experienced, witnessed or were affected by. Respondents were most likely to report that the incident involved hateful comments made in public (73%), followed by hateful comments in private (42%). If gender-based violence was more commonly considered as hate, then it is reasonable to assume that these numbers would shift significantly, as we know that gender-based violence often occurs in the context of intimate and familial relationships and often within the home. 134 respondents reported experiencing threats of physical violence, and 124 respondents reported being spat on or deliberately coughed on. These respondents were most often women.

CHARACTERISTICS OF HATE INCIDENTS INFORMED BY BCOHRC'S MEDIA STORY ANALYSIS

More than 150 news stories about hate incidents were collected by BCOHRC. More than 60 stories involved property damage in the form of hateful graffiti (30+), vandalism (20+) or arson (approximately 10). For example, vandals repeatedly targeted property in Vancouver's Chinatown, including in July 2021 when a perpetrator used red ink to paint what appeared to be bullet holes over a three-part mural featuring images of historical Chinese families and community. That same month, vandals defaced pride crosswalks in both Nanaimo and Vancouver, and police launched an investigation after somebody ripped down and vandalized a mezuzah, a Jewish religious item, from a student's doorway at UBC. The second-most reported type of incident reported in the media was physical assault (25+ reports).

A full list of all media stories tracked for this analysis is available on our website at hateinquiry.bchumanrights.ca/documents.

How does hate affect individuals and communities?

The Commissioner heard from individuals and communities about the harmful impact of experiencing and witnessing hate during the pandemic. Respondents to the Commissioner’s public survey were asked about how the hate they experienced impacted them in the hours, days and weeks following. The majority of respondents reported immediate emotional or mental distress, a loss of their sense of safety and/or long-term emotional or mental distress. Very few respondents reported no impact (3%). Women were more likely than men to report a loss of their sense of safety, that they avoided normal routines like taking the bus or walking certain routes and that they experienced a loss of relationships. Non-white respondents (40%) were more likely than white respondents (28%) to report feeling less connected to the land and to avoid normal routines like taking the bus or walking certain routes.

Hate results in immediate and long-term physical and emotional harm

“Physically, I am unharmed, but emotionally and psychologically, I am shaken and furious about this.”

—Respondent to the Commissioner’s public survey

“The incidents have caused mental instability/suicidal thoughts, fear of people, total distrust in government/healthcare/police, anxiety, extreme stress, lacking physical health.”

—Respondent to the Commissioner’s public survey

Hate incidents can result in serious physical and emotional harm and even death. Tragically, we heard that discrimination, bullying and hate has been a contributing factor in youth suicides³⁷⁸ and deaths from the toxic drug supply.³⁷⁹ We heard examples of physical assaults that resulted in serious injuries for the person targeted, including the femicides referred to above.³⁸⁰ Five per cent of survey respondents reported experiencing physical injury or illness as a result of a hate incident.

Eighty-four per cent of survey respondents reported experiencing immediate emotional or mental distress, including worry, stress, unhappiness, panic attacks and intrusive thoughts. We heard that hate incidents have significant mental health impacts, especially if the person targeted or impacted cannot access appropriate mental health supports.³⁸¹ This is in the context of growing mental health needs during the pandemic more generally. For example, we heard that “It’s been extremely detrimental to the mental health and well-being of the [Black, Indigenous and racialized] folks, with collective racial trauma and racial stress being quite pervasive.”³⁸² The Canadian Union of Public Employees explained that “Black and racialized members also noted having increased mental health needs, due to not only experiencing racist incidents themselves, but also due to the coverage of hate crimes in the media.”³⁸³ We heard:

“When you experience it all the time, you get desensitized to it, you start to believe you deserve to be treated this way.”³⁸⁴

The Commissioner heard that hate results in embarrassment and shame and that shame is a common response to a traumatic event. After being targeted by hate, we heard people express embarrassment or “I felt that maybe I did something wrong.”³⁸⁵ Many participants suggested this impact is even more profound when there is a sense that hate is normalized and accepted. We heard that when people feel there is nothing they can do about an incident, it may be internalized.³⁸⁶ For example, DIVERSEcity Community Resources Society described that immigrants and refugees feel that “they should be respectful and grateful for what Canada has offered them,” which can make it difficult to identify and speak out about systemic discrimination and overt acts of hate.³⁸⁷

INCREASED INCIDENCE OF MENTAL HEALTH PROBLEMS DURING THE COVID-19 PANDEMIC

The COVID-19 pandemic has been associated with a significant increase in the incidence of mental health concerns. Evidence from major surveys and from mental health service providers suggests that this increase in mental health concerns was not isolated to the beginning of the pandemic. Rather, since the beginning of the pandemic in 2020, a significant share of the population has consistently reported that their mental health is worse than it was before the pandemic began.

The COVID-19 pandemic had a disproportionate mental health impact on certain groups, including women, youth, families with children under 18, members of the LGBTQ2SAI+ communities, Indigenous, Black and other racialized people, people with disabilities, people with pre-existing mental health issues and people living in poverty.³⁸⁸

The Commissioner heard through many submissions that the groups above were disproportionately affected by stressors related to the COVID-19 pandemic, including illness, the death of loved ones, financial hardship, the closure of or reduced access to basic services, additional caregiving responsibilities and isolation, as well as the shadow epidemic of gender-based violence and hate.³⁸⁹ Research shows that people who reported one or more pandemic-related stressors were significantly more likely to experience mental health concerns.³⁹⁰ For example, the Commissioner heard about how many Indigenous, Black and other racialized people have experienced not only the mental health impacts of pandemic-related stressors, but also the mental health impacts of racism, hate and intergenerational and collective trauma.³⁹¹ Many submissions included calls for increased mental health supports.

The Commissioner heard from Wavefront Centre for Communication Accessibility that, in response to a national survey they launched in the spring of 2021, which received over 650 responses from adults who are deaf, deaf-blind or hard of hearing, 60% said their mental health was negatively impacted because of the pandemic, with many experiencing pandemic-related stressors such as communication difficulties, isolation and difficulties meeting their basic needs.³⁹² The Commissioner heard that there is a need for more accessible mental health support services for this population.³⁹³

The Commissioner also heard that frontline workers, health workers, and media workers experienced cumulative stress and negative mental health impacts throughout the pandemic.³⁹⁴

By the numbers: Mental health in B.C. during the pandemic

- In spring 2020, approximately half of all B.C. residents reported that their mental health had worsened since the pandemic began.³⁹⁵
- The BC Crisis Line Network shared with the Commissioner that in October 2021, incoming calls to the provincial mental health line increased by 111% and calls to the provincial suicide line increased by 66.9% compared with pre-pandemic levels.³⁹⁶
- The incidence of mental health concerns appear to be higher one year into the pandemic than in spring 2020.
 - A survey conducted by Statistics Canada in spring 2021 found that one in four (25%) Canadians aged 18 and older screened positive for symptoms of depression, anxiety and/or post-traumatic stress disorder in spring 2021, a significant increase from one in five (21%) who screened positive in fall 2020.³⁹⁷
 - The BC COVID-19 SPEAK Wave 2 survey, which received responses from almost 400,000 B.C. residents, also indicated a higher incidence of mental health concerns in spring 2021 compared with spring 2020. In spring 2021, 57% of respondents reported worse mental health since the beginning of the pandemic (compared with 46% in spring 2020). 25% reported that since the pandemic began, most days are quite stressful or extremely stressful (compared with 18% in spring 2020).³⁹⁸
- A cross-sectional national poll repeated 10 times between October 2020 and March 2022 found that many Canadians experienced significant mental health and substance use concerns throughout the two years following the beginning of the pandemic. Overall, about one-third of respondents reported moderate to severe mental health concerns, measured with scales assessing depression, anxiety and suicidality.³⁹⁹

Hate results in fear for safety and erosion of belonging

“No one should be scared about going for walks. Like, at the height of the pandemic, my grandma was going for walks in her backyard, just in circles. She didn’t want to leave her apartment. She was just in the backyard, just going in circles. And that’s just so sad.”⁴⁰⁰

“Hate.... significantly threatens our ability to be safe in ways that completely alter how we navigate our lives.”⁴⁰¹

Sixty-five per cent of respondents to the Commissioner’s public survey reported that hate results in loss of sense of safety. We heard that for some, experiencing hate incidents results in “constant fear”⁴⁰² and always being “hyper-aware of their surroundings,”⁴⁰³ “feeling apprehensive that an incident could happen to us while we are in a public place.”⁴⁰⁴ Public survey respondents shared:

“We had to move away to avoid constant confrontation and harassment from the people involved as I couldn’t bring myself to send my son back to the school where the teacher who evicted us works.”

“I stopped engaging with white people or trying to fit into the white people society. I feel like an invisible person in society.”

“I have cared for myself by limiting my exposure to strangers and by limiting my communications with those who speak hate rhetoric to myself and my children.”

Another survey found that 62% of trans and non-binary respondents from British Columbia reported avoiding three or more types of public spaces for fear of harassment.⁴⁰⁵

The Commissioner heard many different stories about people changing their behaviours and daily routines because of the hate they experienced or out of fear of hate directed at their community during the pandemic. For example, we heard about reports of older Asian people not feeling safe leaving their houses to even go on a walk around the neighbourhood or join regular family gatherings.⁴⁰⁶ Seniors who would previously go out together, “and that sense of collectivity made them feel a lot safer,” lost that source of safety at the same time as fear of being attacked went up drastically.⁴⁰⁷ We also heard about Black people who did not want to go out because of fear for their safety due to escalating police violence at the height of the Black Lives Matter movement.⁴⁰⁸

Respondents to Commissioner’s public survey described creating new routines to distance themselves from triggers related to the hate incidents they had experienced (8%). For example, one person said: “I isolated myself so I would not be a target.” Another respondent wrote: “I stopped going to that store.” Another “took a leave of absence from work to work on myself and strengthen myself in my beliefs.”

- We heard about people feeling especially threatened when they experienced hate near their homes, communities and at work. For example: “Several individuals who had experienced street harassment commuting to and from their workplaces noted that feeling safe and present at work becomes next to impossible when surrounded by the threat of hate incidents in their own communities.”⁴⁰⁹
- Racialized and marginalized people reported feeling “vulnerable and singled out” on public transit, which in some cases made them reluctant to use it at all, even to access medical appointments and other forms of care.⁴¹⁰
- We heard about people being afraid to walk in public to attend programs at community centres.⁴¹¹
- We also heard about the prevalence of the practice of doxxing, where private and identifying information about an individual is published on the internet with malicious intent. Both Dr. Bonnie Henry and the Support Network for Indigenous Women and Women of Colour shared experiences of doxxing where online threats escalated into people trying to find them at work and at home.

We also heard about students not feeling safe in schools because of hate they experience. One public survey respondent described it as “multiple social, psychological injuries of six hours a day, five days a week, plus potential harassment off school grounds.”⁴¹²

The Commissioner heard that hate, particularly when experienced trying to access services, results in people being unable or unwilling to access critical services in the future. We heard how fear of harassment, along with distance and uncertainty about travelling contributed to seniors in Vancouver’s Chinatown not being able to access vaccination outside of the neighbourhood.⁴¹³ We heard many times that negative experiences with health care make individuals less likely to access health care going forward.⁴¹⁴ The BC Association of Aboriginal Friendship Centres described the experiences of Indigenous Peoples accessing health care: “If you’re not seen as worthy of healthcare, you could die.”⁴¹⁵ Chief Joe Alphonse shared stories about two brothers who died after refusing to go to the hospital.⁴¹⁶ These stories echo the stories included in the “In Plain Sight” report, which documents the experience and impact of Indigenous-specific racism in the health care system.⁴¹⁷

In addition to people fearing for their safety, the Commissioner heard that another pervasive impact of hate is that it erodes people’s sense of belonging. As the representative of the Support Network for Indigenous Women and Women of Colour shared after several incidents of racist and white supremacist graffiti near where they live: “It made me feel really, really unsure of who my neighbours are.”⁴¹⁸ We also heard: “For me as someone who worked as a settlement worker, I want to help people to settle and feel like they belong here in Canada. But at the end of the day, they are facing this kind of experience where that made them feel like ‘we don’t know why we came here.’”⁴¹⁹

The impacts of hate are cumulative

“If we actually talk about what it means to be First Nations and from another ethnic background, to be a minority. You know, I don’t mean to come across as negative here, but it’s tough being a minority in your own country. And I say this literally because my lineage is from this area. We’ve always been here, but still we get discriminated against, and the impact that’s being felt is generational.”⁴²⁰

“There is the tangible impact of a hate crime or a microaggression, particularly for racialized folks, that occurs very much in the moment, but there is that compounding and long-term impact of them really disengaging from a lot of different institutions.”⁴²¹

The Commissioner heard that hate doesn’t occur in a vacuum—rather, its impacts are layered onto pre-existing racism, discrimination and hate, and that the cumulative impacts can become “intolerable.”⁴²² The impacts of hate are also layered onto the existing stress of the pandemic. We heard that it is important to recognize that the impacts of a hate incident, including intergenerational trauma that might be triggered, affect not just the individual but often the entire community.⁴²³ We heard that:

- In reference to hate directed at Asian communities: “Not only did they have to navigate the uncertainties of the pandemic together, but they had to do so with this added distress and trauma that [hate] takes on an individual’s mental health and well-being.”⁴²⁴ This was echoed by Elimina8Hate, who said that the pandemic was already “a very difficult and traumatic time for the entire community.”⁴²⁵
- The LGBTQ2SAI+ community “is more likely to experience socioeconomic disadvantage and serious mental health concerns, and so the impacts related to hate instances could have further negative effects with this vulnerable community.”⁴²⁶
- The cumulative stress and mental health impacts from these incidents can result in workers taking increased leaves.⁴²⁷

We heard that when hate is normalized, it heightens the pain of hate incidents for those targeted. Representatives from project1907 told us that hateful graffiti often stays up for a long time; it is not even named as hate or reported.⁴²⁸

“There is a certain level of acceptance and a higher level of tolerance for anti-Asian racism in our society. Even when it’s happening right in front of us, in front of our eyes, all around us, it is somehow very invisible-ized and accepted.”⁴²⁹

“There’s normalized hostility towards certain groups in Kelowna. Racism and other forms of discrimination and hate is acceptable through silence about it. These incidents will have short- and long-term impacts on individuals and community. That silence only leads to worsening conditions and experience of quality of life for individuals and broader community.”

—Kelowna Community Resources response to the Commissioner’s public survey⁴³⁰

Hate can have a chilling effect on speech

The Commissioner heard that hate and hate speech have a chilling effect on speech and participation in democracy. Dr. Natasha Tusikov describes the chilling effect of hate speech on elected official and journalists, artists, academics and activists: “So, instead of good speech thriving in this so-called ‘marketplace of ideas,’ what we see is bad speech drives out good speech and good speakers,” negatively affecting democracy.⁴³¹ Health Justice described the effect of hate speech on marginalized people: “The result on people is that they feel dehumanized, they feel silenced, and the speech and the rhetoric is often a literal attempt to exclude people from communities because of their disabilities and social condition.”⁴³² The BC Teachers’ Federation explained that “hate speech, therefore, rises beyond causing emotional distress to individual group members. It can have a societal impact. If a group of people are considered inferior, subhuman or lawless, it is easier to justify denying the group and its members equal rights or status.”⁴³³

The Commissioner heard that online hate drives people away from being active online and reduces a person’s willingness to participate in democratic processes. We heard:

“More often, individuals develop practices to limit their engagement with hostile voices or toxic content.”⁴³⁴

“Online hate and other harms create fear, sow division and can destroy lives. They weaken social cohesion and undermine public confidence.”⁴³⁵

In a paper examining the chilling effects of online harassment, cyberbullying, hate and other forms of online abuse, author Jonathan W. Penney notes: “Online harassment, bullying, hate, ‘doxxing,’ and revenge porn all have a silencing effect on victims. Such abuse has a ‘totalizing and devastating impact’ upon victims. In fact, silencing victims is often the primary motivation for such abuse. Moreover, these chilling effects have a disproportionate impact on the speech and engagement of certain people, such as minority populations, already marginalized due to systematic and overt barriers. Second, while a cyber harassment law—or other measures taken to address online abuse—likely will chill at least some speech, empirical evidence suggests that this chill pales in comparison to the impact on victims.”⁴³⁶

In addition, recognizing the impact online abuse has on victims, Penney also discussed the impact on democratic societies more broadly: “Third, law and policymakers, at a very basic level, must acknowledge the corrosive impact that online abuse has both on victims and on democratic societies more broadly. Such abuse silences victims, weakening public discussion and democratic deliberation.”⁴³⁷

Where targeted communities found strength

The Commissioner sought to understand the strengths of individual and community-based responses to hate. The Commissioner's public survey asked people where they found strength, connection and even love in the face of hate, what people did to care for themselves after experiencing hate and to share anything they found helpful or empowering.

“I have found in my entire life that the opinion of others is just that... their opinion. It does not pay my bills or aid in my health. I have to rise past what is thrown my way. It has never benefited me to surrender to what others think of me.”

—Indigenous respondent to the Commissioner's public survey

Respondents who provided comments (136) reported that they found healing through connecting with community or social groups (42%), becoming involved in activism and/or contributing to social movements (18%), or through participating in support groups (10%). These comments highlighted resiliency and strength. In seeking help and support to process their own experience, many connected with others who had similar experiences and healed together:

- “I found my strength in my faith, family and close friends.”
- “I have found strength in connecting with others who feel marginalized like I do. Finding a sense of community has been lifesaving.”
- “Being able to share my experience and have another stranger tell me that was not right.”
- “Connection with friends who know and love me.”
- “I have found comfort in sharing my stories with other [Black, Indigenous and People of Colour].”
- “I sought out advocacy online. Queer advocacy resources and strong professional advocacy.”
- “What I found empowering was the support, interest and questions asked by fellow Jewish people and also many Asian friends.”
- “It was empowering reading protests online in other parts of the world where Asian hate was not being tolerated. A sense of global community is uplifting.”
- “I started following Jewish social justice activists.”

Some respondents noted that healing from their experience empowered them to help others who have had similar experiences:

- “I am trying to empower myself by seeking groups that advocate for anti-Asian hate crimes and counter freedom convoy groups that are doing work to educate why this group is not really supporting freedom for all.”
- “I decided to go to my first protest and met many like-minded individuals who are filled with love and support for one another.”
- “I volunteer a great deal. I also clean my street of litter.”
- “I became an activist.”

Other comments highlighted steps that individuals had taken to focus on their own self-care and health (9%). Respondents reported engaging in medication, exercise, positive thinking and other self-care practices and noted that these steps helped in their healing process:

- “I exercise and go out for walks and take care of my animals.”
- “I find a quiet place to think, take a deep breath and relax. Most antisemitic comments or micro-aggressive behaviours are upsetting, thoughtless and often come from ignorance.”
- “I meditate, do cardio exercise at home and go for a walk.”
- “Kept positive thoughts.”
- “Nature, reading, exercise, supporting others who are attacked with hatred.”
- “Practice daily affirmations, meditation and yoga. Lots of self-love and care. Spend time out in nature. Exercise and working out.”
- “Researched health daily. Practiced holistic health. Walks outdoors. Found other individuals supporting individual freedom and health. Meditating and sending unconditional love to all every day, including perpetrators.”



Deeper dive: Online hate

“If you don’t have facts, you can’t have truth. Without truth, you can’t have trust. Without these three, we have no shared reality. We can’t solve any problems. We have no democracy. That’s what social media has done. It has come in to use free speech to stifle free speech.”⁴³⁸

—Maria Ressa, Nobel laureate and journalist

Online hate was identified as a serious problem in Canada long before the pandemic. However, the pandemic created the perfect storm for online hate to flourish—fear, economic inequality and uncertainty, discontent with governments’ pandemic responses, isolation and more time being spent at home and online. During the pandemic, some groups, like health care workers and communicators, were thrust into the spotlight and experienced unprecedented levels of online hate. Other groups, such as Asian people, Muslim people, Jewish people and women, also experienced increased hate online compared to before the pandemic.

These trends in online hate reflect broader trends in society. The internet and social media have fundamentally changed the way we communicate and because so much of our communication is on these platforms, they are often mirrors to increased trends in hate incidents broadly, as this report demonstrates.

One respondent to the Commissioner’s public survey shared:

“The increase in hate comments and threats across all media platforms without reprisals in the name of freedom of expression, or in defence of unlimited ‘rights’ and ‘freedoms’ ... is contributing to emboldening of those with more radical views ... It contributes to feeling unsafe and represses democratic debates through intimidation and fear.”

We need to look no further than the mosque shootings in Christchurch, New Zealand and Quebec City to understand that online hate can and does lead to serious offline harm, including violence and murder. In March 2019, a lone gunman killed 51 people and injured another 40 in shootings at two mosques in Christchurch. Prior to the attack, he published an online manifesto that included anti-immigrant sentiment, white supremacist rhetoric and hate speech against migrants. He live streamed the first attack on Facebook. Closer to home, in January 2017, a lone gunman entered the Grand Mosque in Quebec City and killed six Muslim men, injuring five more. Evidence entered at the sentencing hearing shows that in the weeks leading up to the attack, the attacker conducted searches for far-right social media personalities, photos of the interior of the mosque, other men who committed mass murders and feminist and Muslim groups. He also watched YouTube

videos about the weapons he would use in the attack.⁴³⁹ These attacks are a stark reminder of the connection between online hate and real-world violence.

While the benefits of using social media and online platforms include access to knowledge and community and social movements, there is also no doubt that online spaces contribute to online and offline harm that disproportionately impacts people based on their individual and intersecting identities. The Canadian Commission on Democratic Expression describes this as one of the central paradoxes and challenges of our time.⁴⁴⁰

The following section of the report examines online hate, the online spaces where it occurs, increases in online hate during the COVID-19 pandemic, what contributes to online hate and what social media companies and others are doing to prevent it.

What is online hate?

Online hate involves the use of online spaces to promote hate through hate speech, encouraging violence and amplifying hateful messages. Online hate includes hateful speech, images and videos spread on social media, news comments and other web-based platforms. It also includes the use of online tools to stalk, threaten, and harass people, as well as the use of online tools by extremist hate-based groups to recruit, radicalize and organize. Some experts refer to online hate as “technology-facilitated violence and discrimination.”⁴⁴¹ Online hate can include:

- **Hate speech:** Public communication that targets a person or group of people based on their protected characteristics and uses extreme language to describe the targeted group that is likely to expose them to detestation and vilification.
- **Private or targeted hate speech:** Private expressions of hate. For example, through emails and messaging services like WhatsApp.
- **Hate incidents:** [As defined by this Inquiry \(page 18\)](#).
- **Hate promotion:** Hate groups use online communication to identify, persuade, recruit and coordinate individuals. This communication promotes hate even if hateful language is not used. In addition, hate groups may develop new terms to promote hate to evade detection by social media platforms. Both overt and covert communication are characterized by Tenove and Tworek as hate promotion.⁴⁴²

In addition, many social media platforms themselves have adopted definitions of what they consider hate speech. It is important to note that while these different definitions of online hate include what would be considered hate speech under Canada’s *Criminal Code* and B.C.’s *Human Rights Code*, they can also go beyond them.

Where does hate occur online?

Millions of Canadians use the internet and social media platforms every day. Research shows that 75% of Canadians over the age of 15 have spent more time online since the start of the pandemic.⁴⁴³ Facebook is the most popular social media platform in Canada, followed by TikTok, then YouTube, Instagram and messaging apps, followed by Snapchat, Twitter, Reddit, Twitch, LinkedIn and then Pinterest.⁴⁴⁴

To inform the Inquiry, the Commissioner compelled or requested information and records from seven social media companies: Meta, Twitter, TikTok, Google, Reddit, Rumble and Telegram (collectively “the social media companies”). The Commissioner requested the social media companies confirm, among other things, approximately how many users they have in British Columbia and Canada.

Most of these companies were either unable or unwilling to tell the Commissioner how many users they have in British Columbia or even in Canada. They provided a variety of reasons, including that they don’t track the country or province of individual users, or their services don’t require a user to identify where they live to log in. For example, Google told us that it does not organize accounts by province, that some users may use multiple accounts, and that not all Google services require a user to log in. Reddit estimates that they have 10 million user accounts in Canada. Meta estimates that as of the first quarter of 2022, approximately 27 million people across Canada accessed Facebook each month. Meta estimates the location of its users based on a number of factors, including the user’s IP address and self-disclosed location, and cautions that these factors may not always accurately reflect the user’s actual location. None of the social media companies provided the Commissioner with an estimated number of users in British Columbia.

Much of the conversation about online hate rightly focuses on mainstream social media companies because of their massive user base and the growing evidence of the use of social media platforms to promote hate.

“The pandemic seems to have brought underlying anger and hatred to the surface. This is very concerning as people seem more confident expressing these views openly. Bolder hateful behaviour in social media platforms, as those platforms have no accountability functions, leaving direct confrontation as the only possible avenue.... It is largely individuals who are free to abuse other individuals without consequence.”

–Resilience BC agency⁴⁴⁵

Many Inquiry participants shared stories about incidents of hate that took place during the pandemic on social media sites, such as Facebook, Instagram or Twitter. For example, one respondent to the Commissioner’s public survey shared experiencing “death threats, racial slurs and hateful comments” on social media. Another respondent shared that “someone managed to get into an invite-only Zoom meeting about cultural experiences and anonymously shouted hate speech at the person presenting their personal work.”

We also heard that there are many other online spaces where hate occurs, including:

- Alternative social media platforms and websites like Glab, 4Chan, 8kun, Parler and Rumble⁴⁴⁶
- Gaming platforms like Roblox⁴⁴⁷
- Encrypted communication channels like Telegram⁴⁴⁸
- Crowdfunding and money transfer sites like PayPal, GoFundMe, GiveSendGo and Wesearchr⁴⁴⁹
- Marketplaces that sell hate-related products and books, like Amazon⁴⁵⁰
- Websites dedicated to promoting hate⁴⁵¹
- Comments sections on blogs and media websites⁴⁵²

We also heard that hate can be contained in media that is widely available online including:

- Music and videos available for streaming and download and downloading⁴⁵³
- Memes—images or videos with text intended to be humorous that use discriminatory stereotypes or hateful messages⁴⁵⁴

One Inquiry participant highlighted hate in the comments sections of news websites by submitting a series of screenshots showing comments on globalnews.ca, the website for the most watched television station in British Columbia.⁴⁵⁵ The images show hateful comments targeting Indigenous Peoples, immigrants and people from the Middle East and Asia. Many media agencies, including Global News, do have policies on commenting on news stories.⁴⁵⁶ Other agencies have opted to shut off commenting on their websites and Facebook altogether. Despite these measures, news stories continue to attract hateful online commentary, either on news sites directly or when they are shared via social media.

Given the breadth and variety of online spaces where hate occurs, efforts to address online hate will need to expand beyond a narrow focus on mainstream social media companies. However, the following sections pay particular attention to major social media platforms because of what we heard about them from Inquiry participants and because of their enormous reach and central role in today’s information ecosystem.⁴⁵⁷

Has online hate increased during the pandemic?

The Commissioner gathered information and evidence to examine whether there has been an increase in online hate during the pandemic in British Columbia. The Commissioner heard that there is a gap in available data about online hate in general, including in British Columbia. The need for greater transparency from social media companies is discussed in more detail later in this section. This lack of transparency led the Canadian Commission on Democratic Expression to refer to social media companies as “closed box systems.” They state:

“Our attention is focused on the systems developed and deployed by social media platforms and the incentives within those systems that can lead to harms and their amplification. These ‘closed boxed systems’ comprise at best a very opaque world for governments, regulators, social media users and the public.”⁴⁵⁸

By the numbers: Hate incidents online

PUBLIC SURVEY DATA

The Commissioner heard that many people don’t report online hate incidents because they don’t think they are serious enough, don’t know who to report them to and don’t know who the perpetrator is.⁴⁵⁹

Online hate incidents were one of the most common incidents reported in the Commissioner’s public survey:

- 39% of respondents reported that hate incidents occurred on social media.
- 24% reported that hate incidents occurred in other online spaces.
- Respondents believed that the incidents were motivated by race, ethnicity, or ancestry (50%), political beliefs (44%), or sex, gender or gender identity (29%).

POLICE DATA

With respect to police-reported online hate incidents, the Commissioner was unable to determine the proportion of reported incidents that occurred online because they are not tracked this way in the police information management system. However, one way to partially track online hate in the police systems is to correlate hate incidents with cybercrimes, as some police-reported online hate incidents are also investigated as cybercrimes. As discussed in the “Legal system responses” section of this report, some hate incidents are investigated as bias-motivated crimes rather than hate crimes. Statistics Canada’s 2020 report on hate crimes shows:

- An increase from 5.1% in 2018 to 6.9% in 2019 and to 7.1% in 2020 in police-reported hate incidents that were also recorded as cybercrimes during the pandemic.
- Of the 575 hate crimes that were also recorded by police as cybercrimes between 2016 and 2020, these most commonly targeted people on the basis of being Muslim (16%), Black (15%) or Jewish (13%) and on the basis of sexual orientation (13%).
- Uttering threats was the most common type of hate-motivated cybercrime (39%), followed by indecent or harassing communications (24%), public incitement of hatred (12%) and criminal harassment (11%).⁴⁶⁰

SOCIAL MEDIA DATA

On the surface, it may seem that the easiest way to measure online hate in British Columbia is to analyze posts and content created and amplified by users located in B.C. The challenge with this approach, however, is determining what posts/content originate in B.C., obtaining access to them and identifying the many websites and internet services that may host hate speech or support hate promotion. For example, SFU researchers studied anti-Asian online hate in B.C. by accessing Twitter data available through Twitter’s Application Programming Interface (API). Despite the availability of this data, there are still significant limitations because it is limited to the fraction of tweets that are determined as located in B.C., and does not include tweets removed by Twitter because they violated its terms of service. At the time of writing, Twitter is willing to share more data with researchers than most platforms, including through its API for academic research.

Given the absence of publicly available data about the prevalence of online hate in British Columbia and Canada, the Commissioner ordered and requested the social media companies to produce information on violations of their hate speech and violent extremism policies from users who identified British Columbia as their location/hometown between January 2018 and April 30, 2022.⁴⁶¹ The Commissioner requested this information to analyze whether there has been an increase in online hate since the start of the pandemic.

The responses provide a patchwork of limited information and reveal a lack of transparency by social media companies regarding the use of social media platforms for hate speech. In brief, Google, Meta, Twitter and Reddit all directed us to public reports for global violations of their policies, though Meta and TikTok added some additional Canada-specific information. Meta also provided the Commissioner with data on the amount of content restricted in Canada “based on local law” between January 2020 and December 2021. No content was restricted for violating Canada’s hate speech laws.⁴⁶² However, Meta did not provide any specific data for violations of their hate speech policies by users in B.C. or Canada.

Reddit, Rumble and Google told us they typically do not require users to identify their location at the provincial or “hometown” level, and Google does not assign locations to accounts for the purposes of tracking particular violations of Google’s policies. TikTok provided data from its Community Guidelines Enforcement Reports (discussed in more detail below). Telegram and Rumble provided no information. Twitter did not respond to this question.

Because none of the social media companies were willing or able to provide the Commissioner with data on violations of their hate speech and violent extremism policies, the Commissioner reviewed available global data from social media companies’ enforcement reports. These showed:

- Meta took action on 9.6 million pieces of content in the first quarter of 2020 and 22.5 million pieces of content in the second quarter of 2020.⁴⁶³ Meta’s enforcement for hate speech violations nearly doubled between the third (13.5 million) and fourth quarter in 2020 (23.8 million). The number of hate speech violations remained over 20 million and peaked at 31,500,000 in the second quarter of 2021. By early 2022, they started to go down to pre-pandemic numbers.⁴⁶⁴ Meta has indicated that some of this change is related to changes in their proactive detection approach.⁴⁶⁵
- Meta told the Commissioner that they measure the “prevalence” of violating content or the estimated percentage of total views on Facebook that violate Community Standards. Meta estimates that for the period of January–March 2022, for every 10,000 content views on Facebook, about two may contain content that violated Meta’s hate speech policy. The Commissioner is concerned with this large volume given the billions of views of content on Meta every day.
- Similarly, Google saw a spike in YouTube video removals for violating policies on hateful and abusive behaviour in 2020. The numbers of removals increased from 54,292 in July–September 2020 to 170,637 between October–December 2020 (an increase of 213%, representing a change from 0.02% of all videos removed to 0.33%).⁴⁶⁶

- Twitter’s enforcement reports show that half of the removed content from Twitter between July–December 2019 and January–June 2020 was removed for violating Twitter’s hateful conduct policies. Other content removed fell under the following categories: violence, sensitive media, promoting suicide or self-harm private information, non-consensual nudity, illegal or certain regulated goods or services, misleading COVID-19 information, civic integrity, child sexual exploitation and abuse or harassment. In July–December 2019, 1,445,469 or 50.48% of the total removed posts were for hateful conduct. From January–June 2020, this number was 955,212, or 49.57%. The number of hateful conduct post removals increased to 1.6 million for the next two quarters but made up only a quarter of the total removals.⁴⁶⁷
- During the month of December 2019, less than 1% of videos removed from TikTok globally were for violations of its policies on hate speech, integrity and authenticity and dangerous individuals and organizations. The percentage of videos removed for violating TikTok’s hateful behaviour policy increased to a height of 2.5% (2,228,323 in July–December 2020) before decreasing to 1.5–1.6% (approximately 1.3 million in the last two quarters of 2021). For the period of January–March 2022, of the 102,305,516 videos removed globally, 1,165,490 were posted from Canada, which means that 1% of global removals originated in Canada.⁴⁶⁸
- According to Reddit’s transparency reports, violence and harassment-based removals made up 55% of all of the administrative removals in 2019. In 2020, Reddit added “hateful content” as a category. It made up 27.59% of the total removals, and harassment counted for 25.46% of the total removals. In 2021, Reddit changed their tracking, making comparisons with previous years impossible.⁴⁶⁹
- Rumble and Telegram do not publish statistics for removals of hateful content on their platforms, nor did they provide any information on this issue to the Commissioner. This is particularly concerning to the Commissioner considering the Institute for Strategic Dialogue’s (ISD) 2021 research on online activity by far-right extremist groups. With respect to Telegram, ISD identified two Telegram channels hosting supporters and members of the Canadian Proud Boys, which at the time of writing were still active despite the group’s designation as a terrorist entity in February 2021. Although terrorist designation in Canada does not criminalize group membership, such activity is nevertheless concerning and demonstrates the role that fringe platforms can have in incubating and amplifying terrorist organizations.”⁴⁷⁰

- In the week following his Twitter acquisition, Elon Musk claimed that hateful speech declined to “below our prior norms.” The Center for Countering Digital Hate’s analysis, however, shows that hate speech increased in the week following Elon Musk’s takeover. Specifically, they found that the daily use of the n-word was triple the 2022 average, and the use of specific slurs against gay men and trans people were up 39% and 53%, respectively.⁴⁷¹
- Research by the Anti-Defamation League (ADL) attributes the increase in hate speech on Twitter after Elon Musk’s acquisition to various decisions, including the decision to monetize or sell “verified” blue check marks (giving extremists a degree of legitimacy) and to grant amnesty to suspended Twitter accounts. ADL found an increase in antisemitic content on Twitter and a decrease in the moderation of antisemitic posts after Musk’s acquisition.⁴⁷²
- Imrad Ahmed, chief executive officer of the Center for Countering Digital Hate, said that Musk had “sent up the bat signal to every kind of racist, misogynist and homophobe that Twitter was open for business, and they have reacted accordingly.”⁴⁷³



The data reveals drastic global increases in hateful online content on major social media platforms during the pandemic. That said, this data doesn't tell the whole story because it doesn't include hateful content that is not reported or otherwise identified by social media companies, and it doesn't include borderline hateful content. It also doesn't include hateful comments on alternative or closed social media platforms—from online games to platforms like Telegram and Gab to sites like 4Chan—that are believed to host significant hate speech and hate promotion. Given that platforms use different methods to characterize hate speech and report its incidence, it is difficult to make direct comparisons across platforms. The data should also be understood in light of the fact that increases in hate speech reported by platforms may partially be a result of their increased efforts to identify and address it (mostly via automated processes), a demand made by many users and advertisers.⁴⁷⁴

The Commissioner is troubled that none of the social media companies provided data on Canadian or B.C. violations of their hate speech and violent extremism policies, whether based on IP addresses or simply for those users who voluntarily identify their location in their platform profiles as being in British Columbia or Canada. To address and respond to online hate, we need to understand the problem. Understanding the problem is exceptionally difficult when social media companies are unable or unwilling to disclose data. On the one hand, the Commissioner acknowledges that social media companies can and should limit the amount of personal information they collect about users. However, the Commissioner notes an inherent contradiction in their approach—most companies collect sufficient information about user location to enable very targeted advertising, but they don't or won't use this same information for oversight or for public good, particularly where it may harm their business interests.⁴⁷⁵

As an officer of the Legislature, the Commissioner has powers under B.C.'s *Human Rights Code* to compel production of information to fulfill her mandate of promoting and protecting human rights in the province. Unfortunately, at the time of writing, many of the social media companies had failed to comply with the Commissioner's orders by failing to produce data on hate incidents that occurred in B.C. during the pandemic. The Commissioner was not able to take enforcement steps in time for the preparation of this report. Instead, the Commissioner is making recommendations in this report to address this extraordinary lack of transparency and disregard for oversight mechanisms.

Platform design contributes to online hate

The Commissioner heard that platform design contributes to online hate in the ways discussed in this section. We heard that while anonymity can be an important part of resistance movements and progressive activism (particularly under oppressive regimes around the globe), the anonymity of platforms also allows people to say hateful things and threaten and harass others with impunity. Anonymity can give people with bigoted views global audiences and online communities where their hate speech may be normalized and encouraged.⁴⁷⁶

The Commissioner heard that social media companies have often positioned themselves as “passive intermediaries that merely facilitate interactions among users.”⁴⁷⁷ Dr. Natasha Tusikov noted that “they do this to disguise the fact that they directly curate, that is, regulate user speech for commercial gain while claiming they operate as neutral providers of content. Companies define themselves as platforms in order to avoid certain regulatory frameworks and thus legal responsibilities for the content they promote.”⁴⁷⁸

In addition, the U.S. Supreme Court is scheduled to hear two cases related to the regulation of online hate. The first case is [Reynaldo Gonzalez, et al., v. Google LLC \(No. 18-16700\)](#), which revolves around the death of Nohemi Gonzalez, a 23-year-old U.S. citizen, during an ISIS terrorist attack in France. Ms. Gonzalez’s estate and family filed a lawsuit alleging that YouTube (owned by Google), permitted ISIS to post radicalizing videos on its platform and that YouTube recommended ISIS videos to viewers who were at risk of radicalization. Google argued that s.230I(1) of the U.S. *Communications Decency Act* immunized it from liability since YouTube did not produce the ISIS videos. The U.S. Supreme Court has been asked to determine whether s.230I(1) of the Act immunizes online platforms like YouTube when they make targeted recommendations provided by another content provider or if their liability is limited to when they display or withdraw such information.⁴⁷⁹

The U.S. Supreme Court has also agreed to hear a similar case, [Twitter, Inc. v. Taamneh \(No. 21-1496\)](#). This case involves the terrorist shooting at a nightclub in Istanbul, Turkey, which claimed the lives of 39 people, including Nawras Alassaf, a Jordanian citizen. Alassaf’s relatives (American citizens) filed a lawsuit against Twitter, Google and Facebook for aiding and abetting the terrorist attack since ISIS uses their platforms to advance their agenda. Twitter is asking the court to determine whether an online platform that regularly takes steps to detect and prevent terrorists from using its platform can be said to have knowingly and substantially assisted terrorist activities and whether an online platform whose services were not used in a specific terrorist attack can be liable for aiding and abetting that terrorist attack.⁴⁸⁰

ALGORITHMS

The Commissioner heard that social media companies don’t simply provide a platform from which users engage but rather are active participants in the dissemination of user content through platform design. Platforms develop algorithms that determine what users see and don’t see. Meta’s algorithms, for example, use thousands of signals to predict how likely the content is to be valuable to the user. Signals include who posted it, when it was posted, whether it is a photo, video or link, how popular it is on the platform, how likely the user might be to “like” that content or find that viewing it was worth the user’s time, or how likely it is that the content comes close to violating Meta’s policies.

“The algorithm curates their—our—entire online existence. It controls which family and friends’ updates you see, which news you see, and clearly, it controls which ads you see. That makes a lot of people uncomfortable.”⁴⁸¹

The Canadian Commission on Democratic Expression described social media companies as being in the “attention maximization business.”⁴⁸² The Commissioner heard that algorithms are designed to keep users engaged on their platforms as part of their business models. This also includes other design choices, including platform features that enable users to share and engage with emotionally charged content.

The Commissioner heard that social media platforms optimize content that leads to greater engagement or emotional reactions. Facebook whistleblower Frances Haugen explained that Facebook’s research shows that it is easier to inspire people to anger than it is to other emotions. She explained that Facebook makes more money when people consume more content, and because people enjoy engaging with things that elicit an emotional reaction, the more hateful, divisive and polarizing content that they get exposed to, the more time they spend on the platform. With respect to the impact of this aspect of platform design, Haugen said:

“When we live in an information environment that is full of angry, hateful, polarizing content, it erodes our civic trust, it erodes our faith in each other, it erodes our ability to want to care for each other, the version of Facebook that exists today is tearing our societies apart and causing ethnic violence around the world.”⁴⁸³

In one example, Global News found that it took four clicks from a search in YouTube for “self-esteem for guys” to reach recommended videos concerning COVID-19 misinformation, far-right personalities, endorsements of the violence in Washington D.C. on January 6, 2021, and transphobic content.⁴⁸⁴

In another example, a 2019 New York Times article describes how platform design led a young man to far-right creators on YouTube. The young man describes how he and other people are “sucked into a vortex of far-right politics on YouTube.”⁴⁸⁵

“Some young men discover far-right videos by accident, while others seek them out. Some travel all the way to neo-Nazism, while others stop at milder forms of bigotry. The common thread in many of these stories is YouTube and its recommendation algorithm, the software that determines which videos appear on users’ home pages and inside the ‘Up Next’ sidebar next to a video that is playing. The algorithm is responsible for more than 70% of all time spent on the site.”⁴⁸⁶

BUSINESS MODELS

With respect to business models, social media companies don't charge user fees; they make money from advertisements. They do this by collecting user information which they use to sell targeted advertisements. The more time users spend on social media, the more information companies collect about them. What social media companies sell to advertisers is access to their user bases and the technical ability to target their ads to very specific demographics.⁴⁸⁷ The Commissioner learned about the importance of privacy, transparency and informed consent when it comes to the way social media companies use and disclose users' personal information.

In addition to the algorithms that determine what content users see, algorithms also determine what advertisements users see. These algorithms pick ads based on different factors, including user interest, demographics targeted by the ad and ad value.⁴⁸⁸ Like the system used to rank content, algorithms rank or assign a value to advertisements and place ads with higher value higher up, where they are more likely to be seen.

While it is difficult for outside researchers to assess how algorithms or recommendations work because they are so personalized, some investigations indicate that recommendation systems seem to move some users towards highly inflammatory content and conspiracy theories based on search history. Indeed, the Commissioner heard that algorithms can draw some users into echo chambers that are dominated by shared views and can expose people to more extreme versions of these views.

Given that there are many mechanisms by which social media platforms may facilitate or amplify hate speech and hate promotion, further investigation by independent researchers and regulators is critical. However, as noted above, there is insufficient data available for investigation and research.

The Commissioner therefore asked social media companies how they assess the risk of algorithms leading to greater engagement with hateful content. The Commissioner heard that some social media companies allow users to have greater control by upvoting or downvoting content and by allowing users to choose how they view their content—they can sort content chronologically, by popularity or by algorithmic recommendation (on Reddit, for example).

Some social media companies told the Commissioner they have multiple routes to deal with what they see as problematic content, including removal, reducing visibility and not recommending content (for example, Meta and Google demote borderline content). Meta demotes (meaning that the content receives reduced distribution in a person's feed) certain potentially problematic content, including content that its systems predict likely goes against its Community Standards but that has not been confirmed to be a violation.

Google told us that they remove harmful misinformation, such as medical misinformation and misinformation related to elections. TikTok told us that videos that are under review or are flagged as spam may not be eligible for recommendation. They explained that reviewed content found to, for example, depict things like graphic medical procedures or the legal consumption of regulated goods may not be eligible for recommendation as it may be shocking if surfaced as a recommended video to a general audience that has not opted into such content.

Some social media companies claimed to take steps to promote authoritative information and high-quality content. Meta told us that they attach a warning screen to certain content that may be violating Community Standards but that meets the newsworthiness allowance, and they include labels from third-party fact checkers to counter misinformation. Google explained that YouTube “elevates high-quality, authoritative content on politics, medical and scientific information” but did not provide the Commissioner with information about how they define this standard.⁴⁸⁹ Meta submitted that they work to incentivize the creation of high-quality and accurate content.

TikTok explained that they continue “to develop new strategies to interrupt repetitive patterns... [and] protect against viewing too much of a content category that may be fine as a single video but problematic if viewed in clusters.”⁴⁹⁰ For example, TikTok’s recommendation system works to intersperse recommendations that might fall outside people’s expressed preferences. TikTok’s systems will not recommend two videos in a row made by the same creator or with the same sound. Its goal is to “help promote exposure to a range of ideas and perspectives on its platform.”⁴⁹¹

In sum, major social media companies recognize concerns that algorithms may amplify harmful content, including hate speech, and many introduce actions to limit it. However, it remains unclear whether these measures are effective or leave the problem largely unchanged. Facebook data-scientist-turned-whistleblower Frances Haugen has attested that leaving the decisions on how to regulate content to Facebook is asking the impossible. “Facebook has realized that if they change the algorithm to be safer, people will spend less time on the site, they’ll click on less ads, they’ll make less money.... The thing I saw at Facebook over and over again was that there were conflicts of interest between what was good for the public and what was good for Facebook. And Facebook, over and over again, chose to optimize for its own interests, like making more money.”⁴⁹²

Enforcement of corporate online hate policies is insufficient

In response to revelations of hateful or even genocidal content on social media platforms, the major social media companies have invested significant resources into developing policies and systems to identify and address hate. The Commissioner notes that none of the social media companies she sent requests or orders to were able to provide sufficient data on the success of these policies. The Commissioner heard both that social media companies have invested significant resources in these processes and that, despite these efforts, hate continues to proliferate in online spaces.

“Companies admit that their enforcement efforts against hate speech are insufficient. This is really troubling because adding more flags and algorithms and human content moderators won’t fix this problem.”⁴⁹³

We heard that efforts to combat online hate are insufficient for a few reasons, including that social media companies don’t adequately enforce their policies. For example, Dr. Tanner Mirrlees shared that the following Islamophobic tweets were viewable on Twitter in April 2022: #DeathtoMuslims, #KillAllMuslims, #RemoveKebab.⁴⁹⁴ We heard that companies continue to profit from hate speech and borderline content by placing advertisements alongside hateful content. We also heard that the speed with which online hate spreads poses a challenge to responding to it. For example, the Christchurch, New Zealand, shooter’s manifesto was shared over 1.7 million times in 24 hours.⁴⁹⁵ The Commissioner heard that social media companies are particularly challenged when it comes to addressing online hate outside of the U.S. and in languages other than English.⁴⁹⁶

The Commissioner heard concerns with content moderation. As shared by the Community Legal Assistance Society: “Internal procedures for requesting the removal of hateful posts are slow, difficult to navigate and often ineffective.”⁴⁹⁷ We also heard that content moderation can result in some people moving from mainstream social media platforms, which have some degree of content moderation, to alternate platforms like Telegram that do not moderate extremist content.⁴⁹⁸ Further, as noted by Tenove and Tworek, automated content moderation to identify content that violates hate speech policies often can’t tell the difference between hate speech and counterspeech.⁴⁹⁹ As a result, content moderation may inadvertently silence counterspeech and people who are speaking about or against hate and racism.⁵⁰⁰

Many social media companies are U.S.-based (exceptions include TikTok and Rumble), although they create policies and service agreements that apply globally. The Commissioner heard that mainstream social media companies have created their policies based on U.S. approaches to free speech, even though limits on free speech vary considerably between jurisdictions and specifically between Canada and the U.S.

“Though we’re in Canada, too much of our debate is shaped by U.S. libertarian approaches to speech. Libertarian approaches to free speech view speech as taking a precedent over all other rights and freedoms....”⁵⁰¹

Some people advocate for laws that require online platforms to remove illegal content within certain timeframes. Others argue that these types of legal requirements inadvertently leave the determination of the limits of free speech in the hands of private companies instead of courts.

The Commissioner asked social media companies to describe how they identify and review violations of their hate speech and violent extremism policies, how they define and identify borderline content and how they assess the accuracy of their automated processes. Social media companies generally have policies that identify the content allowed and not allowed on their platforms. Policies on hate speech and violent extremism vary widely across platforms, with some having robust policies that are reviewed and revised on a regular basis with input from experts and others having less clear and robust policies to counter hate and extremism (for example, Rumble). However, without evidence about the efficacy of such policies, the Commissioner is not able to weigh into which policies should be emulated.

Most social media companies use a combination of machine learning and human reviewers to identify violations of their policies relating to hate speech and violent extremism (for example, Meta, Reddit, Google, TikTok). Rumble currently only uses human reviewers. Most social media companies rely significantly on users reporting or “flagging” content that may be problematic.

Content that is uploaded to different platforms goes through technology that works to identify policy violations. Some companies have automated enforcement, which means that the system automatically removes content that violates policies and flags other content for human review (for example, Meta and TikTok). TikTok only uses technology to automatically remove some types of content where the technology has the highest degree of accuracy, including exploitation of minors, adult nudity and violent graphic content. TikTok has found that the false positive rate for automated removals is 5%.⁵⁰² On other platforms, technology-flagged content is often sent for human review (for example, Google). Google explained that “while Google could expand its detection efforts by relying more heavily on its automated systems to catch more content more quickly, this would come with trade-offs, including an increase in the incidence of ‘false positives,’ or incorrect removals of content. An increase in false positives, in turn, could result in removal of important expressions from diverse voices or content of relevance to the public interest.”⁵⁰³

We heard that it is important to ensure that people receive clear explanations for why actions are taken on content or accounts and for people to have a fair process to appeal that decision. Some companies have appeal procedures where people are notified of action taken on content and provided with an opportunity to appeal the enforcement decision (for example, Meta, Google, TikTok). Appeals are generally done internally, with the exception of Meta, who, in addition to hearing internal appeals, has an oversight board which is a global body of individuals with subject matter expertise that reviews appeals of Meta’s enforcement decisions. Between January 2020 and June 8, 2022, the board made seven recommendations to Meta relating to the Hate Speech Community Standards.

The Commissioner asked the social media companies if they have content moderators for B.C. and whether their content moderators receive specific training on the Canadian or B.C. context. None of the social media companies have dedicated employees who moderate content in B.C. or in Canada. Meta told the Commissioner that they have North American content reviewers who receive North America-specific content training, but not training specific to Canada or B.C. It is unclear if the other social media companies provide B.C.- or Canada-specific training.

Meta, Google and TikTok told the Commissioner that they have content reviewers who are fluent in many languages (Meta has content reviewers that review content in 70 languages, while TikTok provides reviews of more than 60 languages and dialects). Meta told us that their human reviewers prioritize reviewing content that is likely to have more views. Only TikTok described providing training to content moderators to identify counterspeech. TikTok told the Commissioner that they acknowledge:

“[T]hat different communities have different lived experiences, and language previously used to exclude and demean groups of people is now being reclaimed by these communities and used as terms of empowerment and counterspeech. TikTok is working to incorporate the evolution of expression into its policies and is training its enforcement teams to better understand more nuanced content like cultural appropriation and slurs. If a member of a disenfranchised group, such as the LGBTQIA2S+, Indigenous, Black, Jewish, Roma and minority ethnic communities, uses a word as a term of empowerment, TikTok wants its enforcement teams to understand the context behind it and not mistakenly take the content down. On the other hand, if a slur is being used hatefully, it doesn’t belong on TikTok. Educating the enforcement teams on these crucial distinctions is ongoing work, and TikTok strives to get this right for its community.”⁵⁰⁴

Social media companies told the Commissioner that they can remove or ban individuals from their platforms for repeatedly violating their policies on hate speech and violent extremism (also known as deplatforming). Research shows that deplatforming works. For example, Moonshot tracked posts referencing conspiracy theories on Twitter between January 2020 and April 2021. Their research demonstrated a dramatic drop in QAnon and Stop the Steal content, as well as references to the antisemitic “New World Order” conspiracy and the Great Reset, after Twitter removed over 70,000 accounts promoting QAnon. Twitter took action in February 2021, in the wake of the capitol insurrection in the United States on January 6, 2021. Posts referencing conspiracy theories dropped by 75% in the following month, suggesting that specific conspiracy theories became less visible and harder to spread.⁵⁰⁵

Despite assurances from social media companies about enforcement of their hate speech policies, an August 2022 report found many white supremacist groups present on Facebook and that Facebook is profiting from hateful content.⁵⁰⁶ Researchers with the Tech Transparency Project conducted searches for the names of 226 white supremacist organizations that were designated as hate groups by the Southern Poverty Law Center, the Anti-Defamation League and by Facebook itself.⁵⁰⁷ They found:

- Out of the 226 white supremacist organizations listed as hate groups, more than 80 of them have a presence on Facebook and are responsible for 119 Facebook pages.
- Nearly half of the organizations searched that were designated by Facebook as dangerous organizations were present on the platform.
- Facebook often creates content for white supremacist groups through the creation of auto-generated pages.⁵⁰⁸ Of the 119 Facebook pages for white supremacist groups identified, 20% (24) were auto-generated by Facebook itself. More than half of the auto-generated pages were for groups that appear on Facebook's own dangerous organizations list.
- Facebook's algorithms often directed users visiting white supremacist pages to other extremist or hateful content through Facebook's Related Pages feature. Researchers liked 119 Facebook pages associated with white supremacist groups and were pointed to other extremist or hateful content in 58% of searches.
- This is despite a recommendation in 2020 from a Facebook civil rights audit that recommended that Facebook "further examine the impact of the [Related Pages] feature and look into additional ways to ensure that Facebook is not pushing users toward extremist echo chambers ... [and] urge Facebook to take steps to ensure its efforts to remove hate organizations and redirect users away from (rather than toward) extremist organizations' efforts are working as effectively as possible, and that Facebook's tools are not pushing people toward more hate or extremist content."⁵⁰⁹
- One of the 226 searches for names of white supremacist organizations resulted in multiple layers of content warnings, including "Are you sure you want to continue?" and "This search may be associated with violent, hateful or criminal activity."
- In 2019, Facebook added an option for ads to appear along search results. More than 40% of searches for white supremacist groups had ads placed alongside. Some of the searches for white supremacist groups had advertisements for racial community and religious events placed alongside the search. Researchers expressed concerns that "Facebook is serving up potential targets to individuals who are looking to connect with white supremacist groups on the platform."
- In 2019, following the Christchurch attack, Facebook announced that it would redirect users searching for white supremacist content to anti-hate resources on Life After Hate's page. Researchers found that Facebook only redirected 14% of users in their searches for 226 white supremacist organizations. For example, they searched 11 groups with Ku Klux Klan in their name, and only one resulted in a redirect to Life After Hate. When the search was limited to groups designated as dangerous organizations by Facebook, the redirect rate was 32%. In some cases where Facebook redirected to Life After Hate, an ad appeared along the search with hateful content.

Although not peer reviewed, the Commissioner believes this is important research, particularly given the lack of transparency of social media companies. In fact, the Tech Transparency Project researchers found that this is “another example of the often enormous gap between what Facebook tells the public it’s doing and what’s actually happening on its platform.”⁵¹⁰

Meta told the Commissioner that it has taken steps in response to the report, including:

- Addressing the issue through which ads were appearing if a user searched for terms related to banned organizations
- Addressing the issue of auto-generated pages for hate organizations mentioned in the report
- Working with experts to identify search terms that demonstrate an intent to go down a pathway towards violent extremism for their search redirect program
- Removing the violating pages flagged by the report

Similarly, the responses the Commissioner received from social media companies generally, with the exception of Rumble, include compelling aspirational language about their aims to reduce hate speech and foster inclusivity. The Commissioner recognizes and supports these goals. At the same time, the social media companies provided very little information about trends in hate speech in B.C. or Canada, or about the success of their efforts to address hate.

While social media companies are making efforts to produce policies and put into place some actions to address online hate, it is difficult to evaluate how effective they are without any possibility for rigorous independent assessment. Moreover, while the Commissioner has focused here on social media companies, the Commissioner notes that there is even less evidence to draw on regarding other online spaces where hate may proliferate and more attention is needed. Taken together, these findings suggest the need for a policy framework to enforce the necessary transparency across internet services.



Regulation of online hate is complex but necessary

While some of the most harmful and widely distributed hate speech happens on the internet, including on social media sites, online hate is an extremely complex problem to address. Regulation requires different actors with complementary roles to address the problem, including social media platforms and other internet service companies, regulatory agencies, courts and law enforcement agencies across jurisdictions.

Under the Canadian Constitution, the power to legislate in specific areas is divided between the federal and provincial governments. The federal government has exclusive jurisdiction over criminal law. The hate crime provisions of the *Criminal Code* cover hate speech on the internet, including on social media sites where there is a sufficient link to Canada.⁵¹¹ In addition, sections 320(1) and 320.1(1) of the *Criminal Code* allow warrants for the seizure of publications and computer systems that contain hate propaganda (defined as any writing, sign or visible representation that advocates or promotes genocide or the communication of which by any person would constitute an offence under section 319).

While the federal government has exclusive jurisdiction over telecommunications, including the planning, construction, management, location, use and upkeep of telecommunication networks, the provincial government has exclusive jurisdiction over property and civil rights, which includes the primary jurisdiction to legislate in human rights.⁵¹² Both British Columbia and Canada have human rights legislation. The *Canadian Human Rights Act* protects people from discrimination in matters within the legislative authority of the federal government, which includes federal government departments and agencies, First Nations governments, Crown corporations and private companies regulated by the federal government, like banks, airlines, broadcasters and telecommunications companies (including social media companies) and other federally regulated employers and service providers. B.C.'s *Human Rights Code* protects people from discrimination in areas of provincial jurisdiction, including employment, housing, services, membership in unions and associations and discriminatory publications.

Online hate speech can be regulated within provincial or federal jurisdiction, similar to how jurisdiction over human rights is subject to divided federal and provincial jurisdiction. Neither B.C.'s *Human Rights Code* nor Canada's *Human Rights Act* explicitly cover hate speech on the internet. In 2014, Canada repealed section 13 of the *Canadian Human Rights Act*, which made communicating hate speech by "telephonic" or digital means illegal. When s.13 was in force, any person could file a complaint of discrimination in relation to hate speech on phone lines or on the internet with the Canadian Human Rights Commission.

In June 2021, the federal government introduced a bill targeting online hate speech.⁵¹³ Among other things, the bill would have amended the *Canadian Human Rights Act* to define a new discriminatory practice of communicating hate speech online and to provide individuals with additional remedies to address hate speech. The bill did not become law before the federal government called a snap election in August 2021. After the election, the federal government sought input into its proposed approach to address harmful content online and released a summary of the consultation in early 2022.⁵¹⁴ The majority of respondents indicated support for a legislative and regulatory framework led by the federal government to confront harmful content online.

Section 7 of B.C.'s *Human Rights Code*, which prohibits discriminatory publications, is aimed at protecting the human rights of marginalized groups from egregious forms of expression and addresses the societal harms associated with hate speech and discriminatory speech.⁵¹⁵ Section 7 applies to discriminatory or hateful speech in B.C. that is distributed in publications like a flyer or on a billboard, for example. The BC Human Rights Tribunal adjudicates many types of discrimination complaints under the *Human Rights Code*, but when it comes to online hate cases, the law is not clear about jurisdiction. The Commissioner's position is that complaints about online hate published in B.C. from a provincial actor are within the scope of B.C.'s *Human Rights Code* and the BC Human Rights Tribunal. To say otherwise confuses regulating the medium with regulating the message. This means, in the Commissioner's view, that a person could file a complaint of discrimination with the BC Human Rights Tribunal for online hate speech that originated in B.C. and was posted by a person or entity that would otherwise fall within provincial jurisdiction. Section 7 of the *Human Rights Code* would benefit from amendment to explicitly clarify that it covers hate speech on the internet.

As noted above, while online content may be subject to shared human rights jurisdiction depending on the poster, social media companies and internet services themselves fall within federal jurisdiction (and therefore outside the Commissioner's jurisdiction). And while regulating the tool of the internet may be complex, the Commissioner believes that regulating the companies who provide online spaces where hate proliferates is urgent and necessary. As discussed in this report, regulatory responses should address:

- A platform's potential role in amplifying or monetizing hateful content, including the recruitment or promotion of violent extremism
- The role of crowdfunding and payment services in funding hate promotion
- Accountability and transparency requirements for platforms and search engines
- Balancing the potential dangers of legislation for freedom of expression and other rights, including the particular dangers that speech regulations can have on marginalized communities, as well as the dangers of not regulating online speech in silencing marginalized communities through hate and discrimination

ONLINE HATE REGULATION IN OTHER JURISDICTIONS

Several jurisdictions around the world have proposed or developed regulatory frameworks to address online hate, including Australia's [Safety by Design Framework](#) and [Online Safety Act](#), Austria's [Hate on the Net Prevention Act](#) and [Communication Platforms Act](#),⁵¹⁶ the European Union's [Digital Services Act](#),⁵¹⁷ Germany's [Network Enforcement Act](#), New Zealand's [Harmful Digital Communications Act](#) and Christchurch Call⁵¹⁸ and the United Kingdom's proposed [Online Safety Bill](#) and the [Online Harms White Paper](#).

For details about these initiatives, see Appendix F.

THE COMMISSIONER'S JURISDICTION

The regulation of the operation of social media companies, including in the areas of platform design, content moderation, advertising structures and oversight, is an area of federal jurisdiction. Given that the Commissioner does not have jurisdiction to make recommendations to the federal government, the Commissioner urges the federal government's regulation of online hate to take into consideration the recommendations for social media companies that are included in this report.

The Commissioner makes recommendations in this report directly to social media companies. Despite that these companies operate internationally and are within the exclusive jurisdiction of the federal government to regulate, it does not follow that they enjoy blanket immunity from the impact of provincial legislation, including production orders under the *Human Rights Code* and recommendations from the Commissioner. There is precedent for independent officers of the Legislature in Canada and provincially to make recommendations to companies located outside of the province but which act within the province. In February 2021, the Privacy Commissioners of Canada, Quebec, Alberta and B.C. released a report summarizing their joint investigation into the practices of Clearview AI, Inc. ("Clearview"), a technology company headquartered in the United States. The investigation concerned Clearwater's collection, use and disclosure of personal information by means of its facial recognition tool, and whether it complied with federal and provincial privacy laws applicable to the private sector. The report concluded that Clearview violated Canadian privacy laws, including provisions of B.C.'s *Personal Information Protection Act* [PIPA], and provided recommendations to bring Clearview into compliance.

Clearview objected to the commissioners' jurisdiction during the investigation, arguing that none of its activities take place in Canada and the subject of the investigation had no real and substantial connection to Canada. Clearview further argued that it was not subject to provincial privacy laws because there was no evidence that it did business or collected personal information within the investigating provinces. The commissioners rejected these arguments, affirming that "whenever a company collects the personal information of individuals located within a province, regardless of where the company is located, the Provincial Acts [privacy acts] apply."⁵¹⁹

The internet and social media have fundamentally changed the way that we communicate. The rapid spread of misinformation, disinformation, conspiracy theories and online hate during the pandemic have threatened our democratic institutions and caused immeasurable harm. In the Commissioner's view this is one of the more significant threats to human rights of our time. Urgent action by individuals, governments and social media companies is required.



The roots of hate

Where does hate come from? Why do people commit hate incidents? Why has there been such a significant increase in hate incidents since the beginning of the COVID-19 pandemic?

This section begins by exploring the root causes of hate, the historic and ongoing social systems that lay the foundation for overt hate incidents. Next, we discuss the individuals who commit hate incidents. Who are they? Why do they do it? We then move to the broader context for these incidents, including the role of community trust, economic stress and political climate, such as the negative consequences when political actors make hate seem normal, acceptable, and legitimate.

After this overview of what causes hate generally, we discuss why hate may have increased during the COVID-19 pandemic. This section discusses the heightened stress, anxiety and fear that accompanied the pandemic and how some people dealt with these new stressors by blaming East Asians and other racialized groups for the pandemic. This section also discusses unique elements of the pandemic that may have contributed to the rise in hate, including the role of unprecedented public health measures and backlash to these measures.

Finally, this section examines the role of far-right extremism in the rise of hate. While most people who commit hate incidents are not extremists, hate-based extremist groups have outside influence in spreading hate-based ideas and emboldening people to commit hate incidents. This section examines who gets radicalized into far-right extremism and how, how radicalization has been influenced by the pandemic and lessons learned about how to best prevent and intervene in far-right extremist radicalization.

What are the root causes of hate?

Through the Inquiry process, the Commissioner heard many reminders that hate incidents are not random isolated events. Rather, hate incidents reflect broader patterns of discrimination and oppression. Hate is more than a personal emotion. When someone commits a hate incident, all the different attitudes and emotions that led to that moment are shaped by the broader social context.

A representative from Hua Foundation explained it this way:

“We learn the word hate as an emotion when we’re very young, but that kind of way of relating to these incidences erases the way that they’re tied to entire systems of discrimination that can only really be addressed by acknowledging how it’s not just an emotion to be felt, but it’s something that is often learned.”⁵²⁰

This is also emphasized by hate crime scholar Barbara Perry, who conducted contextual research for the Inquiry. She writes:

“Hate crime and hate speech are not simply grounded in a mental state; nor are they the outcome of extreme hostility or pathology. Rather, hatred is more often foreseeable, and rational, at least from within the worldview of the perpetrator.... Violence emerging in these contexts, then, is not ‘about’ hate, but is ‘about’ the assertion of one’s own identity and belongingness over and above others—in short, about power. It reflects much more than the perpetrator’s state of mind. In fact, it reflects the taken for granted, popular notions of identity and hierarchy.”⁵²¹

As described in Perry’s work, the historic processes of exploitation, marginalization and disempowerment, accompanied by negative images and beliefs, have made Indigenous, Black and other racialized people, LGBTQ2SAI+ people, women, people with disabilities and people living in poverty vulnerable to violence and hate. However, these roots of hate are not merely a thing of the past.⁵²² Hate is also reflected in current, ongoing forms of systemic discrimination and oppression. For some individuals, it is hard to separate the cumulative experiences of hate and discrimination:

“What happens in our institutions happens on our streets, and how a person feels when they interact with an institution, if they’re being discriminated there, and then they go out into the community and then they’re called names there when they’re already hearing the same messaging from an institution, is a sad reality.”⁵²³

Hate is rooted in power and control, which is reflected across systems and shows up in both the actions of individuals and in laws, policies and institutions. The roots of hate run deeply through

the history of this province. For example, the arrival of Europeans on these lands soon transformed from a meeting of equals to the imposition of European laws, customs and languages and the dispossession of land; in other words, the exercise of power and control over Indigenous Peoples and their land. The very foundation of Canada's statehood is founded on this concept of dominance, including the formation of the RCMP,⁵²⁴ the establishment of the status and reserve system under the *Indian Act* which was designed to relegate Indigenous Peoples to small parcels of land to free the rest of Indigenous lands for European settlement,⁵²⁵ and the legal creation of Canada as a British colony. Instances of hate against Indigenous Peoples are rooted in these colonial concepts.

As the Commissioner heard from the BC Association of Aboriginal Friendship Centres: "So what are the causes of the apparent rise of hate incidents during the COVID-19 pandemic?... This has been ongoing since colonization."⁵²⁶ This was echoed by the representative from Interior Crisis Line Network who stated: "Canada is built on... incidents of hate crimes, essentially."⁵²⁷

Similarly, and as described in more detail in the "Deeper dive: Gender-based violence" section, gender-based hate is also rooted in our existing social structures; that is, that men are in control of both our public and private spheres and therefore can exercise that dominance through violence. For example, a bulletin from B.C.'s Ministry of Public Safety and Solicitor General refers to family and sexual violence incidents as "power-based crimes."⁵²⁸ Historically and across cultures, that violence has continued within the privacy of home and family life with impunity to maintain that public structure of power.

Gender-based hate has deep roots in misogynist worldviews. As submitted by West Coast LEAF:

"The harmful norms that uphold intimate partner violence include views that a man has a right to assert power over a woman, is socially superior, that physical violence is an acceptable way to resolve conflict and that sexual violence is a marker of masculinity. These norms of subordination also intersect with racism, Indigenous status and anti-Black racism (for example, misogynoir), producing gendered and race-based harms."⁵²⁹

Former Member of Parliament Margaret Mitchell describes an infamous moment in Parliament in 1982 that marked a turning point on gender-based violence in Canada:

"On May 12th, I rose in the House to raise the urgent need for government action on a serious and widespread issue. 'The parliamentary report on battered wives states that one in 10 Canadian husbands beat their wives regularly,' I began. Before I could continue, an uproar of male shouts and laughter erupted, making it impossible for me to be heard. A nearby Tory joked, 'I don't beat my wife. Do you, George?' When the speaker finally got order, I rose again in fury. 'Madam Speaker, I do not think this is a laughing matter.'"⁵³⁰

While we may be tempted to relegate these views to artifacts of the past, the ideology of male dominance continues to remain in the mainstream.

Hate is often based on perceived threats to power. According to integrated threat theory, negative attitudes towards minority groups are tied to the perception of these groups as a threat to the dominant group.⁵³¹ These perceived threats can take many forms—from concerns about competition over scarce resources, to concerns about cultural and value differences and anxiety about interacting with someone from the minority group. For example, rapid demographic change in previously ethnically homogenous neighbourhoods has been linked to an increased incidence of hate.⁵³²

Similarly, there is a well-documented relationship between jihadist terrorist attacks and significant increases in hate crimes towards Muslims and Arabs.⁵³³ For example, following the 9/11 attacks in 2001, the 7/7 terror attack in 2005, and multiple terrorist attacks that occurred in the United Kingdom in 2017,⁵³⁴ hate offenders perceived all members of the targeted group as a part of a broader threat and therefore legitimate targets of “retaliation.” The number of hate incidents following jihadist terrorist attacks is closely linked to media coverage of the attack,⁵³⁵ which is especially concerning considering research which finds that terrorist attacks committed by Muslim perpetrators garner on average 357% more media coverage than terrorist attacks committed by other perpetrators, even when controlling for the number of fatalities and other factors.⁵³⁶ Hate incidents against Muslims and Arabs have been further legitimized and encouraged in the context of the global “war on terror” targeting Muslim-majority countries following 9/11.⁵³⁷

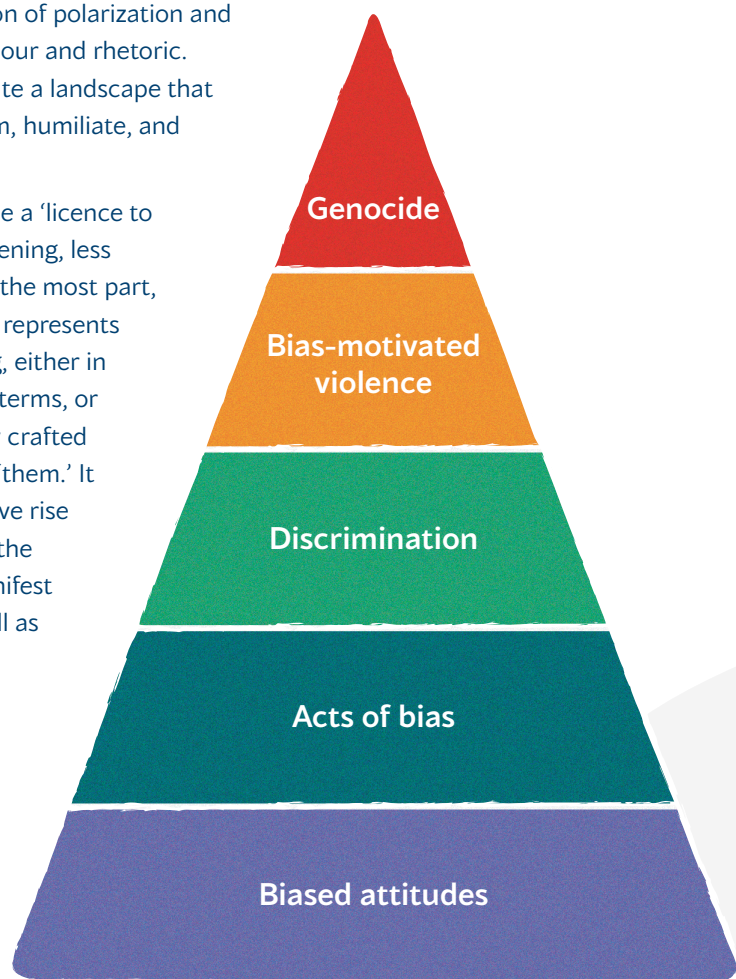
Through the Inquiry, the Commissioner heard many important reminders from representatives of community and Indigenous organizations that we cannot fully address the rise in hate during the pandemic without tackling these root causes of hate.⁵³⁸

- “Systemic problems require systemic solutions. To tackle systemic racism and hatred, we must pursue systemic equality in immigration, healthcare, education policies, labour laws, fair housing, food justice and digital equity, by listening to the voices of those affected and creating solutions by actively seeking their input, valuing their lived experience and compensating them for their time.”⁵³⁹
- “That people come and they want to continue to access natural resources from our territories and live a privileged life without paying respect to the Indigenous people is a root to a lot of these problems. A healthy Indian population means a healthy Canada. And if Canada wants to get to a healthy place, they need to heal and fix its relationship with Indigenous peoples and racism and everything else.”⁵⁴⁰

Many of the same beliefs and stereotypes that accompanied and motivated the most egregious human rights violations in our province's history persist today in some form.⁵⁴¹ The assumptions and beliefs that underlie hate are not fringe views held by a small minority of extremists. These stereotypes and assumptions are widespread, often reinforced through mainstream media⁵⁴² and political discourse⁵⁴³ and spread online. They can be perpetuated even by people who are well-intentioned. As noted by a representative from Health Justice: "We can unintentionally be reinforcing incredibly hateful and incredibly entrenched discriminatory stereotypes."⁵⁴⁴

These negative stereotypes, images and beliefs about entire groups can both justify and motivate hate incidents. Hate is at the far end of a continuum that starts with prejudice, stereotypes and negative attitudes towards another because of their identity, then moves to acts of bias, systemic discrimination, bias-motivated violence and even genocide. These types of beliefs and images provide a foundation for hate and can quickly be amplified in times of crisis.⁵⁴⁵ We heard:

- "So, these stereotypes and these descriptors, these depictions of us become what people see as the truth. And as we've seen, this can translate to very real, very scary actions that often result in physical harm and in some cases can escalate."⁵⁴⁶
- "We continue to see the proliferation of polarization and normalization of sensational behaviour and rhetoric. Narratives have been set up to create a landscape that pushes the adrenaline to hurt, maim, humiliate, and even kill."⁵⁴⁷
- "Such portrayals continue to provide a 'licence to hate' those who are deemed threatening, less worthy or in some way deviant. For the most part, the imagery we have reflected here represents the 'other' as somehow threatening, either in cultural, economic and/or physical terms, or because they threaten the carefully crafted boundaries that separate 'us' from 'them.' It is these threats and dangers that give rise to the fear, anxiety, even hatred of the named communities, that then manifest in official policy and practice, as well as public displays of hostility."⁵⁴⁸



Derived from the pyramid of hate by the Anti-Defamation League (ADL)

The Commissioner heard many examples of how these types of beliefs lead to hate against various groups. For instance:

- “Racialized communities are painted with a broad brush that establishes stereotypical accounts as inherent traits that characterize particular communities as homogeneously objectionable. These images, typically negative in tone, demand that the racialized ‘other’ be feared, vilified, indeed hated on the basis of their differences.”⁵⁴⁹
- “Historic hate directed at Asians includes the stereotype of the yellow peril and the perpetual foreigner. These deeply rooted stereotypes in our society have not been eradicated, and it is clear the pandemic provided the impetus for them to rise prominently again.”⁵⁵⁰

The Commissioner also heard stereotypes of Asian people as the model minority,⁵⁵¹ and tropes blaming Chinese people for the housing crisis here in B.C.⁵⁵² Asian women also experience long-standing stereotypes that contribute to racialized and gendered violence against them: “We’re seen as palatable, as domestic, as demure, as dainty, as obedient, as model minorities, or seen as easy targets.”⁵⁵³ Many of these stereotypes originated during and helped facilitate the historic disenfranchisement, discrimination and exploitation of Asian peoples in B.C. The subjugation of Chinese workers to serve the economic interests of the growing nation continues today in the context of a diverse range of migrant workers.⁵⁵⁴

Many of these stereotypes have resurfaced during the COVID-19 pandemic. As described by a representative from Hua Foundation: “This anti-Chinese and anti-Asian sentiment is as old as Canada as a country and persists through different issues ranging from immigration to housing, as we’ve seen over the years.”⁵⁵⁵ The Commissioner heard that, like other crises, COVID-19 led to increases in online and offline scapegoating. Scapegoating generally results in blaming groups, usually racial groups and immigrants, for the crisis or pandemic. For example, there was a huge online focus on the Chinese origins of COVID-19 (for example, calling it “Wuhan flu”) that drew on long-standing stereotypes about Asia as the “origin” of diseases.



Similarly, as described by Barbara Perry, stereotypes about Indigenous Peoples being dependent, lazy and in need of protection have facilitated settler colonialism. According to Dr. Perry: “It is in the name of these sometimes hostile, sometimes paternalistic sentiments that Indigenous people have been, by turns, deculturated, exploited and assaulted.”⁵⁵⁶ We heard an example of students who made a video doing a “war dance,” mocking Indigenous Peoples and their culture, that circulated on social media. The Canadian Union of Public Employees shared: “We have heard from every sector that Indigenous workers experience profound systemic racism as well as regular interpersonal incidents of workplace racism and discrimination.”⁵⁵⁷ They provided the examples of racism Indigenous workers experienced from both colleagues and the public, such as: “Indigenous members speak of overhearing settler colleagues openly say that they do not like having Indigenous youth in their vehicles because they ‘smelled like piss.’” These stereotypes further bolster the exercise of control and power which are essential to the colonial project, as discussed above.

The Commissioner heard many examples about how these stereotypes persist, including in health care settings. The “In Plain Sight” report, published November 2020, highlighted the prevalence and intensity of anti-Indigenous racism within the health care system in B.C. We heard many stories of First Nations members trying to seek care, being dismissed and told their concerns were not real or overt assumptions that they are drunk or seeking drugs. For example, we heard about:

- An Indigenous man who was trying to check into hospital was repeatedly asked whether he was drunk; “he became upset and left the hospital.”⁵⁵⁸
- A mother and older First Nations woman who was trying to get pain relief after an ankle surgery. She said: “The nurses and doctors were saying, ‘I just wanted painkillers because I’m an Indian, and I’m an elder,’ and ‘She is probably going to give it to her son to sell on the streets... so, that they can make money.’”⁵⁵⁹
- An Indigenous man who had broken his hip was “repeatedly told he was drug seeking and repeatedly questioned if he was an alcoholic. He experienced racism from nurses and doctors where they would deny him a phone for his bedside. They also gave him medication that was very dangerous to mix with other prescribed medication that he’s on. He had to tell them that it wasn’t safe. It was just awful. He couldn’t walk, and he told me regularly how unsafe he felt in the hospital.”⁵⁶⁰
- A First Nations woman went to the hospital to get a COVID-19 test. “She could hear whispers of the nurses saying: ‘Oh, she’s just a street person,’ ‘She’s just First Nations, we don’t need to worry about her, we should just kick her back out on onto street. She’s probably more comfortable there.’”⁵⁶¹
- Chief Alphonse described it becoming very common for his people to be discharged from hospitals in other communities after being transported there by ambulance without anything, including their own clothes. He said that these discharges became so common, the Nation had to develop relationships with hotels around hospitals in neighbouring communities. “I think that’s a pretty sad statement, when you’re a political body, administrative body, and you have to plan for that, there has to be a budget.”⁵⁶²

Concerns about power and control also play a major role in facilitating hate against religious minorities. For instance, stereotypes that portray Muslim people as a threat are used to justify and motivate hate and violence against Muslims. Dr. Tanner Mirrlees discusses six major stereotypes about Muslim people as threats:

“So just quickly, six stereotypes: the first was that Muslims were a civilizational threat to Western Christian civilization. The second was that Muslims belong to foreign enemy states and are threats to Western international security. The third was that Muslims are domestic terrorist threats to Western national security. The fourth was that Muslim men in particular were sexual threats to western women—western white women threatened by Muslim men. Another stereotype was that Muslims were all immigrants or refugees, and they were also threatening Western white people....

So, you know, in sum, my recently published study found that far-right #removekebab tweets dehumanize Muslims as dead cooked meat, call for harm, hate and even genocide against Muslims, and then try to rationalize and justify this terror by stereotyping Muslims as a multitudinous threat to the West. These tweets represent and malign Muslims as a people who are all the same, responsible for criminal actions and deserving of collective punishment or death.”⁵⁶³

Antisemitism, as well, is often based on beliefs about Jews as a powerful threat who should be blamed for societal problems: “Antisemitism frequently charges Jews with conspiring to harm humanity and is often used to blame Jews for societal ills. It is expressed in speech, writing, visual forms and action, and employs sinister stereotypes and negative character traits.”⁵⁶⁴ Jewish people were also scapegoated during COVID-19, as they often are during pandemics. Numerous online narratives of antisemitism emerged during the pandemic, including that the virus is a Jewish conspiracy, portraying Jewish people as spreaders of the virus (calling it “Jew flu”) and the comparison of public health orders and vaccine passports to the Holocaust.

Narratives of hate also pervade the discourse about people who live in poverty, experience homelessness, are drug users and/or have severe mental health challenges. In their written submission, Health Justice provided examples of the common stereotypes:

- “They are inherently flawed,” with a strong tendency to blame the individual for systemic failures.⁵⁶⁵
- “They are inherently dangerous,” where mental health and substance use are automatically thought of as threats to public safety.⁵⁶⁶

- “They are burdens,” where individuals with complex needs are framed as financial burdens or as driving strain on services.⁵⁶⁷
- “They are incapable,” where all individuals are assumed to not have capacity to make their own decisions.⁵⁶⁸
- “They are outsiders” or the “very deeply held belief that people experiencing marginalization are not real members of their community or they have lesser right to inclusion and services.”⁵⁶⁹

These assumptions are often made about people with disabilities more broadly. In their report “The Roots of Hate in British Columbia: Past and present,” Dr. Barbara Perry and Dr. Stanislav Vysotsky describe how people with disabilities often experience invisibility and erasure, as well as harmful assumptions about their capabilities.⁵⁷⁰ Health Justice shared this definition of ableism by Black disability justice advocate and lawyer, Talila “TL” Lewis.

“Ableism [is] a system that places value on people’s bodies and minds, based on societally constructed ideas of normality, intelligence, excellence, desirability and productivity. These constructed ideas are deeply rooted in anti-blackness, eugenics, misogyny, colonialism, imperialism and capitalism.”⁵⁷¹

Many of the same ableist ideas and assumptions that people hold today motivated some of the most egregious violations of the rights of people with disabilities in our province’s history, such as B.C.’s *Sexual Sterilization Act* (1933–1979). Health Justice described how the Act was developed in response to a perceived service strain, the overcrowding of mental health institutions and the belief that this service strain was an unfair financial burden on the broader community. In addition, the health and social issues people with disabilities were experiencing were framed as inherent biological flaws or weaknesses. Sterilization was framed paternalistically as “something that was in the best interest of the people who would experience it.”⁵⁷² Many of these same beliefs and dynamics are present in the discourse around people with disabilities today.

“And so, when we look at the kinds of discriminatory assumptions that occurred to lead to legislation like that, that we all acknowledge now is an incredible human rights violation, we see, although it may be subtle, and it may be using different language, and it may be unintentional, those same dynamics and discriminatory stereotypes are alive and present in the kinds of conversations that are happening today.”⁵⁷³

The Commissioner heard there are also many misconceptions about older adults, which often serve to portray older individuals as incapable and dependent on others, even when this is not the case for most seniors. As with people with mental disabilities and mental health issues, with older adults, well-intentioned people can inadvertently perpetuate discriminatory and paternalistic ideas about the autonomy and agency of older adults. This can be used to exercise control over them.⁵⁷⁴

“First of all, all seniors are not rich. Most are not, actually. Most seniors are not frail. Most seniors do not live in long-term care or assisted living; they live in their own home. Most seniors are driving their car, and most seniors overwhelmingly don’t have dementia, and most seniors actually are pretty healthy. So, what’s their shared characteristic? Simply their age.”⁵⁷⁵

Children and youth also experience discriminatory assumptions about their capabilities. The Commissioner heard that their concerns and ideas are often not taken seriously by adults. The Society for Children and Youth of BC told us that there is a broad desire among young people “to be taken more seriously and given more opportunities to participate in society.”⁵⁷⁶

The Commissioner also heard that these ageist assumptions about children and youth create both institutional and social barriers when youth try to report hate incidents or advocate for their legal rights.

“Young people struggle to be taken seriously in many contexts, including in the reporting of hate incidents. Through our Child and Youth Legal Centre [Society for Children and Youth of BC] regularly supports young people with advocacy issues around getting their needs met, and we often find that the involvement of an adult increases the likelihood of success. We are glad to be able to provide this service but would like to see changes that enable young people to better advocate for themselves independently as well.”⁵⁷⁷



Why do people commit hate incidents?

The roots of hate are an important starting point. Yet, despite deep inequities across our society that impact all of us, most individuals never commit a hate incident. To prevent, mitigate and respond to hate, we need to understand what motivates the individuals who perpetuate hateful actions and speech. In this section, we seek to answer:

- Why do some people commit hate incidents?
- How do contextual and political factors influence the perpetuation of hate speech and violence?
- How and why does the incidence of hate change over time and in response to major events such as the COVID-19 pandemic?

While the Commissioner heard many important reminders that hate preceded the COVID-19 pandemic, we know from the numbers above that hate incidents increased during this time, and many Inquiry participants described an emboldening of hate during the pandemic.⁵⁷⁸

“The hate that has always been there is no longer skulking in dark corners, as it were. Now, it’s out there. Hate and the people who spread it have kind of gone mainstream. It’s no longer considered to be taboo to be out there spouting your hateful behaviour, either in public, as we’ve recently seen in Ottawa, or, of course, online.”⁵⁷⁹

There are some unique elements of the COVID-19 pandemic that have contributed to the surge in hate incidents during this time. This includes heightened fear, anxiety and stress, which sometimes lead to scapegoating and blame. As discussed below, we know from many examples throughout history that pandemics activate unique and powerful associations between fear of contagion and entire groups of people who are scapegoated as a threat.⁵⁸⁰ In addition, during the COVID-19 pandemic unprecedented public health measures and backlash to those measures also contributed to new dynamics of hate, along with some unintended consequences around isolation and loss of access to community and safety supports.

We heard that racism and hate have always existed but have often simmered below the surface in Canada. We heard that the stress, anxiety, anger, frustration, confusion and fear associated with COVID-19 created the conditions that are optimum for prejudice, discrimination, bias, racism and hate to bubble to the surface.⁵⁸¹

Psychology of hate

Pandemics are characterized by an increase in fear and anxiety.⁵⁸² Members of the public worry about how dangerous and contagious the disease is and how long it will last, and are concerned about being infected or coming into contact with people who are infected.⁵⁸³ In order to gain a sense of control⁵⁸⁴ and to distance themselves from perceived biological and social risk,⁵⁸⁵ individuals proceed to associate the disease with a group designated as “other.” This subsequently gives rise to certain groups becoming associated with and blamed for the origin and transmission of the disease, leading to a sudden surge in hate incidents against those groups.⁵⁸⁶

This situation is particularly reflected in the integrated threat theory, which explains that prejudice, discrimination and hate arise as defence mechanisms “when in-group members believe their values or beliefs are threatened by the out-group.”⁵⁸⁷ For members of the in-group, such threats do not have to be real. Mere perception is enough to conjure negative attitudes of prejudice and hate. Psychological research also supports the idea that perception of the threat of disease may be uniquely and powerfully linked to xenophobia and other out-group biases.⁵⁸⁸ As Rowan Savage argues in his comparative study of the role of disease in genocide, when a group is perceived as a biological threat, this both motivates and justifies violence against them.⁵⁸⁹

In terms of mitigating these challenges, research studies suggest that intergroup contact reduces intergroup prejudice.⁵⁹⁰ For example, an individual who has positive interactions with colleagues of a different ethnicity at work may extend those positive attitudes to members of that ethnic group more generally and even to unrelated out-groups. Contact appears to reduce uncertainty and anxiety and may also play a role in cultivating empathy, which has been found to be strongly negatively associated with prejudice.⁵⁹¹ Interestingly, benefits have been found even for indirect forms of contact, such as hearing about the experiences of others⁵⁹² or exposure to positive representations in media.⁵⁹³ In other words, even in individuals who may be more predisposed to prejudice, increased familiarity and cultivation of empathy with other groups can prevent or mitigate the development of prejudiced or hateful attitudes.

Conversely, where these mitigating factors are not present, intergroup prejudice in the context of heightened stress (such as during a pandemic) is more likely to be used to justify violence. One of the unique aspects of the pandemic is the level to which it created social isolation and therefore interfered with intergroup contact and a wider sense of community, thereby aggravating violent tendencies in this context.

Typology of hate offenders

The term “hate incident” encompasses a wide range of actions, dynamics and motivations. A single set of factors cannot explain every incident. Rather, this section is an attempt at identifying common patterns.

A common starting point for understanding why some individuals commit hate incidents is an influential classification system (or typology) of hate offenders developed by Levin and McDevitt.⁵⁹⁴ This typology is widely cited in the academic literature and has also been used by state agencies and police departments in the United States. The different dynamics associated with each type of

hate offender described below can help us understand who is most likely to act on their prejudiced attitudes and under what circumstances.⁵⁹⁵ All of the motivations for the hate perpetrators below are rooted in seeking power and control through different means. The typology outlines four main types of hate perpetrators:

- **Thrill seekers** are those who commit hate incidents to gain a sense of power, excitement and peer acceptance. Thrill seekers are often groups of youth who choose targets in a different neighbourhood than their own. Group dynamics contribute to the initiation and escalation of the hate incident.⁵⁹⁶
- **Defensive perpetrators** target people who are in their own neighbourhood, who they perceive as encroaching on “their turf.” The hate incident is intended to intimidate members of the targeted group, often with the aim of pushing them to relocate and sending a message that others of the same group are not welcome in the neighbourhood.⁵⁹⁷
- **Retaliatory perpetrators** commit hate incidents as retaliation for perceived attacks on their group. For instance, following the 9/11 terrorist attack, there was a surge in Islamophobic hate incidents, as Muslims and Arabs were blamed for the attack.⁵⁹⁸
- **Mission perpetrators** are extremists who are committed to eradicating the targeted group. They commit hate incidents as premeditated acts of targeted violence. This type of hate offender may be affiliated with a formal hate group, or they may be a lone actor. This type of perpetrator fits the profile of what a representative from Yorktown Community Services classified as “radicalized to violence.”⁵⁹⁹

Out of 169 hate crime cases examined by Levin and McDevitt, only one fit the “mission” profile. This is consistent with other research that suggests most hate incidents are “everyday” acts of frustration and hostility, committed by “ordinary” people, rather than by extremists.⁶⁰⁰ Nevertheless, mission perpetrators or extremists play an outsized role in creating and disseminating hateful ideologies and disinformation; their activities help fuel “wider climates of hate.”⁶⁰¹

It is important to note that this typology, though widely used, has some limitations. It is based on a relatively small sample of hate crime reports from the Boston Police Department in the early 1990s. For example, the typology does not recognize a lack of emotional social support (a feeling of belonging, security and acceptance) as a motivating factor for joining hate groups, although this has been acknowledged in later research studies.⁶⁰² A number of former perpetrators of hate⁶⁰³ have spoken about not having a feeling of belonging and security when going through past emotional and physical traumas and that a deep-seated anger developed which was encouraged by hate groups who welcomed them with open arms.⁶⁰⁴ This feeling of acceptance often leads to identity fusion where the individual bonds with members of the hate group and begins to view them as family.⁶⁰⁵

Economic stress may contribute to hate

Are people more likely to commit an act of hate when they are under economic stress? The Commissioner heard that some people respond to economic stress, like losing work or having trouble paying the bills, by lashing out at others. They might lash out at members of minority groups who seem different from themselves, especially if those groups are seen as having an “unfair” economic advantage.⁶⁰⁶ For example, we heard from Yorktown Family Services that young white men who were drawn into extremist hate-based movements during the pandemic often said that difficulty finding work was a factor in their radicalization.⁶⁰⁷ These ideas about unfair advantage often rest on stereotypes of certain groups as lazy, incompetent or cunning, and therefore undeserving.

“Many white men now picture and present themselves as the ‘new minority.’ They experience a sense of displacement and dispossession relative to people of colour. This imagery of ‘white-man-as-victim’ gives voice to the insecurity of white men in a weakened economy.”⁶⁰⁸

The Commissioner also heard how people of Asian descent are often blamed for high real estate prices across B.C. This blame is highly pervasive and often legitimized by academics and mainstream media outlets.⁶⁰⁹ project1907 shared that real estate was a recurring theme in the anti-Asian racism reported on their platform during the pandemic.⁶¹⁰ A representative from BC’s Association of Aboriginal Friendship Centres shared:

“Doesn’t matter what colour you are, but we live in a capitalist system and things such as real estate keep going up and people of colour become scapegoats. So, I was walking down the street. And you know you just hear ‘Oh, the Asians are coming to buy up all the real estate.’ Like yeah, but an Asian individual is one individual, you’re not thinking about the corporations that are buying up property, not thinking about the banks, you’re not thinking about the government. And so often we were talking about truth. Individuals do not know how the actual economic system works and so brown people become the easiest thing to... put the blame on.”⁶¹¹

Although beliefs about unfair economic advantage may play a role in hate, it is important to note that the relationship between hate and economics is complicated. At an individual level, most individuals who experience economic stress never commit a hate incident. In fact, they may be less likely to do so than those who are relatively comfortable, although it is worth noting that the literature often doesn't distinguish between socio-economic status and economic stress.

- While a few studies demonstrate a relationship between economic conditions and hate in very specific contexts,⁶¹² more recent studies drawing on larger amounts of data from multiple countries find there is no relationship between economic conditions and the incidence of hate crimes.⁶¹³
- Data on hate offenders is rare, but in one study of youth hate offenders in Finland, family financial situation was not found to be a factor in hate offending.⁶¹⁴

This is also the case when we look at research on people's attitudes and vote choices.

- One study based on panel data from Switzerland, Germany and the United Kingdom found that routine workers⁶¹⁵ who experienced unemployment became much less likely to support a far-right anti-immigrant party than routine workers who kept their jobs over the same time period.⁶¹⁶
- In their review of all major national surveys conducted after the 2016 U.S. election, political scientists Nicholas Carnes and Noam Lupu found that only 30% of Trump voters were from the white working class.⁶¹⁷ Trump did not earn a significantly higher share of the white working class vote than previous Republican presidential candidates.⁶¹⁸ Exit poll data showed that Trump voters had a higher median household income than the national median and higher than the median household income for Democrat voters.⁶¹⁹
- One U.S.-based study found no relationship between unemployment rates in 2020 and the prevalence of anti-Asian racism at the county level during the first year of the pandemic.⁶²⁰
- According to a survey conducted by the Environics Institute and Century Initiative, Canadians with lower incomes and lower educational attainment may have more negative attitudes towards immigration, on average.⁶²¹ However, they also note that views towards immigration have gotten steadily more positive since 1977, with the largest positive change among those with the lowest incomes and lowest educational attainment.⁶²²

Some research suggests that overall economic conditions and individual levels of economic stress are less important than whether or not political actors choose to incorporate economic concerns into more general narratives of othering and blame.⁶²³ Political actors may respond to people's frustrations with unaffordable housing or unemployment by blaming these economic conditions on groups deemed "other," such as foreign buyers or immigrants, rather than governments, corporate actors, and others in positions of real power.

The Commissioner also heard that men who face economic stress may lash out at their intimate partners and family members. Economic insecurity is linked to acute and chronic stress, as well as negative coping strategies like increased alcohol and substance use, all of which are linked to increased family violence.⁶²⁴ A major survey of Canadian women conducted in spring 2020 found that women who are more worried about their family's inability to meet financial obligations or essential needs were more likely to report domestic violence.⁶²⁵

Vulnerability is amplified by economic stress

At the same time, when members of groups that already experience discrimination also experience economic stress, this can make them even more vulnerable to being targeted by hate.⁶²⁶ Some groups, including Indigenous, Black and other racialized people and LGBTQ2SAI+communities were disproportionately impacted by the economic challenges of the pandemic in ways that may have increased vulnerability to certain forms of hate. For example, we heard from Global Access and Inclusion Foundation about how, during the pandemic, many people faced discriminatory layoffs and that the threat of losing work was used in some cases to prevent people from pushing back against hate incidents in the workplace.⁶²⁷ Global Access and Inclusion Foundation representatives also spoke to disproportionate job loss among Indigenous, Black and other racialized communities, especially Black women, “which makes them more reliant on social systems, causing more hate from people who already think Black people don’t work and they just take money from the government.”⁶²⁸ All of this occurs within a context where Black people experience discrimination when looking for work, which makes it difficult to secure jobs.⁶²⁹

Similarly, the Commissioner heard from Health Justice that perceived strain on public services is a unique contributor to hate based on social condition against people with mental disabilities or who use substances: “We’ve seen increasing pressure in public systems, and that has ranged from health services to social support services to policing services, and in the community rhetoric that we shared. That increase in pressure is often used as a reason to exclude people who have higher needs, because it’s bringing additional burden on the community.”⁶³⁰

The absence of a sense of community and belonging contributes to hate

People seem to be less likely to commit hate crimes in communities with high levels of social cohesion and trust. In one major study comparing 44 regions in seven European countries, it was found that there were significantly fewer hate crimes in regions where residents had high levels of social activity and trust in others, even when controlling for many other demographic, social and economic factors.⁶³¹ As McNeeley and Overstreet describe: “As with other types of crime, individuals who lived in neighbourhoods where residents trusted each other and were willing to intervene to help solve problems were less likely to experience hate crime victimization.”⁶³²

As discussed in greater detail in the section below on who gets radicalized and how, an absence of community cohesion can lead to a sense of disconnect and insecurity, which ultimately fuels hate as a means to find that sense of community in opposition to (and in dominance over) the “other” at whom the hate is directed. As Yorktown Family Services explained, a key feature of redirecting far-right extremists from their violent paths is to create alternate senses of belonging: “We’re replacing the old community with a new community.”⁶³³

The normalization of hate enables it

When social inequities are normalized and prejudiced attitudes are widespread and treated as legitimate, this enables perpetrators of hate.⁶³⁴ The Commissioner heard from many Inquiry participants that they believe the normalization of hate has played a major role in the recent rise in hate. In response to our survey, 57% of respondents believed the hate they experienced, witnessed or were affected by was caused by the normalization of hate incidents, including online.

As noted by Barbara Perry and Stanislav Vysotsky: “This type of violence is normalized in society because it reflects the dynamics of power that are embedded within it.”⁶³⁵ This includes all forms of hate incidents, including some forms of gender-based violence. As the Commissioner heard from West Coast LEAF:

“Misogyny has been normalized through the historic and systemic oppression and marginalization of women and people who are marginalized because of their gender. For instance, many offensive gendered slurs, allusions and dog-whistles that degrade women, trans people and others based on their gender, which saturate the online environment in particular, have become normalized and do not carry the hateful connotation that other expressions, including racial slurs, may have. The ubiquity of misogyny and other oppressions rooted in patriarchy is what makes this normalization so damaging and harmful to the full expression and realization of equity, safety and well-being.”⁶³⁶

Extremist content plays a significant role in normalizing hate, especially online. People see more hateful content, and that content is often reinforced by social media algorithms, which creates an echo chamber effect, a false sense that everyone agrees with these extremist views. This effect can take disturbing turns. For example, Dr. Henry described people telling the police: “Everybody’s saying this,” when questioned about threats made to her.⁶³⁷ This may create a false sense of broad public support that then emboldens the small number of people who are willing to commit violent acts.

The Commissioner heard that many people who are not targeted by hate deny that hate exists or that it is a systemic problem. This invisibility or outright denial is another form of normalizing hate and making it seem acceptable.⁶³⁸

“Over the last few years, we’ve actually participated in quite a few dialogues, but something that we’ve had a lot of difficulty with is despite hearing incidences of racism and people’s lived experience, there is still that persistent idea that it doesn’t exist in our region, that it is one isolated incident, or that someone’s trying to create a bad reputation.”⁶³⁹

Barriers to standing up against hate serve to normalize hate

Normalization of hate can also occur when there are barriers to standing up to hate. For example, the Global Access and Inclusion Foundation pointed out that there is no financial support available to someone who leaves a workplace because of experiences of racist discrimination.⁶⁴⁰ Chief Fred Robbins described how educators may be afraid to push back against administration and school boards in response to racist incidents for fear of losing their employment.⁶⁴¹ In general, the Commissioner heard that “under-reporting racist incidents contributes to the perpetuation of racism, as perpetrators face few consequences, and the public is not made aware of the prevalence of the issue.”⁶⁴²

Hateful political commentary serves to normalize hate

More than half of the people who responded to the Commissioner’s public survey reported that the hate they experienced, witnessed or were affected by was caused by hateful political commentary. Hate flourishes when it is legitimized by public figures and the media. This sends a broader message that hate is acceptable or even encouraged.

We know from many examples around the world that hateful politics is often followed by a surge in hate incidents. For example, in the 2016 U.S. election, ex-president Donald Trump spread and legitimized hate toward racial and religious minorities, as well as women⁶⁴³ and people with disabilities.⁶⁴⁴ A recent study found that in counties where Trump held a campaign rally, the rally was followed by a significant increase in reported hate incidents.⁶⁴⁵ In the United Kingdom, the 2016 Brexit referendum was also followed by a spike in hate crimes.⁶⁴⁶ Another study based on municipal elections in Italy found that the election of a mayor representing a far-right party was linked to a significant increase in hate crimes in the municipality and surrounding communities.⁶⁴⁷

Through the Inquiry, the Commissioner heard about the role of the People’s Party of Canada and the “End the Lockdown Caucus” in spreading and legitimizing messages of hate. Many People’s Party candidates and groups express strong anti-immigrant sentiments. Many candidates also have close ties to the yellow vest movement and the anti-public health order movements.⁶⁴⁸ Maxime Bernier played a pivotal role leading the anti-lockdown caucus, which organized many anti-lockdown and anti-vaccine protests, paving the way for the Freedom Convoy.⁶⁴⁹ A representative from Unifor described how the People’s Party has helped legitimize harassment and hate against media workers:

“So, in Canada, we saw Maxime Bernier call on his alt-right supporters on Twitter to play dirty with reporters, and he actually spurred on a wave of harassment targeting journalists, including some of our members.”⁶⁵⁰

The Commissioner also heard examples of local governments legitimizing hate, particularly against Indigenous Peoples, people experiencing homelessness, substance users or those with mental disabilities. Health Justice described how “public engagement process at the local government level can be used as a way to really provide a legitimized platform” for hate.⁶⁵¹

Sometimes political actors even go so far as condoning far-right movements. For instance, the Commissioner heard of a case where an active member of Soldiers of Odin ran for City Council.⁶⁵² Former perpetrator Daniel Gallant also spoke to his experiences with former or current members of law enforcement who were associated with far-right extremism.⁶⁵³ More broadly, he reported to the Commissioner:

“I’ve had discussions with a federal politician, with a provincial politician, multiple law enforcement officers from a variety of different agencies, in the past, when I was an active white supremacist, that were sympathetic. And much of them had stated explicitly, ‘The only thing that separates us is you’re violent, I’m not.’”⁶⁵⁴

Anxiety and fear as drivers of hate during the pandemic

As discussed above, fear and insecurity can be drivers of hate, as those with some form of power see the threat of losing that power and fall back on stereotypes and biases to maintain control. Many Inquiry participants spoke to heightened anxiety and fear during the pandemic as major drivers of increased hate, particularly through the scapegoating or blaming of Asian people and other racialized individuals for the pandemic. In our survey, 43% of respondents believed the hate they experienced, witnessed or were affected by was caused by stress related to the pandemic.

In general, infectious diseases have some unique characteristics that drive fear, uncertainty and hate. We heard that hate is often rooted in “fear of the other.”⁶⁵⁵ Many participants told us that fear led many people to “lash out,” to scapegoat and blame groups deemed “other,” in particular the Chinese and broader East Asian community.⁶⁵⁶ According to the Crisis Line representative, anger was often an expression of underlying fear related to the pandemic.⁶⁵⁷

- “During this pandemic, there were a lot of unknowns early on and a lot of struggles and a lot of fear. Unfortunately, fear seems to evoke racism even more.”⁶⁵⁸
- “People were becoming raw and vulnerable, and they wanted somewhere to trigger their displeasure and hate towards. And unfortunately, some of our most vulnerable communities became targets of those particular incidents.”⁶⁵⁹
- “The pandemic has been an outlet for manifesting the fear, hostility, hate and othering behaviour of people who already would indicate these prejudices. Blaming an innocent person for causing the pandemic has been a simple, unthinking way for those with racist tendencies to adapt to and resolve the general fears, emotional upheavals and uncertainties all of us are feeling during this pandemic.”⁶⁶⁰
- For example, from BC Hate Crimes: “This is not at all meant as a justification, but I think that the pressures of the pandemic and the lockdown exposed racism and hate here in a way that it just might not have otherwise and that those same kinds of feelings or opinions that people have are just better kept under wraps without the unique pressures that the lockdown brought on.”⁶⁶¹

During the COVID-19 pandemic, there was an unprecedented public health response.⁶⁶² The social distancing measures, while necessary to keep people safe, also created stress, frustration and real hardship for many people. The Commissioner heard how for some, this isolation may have made them more likely than they would otherwise have been to commit a hate incident: “I think the period of restrictions on movements and social interactions has had so many impacts on people, their mental health, their finances, that it’s contributed to the increasing polarization of society that we were starting to see before the pandemic.”⁶⁶³

Global and local dynamics of blame in health emergencies

During pandemics, certain groups may become associated with and blamed for the origin and transmission of the disease, leading to a sudden surge in hate incidents against those groups.⁶⁶⁴ From BC Hate Crimes:

“If there’s a geopolitical event or some sort of disaster, or a pandemic that emanates out of a certain part of the world, there will be narratives that emerge that a certain identifiable group is responsible, and it will impact people who are from that national or ethnic background or people who even just appear to certain people to be from that background. That’ll happen.”⁶⁶⁵

Blame during pandemics is used by some individuals to gain a sense of control,⁶⁶⁶ and distance themselves from perceived biological and social risk.⁶⁶⁷ As Nelkin and Gilman write: “Blaming has always been a means to make mysterious and devastating diseases comprehensible and therefore possibly controllable.”⁶⁶⁸ The association of an entire group of people with a pandemic may be especially pernicious because this association draws on the moral and social associations with disease. Hierarchies between groups are often reinforced and justified through binary oppositions between us and them, self and other, moral and immoral, clean and unclean, healthy and sick. In North America, there is a long history of characterizing racialized people and immigrants as unclean or unhealthy.⁶⁶⁹ Psychological research also supports the idea that perception of the threat of disease may be linked to xenophobia and other out-group biases.⁶⁷⁰

Given these dynamics, it is perhaps not surprising that periods of widespread infectious disease are often accompanied by blame and hate. For example:

- Jews were blamed for the plague of 1348–1351, leading to mass persecution and massacres across Europe. This wave of mass violence had a devastating impact on Jewish communities and has been linked to local patterns of antisemitism even centuries later.⁶⁷¹
- Indigenous Peoples have faced repeated waves of epidemic disease through contact and colonization. Perversely, white settlers have often framed Indigenous Peoples as a threat to the health of white populations, rather than the other way around, and this idea of the threat has been used by settlers as both opportunity and rationale to further entrench colonial practices.⁶⁷²

- For example, in 1862, there was a smallpox outbreak in Victoria, B.C. White settlers used inoculation to limit the spread of the disease among themselves. However, not only was inoculation withheld from First Nations’ members, but Indigenous residents were expelled from the Victoria area by military force, including the burning down of Indigenous homes and the use of gunboats to prevent entrance to the port.⁶⁷³ As a result of this expulsion, Indigenous people fleeing Victoria spread smallpox to Indigenous communities across the province. The First Nations’ populations in B.C., already reduced by previous waves of disease, lost two-thirds of their members within a few years, with up to a 90% loss of population in some communities.⁶⁷⁴

The expulsion of Indigenous Peoples from Victoria was justified as a measure to protect white settlers. As one newspaper at the time reported: “The Indians are at present prohibited from entering the town, and every precaution is used in order to confine the disease to the natives, in which, it would seem, the people have so far been very successful, as only one death has occurred amongst the whites.”⁶⁷⁵

- New European immigrants to North America in the 19th and 20th centuries were blamed for cholera, typhoid, tuberculosis, smallpox and polio.⁶⁷⁶ This blame was often framed in terms of the supposed cultural or biological inferiority of the immigrants. The belief that new immigrants were the main source of infectious disease also led to increasingly invasive medical inspections and quarantine requirements, where new immigrants faced differing levels of medical scrutiny depending on their ethnicity and class background.⁶⁷⁷
- Many acts of anti-Asian legislation that have been passed in B.C. were justified in terms of concerns about disease and sanitation.⁶⁷⁸ Chinese immigrants to North America were associated with leprosy, smallpox and the plague, often with violent consequences.⁶⁷⁹ For example, in 1892, workers at a Chinese laundry business were attacked on the inaccurate grounds of spreading smallpox, despite there being only four deaths from smallpox in Canada at the time.⁶⁸⁰
- During the 2002 SARS epidemic, there was also a surge in anti-Asian racism.⁶⁸¹
- The HIV/AIDs epidemic was associated with blame and hatred towards men in the LGBTQ2SAI+ community, as well as with anti-Black racism. In the early 1980s, even the U.S. Centers for Disease Control was referring to HIV/AIDs as “4H disease,” that is, only of concern to Haitians, homosexuals, hemophiliacs and heroin users.⁶⁸²

During the COVID-19 pandemic, there was a major rise in anti-Asian hate. Much of this hate was directly linked to beliefs about Asian people as the source and cause of the COVID-19 pandemic.

In our survey, 58% of all respondents believed the hate they experienced, witnessed or were affected by was caused by blame for the pandemic or perception that groups are aggravating the pandemic. Among East Asian survey respondents, the feeling that the hate they experienced was linked to blame for the pandemic increased to 89%. One public survey respondent wrote: “I think that with COVID-19 linked with originating in China, people who may have held prejudiced/racist thinking may have felt it was okay to verbalize/take action on their racist beliefs and put it into action towards those who physically look East Asian.”

Pandemics are often strongly associated with their country of origin, including through place-based naming.⁶⁸³ Place-based naming of disease can lead to unfair stigma against entire countries and ethnic communities. In response to this problem, the World Health Organization (WHO) issued best practices for naming new infections and diseases in 2015. The best practices include recommendations to not name new infections after specific places, people, industries or species.⁶⁸⁴ However, despite efforts by the WHO to prevent and limit the spread of place-based naming of COVID-19 and its variants, such terms were used widely on social media, including by senior political leaders and heads of state.⁶⁸⁵ For example, social media analysis of former U.S. President Trump's public statements shows that when Donald Trump tweeted terms that localized COVID-19 in Chinese locations, this was followed by a large increase in anti-Chinese slurs on Twitter.⁶⁸⁶ This is particularly alarming as online hate has also been directly linked to the frequency of hate crimes in the U.S.⁶⁸⁷

Disease origin and transmission can be wrongly attributed to a group's cultural practices or living habits. The disease may also become associated with specific places that are linked to the group, regardless of actual infection rates in that area. During the COVID-19 pandemic, media coverage "explained" the pandemic origins in terms of cultural practices and living habits of people living in China, including an emphasis on animals and people living closely together and the consumption of certain foods.⁶⁸⁸

When new infectious diseases emerge, there is also typically a lack of information and considerable uncertainty about what the impacts of the disease will be. Narratives of blame are sometimes used to fill in these gaps, drawing on pre-existing stereotypes about the targeted group.⁶⁸⁹ In general, narratives of blame often tie the risk of infection to broader social and moral concerns.⁶⁹⁰ Members of dominant groups are generally not the targets of blame; rather, these narratives reinforce pre-existing hierarchies and inequities.⁶⁹¹

Hate as backlash to progressive movements

The Commissioner also heard that progress on social issues, such as racism, homophobia or transphobia, are often accompanied by hate-fueled backlash by members of dominant groups who feel threatened by this progress.

In addition to the pandemic itself, there were several longer-term and concurrent trends that also influenced the rise of hate during this time. For example, the Commissioner heard about surges in hate in backlash to the Black Lives Matter protests in summer 2020 and Indigenous protests around the Coastal GasLink pipeline.⁶⁹² The influence of the U.S., including former President Trump and the Capitol Hill event, were also brought up many times in the Inquiry process.⁶⁹³

Sometimes even just speaking about racism is enough to elicit backlash. For example, when South Okanagan Immigrant and Community Services conducted a survey about racism, they received hate in response: "In that survey, the primary question was: 'Have you experienced racism? Have you experienced or witnessed racism?' And in just asking that question, our organization received threats, calls, emails as a result."⁶⁹⁴

The Commissioner heard about the dangerous potency of white victimhood—the feeling that white people are superior and, at the same time, the belief that racialized people, LGBTQ2SAI+ people or women have an unfair advantage that is going unrecognized and unchallenged. For example, the Commissioner heard from Yorktown Family Services:

“We also see that, there’s been an increase, obviously, an awakening in some ways around, sort of, racism and diversity in Canada. Most people see that as a real step forward, and some people don’t. So often we hear from our clients that their race or their demographic is being forgotten about in this, sort of, progressive push forward that we see. And that they feel blamed because of their demographic, because their position in life. If they’ve attended anti-racism training, or just messaging through the media that, you know, we’ve all engaged with and probably supported, but it has had an adverse effect on certain demographics.... A lot of people, in particular white males, are feeling like they’re losing their identity, as culture as, an identity, and that their identity is constantly under attack. And so, there’s a lot of paranoia around that, and also, that ties into the propaganda being pushed by these groups, that, sort of, the great replacement theory is that white males will be, I guess, eliminated at some point.”⁶⁹⁵



Public health measures and hate incidents

Most people who choose not to be vaccinated and/or who disagreed with pandemic-related public health measures did not engage in hate. However, a significant number of people who responded to the Commissioner's public survey expressing frustration at pandemic health measures did so in a hateful and vitriolic way. Common themes in the comments received from these respondents include derogatory language against politicians, health care communicators and other leaders deemed responsible for pandemic measures, anti-government messages, anti-vaccine mandate messages and anti-mask mandate messages.⁶⁹⁶

While some people reported being harassed and targeted because of their views opposing public health orders or vaccinations, the politicization of the public health response to the pandemic also provided fertile ground for extremist radicalization and cross-movement networking, with extensive anti-public health measure discussion occurring on right-wing extremist and incel online forums.⁶⁹⁷ The 2021 Institute for Strategic Dialogue study found an increase in hate-related online activity in Canada during the pandemic, with a significant portion of discussion on far-right forums devoted to government COVID-19 responses (approximately 40%).⁶⁹⁸

The Commissioner heard about how extremist movements tried to co-opt protests of public health measures and public feelings of anxiety and distrust with many of the same constituencies: "They're not distinct movements."⁶⁹⁹ Former white nationalist Brad Galloway described how the starting point of fear of government control can lead people to be drawn into conspiracy theories based on antisemitism. He shared: "People are taking on certain parts of those ideologies and not really realizing that they're taking on extremist viewpoints."⁷⁰⁰

We heard examples of anti-government and anti-vaccine protests spilling into school board meetings. Representatives from School District 22 told us about how anti-vaccine protestors were dominating board meetings, including "hurling these false accusations and threats of legal lawsuits," to the extent that they had to have security and escorts for meetings and ultimately had to move the meetings.⁷⁰¹

Brad Galloway described how there was a surge in hate incidents associated with the convoy in Ottawa and how the convoy created a platform for hate and many hate-based conspiracies, and opportunity to "push it (hate) into the mainstream and have it be more accepted in the community."⁷⁰² Galloway described the convoy as a great opportunity for white nationalist and white supremacist groups to recruit, even by selling merchandise, promoting government control conspiracies and advancing extremist views into the mainstream.⁷⁰³ We heard about links between Freedom Convoy leaders and members of white nationalist and white supremacist groups (for example, Pat King) and about the long-standing pattern of hate groups co-opting other movements and grievances.⁷⁰⁴

Dr. Henry observed that "the people who are leading these convoys are basing it on disinformation, and as they're losing their followers, they're becoming more and more entrenched in their beliefs that this is a conspiracy, and that they're right, and that they need to be more and more, I guess, aggressive in their approach, so the things that we're seeing now are becoming more and more right wing and severe."⁷⁰⁵

In response to blockades and the “freedom” or “trucker” convoys mounted in locations across Canada, including Ottawa, Windsor, Coutts, Emerson and the Pacific Highway border crossing, and the adverse effects of those blockades, the federal government declared a public order emergency under the *Emergencies Act*, from February 14–23, 2022.⁷⁰⁶ The public order emergency granted the federal government the authority to issue and apply temporary measures set out in the *Emergency Measures Regulations* and the *Emergency Economic Measures Order*.⁷⁰⁷

The *Emergencies Act* requires the federal cabinet to set up an inquiry into the circumstances leading to the emergency declaration being used.⁷⁰⁸ As a result, on April 25, 2022, the federal government established the Public Order Emergency Commission (POEC) to inquire into the circumstances that led to the declaration of the emergency that was in place from February 14–23, 2022,⁷⁰⁹ and the measures taken for dealing with the emergency. Justice Paul Rouleau was appointed Commissioner. The POEC’s Final Report, with findings and recommendations, was expected to be tabled in the House of Commons and Senate of Canada by February 20, 2023.⁷¹⁰

There are areas of overlap between the POEC’s inquiry and this Inquiry. The POEC’s terms of reference are to examine the evolution and goals of the convoy and blockades, their leadership, organization and participants; the impact of domestic and foreign funding, including crowdsourcing platforms; the impact, role and sources of misinformation and disinformation, including the use of social media; the impact of the blockades; and the efforts of police and other responders prior to and after the declaration.

Social distancing and isolation

During the pandemic, many of us experienced unprecedented levels of isolation. In this period of isolation, many people spent more time than ever online.⁷¹¹ For some, this resulted in greater exposure to inflammatory rhetoric, disinformation and conspiracy theories. For others, increased time online lead to increased exposure to harm from online forms of hate that target them.

We heard that isolation and reduced opportunities for socializing may have had a big impact on youth, including when it comes to attitude formation and hearing views different from those expressed within their families:

“That isolation, however, and sort of segregation of pockets of students and things like that, over the three school years, I think has caused a little bit of—a lot, actually—of damage, because those are formative years. For example, if you’re in grade 7, 8, 9 and you go through with that for three years you’re now in 10, 11, 12. You might have established some attitudes and things that you’ve heard on the media during COVID, in your own family during COVID, as you heard, you know, the cause of COVID misdirected.”⁷¹²

At the same time, the Commissioner heard that the drop in numbers of people outside of their homes during periods of lockdown may have decreased community safety. For instance, the Retail Council of Canada reported to the Commissioner that decreased foot traffic (both from a loss of tourists and office workers working from home instead) increased opportunities for many types of crimes, including hateful vandalism and attacks on retail workers.⁷¹³ Representatives from Health Justice described how people experiencing homelessness may have been spending more time outdoors and were more visible than ever, a dynamic that may have contributed to the rise in hate based on social condition.⁷¹⁴

Social distancing requirements also made it harder for individuals targeted by hate to access their usual sources of safety and support.⁷¹⁵ When people face barriers accessing services (for example, language or systems navigation), including services in response to a hate incident, such incidents can have even greater impact and can cause those experiencing them to become even more isolated.⁷¹⁶ For example, Chief Fred Robbins describes how Indigenous Elders became even more vulnerable to hate in health care settings during COVID-19 because they had to navigate those spaces alone.⁷¹⁷

Increased isolation through the stay-at-home orders and restrictions on gatherings also contributed to an increased frequency and intensity of domestic violence, while at the same time making it more difficult for those experiencing it to access supports.⁷¹⁸ This is explored in more detail in the “Deeper dive: Gender-based violence” section.

Alcohol and substance use

The Commissioner heard that increased alcohol and substance use during the pandemic may have also contributed to the rise in hate.⁷¹⁹ Several studies found that alcohol is a common factor in hate incidents, especially those that involve violence and groups of perpetrators.⁷²⁰ One study based on police data from 11 U.S. states found that bias-motivated assaults were more frequently committed by an offender under the influence of alcohol or drugs than comparable non-bias-motivated assaults.⁷²¹ Alcohol and substance use are also often factors in long-standing conflicts between neighbours that have hate-motivated characteristics.⁷²² Increased alcohol use is a risk factor for intimate partner violence.⁷²³ However, West Coast LEAF states that “these factors and circumstances have changed the dynamics of violence but are not root causes.”⁷²⁴

On the other hand, the Commissioner also heard that the toxic drug supply crisis, which has become drastically worse since the beginning of the pandemic, killing thousands of people, may be a contributing factor in the rise of hate against drug users and people who are perceived to be drug users.⁷²⁵

The role of misinformation and disinformation

“To abandon facts is to abandon freedom. If nothing is true, then no one can criticize power, because there is no basis upon which to do so. If nothing is true, then all is spectacle. The biggest wallet pays for the most blinding lights.”⁷²⁶

The Commissioner heard that misinformation and disinformation often increase in times of crisis. Misinformation is the unintentional sharing of false or misleading information. Disinformation is the intentional sharing and dissemination of false or misleading information with malign intent.⁷²⁷ Disinformation is often associated with organized campaigns aimed at maligning a group of people, institutions or government.⁷²⁸ For example, Caroline Orr Bueno provided an example of disinformation during the Freedom Convoy movement when false reports circulated on Telegram of an older woman being trampled to death by police horses, which led to threats against the police and government.⁷²⁹

Misinformation and disinformation, including conspiracy theories, often perpetuate pre-existing stereotypes and beliefs. Caroline Orr Bueno identifies three main types of hate activity in Canada during the pandemic:

1. **Conspiracy theories.** For example, blaming specific ethnic groups or blaming government or public health officials.
2. **Anti-immigrant sentiment and xenophobia.** For example, anti-immigrant sentiment promoted by People’s Party of Canada candidates, which surges around elections.
3. **Accelerationism.** For example, the Great Reset conspiracy theory (discussed below), which seized upon the pandemic as a sign of societal collapse.⁷³⁰

While misinformation, disinformation and online and offline hate significantly harm individuals and communities, that is not the end of the story. Misinformation and online hate also erode freedom of speech and democracy. In their report, “Harms Reduction: A Six-Step Program to Protect Democratic Expression Online,” the Canadian Commission on Democratic Expression explained:

“Democracy cannot function without common pools of facts with which to debate and disagree and then arrive at an accommodation. Add hate-filled diatribes, bullying, harassment, conspiracy theories, fake COVID-19 news, and you have a recipe for the democratic degradation plaguing many nations.”⁷³¹

A 2022 examination of the spread of disinformation online concluded that the threat from disinformation is real and that addressing it must be a public policy priority. Specifically, they found that:

- Disinformation is the result of targeted campaigns from domestic and foreign actors to destabilize society and erode trust in institutions.
- Disinformation “impacts national security, personal privacy, individual rights and freedoms and social cohesion.”
- Disinformation engages online audiences more than facts because it is more sensationalist and is leading to an erosion of traditional trusted sources of information, including journalism.
- Disinformation disproportionately affects Indigenous communities, new Canadians and marginalized groups.
- Canadians generally lack the digital literacy skills to discern credible online content.
- The focus of social media companies is profit, not the well-being of individuals or society.
- Canadian policy has been reactive and has allowed disinformation on platforms to go unchecked.
- The COVID-19 pandemic has demonstrated how dangerous disinformation is.⁷³²

The role of the far-right, anti-government narratives and ideologically motivated violent extremism

Far-right and anti-government narratives advance a set of political views about what society ought to look like and frame the current government as standing in the way and illegitimate. Far-right groups often frame white or European groups as the only legitimate people while racialized communities are treated as other.

The Commissioner heard that disinformation and conspiracy theories are often used as an entry point for extremist recruitment and that conspiracy theories (as discussed in more detail above) are often core components of extremist ideology.⁷³³ The Commissioner heard that “generally, moments of political crisis spur growth” in hate-based extremist movements. This includes the COVID-19 pandemic.⁷³⁴ The Commissioner heard that people and groups associated with the far-right often create and disseminate hateful propaganda and disinformation that reaches broad audiences, especially online.

“The uptick in extremist and hate activity online appeared to be linked directly to the government’s response to the pandemic and capitalizing on some of the legitimate mistrust and grievances.... And so then these far-right groups stepped in and took that as an opportunity to really pounce on those grievances and against your people and towards more broad anti-government views. And, at times, even attempting to recruit people into extremist groups and extremist movements online.”⁷³⁵

They also coordinate targeted harassment campaigns, which sometimes lead to real-world violence.

“They do things that are more than just producing and consuming hateful content. They directly target people that are presumed to have these identifiable characteristics. You know, they’ll troll people, doxx people, target people, swarm them and intimidate them, harass them and bully them, with the goal of harming them, sometimes even terrorizing them. And they use these platforms to train for attacks as well.”⁷³⁶

We heard that online tools are critical for hate-based movements looking to make their ideas mainstream and to expand their audience. This includes the creation of online communities and the sophisticated manipulation of recommendation algorithms, as well as the creation of code words to evade detection by content moderators.⁷³⁷ We heard disturbing examples of video games that were created to simulate hate attacks.⁷³⁸ We heard about the process of “information laundering,” where extremist ideas or conspiracies move from fringe extremist websites to mainstream platforms.⁷³⁹ We heard that the far-right movement relies heavily on online platforms.

“Nowhere does ideologically motivated hate and extremism thrive more than on online platforms, and no tool is more necessary to the global spread of bigoted ideologies and to the recruitment efforts of potentially violent hate and extremist groups. It is indisputable that social media companies are major drivers behind the growth of global hate and extremist movements, conspiracy theories, radicalization of individuals and organization of potentially violent events.”⁷⁴⁰

The Commissioner heard that there are overlapping elements in the yellow vest and anti-vaccine convoy movements, although many people who participated in the convoy movements have different concerns and no connection to the yellow vest movement.⁷⁴¹ According to Caroline Orr Bueno, the pandemic has increased links between these movements.⁷⁴²

The Standing Committee on Public Safety and National Security (Standing Committee) studied the rise of ideologically motivated violent extremism in Canada and presented its report to the House of Commons in June 2022.⁷⁴³ The Standing Committee investigated the influence of foreign and domestic actors in funding and supporting violent extremist ideologies in Canada, the use of social media to fuel the ideologically motivated violent extremist movement and the impact of anonymous and foreign donations funding ideologically motivated violent extremism through crowdfunding sites, among other things.

The report recognized that ideologically motivated violent extremism is on the rise in Canada and acknowledged that tackling ideologically motivated violent extremism requires concerted efforts at all levels of government and with civil society. The Standing Committee also identified anti-authority, Islamophobia, antisemitism and other forms of religious intolerance, racism, misogyny and anti-LGBTQ2SAI+ sentiment as key themes.

The Standing Committee:

- Heard that about 300 far-right extremist groups have emerged in Canada since 2015, and are primarily located in Ontario, Quebec, Alberta and British Columbia.
- Heard that ideologically motivated violent extremist groups have capitalized on the fear and uncertainty caused by the COVID-19 pandemic to spread radical beliefs and ideas.
- Was informed about the role of social media in disseminating conspiracy theories and misinformation and that extremist groups often exploit the limited capacity of small online platforms to develop complex automation. The Standing Committee pointed out that it is important for online platforms to monitor and enforce their acceptable use policies.
- Heard about the need to improve Canada’s current response to ideologically motivated violent extremism threats by working with communities across Canada, and the need to explore non-criminal law approaches to combatting ideologically motivated violent extremism.⁷⁴⁴

During the Inquiry, the Commissioner learned that people involved in hate groups are less likely to be successful in committing acts of violence and that most acts of violent extremism are now committed by those acting alone. This is a more recent trend and has not always been the case. The Organization for the Prevention of Violence has noted that xenophobic extremists are more likely to act alone:

“Today, however, xenophobic extremists—like other forms of extremism—view this model as being largely unsuccessful due to the relative ease by which these groups were infiltrated by law enforcement. Therefore, violence is once again more likely to come from individuals who have been radicalized by the wider ideology and who act alone. Contemporary manifestations of this tactic trace their origin to a phenomenon called ‘Siege Culture.’

Siege Culture is an appropriation of the writings by prominent neo-Nazi James Mason entitled ‘Siege,’ a series of newsletters he wrote in the ‘80s and ‘90s which garnered a large following in the broader neo-Nazi community.⁷⁴⁵

A fifth edition of the book was released in 2022. Mason’s primary message in ‘Siege’ urged the modern-day neo-Nazi to take action independently to spark chaos leading to a race war, much in line with accelerationism. Siege encouraged lone-actor violence and argued that organized groups drew too much attention from law enforcement and should be avoided.”⁷⁴⁶

There are many ideologies associated with current expressions of hate, including neo-Nazis, skinheads, alt-right, accelerationists, white supremacists, militia/patriots, Christian fundamentalists, anti-Muslim, anti-authority, gender defenders, ideologues/gurus and conspiracy/anti-mandate. Related to this, we heard about how ideologically motivated hate is currently less likely to be motivated by a single ideology and is more likely to be the result of picking and choosing different pieces across various ideologies, or what Dr. Perry has called a “salad bar ideology.”⁷⁴⁷

Conspiracy theories and anti-government narratives are other prominent forms of problematic communication that were prevalent in the pandemic. The Commissioner heard about numerous conspiracy theories that emerged during the pandemic and their relationship to hate.

Conspiracy theories during the pandemic often focused on “sinister origins or shadowy forces behind COVID-19 and vaccines.”⁷⁴⁸ One of the dominant conspiracy theories that emerged during the COVID-19 pandemic is the “Great Reset,” or the belief that pandemic measures are not for public health but for social and economic control to create a new world order. Many conspiracy theories emerged during the pandemic about the origins and transmission of the COVID-19 virus and anti-vaccine misinformation. Some conspiracy theories were overtly racist with strong anti-Asian, anti-immigrant, antisemitic and anti-Muslim narratives.⁷⁴⁹

The Commissioner heard from Yorktown Family Services that:

“In general, there’s been a mistrust in government, mistrust in politicians, which also hate groups capitalize on, to kind of leverage this sense of chaos, accelerationism, and really push people towards this anti-government stance, even within the mainstream populations.⁷⁵⁰ [...] All of our clients who are involved in hate crime, or hate ideology, also are very staunch supporters, are engaged with conspiracy theories.”⁷⁵¹

Caroline Orr Bueno described how these conspiracy theories often target “Jews, immigrants and racial and ethnic minorities” and also promote anti-government sentiment.⁷⁵² The Commissioner heard about the challenges in countering conspiracy theory thinking, since at their core is a distrust of government and of official sources of information.⁷⁵³

We heard that conspiracy theories often lead to hate because “the entire logic of conspiracy theories is founded on this ever-expanding circle of conspirators who are blamed for events like the pandemic. And we have seen historically that the so-called conspirators who are targeted by conspiracy theories often become the victims of hate and violence as a result of that dehumanization.”⁷⁵⁴ When targeted groups are portrayed as evil and all-powerful, this can make people feel justified, even righteous, in targeting them with violence.

We heard from the Support Network for Indigenous Women and Women of Colour and the Burnaby Together Coalition about how the spread of conspiracy theories on social media are

a major contributor to hate experienced in their communities.⁷⁵⁵ Many of the hate-based messages received by Dr. Bonnie Henry and her staff included allusions to various conspiracy theories.⁷⁵⁶ She shared how conspiracy theories (or in her case, comparisons between herself and Dr. Mengele) often rested on dehumanizing her and her staff:

“That’s all about dehumanizing and making it okay for people to take these measures and threats against me because I deserve them, and I’m not actually a person, I’m just somebody who is representing evil or bad things.”⁷⁵⁷

Two of the key ideologies currently fueling a rise in hate are accelerationism and QAnon. The Anti-Defamation League has defined QAnon as a decentralized, far-right political movement rooted in a baseless conspiracy theory that former President Donald Trump is waging a secret war against the “Deep State,” a cabal of Satan-worshipping pedophiles who control the world and run a global child sex trafficking ring, murdering children in ritual Satanic sacrifices in order to harvest a supposedly life-extending chemical from their blood known as adrenochrome. QAnon has spread rapidly and fueled the siege on the U.S. Capitol on January 6, 2021.⁷⁵⁸ According to the Anti-Defamation League, QAnon theories are an amalgam of novel and well-established conspiracy theories, with marked undertones of antisemitism, anti-LGBTQ2SAI+ hate and anti-immigrant bias. The Anti-Defamation League notes that while not all QAnon adherents are extremists, QAnon-linked beliefs have inspired violent acts and have eroded trust in democratic institutions and the electoral process.⁷⁵⁹

Canadian QAnon supporter Romana Didulo, based in Victoria, B.C., has built a sizable following out of the QAnon community “by convincing people that she’s the true leader of Canada and waging a secret war against the supposed pedophilic cabal of globalist leaders, like Prime Minister Justin Trudeau or U.S. President Joe Biden.”⁷⁶⁰ Vice has reported that: “Didulo’s ideology is wide-ranging and at times esoteric. She claims to be an alien-adjacent being willing to share advanced medical technology with her followers. She also espouses the pseudo-legal sovereign citizen ideology, which convinces its adherents that the government has no control over them and became prominent during the COVID-19 conspiracy movement.” She has become known by her supporters as the “Queen of Canada.”⁷⁶¹ While there is no data in Canada on the prevalence of QAnon adherents, the theory has gained such traction in the U.S. that Forbes reported that 56% of Republicans believe that it is mostly or partly true.⁷⁶² The New York Times reported that 15% of Americans subscribe to the central tenant of the theory and, believe that “American patriots may have to resort to violence” to wrestle power from the cabal.⁷⁶³

According to the Organization for the Prevention of Violence, accelerationists believe that modern liberal democracy and post-industrial society are irreparably flawed and riddled with contradictions, all of which must be destroyed to rebuild a different world in its place. As a result, the individual actions of accelerationists are understood as critical for identifying these inconsistencies and catalyzing the destruction that will lead to revolution and transformation.⁷⁶⁴

Organizations working to address ideologically motivated violent extremism

Many organizations are working to directly address hate, including ideologically motivated violent extremism. Below are a few examples of key organizations working in the global context, the private sphere and the national Canadian context:

- The Eradicate Hate Global Summit is an annual global conference that is the product of a commitment to eradicate hate-fueled violence. Though born of an attack in Pittsburgh, Pennsylvania on Jewish worshippers, the summit is focused on all forms of hate and violent extremism.⁷⁶⁵
- Moonshot is a social impact business that works internationally to build solutions to violent extremism. They work with global brands, governments, non-governmental organizations and tech companies to deliver evidence-based solutions and to make the internet a safer place.⁷⁶⁶
- The Canadian Network for Research on Terrorism, Security and Society (TSAS) supports research, and the dissemination of research, related to the threat of terrorism, security responses to terrorism and their impact on Canadian society. The organization has three primary objectives: 1) to foster communication and collaboration between academic researchers in multiple disciplines on these topics 2) to facilitate the interaction and collaboration of researchers and policy officials; and 3) to help cultivate a new and larger generation of scholars interested in these fields of study.⁷⁶⁷

By the numbers: Engagement with far-right ideology and violent conspiracy theories

A study of six major Canadian cities (including Vancouver) explored the impact of social distancing measures on engagement with violent far-right content. Moonshot included an assessment of search traffic from January 2020 to the end of April 2020 and found:

- Weekly searches for violent far-right keywords increased by an average of 18.5% across all six Canadian cities.
- At-risk individuals sought more radical media content during the lockdown. Average weekly searches for violent far-right radio and podcasts increased by 330% and by 324% for video games. Average searches for extremist slogans and symbols decreased by 23% (the study does not include an explanation for this decrease).
- Ottawa experienced the greatest increase in extremist-related search traffic (34.7%) since Ontario's state of emergency was declared at the beginning of the pandemic.
- In Vancouver, searches for violent far-right keywords increased by 0.7%, searches for violent far-right radio and podcasts increased by 456% and searches for violent far-right slogans and symbols decreased by 47%.⁷⁶⁸

A study analyzing 676 million global tweets posted between February and April 2020 to examine the rise in conspiracy theories, hate speech and incitements to violence related to COVID-19 found:

- A 300% increase in the use of hashtags that encourage or incite violence against China and Chinese people.
- A rise in racist and/or conspiratorial hashtags seeking to exploit COVID-19 as a vehicle for antisemitism.
- A rise in the use of hashtags linking COVID-19 to the rollout of 5G technology.
- That Canada ranked fourth-highest in the world for locations where hateful tweets were posted.⁷⁶⁹

In a 2021 survey of Canadians, 6% of Canadians reported experiencing online content inciting violence that targeted them based on their identity. A further 36% of Canadians reported seeing this kind of content targeting other groups. Further, 19% of respondents had experienced some type of online hate, harassment or violence, including sexist and homophobic and racist comments.⁷⁷⁰

A 2021 report by the Institute for Strategic Dialogue (ISD) studied Canadian right-wing extremist communities across Facebook, Twitter, YouTube, Iron March, Fascist Forge, 4Chan and Gab. They identified 6,660 right-wing extremist channels, pages, groups and accounts across those platforms with Twitter having by far the most. ISD's key findings include:

- COVID-19 had a significant impact on right-wing extremist activity in 2020.
- Canadian right-wing extremists appear to be heavily influenced by U.S. activity.
- Right-wing extremist discussion of Canadian politics focused on Justin Trudeau and the New Democratic Party.
- Right-wing extremists in Canada are drivers of disinformation and conspiracy theories.
- A small but concerning number of posts involving hateful and violent mobilization were identified.
- Mobilization by a designated terrorist organization was identified.⁷⁷¹

MISOGYNY IN FAR-RIGHT MOVEMENTS

We heard about widespread misogynist views in extremist far-right movements. For instance, former perpetrator Brad Galloway reported to the Commissioner that misogyny is highly prevalent across different hate-based groups. Referring to women who are former perpetrators of hate, Galloway shared: “Female formers often describe horrible and frequent instances of sexual violence within the movement, and that a highly submissive, ‘traditionalist’ view of women as merely subservient mothers defines most ideologically motivated violent extremism groups’ belief systems.”⁷⁷²

In 2022, 35-year-old British-American Andrew Tate rapidly gained online followers across the globe attracted to his misogynistic videos and life advice. In July 2022, Google searches for Tate exceeded searches for Donald Trump and Kim Kardashian combined.⁷⁷³ Tate, a kickboxer who appeared on the British television show *Big Brother* in 2016, expanded his audience by tapping into social media algorithms’ hunger for controversial, clickable content and an audience of young people—mostly boys and men—willing to promote his views. By August 20, 2022, the *Guardian* reported that content tagged with Tate’s name had garnered more than 12 billion views on TikTok. At its peak, his Instagram account had 4.7 million followers.

Many of Tate’s videos depicted sexist and violent sentiments. According to the U.K.-based charity, Hope Not Hate, Tate used his reach to share extremist views and conspiracy theories. Tate has said women are property, and sexual assault victims should “bear some responsibility” for what happened to them. He has also described a preference for dating teenagers, aged 18–19, so he can “make an imprint” on them. When asked how he would respond to a woman cheating on him, Tate gave a graphic description of physical violence. Hope Not Hate states that Tate has ties to the far-right, has appeared at anti-feminist events, was a vocal supporter of Donald Trump and previously appeared on “Infowars,” the podcast hosted by Alex Jones. By August 2022, TikTok and Meta had both banned Tate from their platforms, and a YouTube channel associated with Tate had also been closed down.⁷⁷⁴ Twitter previously banned Tate in 2017, but his account was reinstated in November 2022 by Elon Musk on “Freedom Friday.”⁷⁷⁵

Further, a representative from Yorktown Family Services reported that over 90% of their clients, young men involved with hate-based movements, display serious misogynist behaviour and that this has increased in recent years.⁷⁷⁶ The Commissioner heard that many men in hate-based movements witnessed gender-based violence as children.

- Yorktown Family Services estimated that about 80% of their clients are survivors of domestic abuse and/or have witnessed domestic violence.⁷⁷⁷ They went on to suggest that these experiences are linked to the serious misogyny presented by young men involved in far-right extremism.⁷⁷⁸
- Former perpetrator Daniel Gallant also suggested that domestic violence and the associated trauma are common among many far-right extremists. He states that witnessing violence against his mother was an important part of his trajectory into violence and extremism.⁷⁷⁹
- In one study of 91 former white supremacists, 66% had four or more adverse childhood experiences, compared with 16% of the U.S. general population sample.⁷⁸⁰ About half (47%) reported that they had witnessed domestic abuse as a child, compared with 17.5% of the U.S. sample.⁷⁸¹

Given this evidence about the role of gender-based violence in the early lives of perpetrators of hate, we might reasonably foresee that the rise in family violence during the pandemic could have long-term implications and could impact the rise of hate in future states of emergency or crisis. The incel movement is discussed in more detail in the “Deeper dive: Gender-based violence” section.



“Somebody asked me once, ‘How did you lose your humanity?’ I didn’t lose it, I replied. I traded it for acceptance and approval, until there was nothing left ...”

—Tony McAleer, former perpetrator of hate

Who gets radicalized and how

It is important to recognize that the types of attitudes that motivate hate are not exclusive to individuals who associate with a hate-based ideology or organization. For instance, a former perpetrator affirmed that most of the hate he sees in public and online is not committed by white supremacists or white nationalists.⁷⁸² The Commissioner also heard from BC Hate Crimes that organized hate groups play a very limited role in the hate incidents that they investigate.⁷⁸³ The RCMP stated that hate incidents are commonly perpetrated by people acting out on latent prejudices and biases.⁷⁸⁴

The role of trauma and mental health in radicalization

There is a wide range of backgrounds among those who are radicalized.⁷⁸⁵ However, there is growing evidence that trauma and mental health issues are highly prevalent among those who are recruited into extremist movements. According to Yorktown Family Services, “over 80% struggle with serious emotional dysregulation and impulsivity,” and over 75% have depression, anxiety and/or ADHD.⁷⁸⁶ Yorktown Family Services estimated that 100% of their clients have a history of trauma, with about 80% being survivors or witnesses to domestic abuse, 80% having experienced racism and/or bullying over a long period of time and over 80% having had disruptive relationships with male caregivers.⁷⁸⁷ Alcohol and substance use are common among extremists.

Adverse childhood experiences are a highly significant predictor of whether someone joins an extremist group. Most members of these groups have experienced several adverse childhood events.⁷⁸⁸ This includes childhood exposure to domestic violence.⁷⁸⁹

We also heard that radicalization occurs over a spectrum. For example, the Estimated Time of Arrival program⁷⁹⁰ categorizes clients as pre-radicalized, seeking radicalization or radicalized to violence. They explained that the shift from seeking radicalization to radicalized to violence is a particularly dangerous shift—from commitment to a hate-based ideology to the belief that violence is the only way to get the message across.⁷⁹¹

The role of the internet in radicalization

We heard that radicalization commonly occurs online. As Dr. Tanner Mirrlees stated: “Each day, far-right propagandists struggle to get other white people to perceive the world in the same way they do, and to join them in their cause. The internet and social media sites in this regard have become key instruments of the far-right.”⁷⁹² The representative from Yorktown Family Services estimated that 90% of their program participants are recruited online through transnational hate networks.⁷⁹³

Tony McAleer, former perpetrator of hate and author of “The Cure for Hate,” shared that recruiting is much easier and much faster with technology and social media. He explained that it is not just the information online that is dangerous, but the connection to online communities of hate is as well.⁷⁹⁴ The Commissioner heard that online radicalization goes beyond sharing content and recruiting young people into extremist movements. It can also include building virtual communities, organizing

in-person protests and rallies, fundraising, event planning, publicizing offline protests and events, and even coordinating violent attacks.⁷⁹⁵ For example, the Commissioner heard that platforms including Facebook, Rumble, Telegram, GoFundMe (until it stopped providing service to the movement) and GiveSendGo were used to organize, promote and fundraise for the more extreme elements involved in the Ottawa occupation.⁷⁹⁶

Youth and radicalization

The Commissioner also heard that the process of online radicalization for children and youth is very similar to the process of grooming for sexual exploitation. Children as young as 11 or 12 get recruited through mainstream social media channels and video games by older people in the movement. They move from these mainstream platforms to more secure and encrypted channels to evade parental supervision. As the child shares more personal information, they are also encouraged to spread hate propaganda, recruit new members and even give money and personal information. They are rewarded for sharing increasingly extreme content and more personal information that makes them easier to control.⁷⁹⁷

“Twenty years ago, it was nearly impossible for ideologically motivated extremists to connect and recruit across borders when their only tools were faxes and phones, and they had no ability to monetize or advertise their content. Today, extremists deploy sophisticated strategies to draw in recruits, and they use private groups and the organizing and fundraising tools provided by the tech companies to great effect.”⁷⁹⁸

The Commissioner heard repeatedly that hate-based ideologies give youth a sense of identity, belonging and power. We heard that children and youth are highly vulnerable to online and offline radicalization, as this is a key time of identity formation and searching for belonging.

- “I was lost in a lot of ways, as a teenager, as many teenagers feel sometimes. And he, this guy, recognized that, and told me about this movement.... There was no prerequisites. It was just you had to be a white person, and yeah, you could come hang out.”⁷⁹⁹
- “Somebody asked me once, ‘How did you lose your humanity?’ ‘I didn’t lose it,’ I replied. I traded it for acceptance and approval, until there was nothing left.... And I think a common misconception is that ideology is the number one driver. Ideology is actually, I believe, secondary. Ideology’s the pill you have to swallow in order to get community, a sense of purpose, a sense of power, acceptance, brotherhood or sisterhood. And it’s not the number one important thing.... And so what I got from being in the movement is I got acceptance when I felt unlovable, I got attention when I felt invisible, and I got power when I felt powerless.... The more hardcore I became, the more people patted me on the back, the more recognition I got.... I chose an ideology, I went from feeling ‘less than’ to an ideology that told me I was ‘greater than.’”⁸⁰⁰



Preventing hate in times of crisis

Given similar increases in hate during other crises and pandemics, increases in hate incidents could have been anticipated during the COVID-19 pandemic, leading to a more proactive and fulsome government response to the rise in hate. Preventing increases in hate in times of crises will require a shift to a human rights-based approach.

In this section, we discuss changes to emergency management planning, the value of public officials speaking out against hate and promoting cohesion through their messaging, the need for sustained funding to community organizations, for mental accessible mental health supports during crises and for anti-hate education in the K–12 system.

Emergency management planning

Emergency management is how a government mitigates risks and prepares for, responds to and recovers from emergencies. An emergency is an event that the government declares to be an emergency because it puts people and property at risk. Declaring an emergency gives government authority to take steps in response, including authority to restrict freedoms and to spend money to respond to the emergency.⁸⁰¹ Emergencies in B.C. can be declared by local governments, First Nations and the provincial government. The B.C. government has adopted the Sendai Framework for Disaster Risk Reduction, established by the United Nations Office for Disaster Risk Reduction in 2015. The COVID-19 pandemic was declared a province-wide emergency by the provincial government.

Emergency Management BC (EMBC) is the province's lead coordinating agency for all emergency management activities, including planning, training, testing and exercising, to help strengthen provincial preparedness. Health Emergency Management BC (HEMBC) is an agency within the Provincial Health Services Authority responsible for coordinating emergency response across the health care system. The HEMBC pandemic management function was replaced by a new division that was created within the Ministry of Health, and vice-presidents responsible for managing pandemic effects were appointed by each health authority.⁸⁰² The Commissioner was surprised to learn that EMBC has no records pertaining to human rights considerations in emergency management planning, including in the COVID-19 pandemic.

A human right-based approach to emergency management

Ensuring human rights are a central consideration in future emergencies or crises is essential, and a human rights-based approach would anticipate increases in hate and take steps to proactively protect individuals and communities from harm.

A human rights-based approach is a conceptual framework that seeks to centre the voices of those marginalized and to make inequalities visible in order to redistribute unjust distributions of power. Key principles include the indivisibility, inalienability and universality of rights; intersectional equality and non-discrimination; meaningful participation, inclusion and empowerment; transparency and accountability and the rule of law.⁸⁰³

A human rights-based approach to emergency or crisis management would acknowledge that the most marginalized people in our society, including Indigenous and racialized people, women, people with disabilities, LGBTQ2SAI+ people, seniors, people experiencing homelessness, mental health issues and addictions, and migrant workers are disproportionately affected in times of crisis and would anticipate and address these disproportionate impacts. It would also recognize that public health measures that restrict the exercise of rights for people, including prisoners and people living in long-term care homes or mental health facilities, must be done in accordance with the law and respect for fundamental human rights.

BCOHRC conducted cross-jurisdictional research into human rights-based approaches to emergency management planning. Over the last 50 years, some disaster and emergency planning approaches have moved away from their roots in civil defence⁸⁰⁴ towards a more decentralized, multidisciplinary and multijurisdictional approach using a human rights-based framework.⁸⁰⁵

A human rights-based approach acknowledges that while emergencies and disasters, whether natural or human caused, are indiscriminate as to who is affected, the impact of them is not. In a human rights-based approach, marginalized and vulnerable people, including recipients of aid, are involved in all stages of emergency planning in an active, voluntary and meaningful way. Their needs are addressed as basic human rights, and programs and policies are aimed to build their capacity.⁸⁰⁶

For example, post Hurricane Katrina, the U.S. Federal Emergency Management Agency uses a “whole community” approach to emergency management. Whole community is a means by which residents, emergency management practitioners, organizational and community leaders, and government officials can collectively understand and assess the needs of their communities and determine the best ways to organize and strengthen their assets, capacities and interests. By doing so, a more effective path to societal security and resilience is built. Whole community is meant to increase individual preparedness and engage with members of the community as vital partners in enhancing resiliency and security.

The Ontario Human Rights Commissioner issued a policy statement on a human rights-based approach to managing the COVID-19 pandemic. The policy statement outlined the following principles:

- Approach preventing and treating COVID-19 as a human rights obligation
- Respect the rights of First Nations, Métis and Inuit (Indigenous) people
- Set strict limits on measures that infringe rights
- Protect vulnerable groups
- Respond to racism, ageism, ableism and other forms of discrimination
- Strengthen human rights accountability and oversight⁸⁰⁷



Regarding responding to racism, ageism, ableism and other forms of discrimination, the policy statement specifies:

- Ensure that steps taken in response to COVID-19 are based on evidence, and deliberately challenge, reject and dispel stereotypes
- Anticipate and take into account the potential for certain communities to experience increased racism, ageism and ableism as a result of the government's response to the COVID-19 pandemic
- In collaboration and cooperation with vulnerable groups, take all necessary steps to proactively protect individuals and communities from hate, racism, ageism, ableism and discrimination propagated by private individuals
- Monitor and report on any trends in hate and discrimination related to the COVID-19 pandemic, and pursue appropriate sanctions, including criminal prosecution where appropriate⁸⁰⁸

One of the priorities in the November 2020 mandate letter to the Minister of Public Safety and Solicitor General was to work closely with the Parliamentary Secretary for Emergency Preparedness and communities to identify gaps in existing emergency response procedures and resources, with the goal of updating and future-proofing our province-wide ability to respond to crises, including pandemics. Although this work was incomplete, this priority was not included in the December 2022 mandate letter for the new Minister of Emergency Management and Climate Readiness.

The new minister's priorities include completing "work to co-develop and introduce modernized emergency management legislation that aligns with our government's commitments to the Sendai Framework for Disaster Risk Reduction, to strengthen our ability to protect people and communities from disasters and emergencies" and establishing "Indigenous Peoples as true partners and leaders in emergency management by including First Nations from the beginning and at all levels of planning, decision-making and implementation."⁸⁰⁹

The Commissioner believes that updating existing emergency response procedures must incorporate a human rights-based approach, must include Indigenous Peoples and other communities that are disproportionately impacted by crises and, specifically, must address the anticipated rise of hate during times of crisis.

The Commissioner also heard and agrees that public officials have a key role to play in both unequivocally denouncing hate when it occurs and in promoting cohesion through their messaging during emergencies. We heard positive comments about messaging from the Provincial Health Officer. Dr. Henry described how fear, uncertainty and the long and unfixed time frame of a pandemic can lead to blame and hate of groups associated with the disease. She explained that she sees public health playing a role in countering this fear and helping people focus on narratives of kindness and compassion to navigate the uncertainty of the pandemic. The Retail Council of Canada told the Commissioner they appreciated the Provincial Health Officer's messaging to "be kind" as it was a helpful model for retail settings.⁸¹⁰

Government's emergency response to increases in hate

We heard that one of the most positive contributions different levels of governments made during the pandemic was to provide additional funding to community organizations that work to combat racism, hate and gender-based violence. For example:

- The Burnaby Together Coalition received additional funding from the City of Burnaby to do an environmental scan and gap analysis on supports available for community members who have experienced racism and discrimination⁸¹¹
- The anti-violence sector received increased federal funding during the pandemic that was described as critically important⁸¹²

In response to growing public concern about hate incidents, the provincial government allocated one-time contingency funding of \$1.9 million in the fall of 2020 as part of the Pandemic Response and Economic Recovery Plan with the explanation that “the Province is investing an additional \$1.9M in anti-racism in 2020/21 to respond to stakeholder calls to action.”⁸¹³ This included funding to:

- The Resilience BC Anti-Racism Network
 - While Resilience BC was a restructure of the government's anti-hate funding structure just prior to the pandemic, the network received an additional \$600,000 in one-time funding as part of the Pandemic Response and Economic Recovery Plan to expand the number of communities served and introduce additional programming on top of Resilience BC's existing programming delivering services to 40 geographic communities
- Multiculturalism grants program and their public education campaign for the public service and Crown agencies
- Funds for a public-facing anti-racism training initiative to be developed by the Ending Violence Association of BC

While this temporary expansion in funding was well received, community organizations working in this space spoke about the need for changes to government funding processes to allow for expanded, sustained and multi-year funding that enables them to shift in times of crisis. In addition, while the Commissioner commends the government's support of these initiatives during the pandemic, one-time funding is not nearly sufficient to prevent or respond to the increase in hate that we have seen during the pandemic or address the inadequate funding for Resilience BC.

Significantly, Shift, a provincially funded program that supports de-radicalization of far-right extremists, did not receive any additional funding over the pandemic.⁸¹⁴

Mental health supports during emergencies

Despite the mounting evidence of increases in stress, anxiety and fear during the pandemic, the Commissioner heard that most people experiencing mental health challenges are not accessing mental health services and supports.

- According to cross-sectional survey data collected between October 2020 and January 2022, fewer than one in five respondents with current mental health symptoms reported accessing mental health services in the month prior.⁸¹⁵
- The issue of low rates of access to mental health supports precedes the pandemic. For instance, a 2018 survey conducted by Statistics Canada found that, among Canadians 12 and older who reported that they had needed mental health or substance use support in the previous year, half said their need for mental health or substance use support was not met, either because they did not receive care (21%) or because they received some care but this care was not sufficient (22%).⁸¹⁶
- Many people experience barriers to accessing mental health services, including not knowing how or where to get help, not being able to afford care, services not being available and running into long waitlists.⁸¹⁷ In response to a poll conducted in fall 2020 by Nanos for the Canadian Psychological Association and Council of Professional Associations of Psychologists, 78% of respondents said the cost of psychological services is a barrier and 68% said wait times for services are a barrier.⁸¹⁸

In many cases, populations that may have experienced the greatest negative mental health impacts during the pandemic may also experience additional barriers to accessing mental health supports. For instance, the Commissioner heard that because mental health supports such as psychotherapy are difficult to access unless covered by an employer's health plan, there are socio-economic and racial disparities in who has access to therapy and who does not.⁸¹⁹ The Commissioner heard that "historically, mental health services are less accessed by racialized communities"⁸²⁰ and that there is a significant unmet need for responsive, culturally appropriate counselling available in different languages and for people with different demographics and lived experiences.⁸²¹

The Commissioner also heard that in response to physical distancing measures, there has been major growth in virtual mental health services. While these services offer many benefits, they do not fully or equitably address the need for mental health supports.⁸²² For instance, virtual mental health services are difficult to access for people living in rural or remote communities with poor internet access⁸²³ or for the one in five people with disabilities in Canada who do not have internet access.⁸²⁴ The Commissioner believes that accessible mental health supports should be a necessary component of future emergency responses.

Education initiatives

Education plays an important role in preventing and combatting hate. As we learn more about the roots of hate and how hate spreads, we can also understand more about how to identify, combat and prevent it. This section summarizes what we've learned from the Inquiry about such educational efforts. It includes examples of educational initiatives responding to the rise of hate during the pandemic, the need for additional educational efforts to prevent or combat hate now and during future times of crises in B.C.

Education aimed at identifying, preventing and combatting hate is part of the broader field of human rights education. Education about human rights—itself a human right—contributes to “combatting and eradication of all forms of discrimination, racism, stereotyping and incitement to hatred, and the harmful attitudes and prejudices that underlie them.”⁸²⁵ Within this broader context of human rights education, the United Nations also recommends more specific education interventions combatting hate, such as the recommendation that member states “develop specific and evidenced-based educational interventions that explicitly address hate speech at all levels of education, from early childhood to tertiary levels, in formal and non-formal settings, including through lifelong learning.”⁸²⁶

During the Inquiry, the Commissioner heard about the importance of educational initiatives in tackling hate. We heard about the need for more educational resources in the K–12 curriculum, public awareness and educational resources and institutional and professional training.

Resources developed with community input

The Commissioner heard about the importance of educational resources and initiatives being developed with and by communities that are impacted by racism and hate. For example:

- The BC Association of Aboriginal Friendship Centres shared: “We need education that’s stewarded by Indigenous academics and educators and cultural practitioners. We can’t have people writing curriculum about Canada without Indigenous people being right there at the table co-developing that.”⁸²⁷
- The Vancouver Holocaust Education Centre talked about the “transformative” effect on teachers and students of their Holocaust symposium where survivors of the Holocaust talk about their experiences.⁸²⁸ They called for a multi-stakeholder approach in developing programming addressing hate, which should include students, teachers and school administrations.⁸²⁹
- Rise Women’s Legal Centre told the Commissioner that “training and education should be provided by individuals and groups who have direct experience in working with women and gender-diverse people experiencing violence and should consider how to proactively prevent violent incidents as opposed to always responding.”⁸³⁰

The Commissioner heard that educational initiatives were increasingly accessed or developed by community organizations in response to increases in hate during the pandemic. The Vancouver Holocaust Education Centre noted:

“With the rise of antisemitism, racism and xenophobia during the pandemic, more teachers than ever are turning to us for programs and resources that promote social responsibility, critical thinking, historical thinking and empathy. These are big ideas in the B.C. curriculum and skills that are essential to our collective ability to resist disinformation, which as we have seen can pose a real threat to diverse societies and democratic norms.”⁸³¹

Anti-hate education for public institutions

The Commissioner heard about the need for our public institutions to receive and provide training to combat racism and hate. For example:

- The Support Network for Indigenous Women and Women of Colour emphasized the need for this training for health care providers and in policing agencies in particular and suggested it should be mandatory for promotions to leadership.
- Klautt Law also expressed concern about the lack of education on hate and expressed the belief that “the key is more education for police, for prosecutors, for community advocates, and public education at large.”⁸³²
- Rise Women’s Legal Centre emphasized the need for more education and training resources on gender-based violence and family violence for officials of the criminal justice system, including police, social workers, lawyers and judges.⁸³³ Rise particularly suggested the need for “increased education and training about gender-based violence for the Ministry of Children and Family Development.”⁸³⁴



K–12 education

The Commissioner asked the Ministry of Education and Child Care to clarify how the concepts of hate and hate incidents are captured in the current K–12 curriculum and how digital literacy around online hate is captured. The curriculum model is made up of three elements: Content is what students are expected to know, Curricular Competencies are what students are expected to do, and Big Ideas are what students are expected to understand. The Ministry of Education and Child Care reviewed the K–12 curriculum for how “hate,” “online hate” and “digital literacy” learning opportunities are organized across grades and areas of learning.

The results suggest the K–12 curriculum does not include specific education on hate and hate incidents or on digital literacy related to online hate. While the Ministry of Education and Child Care explained that the lack of direct references can be explained in large part by the ministry’s strength-based approach to curriculum design that focuses on acceptance of difference and diversity and respect for all, the absence of explicit direction for teachers—and the absence of supporting materials to assist teachers to talk about these difficult issues—is concerning.

Frontline workers

As documented in this report, frontline workers experienced an extraordinary amount of hate during the pandemic. It is in this context that the Commissioner also notes a concerning lack of anti-hate education for frontline workers in settings ranging from health care to transit to the service and hospitality industries.⁸³⁵

In line with best practices for human rights education in any setting, the Commissioner heard about additional criteria for educational materials combatting hate, including practices that:

- Promote critical reflection of one’s beliefs and values, including immersive anti-racism and implicit bias training.⁸³⁶
- Address the special context of times of crisis or emergency. For example, the Vancouver Holocaust Education Centre shared that the training they deliver on the Holocaust could be a useful framework for anti-hate training in general because it speaks to “the escalation of persecution... human behaviour in times of moral crisis, and the consequences of various possibilities of action and inaction.”
- Can be used in different contexts and tailored to participants with diverse backgrounds and identities. For example, the BC Teachers’ Federation recommended that “the Commissioner support the development of toolkits.”⁸³⁷ They suggested the toolkits developed by Professor Kawser Ahmed at the University of Winnipeg and the toolkit developed by the Toronto Metropolitan University as useful examples of anti-hate toolkits.
- Address the needs of online audiences. For example, we heard about the need for digital literacy programs to equip those participating in virtual spaces to recognize and respond to false and misleading online information, such as evaluating sources.⁸³⁸
- Are participatory, effective and innovative.

BCOHRC staff conducted research to identify further examples of educational initiatives combatting hate outside B.C. See Appendix G.

Restorative approaches to hate as a preventative measure

This section of the report explores Indigenous legal responses to hate and the application of restorative justice processes both to prevent and respond to hate crimes and hate incidents.

Restorative justice is “an approach to justice that seeks to repair harm by providing an opportunity for those harmed and those who take responsibility for the harm to communicate about and address their needs in the aftermath of a crime.”⁸³⁹ Restorative justice views crime and harms as violations of people, relationships and communities rather than wrongs against the state.

The concepts that underlie restorative justice processes have roots in the legal systems of many Indigenous Peoples around the world, including the Indigenous Peoples of the lands we now know as Canada.⁸⁴⁰ Restorative justice values are also consistent with the beliefs and practices of many faith communities and cultural groups.⁸⁴¹

It is important to note that although there are similarities, the restorative justice processes developed and used in Canada are distinct from Indigenous and customary justice systems.⁸⁴²

Indigenous legal responses to interpersonal harm

“Indigenous law and legal processes can greatly influence both the manner in which we conceptualize our obligations to each other and our legal responses to incidents of hate. These legal standards and responses are of relevance not only to Indigenous peoples, but to all Canadians. They have the ability to reshape our approach to such incidents and have the potential to create transformative healing for all those involved.”

—Dr. Sarah Morales

Although there is growing awareness of the impacts of colonization on Indigenous Peoples, government efforts to address racism, hate and misogyny are generally rooted in colonial laws and processes without considering appropriate responses rooted in Indigenous laws and legal orders.

In furtherance of BCOHRC’s commitment to decolonization, the Commissioner retained Dr. Sarah Morales to prepare a research report drawing on Coast Salish legal tradition focusing on the laws of the Island Hul’qumi’num people to answer the questions:

- What are our obligations to one another?
- What are appropriate responses when harm occurs? Who should be involved in these processes?
- How can Indigenous laws and legal orders help to inform current human rights processes?

This section of the report summarizes Dr. Morales’ research⁸⁴³ and explores how the Indigenous legal traditions examined could inform restorative approaches to both prevent and respond to hate incidents.

“Indigenous legal responses to hate incidents: A Coast Salish case study” by Dr. Sarah Morales

Within the Island Hul’qumi’num legal tradition, notions of laws and legal processes are often expressed through conversations about *snuw’uyulh*. *Snuw’uyulh* encompasses seven guiding principles that touch on all aspects of life, translating to “the teachings,” or “our way of life” or “our way of being on Mother Earth” in Hul’qumi’num.

These teachings are the following: 1) *Sts’lhnuts’amat* (“Kinship/Family”), 2) *Si’emstuhw* (“Respect”), 3) *Thu’it* (“Trust”), 4) *Hw’uywulh* (“Sharing/Support”), 5) *Nu st’i ch* (“Love”), 6) *Mel’qt* (“Forgiveness”) and 7) *Sh-tiiwun* (“Responsibility”).⁸⁴⁴

The principles of *snuw’uyulh* provide Island Hul’qumi’num people with a legal framework for thinking, planning and decision-making that helps to regulate relationships and resolve disputes. In the context of hate incidents, these teachings inform the interpersonal legal obligations owed to one another and can provide insight into the proper legal responses to such incidents. This report looks to multiple stories and oral traditions of the Island Hul’qumi’num people that illustrate responses to harm and discusses how the guiding principles of *snuw’uyulh* inform the interpersonal legal obligations and legal processes involved in an appropriate response.

“... respect for others and their differences and for the power of love. The teachings [snuw’uyulh] show that we are all different, but the power of love and commitment transcends all differences.”

—Ellen White, late Snuneymuxw First Nation Elder, author and academic

INTERPERSONAL LEGAL OBLIGATIONS IN THE ISLAND HUL’QUMI’NUM LEGAL TRADITION

Due to the importance of the principle of kinship, or relationality, within the Island Hul’qumi’num legal tradition, Island Hul’qumi’num people owe obligations not only to their kin, including family and community, but also to non-kin, including strangers and non-community members. Certain individuals are also owed special obligations—namely, those who are more vulnerable, including children, Elders and those with disabilities. For example, when talking about the special category of individuals to whom interpersonal legal obligations are owed, Dr. Morales says: “Obligations owed to those who are more at risk of either physical or spiritual harm, or for whom the physical or spiritual harm is greater are viewed with the utmost importance.”

The importance of caring for these individuals is illustrated in the severity of the consequence or response to the breach illustrated in oral traditions. Dr. Morales explains that children are viewed as the most important segment of society, more susceptible to physical or spiritual harm, and also the future of the community. “As such, they are to be shielded from harm whenever possible. Coast Salish oral traditions have many examples of serious harms that can befall an individual who harms a child.”

The importance of relationality is both a preventative factor and a response to interpersonal harm. Children are raised with these values, which form a protective mechanism against hate. Dr. Morales notes:

“Children were trained from an early age in the qualities that led to continuity and flexibility within communities. They learned to respect their elders and teachers, to refrain from boastfulness, and to value qualities of self-discipline, self-control, generosity, peaceful attitude and hospitality.”

In terms of the nature of these interpersonal obligations, four teachings, or legal principles, of significance in the context of hate incidents can be identified from the Island Hul’qumi’num stories and oral histories examined. These include:

1. Respect differences

The principle of respect gives rise to positive legal obligations not only to kin but to non-kin as well. Dr. Morales describes this obligation as the notion that respect is shown by honouring differences and treating individuals in the way that we would treat our closest kin.

Within the Island Hul’qumi’num legal tradition, it is understood that failing to respect others’ differences can result in severe emotional harm or harm to the dignity of others, resulting in severe and long-lasting consequences for breaching such obligations.

2. Show love

The principle of love teaches individuals to approach situations seeking to understand how others may be suffering or otherwise vulnerable. Dr. Morales explains that this principle teaches us to look past differences and to treat people in a respectful manner.

3. Support one another

The Hul’qumi’num phrase *“Uy’ye’thut ch ‘u’suw ts’its’uwatul’ch”* translates loosely to “treat each other well and you will help each other.” In accordance with the principles of trust and responsibility, individuals in positions of power and privilege, or who have special knowledge, skills or expertise have greater obligations to offer support to those around them because they are particularly well-situated to use their skills or positions of power/authority to respond to harm in ways that help or benefit others. Dr. Morales notes that in the context of hate, the obligation to utilize special knowledge, skills, authority or expertise to help others may mean that certain people have a duty to intervene to prevent further hateful behaviour.

4. Be truthful and expose harms

Individuals have a positive obligation to be truthful and expose harms, in line with the principles of responsibility and trust. Those who witness harm, even if they are not directly involved in causing the harm, owe this obligation because individuals are entitled to rely on the knowledge that they will be supported and cared for by others in accordance with *snuw’uyulh*.



“There were always stories of very large snakes—large and invisible to most of us. This lady was picking berries in the mountains, and she came across a very large snake. It was all coiled up with its head up, watching her. She ran over and embraced the snake. (I think I would be too frightened to do something like that.) She woke up and she wasn’t at the place where the snake was coiled up. But for the rest of her life, her gift was making beautiful baskets. That was her gift.”

—Wes Modeste

In the above narrative, we see the principle of love in action. The lady, rather than act on perhaps her first instinct of fear of difference, chose instead to show love to the snake. As a result, she was gifted with the ability to make beautiful baskets—a constant reminder of the benefit of showing love to others.

ISLAND HUL’QUMI’NUM RESPONSES TO HARM

Within the Island Hul’qumi’num legal tradition, it is not just those who cause harm and those who are harmed who are involved in the legal process of determining an appropriate response. When interpersonal harm occurs, the family of the offender(s) play an important role in the restitution process. This is so because, as the stories and oral histories show, the offender(s) breach of their obligations also causes harm to, and thereby implicates, their entire family. Leaders, including heads of families, Chiefs and Elders, also play an important role in the process of resolving interpersonal disputes because they are often in the best position to instruct and counsel community members and have a better understanding of what is best for the future of the community. Finally, community members may also play a part in the restitution process. If the harm is one that affects the entire community, everyone has a voice in the decision-making process. Even if the harm only directly affects one individual, community members may be called to witness the restitution process and hold the offender(s) to account.

From the Island Hul'qumi'num stories and oral histories examined, five important steps can be identified within the Island Hul'qumi'num legal tradition for responding to interpersonal harms:

1. Identify family(ies)

Families of the offender(s) must be identified so they can have input in determining an appropriate remedy for the harm caused.

2. Ask for help

All individuals who might have something to contribute to the restitution process must be invited to participate. Within the Island Hul'qumi'num legal tradition, this often entails hiring speakers, individuals who are trained from a young age in the Hul'qumi'num language and in the history of the community, who are respected for their judgement and are trusted to speak on behalf of the families they represent. The hiring of speakers allows all parties to both hear and reflect upon the other parties' positions, fostering an environment of trust and mutual respect within the restitution process.

3. Collective deliberation to determine the best response to harm, or the families involved agree on a third-party decision-maker

Depending on the nature of the harm, decision-making can occur either through a consensus-based process or by a third-party decision-maker. Where it is not possible to come to a resolution through a consensus-based process, parties may agree to call upon Si'em—highly respected individual(s)—to make a binding decision.⁸⁴⁵

4. Restitution made by the family of the wrongdoer

Depending on the type of harm suffered, families of the offender(s) are responsible for providing appropriate restitution to those who have been harmed. Within the Island Hul'qumi'num legal tradition, this may involve the gifting of something symbolic such as a blanket, or it may mean providing necessities, such as food.

5. Re-integration or rehabilitation of the wrongdoer back into community

To restore balance to the community, the wrongdoer must be reintegrated or rehabilitated into the community. Within the Island Hul'qumi'num legal tradition, this is often accomplished by involving the offender(s) in the “work”—cultural customary practices—their family has. This serves not only to restore the relationships of the offender(s) with their families, but it also serves to immerse them in instruction on what it means to “live a good life” or to live according to the teachings of *snuw'uyulh*.

Dr. Morales notes that as the oral traditions illustrate, it is not only those harmed that require attention when a breach of obligations has occurred, but often those who cause the breach require help as well: “In focusing attention on both the individuals and families, the legal tradition seeks to strengthen relationality between the parties and within the community itself. This is in keeping with the understanding that interpersonal harms have the potential to affect the entire communities and groups of people. As such, in order to heal the community, all parties involved must also be healed.”

Cowichan Elder Wes Modeste shared this story, which exemplifies the lesson:

“In the late ’70s or ’80s there was an Indian dance in Nanaimo, and a couple of Cowichan boys went outside of the longhouse to have a smoke or something. On their way back in, some of the members of the Nanaimo community beat them up. I’m not sure exactly how things evolved after they were beat up. I guess maybe they went inside, with bloodied faces, or maybe they just left the longhouse.

Not long after, the families from Nanaimo came down to Cowichan for another Indian dance—the whole family. They hired a speaker and they called witnesses—many, many witnesses.

And they called forward that young fellow that got beat up—they publicly called him forward. And they publicly apologized to that young fellow for the conduct of their children for beating him up like they did in Nanaimo. That is a public form of apology.

And the family put a blanket in his hand and money. The parents of the boys who beat him up put money in his hand and the rest of the family followed (and it is a very large family). He had a lot, a lot of money in his hand.

I’m not sure if both of the young men who got beat up were present that night. There’s only one that I remember. But how things unfolded after that, after all the money was given, the speaker got up and concluded the work. But after the speaker said that, witness after witness came up to respond. They said: ‘We will do the honourable things to restore your honour.’ And they scolded the young people who had beat up the boys from Cowichan. They said: ‘See all your family here? They are all here because of your wrongdoing. You see all your family members following with money? You are now responsible to repay it. So anytime any of your family has work, you bring money to help.’

And with a large family like that, I suspect it took him quite a while to repay.”

INCORPORATING INDIGENOUS LAWS AND LEGAL ORDERS INTO EXISTING LEGAL FRAMEWORKS

Dr. Morales concludes that the legal standards described have the potential to reshape/transform our current approach to hate incidents. She also concludes that what is required to remedy harm in each incident is unique and specific to the individuals involved. As a result, it would not be appropriate to prescribe a single process. Rather, processes could be developed in each case based on legal principles.

From a Hul'qumi'num legal perspective, the following five teachings are relevant to determining an appropriate response to a breach of an interpersonal obligation:

1. *Sts'lhnuts'amat*: Who is involved?

The principle of kinship guides the determination of who is involved in the restitution process. Those in relationship with the parties involved may have responsibilities to honour in remedying the harm.

2. *Sh'tiiwun*: Roles and responsibilities of those involved

Certain individuals have responsibilities to respond when harm occurs. In particular, leaders—those with power or authority in specific contexts—owe positive obligations to ensure that all parties involved feel loved, respected and forgiven during the restitution process.

3. *Si'emstuhw*: What does the process look like?

The principle of respect guides the choice of process to remedy the harm. Depending on the circumstances, it may be important to have a public or private process or to have others speak on behalf of the individual(s) involved.

4. *Mel'qt*: Fostering forgiveness

The restitution process must be aimed at fostering forgiveness for all parties involved.

5. *Nu st'l' ch*: Fostering love

The restitution process must foster love, caring not only for those who are harmed but also for those who caused the harm.

For example, Dr. Morales examines how these principles could have been applied to the targeting of multiple schools in the Cowichan Valley with racist graffiti in May and June of 2021. She asks: “What is the role of teachers, principals and school boards in remedying harms when these incidents occur? Is their obligation simply to remove the graffiti and try to find the individuals responsible? Or are there other steps required to prevent further harm from occurring?”

What is restorative justice?

“Restorative justice responses to harm thus differ notably from the criminal legal system approach. Whereas the latter focuses on the question of legal guilt, restorative justice processes centre the needs of the harmed party. Whereas the criminal legal system focuses on the laws that were broken and the legally proscribed penalty, restorative justice asks: What is the nature of the harm that occurred? How can it be repaired? And who is responsible for this repair work?”⁸⁴⁶

Similar to Hul’qumi’num processes described above, restorative justice views crime and other forms of harm as being violations of people and relationships—relationships between the responsible party and their family, friends and the people and community they have harmed. Restorative processes aim to centre the needs of the people and community who experienced harm and to facilitate direct interaction between them.⁸⁴⁷

Restorative justice is best understood as a philosophy, or a set of principles, rather than a defined process.⁸⁴⁸ In their article “Fundamental Concepts in Restorative Justice,” Howard Zehr and Henry Mika outline the following fundamental concepts of restorative justice:⁸⁴⁹

1. Crime is fundamentally a violation of people and interpersonal relationships

- Victim-survivors and community have been harmed and are in need of restoration.
- Victim-survivors, offenders and the affected communities are the key stakeholders in justice. The state or government is not a primary victim. If the state is involved in the process, their role may include actions like investigating facts, facilitating processes and ensuring safety.

2. Violations create obligations and liabilities

- Offenders’ obligations are to make things right as much as possible.
- The community’s obligations are to victim-survivors, the general welfare of its members and to offenders. For example, the community has the responsibility to support efforts to integrate offenders into the community and to be involved in defining offender obligations.

3. Restorative justice seeks to heal and put right the wrongs

- The needs of victim-survivors for information, validation, vindication, restitution, testimony, safety and support are the starting points for justice.
- The process of justice maximizes opportunities for exchange of information, participation, dialogue and mutual consent between victim-survivors and offender.
- Offenders’ needs and competencies are addressed.
- The justice process belongs in the community.
- Justice is mindful of the outcomes, intended and unintended, of its responses to crime and victimization.

Restorative justice processes in Canada

In addition to the long history of restorative approaches in Indigenous law, restorative justice processes have been used in Canada for over 40 years⁸⁵⁰ under the provisions in the *Criminal Code*, the *Youth Criminal Justice Act*, the *Canadian Victims Bill of Rights*, the *Corrections and Conditional Release Act*, and by federal, provincial and territorial government policies.

Restorative justice is supported in legislation and federal, provincial and territorial government programs and policies.⁸⁵¹ For example:

- Section 717 of the *Criminal Code* provides for alternative measures (often referred to as “diversion”) which may be used where the offender accepts responsibility for the crime(s) committed and it is in the interest of the victim, society and offender to do so. These alternative measures are usually conducted outside the formal court process.⁸⁵²
- Section 718 of the *Criminal Code* describes the purpose of sentencing as including a restorative approach that aims to rehabilitate offenders, provide reparations for harm done to victims or to the community, promote a sense of responsibility in offenders and acknowledgment of the harm done to victims or to the community.
- The *Youth Criminal Justice Act* also utilizes a restorative justice approach as expressed in section 3, which stipulates that actions taken against young offenders should encourage the repair of harms done to victims and the community and that victims should be given the opportunity to participate in the proceedings and be heard. Section 4 also encourages the use of extrajudicial measures that encourage young people to acknowledge and repair the harm caused to the victim and the community.
- Section 6(b) of the *Canadian Victims Bill of Rights* provides that victims, on request, have a right to information about “the services and programs available to them as a victim, including restorative justice programs.”
- Section 26.1(1) of the *Corrections and Conditional Release Act* enables victims to request information about restorative justice programs and victim-offender mediation services and for the provision of these services by the Correctional Service of Canada.

In November 2018, the Federal-Provincial-Territorial Ministers Responsible for Justice and Public Safety released a report targeting an increase in the use of restorative justice by at least 5% over the next three years. Following this, and to measure the progress achieved in meeting this target, the Research Subcommittee of the Federal-Provincial-Territorial Working Group on Restorative Justice conducted a survey on the use of restorative justice processes in the criminal justice system during the 2017–2018 fiscal year. The survey produced baseline data which revealed that 18 ministries reported supporting 240 programs and 242 agencies delivering restorative justice services in Canada, which resulted in about 22,576 referrals.⁸⁵³ In the B.C. context, further secondary research revealed that the B.C. government funds about 65 community-based restorative justice programs.⁸⁵⁴

While not explicitly called “restorative justice,” the BC Human Rights Tribunal does offer mediation to parties to human rights complaints, including parties to hate-related complaints, if the parties decide they would like to try to resolve the complaint this way. During BC Human Rights Tribunal mediations, participants can expect that the mediator will help the parties to share their experience, identify what is important to them, understand what is important to the other party, explore options, put any agreement into words and give them time to get independent legal advice.⁸⁵⁵ The Tribunal is committed to a trauma-informed approach to mediation and requires parties to act consistently with an approach that does no harm and is safe and respectful for everyone.⁸⁵⁶

The Community Legal Assistance Society shared that the BC Human Rights Tribunal has an excellent record of supporting and assisting parties to reach a resolution on human rights complaints outside of formal adjudicative settings. It noted that the Tribunal has, more recently, been working to incorporate Indigenous approaches into their work, including healing circles and other restorative justice practices.⁸⁵⁷ They also noted that the Tribunal needs more funding to adequately address hate incidents.

In response to recommendations made by Ardith Walpetko We’dalx Walkem, KC⁸⁵⁸ (now Justice Walkem), the Tribunal has implemented a number of initiatives to ensure that its processes are safe and accessible for Indigenous Peoples. In relation to mediation, an Indigenous party can tell the Tribunal that they want:

- A traditional ceremony before or after the mediation, such as a smudge, prayer or song
- An Indigenous mediator
- An Indigenous dispute resolution approach⁸⁵⁹



The Department of Justice established the following principles and guidelines for restorative justice practice in criminal matters in Canada:

- **Reparation:** Focus on acknowledging and repairing the physical, emotional and financial harm caused by crime and meeting the needs of those affected.
- **Respect:** Treat all participants with dignity, compassion and equal consideration.
- **Voluntariness:** Ensure the participation of victim-survivors, offenders and community members is voluntary and based on free, informed and ongoing consent.
- **Inclusion:** Foster and support the meaningful participation of those affected, including victim-survivors, offenders, their friends, their families and their communities.
- **Empowerment:** Enable participants to communicate openly and honestly and to have an active role in determining how to address their needs, as they see them.
- **Safety:** Attend to the physical, emotional, cultural and spiritual safety and well-being of all participants. Participation in restorative justice should not result in further harm to any participant.
- **Accountability:** Assist those who have caused harm to acknowledge and take responsibility for harm and reparation.
- **Transformation:** Provide opportunities for understanding, healing and change, and contribute to the restoration and reintegration of victim-survivors and offenders.⁸⁶⁰

In the context of the Canadian criminal justice system, restorative justice can take a myriad of forms.

- **Mediations:** Use trained mediators to bring victim-survivors and offenders together in order to discuss the crime, its impact and any agreement to address it.
- **Conferencing:** Where the victim, the offender, their supporters and community members work toward reparation, facilitated by an independent third party. The community has an enhanced role in conferencing, which is like mediation but with a wider range of participants.
- **Circles:** Bring together members of the community to discuss the offence, its underlying causes and its impacts and to identify a path forward. Often used after a conviction in sentencing.
- **Panels:** Victim-offender panels bring together victim-survivors with offenders who have committed a similar crime to that which they have experienced to speak about the impact of their experiences. These are often referred to as “surrogate restorative justice.”

There are typically four main phases in restorative justice processes: initial contact, preparation, dialogue and follow-up.⁸⁶¹ Mark Austin Walters, Professor of Criminal Law and Criminology, highlights additional principles for restorative justice practitioners that are relevant in the resolution process.⁸⁶²

These include sharing information on what to expect with victim-survivors and offenders, meeting with the parties separately to determine the scope of the conflict, actively listening to the victim-survivor's story and involving them in the decision-making process, not pressuring offenders to issue apologies or take steps towards reparation, involving relevant social support organizations in the restorative justice conference, checking in with the victim-survivors and providing further support after the conclusion of the restorative justice process, amongst other principles.⁸⁶³

Restorative approaches to hate as prevention and response

While restorative processes are often used in response to crimes, they can also be used to prevent harm from occurring. Restorative processes can be used in situations where there are growing tensions between individuals or groups and they have been used in schools, places of employment, communities and more.

“Preventative interventions in these contexts might take the form of circles, where community members gather to share their experiences with one another in hopes that greater appreciation for cultural differences might emerge. In this way, ongoing tensions might be reduced through the types of open and respectful communication that is the hallmark of effective restorative justice.”⁸⁶⁴

The Commissioner heard about programs that support people at risk of radicalization. The Commissioner believes that these programs are an essential restorative approach to both prevent and respond to hate because they work with perpetrators and those at risk of radicalization to support them to disengage from hateful ideologies and groups. These programs are discussed in more detail below.

With respect to restorative justice as a response to crime, referrals can occur at different times during the criminal justice process, from before a charge is laid (referral by police) to post-charge (referral by Crown), pre-sentence (referral by courts), post-sentence (referral by corrections) or after a person is released (referral by parole).⁸⁶⁵ The most common referral source for restorative justice in B.C. is by police at the pre-charge level.

For example, Restorative Justice Victoria utilized a restorative process in a case involving a teenager responsible for painting antisemitic graffiti (“kill Jews,” “gas Jews”) on the Jewish Community Centre in Victoria. In this case, the complete process took about five months. It took three months to prepare the youth for a meeting with three members of the Jewish community. In that time, the youth needed to figure out what had motivated her action and to understand the harm it caused. Following the meeting, the youth issued an apology, took responsibility for her actions

and expressed confidence in her ability to “recognize and call out hate.”⁸⁶⁶ Nico Slobinsky, director of the Centre for Israel and Jewish Affairs, who participated in the process, said:

“We as a community applaud this young woman for coming forward, for recognizing the effect this had on the community.... It was a very difficult situation, but she made a genuine effort to make meaningful amends.”⁸⁶⁷

Rabbi Kaplan commented:

“Our response to such an event is just to double our efforts to spread more light, and also bring more awareness, and goodness, and kindness to this world.... We know that the best way to fight darkness is with additional light.”

Post-conviction restorative processes can be part of sentencing. For example, some jurisdictions have developed community sentencing circles that can consider alternative sentences that may include service in the impacted community.

During the Inquiry, the Commissioner heard about restorative justice approaches to hate and their importance in addressing hate in the province. We heard about these processes in the human rights and criminal law contexts, as well as more generally.

We heard from the Community Legal Assistance Society that their clients have expressed some level of dissatisfaction with the adversarial process.⁸⁶⁸ The Community Legal Assistance Society pointed out that this dissatisfaction has given rise to community-based responses as well as restorative justice practices—which they note have been practiced by communities and cultures Indigenous to the lands now known as B.C. since time immemorial.⁸⁶⁹ The Community Legal Assistance Society spoke specifically to the human rights context, stating that:

“...many of our clients in all sorts of cases are less interested in proving a case of discrimination and winning a monetary remedy before a tribunal and are much more interested in having the person or institution that harmed them take responsibility for their conduct, acknowledge the harm they have caused and make meaningful amends. I expect this is also true in many incidents of hate.”⁸⁷⁰

The Vancouver Police Department Hate Crimes Unit pointed out the need for “a continuum of response, so that those incidents that do not meet the criminal threshold can be addressed in different manners.”⁸⁷¹ They suggest that such non-criminal incidents that have a harmful impact could be addressed through transformative justice initiatives. Shift BC works to prevent violence by disrupting the trajectories of those who may be proceeding or have proceeded down the path of radicalization to violence. Shift BC does not currently receive referrals from the criminal justice system (either pre-charge or post-conviction), but they hope to move in that direction.

Restorative approaches in B.C.

The Commissioner learned about other programs in B.C. that utilize restorative justice processes in hate-related incidents, including:

- **Women Against Violence Against Women Rape Crisis Centre (WAVAW):** WAVAW has initiated a two-year transformative justice pilot project geared towards addressing the needs of sexual violence survivors outside the criminal justice system, while working with the perpetrators to redress the harms caused.⁸⁷² WAVAW integrates decolonizing practices into their work, including working with Indigenous Elders within the community in providing support to Indigenous participants and in creating an “Accountability for All” support program which breaks down the binary classification of “survivor” and “offender,” by recognizing that survivors can also be perpetrators of sexual violence.
- **Restorative Justice Victoria (RJV):** RJV operates a victim-survivor centred approach to restorative justice and offers its services to residents of Greater Victoria. Referrals to RJV come from officials in the criminal justice system, schools, organizations or through self-referrals. They offer a wide range of options for victim-survivor participation, including face-to-face meetings with the victim-survivor and offender, letter writing, video sharing or having a representative participate on behalf of the victim-survivor.⁸⁷³ The mode adopted is entirely up to the victim-survivor, and the victim-survivor has a say in the way the process is designed, its content and execution. In the course of the meetings, an agreement is reached where the offender states the steps they will take to repair the harms done and identify the cause of the offence. Such steps could include issuing a formal apology or giving a gift to the victim-survivor and their family, paying for damages, attending counselling and other support services, volunteering or delivering presentations on the topic of the offence.
- **Cranbrook and District Restorative Justice Society (CDRJS):** As a representative of BC Hate Crimes, the CDRJS works with the RCMP to “identify and investigate crimes that border on self and identity.”⁸⁷⁴ The CDRJS has an existing contract with the Province to facilitate restorative justice processes within the province and receive referrals (criminal cases) from the RCMP or the Crown. CDRJS has also signed a Memorandum of Understanding (MoU) with School District 5 (Southeast Kootenay) that allows the school district to refer eligible incidents to the restorative justice process.

CDRJS notes that, overall, victim-survivors express satisfaction with the restorative justice process, particularly when the restitution agreement is fulfilled.⁸⁷⁵ Offenders also express similar levels of satisfaction but are dissatisfied in instances where they perceive the terms of the restitution agreement as being harsh. They further note that offenders referred to the restorative justice process often follow through on fulfilling the restitution agreement compared to offenders participating in court-ordered restitution⁸⁷⁶ and that offenders who participate in restorative justice processes tend to have a lower recidivism rate.⁸⁷⁷

Restorative justice programs in other jurisdictions

There are also restorative justice programs in other jurisdictions to respond to hate issues. For example:

- **Community Justice Initiatives:** Based in Ontario, works with the Coalition of Muslim Women of Kitchener-Waterloo to operate a restorative justice program to address Islamophobia, racism and xenophobia.⁸⁷⁸
- **Collaborative Justice Program:** Based in Ottawa, works with victim-survivors of crime, offenders and communities to bridge the gap between victim-survivors and offenders to facilitate understanding, accountability, forgiveness, acceptance and reparation.⁸⁷⁹
- **Why me?:** Based in the United Kingdom, is a national charity that runs a number of projects targeted at improving restorative justice for young people, those who speak English as an additional language, LGBTQ2SAI+ people who have experienced hate crimes, and survivors of sexual and domestic violence.⁸⁸⁰
- **Victims' Voices Heard Inc.:** Based in Delaware, U.S., operates and administers a victim-offender dialogue program that “offers victims and survivors of violent crime the opportunity to meet with their offender face-to-face in order to facilitate the healing process.”⁸⁸¹

For more details about these initiatives, see Appendix H.

Programs for perpetrators and people at risk of radicalization

“These are human beings, too, so I know we often see them as terrorists, or violent extremists, or whatever it may be. But what’s the alternative to helping them? Not helping them? What then?”⁸⁸²

An important aspect of addressing hate is providing avenues for intervention with people who are at risk of radicalization and for the disengagement of those who are radicalized into hate-based extremism. The Commissioner heard from former perpetrator Brad Galloway: “Most people involved in extremism, be it ideologically motivated or religiously motivated, eventually disengage from extremism.”⁸⁸³

We heard about how the impact of perpetrating hate on the psyche of offenders can lead people to want to find a different way to live. From Brad Galloway, a former perpetrator of hate who has dedicated himself to supporting deradicalization efforts, we heard:

- “There’s a lot of violence internally.... Now, looking back, all of the violence and the hate and the ideology, and all of this stuff, was really...really really exhausting. So that I found throughout this movement it...I started to think about what about if I wasn’t in this? There’s thoughts like that, and how would you leave. How would I, if that was the case, what would happen?”⁸⁸⁴
- “In my experience, it was the exhaustion of hate, and what that does and how it feels. Negativity feels shame, it feels guilt. It feels all these different things.”⁸⁸⁵

Brad Galloway also describes high levels of intra-group conflict. For Galloway, distrust within the group and inconsistency with the ideological rules were contributing factors to him leaving.

For many former perpetrators, close relationships, including becoming fathers, were often pivotal to the process of deradicalization. For example, Daniel Gallant talks about the unconditional love he received from his grandmother and foster family.⁸⁸⁶ Daniel Gallant, Brad Galloway and Tony McAleer—all former perpetrators of hate—all described starting their own families as a major turning point. This appears to be a common theme among many former extremists.

The Commissioner also heard about the significant impact of positive contact with groups deemed “other.” For example, Brad Galloway described having his life saved by an Orthodox Jewish doctor, despite being identifiably a neo-Nazi skinhead. He also describes working at the airport and having positive relationships and friendships with racialized people working there. These experiences started to cause him to doubt the movement.⁸⁸⁷ For Tony McAleer, it was extremely powerful to receive help from a Jewish counsellor.⁸⁸⁸ This is consistent with findings of hundreds of studies that intergroup contact significantly reduces intergroup prejudice.⁸⁸⁹ Most notably, it appears to have the strongest benefits for those who are most prejudiced.⁸⁹⁰ Increased familiarity with groups deemed “other” and the cultivation of empathy are important tools for preventing and intervening in extremism.

The Commissioner heard that because ideology and identity are so deeply intertwined, addressing extremism at the level of ideas or facts first does not work. Brad Galloway noted that focusing on behaviour and relationships precedes changes in attitudes and beliefs.⁸⁹¹ Tony McAleer said:

“What happened with me, and where it gets really difficult, is when the ideology—and it doesn’t happen for everyone. Some people, they wear it like a coat. But the ideology became my identity. It wasn’t just what I believed, it was who I was. It was what I watched, what I read, what I listened to. It was the books I read, the people I hung out with. And when it’s in that place of identity, when ideology and identity become intertwined, then it’s much more difficult to deal with. Because any time you go in and try and...‘What do I say to my uncle, or my cousin, or whatever, at the dinner table? What facts can I tell him to convince him that he’s wrong?’ I said, nothing. You can’t convince him that he’s wrong, because what you’re trying to do is convince him that who he is wrong. And nobody wants to admit that.”⁸⁹²

Former perpetrators also shared that deradicalization takes time. Daniel Gallant shared that it took eight years of education to challenge everything he had learned and to undo the indoctrination.⁸⁹³ For Brad Galloway, it took 13 years. Backsliding is also common; it is a long, non-linear process.⁸⁹⁴ Often hate-based groups will make efforts to stop members from leaving. We heard that there are concrete challenges to reintegration, such as difficulty finding work and meeting material needs without the hate group.⁸⁹⁵ We heard that the process of supporting people to leave hate-based groups may be similar in some ways to disengagement from gangs.⁸⁹⁶

The Commissioner heard about supports and programs that work with people who are at risk of radicalization and that assist people engaged in hate-based movements to deradicalize and disengage. The Commissioner heard about the limited but important deradicalization services currently available across the country. For example:

- **Shift BC:** Works to prevent violence by disrupting the trajectories of those who may be proceeding down the path of radicalization to violence. This includes reducing personal barriers, risks and vulnerabilities and empowering the pursuit of pro-social engagement and community connectedness.⁸⁹⁷ Shift BC is not a service delivery program. They help people connect to the right services rather than offering services directly. However, they do have a counsellor/social worker on staff to assist with navigation.
- **Organization for the Prevention of Violence (OPV):** A community- and expert-led non-government organization devoted to understanding and preventing hate-motivated violence.⁸⁹⁸ OPV has produced a series of reports that address hate, including ideologically motivated violent extremism.⁸⁹⁹ OPV's Evolve Program provides counselling, mentorship and customized social supports to individuals and families who are looking to disengage from extremist and hate-motivated groups or who have been victimized by a hate crime or incident.⁹⁰⁰
- **Canadian Practitioners for the Prevention of Radicalization and Extremist Violence (CPN-PREV):** An evidence-based and practitioner-centred network established to bring forward Canadian leadership and develop excellence in countering violent radicalization. CPN-PREV supports best practices and collaborations among intervention teams through sustained knowledge mobilization between researchers, practitioners, policymakers and various community sectors.⁹⁰¹
- **Yorktown Family Services:** Based in Toronto, it operates the Estimated Time of Arrival (ETA) program. ETA is described as a rapid access service that supports people to reconnect with their communities in a pro-social and positive way through engagement, connection to basic needs and social/emotional supports while bridging to a wide variety of services that help people feel validated and more connected to their communities. ETA works with youth and young adults to help them disengage from hate-based extremism.⁹⁰² This program has served about 60 people over the past two years. The program is voluntary and uses an integrated care approach focused on psychosocial support and behavioural intervention. ETA accepts referrals from professionals, family and friends as well as self-referrals.
- **Canada Redirect:** A program that places ads to redirect people searching for hate content online to their services instead.⁹⁰³

Internationally, there are programs in Germany, Scotland, Sweden, the United Kingdom and the United States. For more details about these programs, please see Appendix I.

Despite these services, there is often a gap in terms of mental health supports for people who have been radicalized. As Daniel Gallant described:

“So, when I was looking for directions and help on how to live, they weren’t there.... Counsellors were not equipped with how to handle the realities of someone who was on such a violent path and looking for a way out. People just don’t know how to cope with that. So that was an issue.”⁹⁰⁴

Providing a safe space where people who have been radicalized can voice their thoughts, emotions and needs is necessary to the process of deradicalization. The representative from Yorktown Family Services spoke about the process and purpose of doing this work:

“It’s nasty work, absolutely nasty work, but we’re seeing successes because this is the first time ever that someone can openly be racist, in a private room one to one, and we can deconstruct what’s happening. And, it’s a really tricky situation because, we have to keep people safe too, we have to keep our staff safe, and so it’s always that balance.... And after a while, once we build that rapport and relationship, and that trust, we put boundaries on that, and begin to say, okay, harm reduction in some ways, you can talk about this for a certain amount of time, but then we’re going to move forward. And after a while, they begin to recondition themselves, and then also the other factors that lead them to this. Because it’s a false sense of safety belonging to this movement, ideology, community. And so, beginning to find them housing, jobs, employment, building self-esteem, building relationship skills, perhaps medication for depression, anxiety. So, all those come in, into a holistic intervention. It’s not just one thing, but really, at the core of this is, that there’s a space that we can have a dialogue, because we need to, in order to kind of deconstruct, right?”⁹⁰⁵

“It is increasingly clear that the criminal legal system does little, if anything, to enhance victim healing and promote accountability when hate or bias-motivated harm has occurred.”

—Beckett and Herbert⁹⁰⁶

Benefits of the restorative justice process

While criminal law responses to hate crimes are important and necessary, they have significant limitations. As demonstrated by this report, although hate incidents have increased dramatically in recent years and specifically during the pandemic, our legal system is limited in its ability to respond. Most incidents are never reported to the police. For those that are, more than half remain unsolved or under investigation, and very few cases proceed to charge and prosecution. Also, very few cases have proceeded under Canada's *Civil Rights Protection Act* or B.C.'s *Human Rights Code*. These limitations are discussed in more detail in the "Legal system responses" section of this report.

Restorative processes have the potential to fill this gap and could be used to respond to a broader range of hate incidents, including incidents that are never reported to the police, incidents that are reported to the police that don't meet the threshold of hate crimes and incidents that could be hate crimes but the victim-survivor requests a referral to a restorative program.

During the Inquiry, the Commissioner heard that hate incidents cause immense physical, emotional and mental health challenges to victim-survivors. Research shows that victim-survivors of hate crimes are especially impacted "in part because awareness that one has been victimized because of one's identity strikes at the core of people's sense of well-being and self-worth."⁹⁰⁷ In addition to impacts on the person who directly experiences the hate incident, hate has profound effects on members of their community.

While the criminal justice system punishes offenders in a small number of cases, its focus is on retributive justice and does not centre the needs of victim-survivors.⁹⁰⁸ This leaves many victim-survivors feeling neglected by the justice process, which may exacerbate feelings of marginalization and victimization.⁹⁰⁹ Further, retributive justice does not adequately challenge the prejudicial, discriminatory and hateful actions committed by offenders and often does not effectively address these ways of thinking and acting.⁹¹⁰

Some Inquiry participants called on the Commissioner to consider restorative justice approaches as a response to hate and a way to prevent hate. This call is corroborated by research studies and feedback from community organizations which show that restorative justice processes are beneficial to healing a victim-survivor's wounds and reducing offenders' recidivism.⁹¹¹ These studies reveal that as long as participants' expectations are managed throughout the process, victim-survivors often come away from restorative justice sessions with a "sense of empowerment and emotional healing."⁹¹² More particularly, victim-survivors appreciate the opportunity to meet with the offender, explain how their action affected them, and receive an apology and assurance that the incident will not reoccur.⁹¹³ Victim-survivors also appreciate further referrals and check-ins by restorative justice practitioners.⁹¹⁴

To further understand the value of the restorative justice process, the Commissioner cites the work done by the Truth and Reconciliation Commission (TRC) in identifying and repairing the harms committed against Indigenous Peoples. The TRC provided an opportunity for Indigenous Peoples

and communities who were impacted by the Indian residential school system to talk about their experiences. It was a crucial starting point for the ongoing reconciliation process in building a renewed relationship between the Crown and Indigenous Peoples. As with any restorative justice process, the voices of survivors were central to the work of the TRC, and their Calls to Action are remedial actions that we need to continually implement individually, collectively and across all levels of government to repair the harms caused to Indigenous Peoples. Another benefit of restorative justice processes is that they support the use of Indigenous laws and justice systems and further Indigenous self-determination.

The value of restorative justice was emphasized by the court in *R. v. Corbett*,⁹¹⁵ a criminal case involving an offender who made a number of racially offensive comments to the victim-survivor, who is a member of the Indo-Canadian community. In adjudicating the case, Honourable Judge K. D. Skilnick pointed out that there is a need to encourage the use of victim-offender reconciliation processes so that accused persons understand why their conduct is injurious to themselves and to the community. He pointed out that victim-offender reconciliation processes “can also help to relegate petty racist sentiments to the graveyard of history, where they belong, and afford the opportunity to acknowledge the value of all members of this community, without consideration of ethnicity or religion.”⁹¹⁶

While restorative justice processes have not been used extensively to respond to hate crimes, research shows that restorative processes have a number of potential benefits for hate incidents.⁹¹⁷ For victim-survivors in particular, restorative justice processes:

- Provide people who experienced hate incidents with an opportunity to describe the harms they suffered in a way they wouldn't be able to do in a criminal proceeding.
- Promote safety by helping people who experienced the hate incident to understand how and why the incident occurred.
- Can result in a “moral learning process” where participants are able to see the humanity of the other. This learning process limits the possibility of re-offending.
- Allow victim-survivors to participate in the development of acts of repair. For example, the person who caused harm might be required to perform service for an organization that supports the community or to learn more about the history of oppression that the community has experienced.
- May result in victim-survivors placing less blame on themselves for their victimization as a result of hearing the person who caused them harm take responsibility.
- Can include incidents that are not reported to the police and/or that are reported to the police but don't meet the threshold of being hate crimes.
- Provide a way to involve a broad range of people, including family, friends and community members who are harmed.

Challenges of restorative justice

Research shows that restorative justice processes are beneficial to healing a victim-survivor's wounds and in reducing offenders' recidivism. Notwithstanding the intrinsic value of the restorative justice process, the Commissioner acknowledges that there are challenges associated with restorative processes generally and with restorative processes as a response to hate incidents specifically. Challenges with restorative approaches generally include:

- Difficulty finding or engaging the person who caused the harm (some restorative processes use surrogate offenders).
- Success depends on the responsible person's willingness to engage in dialogue without causing additional harm. Ensuring that all parties are prepared is a time-consuming process that requires special training.
- Ensuring restorative processes are available and accessible to everyone, with attention to ensuring equity in their availability.
- Availability of community support for people who experience hate incidents and those who caused harm.⁹¹⁸

Implementing restorative justice processes as a response to hate crimes poses additional challenges, including:

- Efficacy may be limited as studies show that restorative justice can only partially repair the harms caused, particularly because hate crimes or incidents have long-lasting effects arising from marginalization and other structural inequalities.⁹¹⁹
- The absence of available data on efficacy can make it difficult to identify which types of restorative interventions to develop in response to hate crimes.
- If any parties are experiencing mental health concerns, consideration needs to be given to whether the restorative process can proceed.
- Determining who is part of the community and who can speak for it can be complex and challenging.
- There is an unmet need for a provincial network of organizations and trained facilitators to develop restorative justice responses to hate crimes.⁹²⁰

In addition, one of the significant challenges with restorative processes for hate is that the very real potential power imbalances between parties can undermine the impact of restorative approaches. This is true generally and specifically for hate incidents because hate and violence are inherently wrapped up with power (see the “root causes of hate” section). This poses a significant challenge that can only be overcome with highly trained facilitators, strong supports in place for victim-survivors and clear alternative pathways for victim-survivors. If a person who committed hate-related harm remains committed to racist or other problematic ideologies, a dialogue may not be appropriate. Trained facilitators are required to determine whether the restorative dialogue can safely proceed without resulting in re-victimization or, if it proceeds, to enforce rules if they are violated.⁹²¹ This consideration is especially important for victim-survivors of intimate partner, family and sexual violence, given the power imbalances inherent to familial and dating relationships and the imposition of unwanted sexual contact.

In order to succeed, government funding would be required to develop restorative justice programs across the province and to train practitioners to use restorative processes specifically for hate incidents. Referrals could be made to the restorative justice programs from anywhere, including community organizations, faith groups, schools, municipalities and health care settings, by individuals who experience online hate, the police and other justice system players and from hate incident reporting mechanisms (Recommendation 5 on p. 261). Referrals could be made both to respond to hate incidents and harms and to prevent harms from occurring when tensions or patterns arise. Funding would also be required to enable community organizations to participate and to support people who experience hate incidents and for programs like Shift BC to support those who cause harm.

Through this approach, victim-survivors and communities may be supported to tell their stories and to heal, and those responsible for causing harm may be provided with the opportunity to understand the impact of their actions, accept responsibility and repair the harms, thus achieving the goals of understanding, safety and accountability. Because each restorative process is different, processes can be developed to be accessible, multilingual and culturally appropriate. Importantly, given the nature of hate- or bias-motivated incidents, restorative processes have the potential to get to the root causes of hate by challenging bias and stereotypes, facilitating intergroup contact and fostering understanding. Finally, given its roots in Indigenous legal traditions, a broader use of restorative processes can help to revitalize Indigenous legal systems and support self-determination.





Responding to hate in times of crisis

The Commissioner heard that the response from the B.C. government to the rise in hate during the pandemic was slow and reactive. We heard of multiple examples of community organizations needing to advocate for government to respond to what they felt should have been part of the overall emergency and public health responses. We heard that the focus in government's response to hate incidents was largely focused on race and racialized people and that other communities affected by hate, such as the LGBTQ2SAI+ community, had to advocate to be more fully involved and considered by government. We heard that many groups urged government to increase support for community-based organizations that are already serving their communities and already have trusted relationships with community members.

Finally, we heard that conversations with government tended to focus on ensuring compliance with public health orders and that organizations had to advocate for support for their communities. For example, we heard that the Retail Council of Canada had to advocate for support for frontline workers who were put in the position of having to enforce public health orders and experienced a lot of hate as a result.

Hate incident reporting

A significant focus of the evidence gathered in the Inquiry spoke to various processes for reporting hate: the value of effective policing responses, the drawbacks of police responses, the efficacy of community-based responses, the desired outcomes of reporting and more.

A concerning trend we heard about was that the majority of those who experienced hate did not report it to anyone, primarily because they didn't think it would make a difference. The Commissioner's public survey asked people whether they reported the hate incident that they experienced, witnessed or were affected by to the police and/or others. We heard:

- 72% of respondents did not report the incident anywhere.
- Respondents who did not make a report about the incident were most likely to say that they did not think making a report would make a difference (68%).
- Some respondents were worried about the consequences of making a report: "There are incredible social consequences for speaking out."
- Small proportions of respondents reported the incident to the police (11%), a private business (9%), a government organization (6%), their workplace (6%), the media (5%), a community organization (4%), the Human Rights Tribunal (3%), a health care professional (3%) or to a school (3%).
- Most respondents who reported the incident indicated they did so because they believed making a report was important (77%) and/or they wanted the perpetrator(s) to be accountable for their actions (69%).

Approximately one-third of people who responded to the Commissioner's public survey indicated that there was insufficient follow-up after they made a report to the police or to another body. People shared:

- "My concerns were completely ignored."
- "The reporting did not result in any action and made things worse."
- "I have no idea if my concern was taken seriously as there has been no response."
- "The City worker who took my report was excellent. I also tried to report to the [police] but found repeated barriers to do so. For example, the form was in non-fillable PDF that required specific software or a printer to complete and could not be submitted anonymously."

**“There are
incredible social
consequences for
speaking out.”**

—Respondent to the
Commissioner’s public survey

Police reporting

The Commissioner clearly heard from individuals and communities across the province that many people, especially racialized people, survivors of gender-based violence or otherwise marginalized people, often don't report hate incidents to the police out of fear and distrust of the police.

“...we have heard, too, from racialized folks, especially elder folks. There is chronic under-reporting of any kind of violent incidents because of fear, because of fear of authority, because of fear of a dominant culture having more authority or more privilege to access justice.”⁹²²

“It is also important to recall that many survivors of intimate partner violence from these communities may not report incidents of gender-based violence to the police because of mistrust and prior experiences of abuse or violence perpetuated by authorities.”⁹²³

The Commissioner also heard that police reporting processes can be unclear, inaccessible, not culturally informed and that there are language barriers, including for those who use American Sign Language.⁹²⁴ Global Access and Inclusion Foundations noted that reporting processes can take a one-size-fits-all approach that is not always relevant for Indigenous, Black and other racialized people.⁹²⁵ We heard from the Wavefront Centre for Communication Accessibility that reporting incidents of hate can be challenging for people who are deaf and hard of hearing.⁹²⁶

According to BC Hate Crimes,⁹²⁷ there are a range of factors that contribute to under-reporting to the police, including marginalization, cultural barriers, language barriers, fear or perception of the police, fear of humiliation, fear in relation to immigration status, fear of re-victimization or retaliation and desensitization to hate, prejudice or bias due to historical factors.⁹²⁸

“When I tell the story, everyone says that I should have reported it. But to who? What effect would it have had? I just wanted to forget about it...I didn't know the right person to go to. The police are overworked and don't have time—I didn't think it was a 'heinous crime.' And what if I got the wrong police constable? I don't want to add to my pain and victimization. I'd rather put up with it. I'd rather protect myself. And I don't want to risk having it be trivialized.”⁹²⁹

—African-Canadian woman from Toronto on having experienced a hate incident

If a person chooses to report a hate incident to the police, they generally contact the non-emergency police phone number unless there is an online reporting option. We heard about people calling non-emergency police lines and waiting extended periods of time before anyone answered.⁹³⁰ The Vietnamese Professionals Association of BC did an analysis of police hate crimes reporting mechanisms across B.C. and found that:

- Vancouver has the only police department in B.C. that offers the option to report hate crimes online and in 14 languages.
- RCMP units in Coquitlam and North Vancouver are conducting online hate crimes reporting pilot projects.
- Hours of operation for non-emergency police phone lines vary with phone lines operating 5 to 7 days a week. Phone lines typically open at 8 a.m. and close between 5 p.m. and 8 p.m. Many do not operate on statutory holidays. One Inquiry participant questioned what happens if a hate incident occurs outside of the hours of operation of police phone lines. “So, if something happens to me after dinner, then what? Am I supposed to wait until the day afterwards to call and report the hate crime?”⁹³¹
- Non-emergency police phone lines are only available in English and sometimes in French.⁹³² One Inquiry participant explained that “we really need to acknowledge that there are currently no culturally appropriate or language accessible ways to report hate incidents and incidents in the province. And this is particularly pertinent because we need to recognize that many communities have complex relationships with the state, and a lot of them have many very real reasons not to trust that they will be handled appropriately.”⁹³³ We heard: “For those who are not fluent in English, calling the police is intimidating and discourages individuals from calling the police in the first place.”⁹³⁴
- The RCMP has an online crime reporting form for certain crimes. Hate crimes cannot be reported to the RCMP using the online form. The representative from Fix Police Reporting shared: “All that I’m asking for is a fifth box here to say ‘hate incidents’ or ‘hate crimes.’ If you look at it, there’s already an option for someone driving poorly. So, are you telling our community that someone driving poorly is more important than hate incidents and hate crimes?”⁹³⁵

We heard that for those who did report hate incidents to the police, the response was sometimes frustrating. The Commissioner heard frequently that people are reluctant to report hate incidents to the police because they are often told that the incident doesn’t meet the elements of a criminal offence and there is nothing the police can do.⁹³⁶

“Sometimes when community members work up the courage to submit a report, the feedback that they receive is that it does not meet the threshold of a crime. And this is, I think, accurate, but it undermines public trust in the process because they feel that their submission has not been appropriately heard.”⁹³⁷

We also heard from the Society for Children and Youth of BC that the police do not always take children and youth seriously when they report incidents to the police by themselves.

Community-based reporting

“There is actually research that very recently came out of the U.S. based on the reporting tool they have there that shows that Asian Americans who have reported incidents, particularly to community reporting tools and not necessarily to police, had less race-based traumatic stress. So that’s less psychological or emotional harm caused by racism. Again, there’s something very particular about the Asian experience is that we’re silenced and were invisible-ized. And those things really exacerbate the racism that we experience. So, this research was showing that reporting can help a person regain a sense of control that’s lost after a racist incident, and people were finding that community-based reporting forums were a trusted place that they could do that, and it was actually supporting their psychological and emotional well-being.”⁹³⁸

The Commissioner heard about many benefits of community reporting tools, including that they are hosted by organizations that community members trust, that they promote well-being, that they enable organizations to collect information and data to support their advocacy and public education initiatives, and that they enable organizations to offer support and resources to people who experience or witness hate. The Commissioner heard that people can be retraumatized by having multiple levels of reporting, including community and police reporting.⁹³⁹

The Commissioner heard about many community organizations stepping up to create hate reporting tools to fill the gap left by people not reporting to the police. Many of these tools were developed in response to the rise the hate during the pandemic. For example:

- DIVERSEcity launched a new **Racism Mapping Project (RAMP)** with funding from the federal department of Immigration, Refugees and Citizenship. RAMP is a community-led mapping tool that gathers information directly from people who experience or witness hate incidents in Surrey. The goal is to gather data to further understand where incidents are occurring, what type of racism/hate is taking place, towards whom and by whom. People share incidents anonymously. The sole reason to collect this information is to support the community of Surrey in promoting anti-racism policies. “It will also help inform, again, where we need to bolster community resources.” The tool is only available online, and more funding is needed to provide it in multiple languages.⁹⁴⁰

- project1907 created a **Racism Incident Reporting Centre**. They collect data on incidents of racism, hate and violence experienced by Asian people in Canada. Data is used in aggregate to develop strategies, design interventions, raise awareness and advocate for their communities. All personal information is kept confidential. The online form is available in 11 languages. project1907 works with the Chinese Canadian National Council Toronto Chapter to analyze national trends. The Reporting Centre is also hosted by EliminateHate. They explained that “the strength of this is really building from the ground up, having agency over our own data and being able to connect with other organizations across the country that were also emerging during the pandemic.”⁹⁴¹
- **Chinese Canadian National Council Toronto Chapter** developed a national online Report Racism tool in response to the rapid rise in racism towards Chinese and Asian communities during COVID-19. The purpose is to collect information about what people experienced to support anti-racism advocacy work.⁹⁴²
- After noticing an increase in race-based graffiti and vandalism, the OneWorld Youth Crew of the South Okanagan Immigrant and Community Services developed **Project Vandal**. Project Vandal encourages people to create a more welcoming community by using the online reporting tool to report all graffiti. They explained: “One of the issues that we consistently run into is that fear from our newcomers. So, this portal gives them an option to share their experience, to let them know that they have been heard but they don’t have to share their information.” They explained that data collection is another benefit of the tool. “We’re starting to build that case for what we have heard from our clients in the community. There are now those numbers that are starting to support it.”⁹⁴³
- The Centre for Israel and Jewish Affairs has a **Report Hate** reporting tool on their website. They collect data to track incidents of hate and combat antisemitism in Canada. It is a Canada-wide tool, but incidents are tracked regionally.⁹⁴⁴
- Kelowna Community Resources (KCR) developed the **United Against Discrimination** online portal, which was made available to the public in April 2020. People can use the online form to report an incident of discrimination. The purpose of the portal is to promote the confidential reporting of incidents of discrimination and hate that are often not handled by the local police. KCR is collecting data to help develop a community protocol to address racism and discrimination in Kelowna. Reports can be provided anonymously. If respondents provide their contact information, the organization follows up with them to offer support services.⁹⁴⁵
- The **Burnaby Together – Coalition Against Racism and Hate** doesn’t have an online reporting tool but does regularly have community members contacting them to report hate incidents and access support. They shared: “I think this was initially done with good intentions but has since become difficult to manage given the lack of capacity at the table level to respond to individual needs for support. We’re able to respond quite effectively to collective processes and collective resilience, but individual supports less so.”⁹⁴⁶

Reporting to the Resilience BC Anti-Racism Network

The Commissioner learned that there is no formal reporting mechanism in place through the Resilience BC Anti-Racism Network (Resilience BC). We heard from Resilience BC that the “spokes” in their “hub and spoke” network model (see Appendix L for more information on this model) do not receive sufficient multiyear funding to be able to properly support people who report hate incidents to them. As a result, some spokes that previously accepted reports are no longer accepting them, others don’t accept reports, and some manage to do what they can if/when they receive a report. We heard clearly that the spokes do not think it is responsible to accept hate incident reports without having the capacity and expertise to support the person reporting the incident(s).

In their 2020–2021 year-end report, the Resilience BC hub noted that it was a challenge to measure the prevalence and nature of racism and hate in spoke communities adding that: “Most spokes do not want to be receiving and tracking reports of racism and hate because they lack the funding required to conduct this work and the ability to provide services and supports to victims. Not all communities have access to accessible, anonymous reporting mechanisms.”

The Commissioner reviewed the 2020–2021 annual reports for the Resilience BC spokes where they were asked to identify how many inquiries, referrals or reports they received regarding racism or hate activity in their communities and what actions they took to respond to them. It is apparent from their reports that the Resilience BC spokes do not collect or record data on hate incidents in a consistent way. Despite this, the spokes did report increases in racist and hate-related incidents across the province in 2020–2021, including reports of Asian people being harassed and blamed for COVID-19 and told to go back to China, hateful comments about wearing a hijab, the defacing of rainbow sidewalks, homophobic graffiti, racial slurs on city signs, rampant anti-Indigenous comments on online platforms and swastikas painted in public places. In total, the Resilience BC spokes received approximately 250 inquiries, referrals and reports of racism/hate in 2020–2021.

Reporting to government bodies

The Commissioner requested copies of public bodies’ policies and procedures to address, prevent and respond to hate incidents. None of the public bodies examined, except for BC Corrections, have specific policies or procedures on responding to hate incidents. Many public bodies that responded to the Commissioner’s request indicated that they follow corporate policy established by the Public Service Agency (PSA) and provided the Commissioner with copies of their policies on discrimination, bullying and harassment, and many also provided information about initiatives undertaken to combat racism.

As the central agency that establishes core provincial government policies for provincial government employees, the PSA’s mandate includes “protecting employees from bullying, discrimination and harassment, and promoting a respectful workplace.”⁹⁴⁷ The PSA’s policy framework does not include specific policies or procedures on identifying, responding to and/or preventing hate incidents that occur within the public service or in programs, services and spaces operated by the government. The PSA told the Commissioner that their policies and procedures on bullying, discrimination and harassment include a continuum of behaviours that occur within the public service or in programs, services and spaces operated by the government.

The PSA explained that, although not referenced specifically, this continuum of behaviours includes hate incidents. However, the Commissioner did not have access to evidence about whether, in this context, anti-discrimination policies alone have proven to be a sufficient response to the rise in hate and hate incidents given the lack of specific targeting of these issues. The PSA does have a Diversity and Inclusion Branch whose mandate is to establish programs and a corporate strategy promoting diversity and inclusion, and the PSA provided the Commissioner with corporate policies that address discrimination, bullying and harassment. Similarly, the Multiculturalism Branch of the Ministry of the Attorney General, presently the provincial lead for issues of racism, also doesn't have policies on responding to hate incidents.

The Commissioner requested disaggregated demographic data on hate and/or hate incidents reported to the public bodies between January 2015 and December 2021. None of the public bodies comprehensively sample or systematically collect data on hate or hate incidents that involve staff and/or members of the public. The lack of data is not surprising given that very few of the public bodies have policies on hate or hate incidents or clear definitions of what constitutes hate and how it differs from discrimination.

Reporting in schools

One of the concerning themes that emerged through the Inquiry was around hate occurring in K–12 and post-secondary schools. We heard about students not knowing where to report, not reporting out of fear, reporting and not receiving adequate responses or feeling like their concerns were not taken seriously. The Ministry of Education and Child Care and school districts do not consistently collect data on hate incidents in K–12 schools, which is concerning given the troubling stories the Commissioner heard about hate incidents in schools.

We heard that some students in the K–12 system are aware of the voluntary provincial reporting tool ERASE (Expect Respect and a Safe Education).⁹⁴⁸ This tool is viewed as positive because reporting can be anonymous and doesn't involve the police.

We heard from YouthTalkNation about challenges that students face when reporting hate incidents. They explained that students often feel like their voices are lost when they go through a reporting system.⁹⁴⁹ The Society for Children and Youth of BC similarly told us that children and youth they work with shared that reports are not taken seriously. They said the process can be very slow to “get up the chain,” and it can feel like there isn't much point in using reporting systems.⁹⁵⁰

YouthTalkNation also explained that, because of limited resources, it can be difficult to speak to school counsellors about hate incidents and students end up not feeling valued or understood when they are limited to a 15- or 30-minute appointment.⁹⁵¹ They spoke about a fear of authority that prevents some students from going directly to a counsellor. “That was one thing that students constantly brought up: ‘I do not feel comfortable going to an adult face to face and to open up and to be vulnerable to an adult counsellor.’”

We heard about post-secondary students not being willing to file formal complaints through a university's internal reporting or complaints mechanisms. The University of Victoria Students' Society explained that they hear about students deeply mistrusting reporting systems. “Throughout our formal surveys on equity on campus and informal outreach, we consistently hear that formal

reporting systems are not culturally appropriate, do not centre the survivor, have abysmal conviction rates/minimal consequences, and that if reported to the police, those reporting face a threat of litigation for slander. With such barriers in reporting, it is no wonder then that people who experience hate on the basis of gender, ethnicity/race, ability or sexuality, do not seek institutional support.”⁹⁵²

Racist incident hotline

In April 2021, the Government of B.C. announced that it would be creating a racist incident hotline. The Commissioner requested records and an update from the Ministry of Attorney General regarding the planned hotline. The ministry was unable to provide details including when it would be operational, who would operate it, what funding would be allocated to it, what services would be available to enable reporting, what supports would be available to people who make reports, and how the ministry intends to use the information collected through the hotline. The Commissioner is concerned about the government’s delay on this initiative and includes recommendations in this report to address the gap in hate incident reporting.

Key features of accessible hate reporting mechanisms

BCOHRC staff conducted cross-jurisdictional research into multilingual, accessible systems for reporting hate incidents, including reporting tools developed by Stop Hate UK,⁹⁵³ Tell MAMA,⁹⁵⁴ Galop,⁹⁵⁵ the Anti-Defamation League,⁹⁵⁶ Netsafe,⁹⁵⁷ STOPAAPIHATE,⁹⁵⁸ and Orange County Human Relations.⁹⁵⁹ More details about these reporting mechanisms and others can be found in Appendix J. We have not accessed evaluations of these tools, but have listed the features that appear to support accessibility, including:

- Enabling people to report in as many ways as possible, including by phone, email, social media or online apps
- Receiving reports from victims, witnesses, affected community members and service providers
- Allowing individuals to make reports anonymously
- Enabling people to choose the language they would like to use to submit their report, and, where a specific language is not available, offering translation services
- Collecting as many details as possible about the incident: the type of incident, who was involved, where it happened, the part of the victim-survivor’s identity that was targeted or statements that were made by the perpetrator
- Clearly indicating the kind and forms of support that are available to victim-survivors in the aftermath of a hate incident, particularly culturally appropriate supports
- Never forwarding reports to the police without the reporter’s consent
- Including a “quick exit” button (which, when clicked, redirects to a weather page or other similar page) that allows people to leave the site if the abuser is close by
- Including mechanisms that allow photos, videos and audio recordings to be uploaded or shared
- Responding to individuals directly and promptly

Challenges and opportunities of reporting mechanisms

In B.C., we currently have what was described to the Commissioner as a piecemeal approach to hate incident reporting. We have many different reporting systems with little consistency in how or where they operate, the languages they are available in, how they store data, how they use data and how the people who are making reports are supported. For example, people may be able to report to the police, to their employer or school, through a reporting tool developed by a community organization, to the government or to a Resilience BC spoke. The Commissioner heard about challenges associated with an uncoordinated approach to reporting. For example, EliminateHate shared:

“We recognize how important it is to have data. Without data one cannot make informed decisions and insights. We also recognize, though, that often times with too much data and without the resources and the funding to synthesize and make tangible decisions out of it, it becomes information with no output. So, we really do want to balance that.... Absolutely, we need a unified and synthesized data reporting centre—I’m familiar with ours. I imagine there are probably other groups who also had data reporting and that in itself becomes piecemeal and difficult. If we could have a unified source that would coordinate everybody, get a centralized consensus and agreement that we filter everyone through the same route, then that data becomes effective, it becomes reliable, and there’s a central source to provide the recommendations and the insights from them.”⁹⁶⁰

The Commissioner also heard that having multiple reporting systems where people have to repeat their stories can be triggering and retraumatizing.

We heard that people may internalize hate that is not reported to the police or community organizations and that people can end up feeling disempowered when they perceive themselves to be without legal redress.⁹⁶¹ We heard that hate may be encouraged when perpetrators are not held to account and the public is not made aware of an incident. Finally, we heard that under-reporting results in data gaps and a limited understanding of the hate that is occurring across Canada.⁹⁶²

Legal system responses

The justice system responds to hate in a number of different ways, from criminal to administrative to civil law. Each system operates in different ways and has a different role in addressing hate incidents once they occur. Ultimately, the Commissioner finds that the existing legal responses in our statutory and common law system fall short of providing an effective systemic response to hate. Indigenous legal responses, however, provide some important insights into the path forward. The existing system could also be made more effective through additional and alternative supports. International human rights norms and standards provide important guidance for preventing and addressing hate speech and violence.

Balancing freedom of expression with freedom to live without hate

The *Canadian Charter of Rights and Freedoms*⁹⁶³ guarantees fundamental rights. At times, those rights come into conflict. When it comes to competing rights, the law recognizes that rights have limits in some situations, particularly where they substantially interfere with the rights of others. When they do, it is up to governments and courts to find the appropriate balance.

The Charter guarantees the right to freedom of thought, belief, opinion and expression (section 2(b)). Freedom of speech is necessary for open debate and a functioning democracy. The Charter also guarantees equality before and under the law (s.15). These rights come into conflict where expression is hateful. In the words of the Canadian Human Rights Commission:

“Words and ideas have power. That power, while overwhelmingly positive, can also be used to undermine democracy, freedom and equality. It is for this reason that Canada, and many other nations, have enacted laws to limit forms of extreme hateful expression that have very minimal value in the free exchange of ideas, but do great harm to our fellow citizens.”

Free speech advocates argue that the best response to harmful speech is through open debate where there are few limits on freedom of expression. Different countries have taken different approaches to what they consider acceptable speech. Most notably, the constitutional protection of free speech is vigorously defended in the United States.

In Canada, and elsewhere in the world, hate speech is prohibited because government has decided these laws are reasonable limits on freedom of expression. The Supreme Court of Canada has found that laws that prohibit hate speech are reasonable and justified because hate speech can desensitize people to the effects of hate speech on minority groups, making it easier to deny those groups equal rights. We also know that hate speech can limit freedom of speech by silencing those targeted by hate.

International human rights law

Everyone across the world is entitled to certain inalienable human rights. This includes the right to life, the right to dignity and the right to freedom from discrimination, among other things. These rights are protected by various constitutional, statutory and international human rights instruments. This section describes the international human rights instruments that apply to preventing and responding to incidents of hate during the COVID-19 pandemic and in times of emergency or public health crisis.

On the international stage, human rights are protected through a number of instruments. An example is the *Universal Declaration of Human Rights* which provides that every person is “entitled to equal protection against any discrimination in violation of this Declaration and against any incitement to such discrimination.”⁹⁶⁴ There are other specific international human rights instruments that protect specific rights. For example, the *Convention on the Elimination of All Forms of Discrimination Against Women* (CEDAW) prohibits all forms of discrimination against women

in every area of life, be it political, social, economic, cultural or educational. The *International Convention on the Elimination of All Forms of Racial Discrimination* (ICERD) prohibits discrimination on the basis of race, colour or ethnic origin. Similarly, the *Convention on the Rights of Persons with Disabilities* prohibits discrimination on the basis of disability and mandates state parties to establish effective legal frameworks protecting against discrimination on all grounds.⁹⁶⁵ The *Convention on the Rights of the Child* (CRC) also prohibits discrimination against children and the *United Nations Declaration on the Rights of Indigenous Peoples* (UNDRIP) stipulates that Indigenous Peoples have the right to be free from discrimination based on their Indigenous identity.⁹⁶⁶

Beyond issues of discrimination, international human rights law goes further to prohibit and punish genocide, which has at its root discrimination, through the *Convention on the Prevention and Punishment of the Crime of Genocide* (Genocide Convention) and the *Rome Statute of the International Criminal Court* (Rome Statute), which confers jurisdiction on the International Criminal Court (ICC) to preside over matters involving genocide, crimes against humanity, war crimes and crimes of aggression.⁹⁶⁷

International human rights law recognizes that a lack of respect for human rights often gives rise to hate. As such, organizations such as the United Nations have issued specific instruments targeted at addressing hate. For example, the Rabat Plan of Action on the prohibition of advocacy of national, racial or religious hatred that constitutes incitement to discrimination, hostility or violence, 2012⁹⁶⁸ sought to gain a nuanced understanding of legislative patterns, judicial practices and policies addressing national, racial and religious hatred and to assess how states prohibit incitement to violence.

Specific instruments that focus on religious hate crimes include the Plan of Action for Religious Leaders and Actors to Prevent Incitement to Violence that Could Lead to Atrocity Crimes (Plan of Action)⁹⁶⁹ and the Engaging Religious Actors to Counter Hate Speech, Prevent Incitement to Violence, and Build Peaceful and Inclusive Societies, 2021.⁹⁷⁰ The Plan of Action emphasizes the need to enhance education and capacity-building, foster interfaith and intra-faith dialogue, and build peaceful and inclusive societies through respecting, protecting and promoting human rights, while Engaging Religious Actors encourages religious leaders to use their influence to build peaceful, inclusive and just societies through concrete social engagement.

A number of international instruments have also been created to address hate speech over the years, including:

- In 2013, the Committee on the Elimination of all Forms of Racial Discrimination responsible for monitoring the ICERD, issued **General Recommendation no. 35 on Combatting Racist Hate Speech**.⁹⁷¹ This recommendation focuses on the causes and consequences of racist hate speech and notes that although the ICERD is race-specific, it also applies to expressions that amount to hate speech affecting Indigenous Peoples, descent-based groups, immigrants or non-citizens, migrant domestic workers, refugees and asylum seekers, as well as to speech directed against women members of these and other vulnerable groups. The principles set out in the recommendation apply to any means of dissemination—oral, print, electronic media, social networks, symbols, images and behaviour.

- In 2019, the United Nations launched a **Strategy and Plan of Action on Hate Speech**⁹⁷² aimed at increasing efforts to deal with the underlying cause of hate speech and utilizing education as a preventative tool to raise awareness and build social cohesion. The document consists of 13 commitments, including monitoring and analyzing hate speech, addressing its root causes, drivers and actors, and engaging and supporting victim-survivors by addressing their needs through advocacy for remedies, access to justice and psychological counselling. Other commitments include engaging with new and traditional media, keeping up with technological innovation and encouraging further research on the relationship between the use of the internet and social media in spreading hate speech, and utilizing formal and informal education in addressing and countering hate speech.
- The **United Nations Declaration on Human Rights Education and Training** emphasizes the need for education to be aimed at strengthening respect for human rights and fundamental freedoms. It also stipulates that human rights education and training should be accessible based on the principles of equality and aimed at preventing human rights abuses, combatting and eradicating all forms of discrimination, stereotyping and incitement to hatred.⁹⁷³
- Furthermore, in response to the spread of hate speech after the start of the COVID-19 pandemic, the UN released a **Guidance Note on Addressing and Countering COVID-19 related Hate Speech**.⁹⁷⁴ Importantly, the guidance note recognizes that hate speech has heightened during the pandemic, particularly against Chinese or Asian persons or certain ethnic and religious migrants and foreigners.⁹⁷⁵ It points out that hate speech is being advanced through mainstream media, online social media and tech platforms, and that COVID-19 related hate speech may exacerbate social and economic inequalities, threaten sustainable development and international peace and security. The guidance note contains recommendations to UN departments and agencies, member states, social media and tech companies, media and civil society. Member states are encouraged to ensure that schools address COVID-19 related hate speech and misinformation by encouraging the development of critical thinking and social and emotional skills. States are also to promote the dissemination of public interest narratives on the diversity and struggles of people affected by the pandemic. Social media and tech companies are urged to develop anti-hate speech policies in conjunction with affected communities, monitor the dissemination of hate speech on their platforms and take down offending materials.

While international law is difficult to enforce in the domestic sphere, these instruments provide an important human rights frame to how the law may address hate speech and hate-motivated violence.

More information about the international instruments to address hate and hate speech can be found at Appendix N.

Criminal justice responses

Criminal law is primarily designed to maintain public safety and enforce laws and involves police, courts and correctional institutions.⁹⁷⁶ The *Criminal Code* contains specific offences and sentencing provisions relating to hate crimes. The offence provisions prohibit certain types of hate-motivated conduct and define specific sentencing parameters for that conduct. The *Criminal Code* prohibits hate speech through its provisions on hate propaganda, for example, the public incitement of hatred (section 319(1)), wilful promotion of hatred (section 319(2)),⁹⁷⁷ wilful promotion of antisemitism (section 319(2.1)) and advocating for or promoting genocide (section 318).⁹⁷⁸

Hate speech under the *Criminal Code* has three main elements:

- **It is expressed in a public way or place.** Hate speech under the *Criminal Code* talks about “communicated statements,” which include written or spoken words, gestures, signs and other images. Private communications are not hate speech under the *Criminal Code*.
- **It targets a member of an identifiable group** distinguished by colour, race, religion, national or ethnic origin, age, sex, sexual orientation, gender identity or expression or mental or physical disability.
- **It uses extreme language to express hatred towards that person or group of people because of their protected characteristic(s).**⁹⁷⁹ Hate speech uses extreme language to describe the targeted group that is likely to expose them to detestation and vilification, for example by blaming group members for problems like crime and disease, describing group members as animals, subhuman or genetically inferior and/or denying, minimizing or celebrating past persecution or tragedies that happened to group members. Hate speech is not limited to these examples.⁹⁸⁰ It is important to note that the criminal law definition of a hate incident is narrower and sets a higher threshold than the definition we are using for the purposes of this Inquiry.

The other hate crimes provisions in the *Criminal Code* are:

- Mischief to religious or educational property (section 430 (4.1))
- Sections 320 and 320.1 of the *Criminal Code* authorize courts to order the deletion and destruction of hate propaganda when such material is contained in a written publication that is kept for sale or distribution or stored in a computer system that makes such material available to the public

Where hate is likely a motivating factor in an offence, the perpetrator can be charged with a general offence (for example, assault), and hate can be considered as an aggravating factor in sentencing under subsection 718.2(a)(i) of the *Criminal Code*. In these cases, the Crown will enter evidence to prove that the offence was motivated by hate and, on sentencing, take the position that hate motivation be treated as an aggravating factor. If disputed, aggravating factors such as hate motivation need to be proven beyond a reasonable doubt by the prosecution (s.724(3)(e) of the *Criminal Code*).

DID YOU KNOW?

Hate as an aggravating factor at sentencing was included in the *Criminal Code* in 1995 under Bill C-4, along with several other sentencing reforms.⁹⁸¹ Section 718.2(a)(i) provides that when a court imposes a sentence, it will consider whether a sentence should be increased or reduced to account for relevant aggravating or mitigating circumstances relating to the offence or offender, including “evidence that the offence was motivated by bias, prejudice, or hate based on race, national or ethnic origin, language, colour, religion, sex, age, mental or physical disability, sexual orientation, or gender identity or expression, or on any other similar factor.”

Police investigations

This section examines police training and policies on investigating hate incidents. An analysis of police-reported hate incident data gathered by the Commissioner is included in the “By the numbers” areas of each section of this report.

The Vancouver Police Department Hate Crimes Unit told us that they want to hear about all potential hate incidents for the purpose of file linkage, identifying suspects, confirming whether an incident is in fact non-criminal and offering victim support services.⁹⁸² Similarly, BC Hate Crimes stresses in their online materials the importance of police investigating all hate incidents (even if they don’t meet the threshold of a hate crime) “at the same standard” as a criminal offence. The materials note that these investigations are important because the identification of suspects can prevent further incidents and is valuable intelligence. Hate-motivated incidents can cause trauma, fear, humiliation and depression for victim-survivors and negatively affects community and individual safety, and hate-motivated incidents are scrutinized by the public and the media and thorough investigation enhances police credibility.⁹⁸³

Some Inquiry participants reported positive experiences with police.⁹⁸⁴ For instance, the Burnaby Together Coalition spoke to the strength of their working relationship with the RCMP,⁹⁸⁵ and former white supremacist Tony McAleer spoke to the importance of relationships between law enforcement and organizations that help deradicalize people involved with far-right extremism.⁹⁸⁶ We also heard from a representative of the Vietnamese Professionals Association of BC and Fix Police Reporting that, after overcoming barriers to reporting the hate incident he experienced, the police response was positive. They shared:

“The fact that after I submitted the form, I got a response so quickly, and the fact that they actually went to the location and scanned all the security cameras.... So, that is itself beyond just reporting, simple reporting, but actually taking action. It’s something that helps with the community, helps with trust, helps with having a place where people feel welcome.”⁹⁸⁷

According to RCMP Corporal Anthony Statham (then the lead of BC Hate Crimes), the complexity of the law can make it seem like people are getting away with hurling racial slurs at strangers on the street. Corporal Statham shared:

“Using a racist slur is typically something that’s protected as a form of freedom of expression, which is a tough thing for a lot of people to hear.”⁹⁸⁸

Corporal Statham noted that while these actions are offensive, hurtful and harmful to the community, oftentimes they are not criminal offences.⁹⁸⁹ We heard that for many people who experience a frightening and painful hate incident, being told it does not meet the threshold of a hate crime and not receiving support or further avenues of recourse can feel confusing and invalidating and results in people being much less likely to report to the police in the future.⁹⁹⁰ Conversely, when police do investigate hate incidents, we heard clearly that it contributes to trust in communities.

Responding to and investigating hate incident reports is the responsibility of the local police where the incident occurred. However, the Vancouver Police Department is the only municipal police department in the province with a specialized Hate Crimes Unit, while other police departments, such as Saanich, New Westminster and Victoria, have hate/bias crimes coordinators or investigators.

BC Hate Crimes is an integrated unit in the RCMP E Division Major Crimes Section that serves as a provincial resource to RCMP detachments and municipal police departments. BC Hate Crimes describes their role as:

- Conducting hate crime investigations that cross jurisdictions
- Conducting hate crimes investigations where expertise is required
- Coordinating between RCMP and municipal police departments and the BC Prosecution Service
- Reviewing all Police Records Information Management Environment (PRIME) files flagged as hate crimes on a routine basis, and completing follow-up with RCMP detachments and municipal police services as required
- Acting as a central repository for all hate crime data in British Columbia
- Ensuring local police are informed of hate crimes, incidents, activities and trends and disseminating relevant intelligence
- Monitoring for ideologically motivated violent extremism that has a relationship to British Columbia
- Coordinating with other provincial and federal police units on monitoring for and addressing ideologically motivated violent extremism
- Coordinating with internal and external partners on community outreach, crime prevention, youth and educational initiatives⁹⁹¹

Police training

BC Hate Crimes reports that they support RCMP officers and municipal police with general questions about the identification and investigation of hate/bias crimes.⁹⁹² The Commissioner asked each police department and the RCMP for information about whether police officers receive specific training on investigating hate incidents and hate crimes and for copies of their hate crimes policies. The B.C. RCMP explained that there is no specific training provided to BC Hate Crimes members. The team has attended conferences related to hate crimes and has completed mandatory courses on diversity and cultural awareness, like the Uniting Against Racism training, which is required of all RCMP. The members of BC Hate Crimes support detachments and other units by making presentations to police departments and partners in the community. The RCMP told the Commissioner that BC Hate Crimes will be developing an updated training plan that can be delivered upon request and will address a proactive approach to hate crime/incident investigations throughout B.C.

Several police departments noted that training specific to hate crimes is included as part of the basic training at the Justice Institute and the RCMP training depot. Some also noted that police officers can access the Hate and Bias Crime Investigation course offered through the Canadian Police Knowledge Network (CPKN). The Abbotsford, Central Saanich, Victoria, and West Vancouver police departments do not offer any training specific to hate incidents/hate crimes.

Other police departments reported offering a range of training opportunities. For example, the Nelson Police Department has one member who is a certified hate crime and hate incident investigator with qualifications from Ontario Police College. All members of the Nelson Police Department have completed the CPKN Hate and Bias Crime Investigation training. By contrast, the Saanich Police Department indicated that they may provide additional training if officers are assigned to sections where this might be more relevant (for example, major crime, schools, community engagement) or if they have expressed personal interest. On March 22, 2022 the Canadian Race Relations Foundation and the Chiefs of Police National Roundtable announced the creation of a Task Force on Hate Crimes. Police training is one of the priority areas for the Task Force.

Police policies

Most police departments in B.C. have policies on investigating hate incidents and hate crimes except for the Port Moody Police Department and the Metro Vancouver Transit Police. The Commissioner observed both similarities and considerable differences between the hate crimes policies of the municipal police departments. For example, some of the policies include definitions of hate crimes and hate incidents, while others only define hate crimes. Some policies list the relevant hate crime provisions of the *Criminal Code*, while others list only the hate propaganda sections and leave out s.430(4.1) and s.718.2. which reference mischief relating to religious property and hate as an aggravating factor in sentencing considerations.

Some policies cover purpose, definitions, identification, investigation, notification, victims, documentation and prevention, and some policies are missing some of these key features. Many policies include detailed directions on documenting hate crimes in the policing database PRIME, while others (for example, Port Moody and Central Saanich) are silent on documentation. In addition, while most policies include information about victim services, only the RCMP reference the *Canadian Victims Bill of Rights* in their policy. Some policies include information about referring complainants

to the Human Rights Tribunal where the incident might be discriminatory but not criminal. Others don't include information about the Tribunal at all.

Police responses during the pandemic

The Commissioner heard from BC Hate Crimes and the Vancouver Police Department about their responses to hate during the pandemic. BC Hate Crimes told the Commissioner that, during the pandemic, they responded to more inquiries from the public and government than before the pandemic and they shared emerging data with municipal police services to assist with prevention and proactive response to trends in rising hate.⁹⁹³ The Vancouver Police Department reported undertaking the following actions:

- Creating additional educational resources for officers, including a 15-minute training video about hate crimes and a mandatory online anti-racism course⁹⁹⁴
- Increasing support to the East Asian community during the pandemic, including the creation of a dedicated East Asian Hate Crime project team which developed an online reporting mechanism in simplified and traditional Chinese (since expanded to other languages) and did door-to-door delivery of translated informational materials in Vancouver's Chinatown⁹⁹⁵
- Creating an online reporting tool for hate incidents that is available in several languages⁹⁹⁶
- "Significantly elevated the importance of [hate incidents]" through their reporting system, including encouraging the public to report non-criminal incidents⁹⁹⁷

According to the Vancouver Police Department Hate Crimes Unit, section 318(1) (advocating genocide) and section 319(1) (public incitement of hatred) are extremely rare charges in Canada, with no charges known to them from Vancouver.⁹⁹⁸ Approval from the provincial Attorney General is required for a charge to proceed under s.318(1). BC Hate Crimes explains that arrests under s.319(1) only occur where the police have reasonable grounds to believe that a suspect's hateful statements will lead to a breach of the peace (for example, a public order disruption or riot).

Section 319(2) (wilful promotion to hate) is still rare, but slightly more common. BC Hate Crimes explains:⁹⁹⁹

"Only a very small number of suspects are charged under s.319(2) in Canada in a given year. The main reason for this relates to the protection of expression guaranteed to Canadians under s.2 of the Canadian Charter of Rights and Freedoms. The elements of s.319(2) are always weighed against an individual's s.2 Charter rights. In fact, a charge under s.319(2) is a technical breach of an individual's s.2 Charter rights—accordingly, Crown Counsel has to obtain approval from the provincial Attorney General for a charge to proceed."

Cases have been investigated under s.319(2) by the Vancouver Police Department, but typically the Vancouver Police have not forwarded these charges to Crown Counsel because “the case would not meet the threshold of a criminal conviction.”¹⁰⁰⁰

Relative to these sections, charges under section 430(4.1) (mischief to religious or cultural properties) are more common, such as a conviction in April 2020 for mischief at the Vancouver Chinese Cultural Centre.¹⁰⁰¹

DID YOU KNOW?

In B.C., the police decide whether to recommend charges under the *Criminal Code*, and the prosecutor (Crown Counsel) decides whether to approve the charges and prosecute the accused. The BC Prosecution Service’s Crown Counsel Policy Manual for Hate Crimes is publicly available. It states that the following public interest factors will favour an incident being prosecuted as a hate crime: considerable harm was caused to a victim; the victim was a vulnerable person; the offence was motivated by bias, prejudice or hate based on race, national or ethnic origin, language, colour, religion, sex, age, mental or physical disability, sexual orientation or any other similar factor; and there are grounds for believing that the offence is likely to be continued or repeated.¹⁰⁰²

Like with any charge under the *Criminal Code*, the person who complains to the police is not the one who controls what happens with that complaint. Courts are responsible for hearing and deciding cases against an accused person under the *Criminal Code*. During a criminal trial, the judge hears evidence they will use to decide if the accused is guilty. The accused is presumed innocent until proven guilty. It is up to Crown Counsel to prove beyond a reasonable doubt that the accused committed the offence or offences. The Crown Counsel must present all relevant evidence to the judge, not just the evidence that points to the accused’s guilt. The defence counsel tests the Crown’s evidence and may choose to call other evidence.¹⁰⁰³ Generally at a trial, the victim-survivor to a criminal offence has no formal role beyond potentially testifying as a witness.

If a court finds someone guilty of a hate crime, the person can be sentenced to prison time, fines and other criminal sanctions. There is some possibility of financial compensation for the victim-survivor under s.739 of the *Criminal Code* and through the Crime Victim Assistance Program.¹⁰⁰⁴

Hate crimes prosecutions

While prosecuting people who commit hate crimes is an important part of government response to hate, there are limitations with this approach as well, including that the prosecution of hate crimes relies on the difficult task of proving that the perpetrator's actions were motivated by hate. The Commissioner heard the following concerns about hate crime prosecutions:

- Most hate incidents do not meet the threshold of being a criminal offence.¹⁰⁰⁵
- Concerns about Constitutional protections of free expression often prevent legal action on hate speech.¹⁰⁰⁶
- For hate incidents that do proceed to prosecution, the legal process is often “extremely difficult and taxing.”¹⁰⁰⁷
- In general, victim-survivors of hate crimes are not well supported during the criminal law process. They have limited autonomy in the process, and the focus is on the offender, rather than responding to the needs of the victim-survivor.¹⁰⁰⁸
- There is also a major gap in data, as crimes where hate is an aggravating factor in sentencing are not systemically tracked through the courts.¹⁰⁰⁹
- Prosecutions under sections 318 and 319(2) of the *Criminal Code* in B.C. require the consent of the Attorney General.¹⁰¹⁰

Based on media reports and publicly available court decisions, several people in B.C. have been charged with hate crimes under the *Criminal Code* since the pandemic began. These include:

- Chao Wang, who was charged with promoting hate in relation to allegations he scrawled racist graffiti on a poster of a Black model outside an optical store in Richmond in May 2021.¹⁰¹¹
- Kibwe Ngoie-Ntombe, who pled guilty in February 2022 to wilfully promoting hate in a series of online videos attacking a Congolese ethnic group.¹⁰¹²
- Jonathan Michael Brennan, a Métis man with a history of substance use and apparent mental health issues, who in June 2020 was charged under section 319(2) of the *Criminal Code* after allegedly threatening to “cause death or bodily harm to people of brown skin” in Surrey. The charge was ultimately stayed, and Brennan instead pled guilty to mischief motivated by bias, prejudice or hate.¹⁰¹³
- Yves Castonguay was originally charged under section 319(2) of the *Criminal Code* for scrawling racist graffiti on Vancouver's Chinese Cultural Centre in 2020, but that charge was stayed after he pled guilty to committing mischief to cultural property under s.430(4.1) of the *Criminal Code*. His messages used slurs against people of Chinese ethnic origin and called for violence against them, while making references to the COVID-19 virus and the Holocaust, demanding their removal and exclusion from Canada. He stated his remorse and that “he was only repeating what he saw on the internet,” and claimed that his long-standing partnership with an Indigenous woman showed that he was not racist or biased. The judge sentenced him to 240 days in jail, emphasizing that Castonguay's actions had harmed not only the Chinese Canadian community, but also Canadian society at large because they endangered the values of equality and non-discrimination.¹⁰¹⁴

As demonstrated by this report, hate incidents are most often, but not always, perpetrated by white men. The Commissioner is concerned that the available data (four cases) suggests a disproportionate number of racialized individuals being prosecuted and convicted of hate crimes against other racialized groups. Similar patterns have been observed in other jurisdictions. For example, in New York City, only two of the 20 people arrested for committing anti-Asian violence in 2020 were white, despite evidence that three-quarters of those who engage in anti-Asian violence are white.¹⁰¹⁵

By the numbers: Police-reported hate incidents, hate crimes charges and prosecutions

To assess the effectiveness of the criminal justice system in responding to hate incidents, the Commissioner gathered information from all police departments in B.C., the BC Prosecution Service and the courts. For the years 2015–2021, the Commissioner received data on 4,182 hate incidents reported to the police (including founded and unfounded reports). Given that Statistics Canada estimates that police-reported hate incidents represent only 20% of all hate incidents, we estimate that the true number of hate incidents in B.C. between 2015–2021 was approximately 20,000 incidents or 3,333 incidents per year on average. While we know that police data is limited, it remains an important metric of hate incidents.

The Commissioner requested policing data on hate incidents from the B.C. RCMP and all municipal police departments in B.C., including data on outcomes. In policing data, incidents are either considered to be founded or unfounded. Founded and unfounded incidents are defined as:

“An incident is founded if, after police investigation, it has been determined that the reported offence did occur or was attempted (even if the charged/suspect chargeable is unknown) or there is no credible evidence to confirm that the reported incident did not take place. This includes third-party reports that fit these criteria.”¹⁰¹⁶

Unfounded incidents are those that are “determined through police investigation that the offence reported did not occur, nor was it attempted.”¹⁰¹⁷

Of the 4,182 hate incidents on which the Commissioner received data, 3,931 were considered founded by police and 251 (6%) were considered unfounded.

As described above, in response to a hate incident report, the police might investigate a hate-motivated general offence (for example, an assault with a hate motivation) or investigate an incident as a specific hate crime under ss.318(1) (advocating or promoting genocide), 319(1) (public incitement of hatred), 319(2) (wilful promotion of hatred), 430(4.1) (mischief to religious or cultural properties). As detailed in the table below, of the 3,931 founded hate-related incidents only 6% (249 incidents) were investigated under ss.318(1), 319(1), 319(2) or 430(4.1) of the *Criminal Code*.

NUMBER OF INVESTIGATIONS UNDER SS.318(1), 319(1), 319(2) AND 430(4.1) OF THE CRIMINAL CODE IN B.C. FROM 2015–2021

YEAR	TOTAL POLICE-REPORTED HATE INCIDENTS	SPECIFIC HATE CRIME TYPE			TOTAL INVESTIGATIONS UNDER SS.318(1), 319(1), 319(2) AND 430(4.1)
		S.318(1) ADVOCATING OR PROMOTING GENOCIDE	S.319(1) PUBLIC INCIDENT OF HATRED OR S.319(2) WILLFUL PROMOTION OF HATRED	S.430(4.1) MISCHIEF TO RELIGIOUS OR CULTURAL PROPERTY	
2015	211	0	11	1	12
2016	323	0	21	9	30
2017	409	4	23	10	37
2018	454	3	14	7	24
2019	506	2	14	12	28
2020	925	2	30	11	43
2021	1,103	2	34	39	75
TOTAL	3,931	13	147	89	249

The Commissioner analyzed the outcomes of the 3,931 hate incidents reported to the police in B.C. from 2015–2021. The data is derived from analyzing the clearance status codes in the police-reported hate incident data. It is important to note that clearance status can change, and this data reflects the point in time it was provided to the Commissioner. Of the 3,931 founded hate incidents reported to the police in B.C. between 2015–2021:

- 67% (2,619 incidents) were not cleared (meaning that they are open/still under investigation, that there was insufficient evidence to proceed or that the victim declined to proceed or to identify the perpetrator)

- 22% (879 incidents) were cleared otherwise (meaning that the file was closed for another reason, including the death of the victim or perpetrator, the victim identified the perpetrator but requested that no further action be taken, departmental discretion, the perpetrator was referred to diversion, the perpetrator was detained in a mental health facility)
- 11% (433 incidents) were cleared by charge (cleared by charge means that charges were recommended by the police to Crown—in this case, any charge, not necessarily only hate-related ones)

Of the 433 incidents that were cleared by charge:

- 14 % (35 incidents) resulted in police recommending charges under ss.318(1), 319(1), 319(2) or 430(4.1) of the *Criminal Code* (on average, the police recommended about 5.8 charges/year under these sections).¹⁰¹⁸ Of these, 21 incidents were targeting race or ethnicity, 15 religion, and six gender or sexual orientation.¹⁰¹⁹
- 86% (398 incidents) resulted in police recommending other charges. While some of these recommended charges might include recommended charges for offences with hate motivations, this information is not tracked so this number cannot be determined.

The Commissioner also requested data from the BC Prosecution Service and the Provincial and Supreme Courts on:

- Reports to Crown Counsel, charges and prosecutions under ss.318(1), 319, 319(1), 319(2) and 430(4.1) with offence dates between January 1, 2012 and December 31, 2021
- Prosecutions where hate was considered a motivating factor on sentencing under s.718.2(a)(i) of the *Criminal Code*

In the 10 years between 2012–2021, police across B.C. made 64 Reports to Crown Counsel (RCC) that included a hate offence under ss.318(1), 319, 319(1), 319(2) or 430(4.1) of the *Criminal Code* and named 67 accused people (on average, the police recommended 6.7 charges under these sections per year). From the 64 Reports to Crown Counsel:¹⁰²⁰

- 49 people were charged by Crown
 - 41 people were charged with other offences. It is impossible to know how many people were charged with general offences with hate motivations because this information is not tracked by the Crown or the courts. 25 people were found guilty of another offence.
 - Six people were charged with 10 hate crime offences under ss.318(1), 319, 319(1), 319(2) or 430(4.1) of the *Criminal Code*.

Of the six people charged with 10 hate crimes under ss.318(1), 319, 319(1), 319(2) or 430(4.1):

- Two of the 10 charges were under s.319 of the Criminal Code (Public incitement of hatred) with no subsection specified
- Seven of the 10 charges were under s.319(2) of the *Criminal Code* (wilful promotion of hatred)
- One of the 10 charges was under s.430(4.1) of the *Criminal Code* (mischief related to religious or educational property)

With respect to the outcomes of the 10 charges under ss.318(1), 319, 319(1), 319(2) or 430(4.1):¹⁰²¹

- Three were convicted on a hate crime charge
- For procedural reasons, two charges are represented twice in this total
- Four hate crime charges were stayed but the individuals were either found guilty of other charge(s) or not fit to stand trial on other charge(s)
- One resulted in a not guilty outcome

Of the three people in B.C. convicted of hate crimes under ss.318(1), 319(1), 319(2) or 430(4.1) of the *Criminal Code* between 2012–2021:

- One person received a conditional sentence, forfeiture and probation order
- One person received a conditional sentence, probation order and victim surcharge
- One person was sentenced to jail and received a probation order



HATE AS AN AGGRAVATING FACTOR IN SENTENCING

The Commissioner sought data from B.C. courts on cases where hate was considered as an aggravating factor in sentencing in B.C. The Court Services Branch of the Ministry of Attorney General was not able to provide any data because they do not track this data through B.C.'s integrated criminal case tracking system.

Federally, the Department of Justice has published two reports examining hate as an aggravating factor in sentencing.¹⁰²² The report's analysis was only possible by conducting keyword searches relevant to reported cases.¹⁰²³ The first report reviewed cases from 1996 to 2007 and the second report, published in 2020, reviewed cases from January 1, 2007 to March 23, 2020.

Between 2007 and 2020, there were only 32 reported cases in Canada where the judge considered and applied hate as an aggravating factor at sentencing, another 10 cases where the judge considered hate as an aggravating factor but did not apply it and seven cases where it was discussed.¹⁰²⁴ Nine of these 49 cases were heard in B.C. Violent offences were the most common types of offences where hate was considered as an aggravating factor in sentencing and they included assault, manslaughter and first-degree murder. The study found that, when sentencing, judges applied s.718.2(a)(i) of the *Criminal Code*. They frequently applied it with the sentencing principles of general and specific deterrence and denunciation. In the published cases, only a few judges detailed how they applied subparagraph 718.2(a)(i) and how that influenced the severity and length of the sentence. In one case, the judge applied s.718.2(a)(i) and increased the sentence by 12 months (71%).



20,000 estimated hate incidents in B.C. (2015–2021)

4,182 police-reported hate incidents

2,619 unsolved or still under investigation

35 charges recommended on hate crimes*

6 people charged with hate crimes**

3 convictions

* This number includes recommended charges under ss.318(1), 319(1), 319(2) and 430(4.1) of the *Criminal Code*.

** This number does not include charges for general offences where hate was considered an aggravating factor on sentencing because that number is not tracked.

The authors of the review note that Canadian criminal courts have previously stated that subparagraph 718.2(a)(i) is a “rarely used provision” and that sentencing judges have given only limited consideration to subparagraph 718.2(a)(i). The authors conclude that their review of published case law corroborates this statement. It is important to note, however, that this report was limited to a review of published sentencing decisions and the vast majority of sentencing decisions are not reported.

Combining the statistics from Statistics Canada, police in B.C. (including the RCMP), the BC Prosecution Service and the courts, we estimate that the true number of hate incidents in B.C. between 2015–2021 was approximately 20,000 incidents or 3,330 incidents per year on average. Only 4,182 of those hate incidents were reported to police. Of those 3,931 were determined to be “founded” by police, only six people were charged with 10 hate crimes under ss.318(1), 319, 319(1), 319(2) or 430(4.1) of the *Criminal Code*, and only three resulted in convictions. We do not know how many general offences with hate motivations proceeded to court under s.718.2(a)(i) because this information is not tracked by the Crown or the courts, although this number is likely low based on Canada-wide research. This data, together with what we heard from individuals and communities about their experiences in the criminal justice system in the aftermath of a hate incident leads to the conclusion that the criminal justice system, while playing a potentially important role in community safety and as a deterrent to potential offenders, is not effectively responding to the problem of hate in B.C.

Administrative law

Human rights law is designed to, among other things, promote a climate of understanding and mutual respect where all are equal in dignity and rights and to provide people who experience discrimination contrary to the *Human Rights Code* with the option to seek redress. The human rights complaints process is initiated by the person who feels their rights have been violated, and complaints are adjudicated through the Human Rights Tribunal. While the processes and goals of the *Criminal Code* and the *Human Rights Code* are very different, both contain important avenues for redressing the harms caused by hate incidents.

Both B.C.’s *Human Rights Code*¹⁰²⁵ and Canada’s *Criminal Code*¹⁰²⁶ prohibit hate speech.¹⁰²⁷ The *Human Rights Code* defines hate in a similar way to the *Criminal Code* and they have the same three main parts listed earlier: 1) it must be public, 2) it must target people on the basis of certain protected grounds of their identity, and 3) it must use extreme language to express hatred towards the targeted group. There are also important differences between the hate speech provisions of the *Criminal Code* and the *Human Rights Code*. Some of the differences involve what exactly is illegal, while others involve the process and possible remedies if someone has breached these laws. In addition, there are some differences in the protected characteristics under each of these laws.

Individuals (complainants) file complaints with the BC Human Rights Tribunal. Complainants make decisions about the case, including gathering evidence and whether to settle. The Human Rights Tribunal is responsible for hearing all complaints of discrimination under the *Human Rights Code*. If the Human Rights Tribunal finds that someone has used hate speech contrary to the *Human Rights Code*, the Tribunal can order that the hate speech stop, that the complainant be financially compensated for injury to dignity, feelings or self-respect, and other remedies. The Tribunal cannot send anyone to prison.

Limits of the hate speech prohibition in B.C.'s *Human Rights Code*

The B.C. *Human Rights Code* and Human Rights Tribunal offer an alternative to criminal law approaches to hate incidents. However, there are also significant limitations with the human rights system in B.C., as highlighted by the submission from the Community Legal Assistance Society. These limitations include:

- **Gaps in the list of protected grounds under B.C.'s *Human Rights Code*.** For example, there are no protections for discrimination based on social condition, language, immigration or citizenship status or body size.¹⁰²⁸
- **Gaps in the protected areas under B.C.'s *Human Rights Code*.** For example, there are typically no human rights protections available for hate incidents that occur in between two people who are not in a duty-bearer/rights-holder relationship in the Code-protected areas of employment, housing, service provision or union membership.¹⁰²⁹ This gap is not intuitive for most people who are seeking redress for hate they have experienced. The Community Legal Assistance Society shared:

“Imagine how confusing it must be to the general public to learn that the human rights system, the body with the express purpose of preventing and responding to incidents of discrimination, is incapable of responding to and addressing such egregious examples of discrimination, racism and harm.... This is likely the most significant barrier for people seeking human rights legal response to a hate incident they have experienced.”¹⁰³⁰

- **Gaps in clarity of coverage for online hate.** Currently, the BC Human Rights Tribunal adjudicates many types of discrimination complaints, but when it comes to online hate cases, the law is not clear about jurisdiction. The Commissioner's position is that complaints about online hate published in B.C. are within the scope of B.C.'s *Human Rights Code* and the BC Human Rights Tribunal, but this remains to be clarified.

In addition, there are several institutional barriers to seeking redress for a hate incident through human rights law in B.C. For instance, we heard that the one-year limitation period is too short for many people, with disproportionate impacts on those who are most marginalized, as well as those living in rural and remote communities.¹⁰³¹ We heard that there is insufficient legal assistance available for drafting and filing complaints.¹⁰³² People also may not trust the human rights system. One reason offered was because of the under-representation of racialized people among decision-makers at the Tribunal.¹⁰³³ The Commissioner is hopeful that the January 2023 announcement of additional funding for the Community Legal Assistance Society will enable more people to receive legal assistance to bring forward complaints to the Tribunal.

However, the most fundamental challenge is under-funding. Until the January 2023 announcement of additional funding for the Human Rights Tribunal, the Tribunal had not received additional funding to match significant increases in caseload. Because of this under-funding, for individuals who have experienced hate or discrimination that is prohibited by the Code, there are very long delays.¹⁰³⁴ The Community Legal Assistance Society told us that these delays cause many people to walk away from the process entirely. As they stated: “It’s somewhat trite to say that justice delayed is justice denied, but we see the truth of this statement every day at the Human Rights Clinic. We feel it’s our responsibility to advise the people we serve, who are considering making a complaint, that the complaints process can take many years to resolve their issue.”¹⁰³⁵

While the Community Legal Assistance Society would like to see the above-mentioned gaps in the *Human Rights Code* and institutional barriers addressed, this must be accompanied by adequate additional resources. As a representative told us: “The Tribunal is hugely under-resourced to meet even its existing mandate. Adding to its scope and work without a massive investment in resources would be completely untenable, and frankly, would only make matters worse by providing an illusion of responsiveness, without the actual capacity and ability to deliver timely justice.”¹⁰³⁶

There are also sometimes unintended negative consequences of human rights approaches to hate, particularly when cases gain a prominent public profile. We heard from Klautt Law that in Morgane Oger’s case brought before the BC Human Rights Tribunal, she was subjected to virulent transphobic abuse, both surrounding the case and in the actual proceedings.¹⁰³⁷ In contrast, former perpetrator of hate Tony McAleer shared that when he had a Canadian Human Rights Commission case against him based on his actions as a far-right extremist, the publicity actually raised his profile and allowed him to fundraise for his extremist activities more easily.¹⁰³⁸

By the numbers: BC Human Rights Tribunal cases

The Tribunal does not have 2015–2021 statistics readily available to show how many complaints were accepted for filing under section 7(1)(b) or how many of these complaints reached a settlement without a hearing on the merits.

“It’s somewhat trite to say that justice delayed is justice denied, but we see the truth of this statement every day at the Human Rights Clinic.”

—Community Legal Assistance Society

Civil law

Apart from the *Human Rights Code*, there are few references to “hate” or “hatred” in B.C. legislation:

- The *Multiculturalism Act* states that it is Government of B.C. policy to reaffirm that violence, hatred and discrimination on the basis of race, cultural heritage, religion, ethnicity, ancestry or place of origin have no place in the society of British Columbia.¹⁰³⁹
- The *Correction Act Regulation* states that people in custody must not “behave in a manner toward a person that shows hatred or contempt for the person based on the person’s race, colour, ancestry, place of origin, religion, marital status, family status, physical or mental disability, sex, sexual orientation or age.”¹⁰⁴⁰

The Ministry of Public Safety and Solicitor General provided a table with the number of substantiated and/or unsubstantiated disciplinary actions related to section 21(1)(h), which shows that there was no increase in these disciplinary actions during the pandemic, although there were also fewer people in custody.¹⁰⁴¹

- The *Youth Custody Regulation* states that a youth in custody commits an infraction if they show hatred or contempt for a person based on the person’s race, colour, ancestry, place of origin, religion, marital status, family status, physical or mental disability, sex, sexual orientation or age.¹⁰⁴²
- The *Security Services Regulation* prohibits licensed security workers from, among other things, advertising in a way that promotes hatred or intolerance of a person or group of people, or from using a logo that similarly promotes hatred or intolerance.¹⁰⁴³
- The *Civil Rights Protection Act* is a rarely used law that has been in place since 1981. There are only seven reported claims for prohibited acts under the *Civil Rights Protection Act*, and none have been successful. It prohibits speech that intends to interfere with the civil rights of a person or group of persons because of the characteristics of colour, race, religion, ethnic origin or place of origin. Prohibited speech includes hatred or contempt or promoting the superiority or inferiority of a person or class or persons in comparison with another or others.¹⁰⁴⁴

Civil Rights Protection Act

Unlike under the *Human Rights Code*, under the *Civil Rights Protection Act*, there must be evidence that the person accused of infringing the *Civil Rights Protection Act* intended to promote hatred, contempt, inferiority or superiority on a prohibited ground and intended to interfere with the civil rights of the person or class of persons against whom the promotion of hatred, contempt or inferiority was directed. In addition, “hatred” and “contempt” have been interpreted as provoking strong and deeply held emotions. “Superiority” and “inferiority” in the *Civil Rights Protection Act* must be found to create “an equally strong connotation of promoting profound emotional antipathy based on notions of physical, moral or intellectual inferiority or superiority.”¹⁰⁴⁵

The BC Human Rights Tribunal has distinguished between the *Civil Rights Protection Act*, which it describes as concerned with the purposes of those who author hate speech, and the *Human Rights Code*, which it describes as concerned with the effects of such speech.¹⁰⁴⁶ The Tribunal has also found that the *Civil Rights Protection Act* is not equally effective to achieve the objective of s.7(1)(b) of the *Human Rights Code* (hate speech) because it is not aimed at the harmful consequences of the public manifestation of hate speech against disadvantaged groups.¹⁰⁴⁷

In 2020, the Government of B.C. also established a cross-ministry coordinating committee to tackle racism and hate. In support of the cross-ministry working group, the Ministry of Public Safety and Solicitor General commissioned research to explore “non-enforcement strategies to addressing hate-motivated incidences which do not meet the threshold for charges to be laid under the *Criminal Code* (or, for example, in cases where the victim-survivor chooses not to pursue charges).” The goal of the research was to provide a list of actionable best practice and policy recommendations for government. At the time of writing this report, the research was ongoing.

BCOHRC staff conducted research into civil remedies for hate in Canada and internationally. Examples of civil remedies in other jurisdictions can be found at Appendix K.

Federal laws that address ideologically motivated violent extremism and terrorism

The following are some of the laws that address ideologically motivated violent extremism and terrorism in Canada:¹⁰⁴⁸

- **Criminal Code:** The *Criminal Code*¹⁰⁴⁹ contains several provisions addressing terrorism. Section 83.01 defines a terrorist activity as an act or omission committed in Canada or abroad that constitutes an offence under the international conventions listed in the section. It is also an act or omission committed for a political, religious or ideological purpose, objective or cause, with the aim of intimidating the public or compelling a person or organization to do or refrain from doing an act that intentionally causes death, bodily harm, property damage; endangers life, public health, and safety, and interferes with essential services. Section 83.01(1.1), however, emphasizes that the expression of a political, religious or ideological thought, belief or opinion does not amount to a terrorist activity.¹⁰⁵⁰

The *Criminal Code* also states that contributing to, making property or financial services available to, facilitating or instructing a person to carry out terrorist activities is an offence.¹⁰⁵¹ Section 83.05(1) provides that the Governor in Council may, by regulation, and on the recommendation of the Minister of Public Safety and Emergency Preparedness, establish a list of entities that are reasonably believed to have carried out, attempted to carry out, participated in or facilitated a terrorist activity or to have knowingly acted on behalf of such entity.¹⁰⁵²

- **Canadian Security Intelligence Service Act (CSIS Act):** Section 12.1(1) of the CSIS Act¹⁰⁵³ provides that if there are reasonable grounds to believe that a particular activity constitutes a threat to the security of Canada, CSIS may take measures, within or outside Canada, to reduce the threat. Such threats include espionage, sabotage, serious violence

against persons for the purpose of achieving a political, religious or ideological objective, and clandestine activities by foreign governments.

CSIS “investigates activities suspected of constituting threats to the security of Canada as defined in section 2 of the CSIS Act. With respect to ideologically motivated violent extremism threats specifically, CSIS seeks to determine whether there is a threat of serious violence and the willingness to inspire others to kill; the actions are ideologically motivated; and those involved are attempting to affect societal change.”¹⁰⁵⁴

BC Hate Crimes states that hate crimes and terrorism are interlinked as they are offences predicated on ideological reasons and that where an offence relates to ideologically motivated violent extremism, it may be handled by both BC Hate Crimes and the E Division Integrated National Security Enforcement Team.¹⁰⁵⁵ BC Hate Crimes explains that investigations are not conducted based on membership in a hate group but on a case-by-case basis, paying attention to individuals who are involved in hate-related criminal activity and persons or groups involved in ideologically motivated violent extremism and who pose a danger to public safety.¹⁰⁵⁶ This is because s.2 of the *Canadian Charter of Rights and Freedoms* guarantees and protects peoples’ freedom of thought, belief, and expression. Thus, membership in a group, even though predicated on hate, violent extremism or ideology, is a protected form of expression.¹⁰⁵⁷

The Commissioner notes that the focus on the threat of serious violence is—and must remain—the central part of the analysis and approach to responding to ideologically motivated violent extremism. Ideologically motivated actions can be essential to productive social change efforts and the exercise of democratic human rights, such as protests and acts related to land reclamation by Indigenous land defenders. What must be prevented are acts of hate and violence rather than all acts related to ideology.



Support for victim-survivors of hate

“Given that the current generic services for all victims are very limited in scope and victim needs are generally not being met, it may not be realistic to expect specific services to address the special needs of (victims of hate crimes).”¹⁰⁵⁸

The impact of hate on individuals and communities can be profound. Yet, B.C. has limited services for victim-survivors, witnesses and the broader community for those specifically targeted by hate incidents. Although there are over 400 victim support services provided by the B.C. government, these services are insufficient to address the needs of victim-survivors of hate because:

- The services support all victim-survivors of crime in the province, and they are not designed to specifically meet the needs of victim-survivors of hate
- Services often don’t include support for families or communities impacted by hate crimes
- There is limited financial support available for victim-survivors of hate crimes

Appendix L provides a summary of victim services programs in B.C. and some examples from other jurisdictions.

Victim-survivors of hate incidents, as well as witnesses and other community members, are profoundly affected by hate incidents and need greater support than what is currently available. The Commissioner heard that government and institutional support mechanisms often provide a prescriptive, top-down¹⁰⁵⁹ and one-size-fits-all approach.¹⁰⁶⁰ We heard that governments and institutions need to work more closely with communities to develop supports that reflect their needs.¹⁰⁶¹

While we heard about the need for police and government agencies to be more responsive to the needs of victim-survivors, we also heard that the most effective supports are those that are created and facilitated by community members.¹⁰⁶² We heard that people are more likely to share their experiences of hate and seek support where they feel safe and have trusted relationships. For example, the BC Association of Aboriginal Friendship Centres stated that:

“People want to be able to speak to somebody that they know and that they can trust and that they can relate to.”¹⁰⁶³

This was echoed by CARES, who told the Commissioner that it is usually a trusted person that someone will first open up to.¹⁰⁶⁴ Collingwood Neighbourhood House said that it is important to fund advocacy groups so that people have somebody in a trusted network that they can go to and tell stories to and say: “Here’s what happened to me. What do I do with that?”¹⁰⁶⁵

The Commissioner heard about barriers that people face in accessing support after a hate incident. We heard that many people who experience hate incidents don’t know how or where to access services. We heard that services are often not culturally appropriate, multilingual or available in a timely manner. DIVERSEcity told the Commissioner that we need “increased funding in first language rooted in community where people are already feeling safe to come.... It’s creating the

conditions to make it safe to access these services in a way that upholds their dignity, that ensures that they're actually receiving the support they need today, not 24 months from today."¹⁰⁶⁶ We heard that when there are delays accessing supports and people can't or don't get the support they need after experiencing a hate incident, they can become further isolated.

Community organizations have done a tremendous amount of work supporting people through the pandemic, meeting survival needs for food and income supports, helping deliver important medical information and supporting access to vaccination, and rapidly pivoting to offer online services. Some of the common challenges associated with these community-based responses to hate include capacity and funding. There is also a tension where community organizations are sometimes expected to "fill in the gaps" of government response, but without the same types of resources.¹⁰⁶⁷ The capacity challenge may have been heightened in the pandemic, with major increases in the need for different types of support.¹⁰⁶⁸ As one organization described:

"We've mostly been responding on our limited budget and capacity to emergency situation after emergency situation."¹⁰⁶⁹

The Commissioner heard that community organizations need funding to be able to provide support to people and communities affected by hate incidents. For example:

- Hua Foundation noted that trust-building is a huge part of how we build resilience within communities. They told the Commissioner that this "requires an investment into the community and particularly those who are doing a lot of that trust building and networking, which is really key to making sure that people feel supported in ways that make sense to them and make them feel safe."¹⁰⁷⁰
- Burnaby Together said that it is limited in its ability to provide trauma-informed ongoing flexible supports for individuals in the community who experience hate, as it does not have the funding or the expert staff capacity to provide this level of individualized service.¹⁰⁷¹
- Kelowna Community Resources explained that they and other community organizations are bridging victims of hate incidents to services and supports. However, they shared that there are not enough resources and trained individuals to refer people to, and they recommend funding to build up services, especially for people who experience racist incidents and need psychological support.¹⁰⁷²
- The Commissioner heard about the need for mental health supports and funding to provide those supports. DIVERSEcity said that the biggest issue is the lack of adequate resourcing for clinical counselling in first languages and clinical counselling in a client's first language and clinical counselling that addresses the needs of different demographics. DIVERSEcity shared that the waitlists for counselling in languages other than English can be more than 24 months.¹⁰⁷³
- Unifor told the Commissioner that they are trying to get their mental health advocates at least 15 hours a week instead of 10, and would prefer 30 hours per week, as there are so many people out there that need to just vent, and they're breaking down. To quote frontline workers: "We are taking the brunt of it."¹⁰⁷⁴

In addition, the Commissioner’s public survey showed that people who experienced or witnessed hate incidents found strength and healing by connecting with community and social groups and by becoming involved in activism and participating in support groups (formal and informal). This highlights the importance of social connection and finding support from like-minded people who can understand the impact of the hate incident that was experienced or witnessed.

In “An Exploration of the Needs of Victims of Hate Crimes,” the authors noted the following barriers that victim-survivors of hate crimes face:

“Victims of hate crimes face the same barriers to accessing victim services that all other victims do, namely lack of awareness of services, lack of transportation to services, lack of availability of services in their local community, and limitations on the range of services offered.

Several jurisdictions acknowledged that victims of hate crimes do face particular challenges due to the nature of these crimes. Firstly, the impact of a hate crime can be particularly significant because the act is directed at an individual because of a characteristic pertaining to identity, for example race or sexual orientation. Secondly, unlike certain other categories of crime, whole communities can be victimized when a hate crime occurs. In that respect, support and remediation programs need to consider both the individual and the community. Finally, as hate crimes are symbolic acts, the character of the crime (for example, a violent act or a property crime) may correlate imperfectly with the degree of impact and damage to the victim and his or her community.”¹⁰⁷⁵

The Canadian Race Relations Foundation (CRRF) commissioned PricewaterhouseCoopers LLP to conduct an independent assessment of all supports for victim-survivors of hate crime across Canada. This culminated in the report “Reimagining a path to support all Canadians – A review of services for victims of hate crimes in Canada,” which outlined observations and gaps, leading practices, opportunities for improvement and key recommendations for the improvement of supports for hate crime victim-survivors across Canada.¹⁰⁷⁶ The report identified the following opportunities for improvement within Canada’s hate crime victim support framework:

- Amend the *Canadian Victims Bill of Rights* to include victim-survivors of hate incidents and other victim-survivors profiles, and to establish a universal definition of victim of hate that can be adopted by institutions and organizations across Canada.
- Provide increased funding to organizations that support victim-survivors of hate.
- Ensure that support systems and programs for hate crime victim-survivors are simplified, standardized and accessible.

- Create a more comprehensive directory or self-service tool for victim-survivors of hate crimes to include all options available across Canada.
- Recognize First Nations police as an essential service in the federal First Nations police services legislation, and provide necessary funding.
- Establish a mechanism to keep victim-survivors informed of the status of their report, and provide contact resources they can reach out to if they have questions or concerns at any point.
- Establish a network of counsellors from diverse cultural and religious backgrounds who can provide specific support to victim-survivors of hate.
- Include hate awareness education as a necessary qualification for educators.
- Encourage and fund community organizations to establish coordinated emergency response plans geared towards addressing large-scale hate-motivated attacks.
- Provide enhanced mental health support services for frontline workers assisting victim-survivors of hate, due to the nature of the work they do.

According to a policy brief published by the Organization for Security and Cooperation in Europe on the Enhancing Stakeholder Awareness and Resources for Hate Crime Victim Support project, the following are key characteristics of support for victim-survivors of hate crimes. They recommend that specialized services be developed that:

- Include practical support; psychological, emotional and counselling services; and legal advice and representation.
- Take into consideration the needs of hate crime victim-survivors, their personal situations, strengths and coping strategies in determining what kind of support they need.
- Carry out an individual needs assessment to tailor services to support victim-survivors.
- Make referrals to other support services that may be better suited to meet the victim-survivor's needs.
- Be designed in such a way that allows victim-survivors of hate crimes to express themselves with respect to their identity and narrative.
- Put the victim-survivor's needs first.
- Maintain privacy during the counselling process.
- Be independent from government agencies so that they can hold governments to account.
- Not be conditional on reporting a crime or participating in a criminal justice mechanism.
- Act as a contact point or liaison for victim-survivors who are interested in participating in a criminal justice mechanism in order to prevent revictimization.
- Be accessible by people with disabilities. For example, the premises of support centres and the information produced by these centres should be accessible.
- Staffed by people with appropriate educational qualifications. For example, law or psychology. Staff should be diverse and have anti-bias, anti-discrimination and anti-racism training.

- Frequently go on targeted community outreaches to educate communities about supports that are available to victim-survivors of hate.
- Thoughtfully engage with the media to ensure that hate crimes are reported accurately.
- Periodically conduct internal and external evaluations of their services.¹⁰⁷⁷

In B.C. and in Canada more broadly, we have a long way to go towards developing appropriate systems of support for victim-survivors of hate crimes. Recent research provides important insights into how to design responsive, supportive and effective victim services tailored to the experiences of those who have been targeted by hate.





Analysis and recommendations for change

Over the course of the Inquiry, we heard from 120 participants in person and in writing, commissioned expert reports, did extensive research, administered a province-wide poll, analyzed data from numerous public and private bodies and conducted an extensive public survey in multiple languages involving more than 2,500 respondents.

Through this evidence, the Commissioner made the following key findings:

- **Hate incidents have increased dramatically during the pandemic.** The Commissioner heard about hate experienced in every corner of B.C. on the basis of race, gender, sexual orientation, religion and Indigeneity and especially by people with intersecting identities. The increase in anti-Asian hate was particularly acute, as was hate and violence perpetrated on the basis of gender.

During the pandemic, many people experienced hate in public and private places that are part of their everyday life. These places included streets, parks, transit, restaurants, stores, schools, health care settings and their own homes. Hate incidents ranged from hateful comments and slurs, graffiti, property damage, physical harassment and aggression, threats of violence and people being spat on or having garbage thrown at them to violent assaults.

- **Hate is disproportionately experienced by marginalized communities** and especially by those with intersecting identities. Hate results in immediate and long-term physical and emotional harm, fear for safety and erosion in a person's sense of belonging. It also has a chilling effect on speech. The impacts of hate are cumulative.
- **Gender-based violence increased dramatically during the pandemic** while systems of support for victim-survivors closed or operated at reduced capacity, putting victim-survivors at significant risk. These increases should have been anticipated and mitigated given that previous societal crises have led to similar increases. The Commissioner takes notice of the growing evidence of the link between gender-based violence, misogyny and mass killings. While hate on the basis of gender frequently manifests in gender-based violence, that violence is rarely considered to be hate either under the law or more generally within society.
- **Online hate increased dramatically during the pandemic.** The Commissioner found that several factors contributed to the increase in online hate during the pandemic, including increased time spent online, the rampant spread of misinformation, disinformation and conspiracy theories, social media platform design and insufficient enforcement of corporate hate speech policies. Many algorithms used by social media companies to generate profit also generate hate by driving viewers to hateful content. The policies and practices of many social media companies demonstrate a lack of commitment to addressing the rise in hate on their platforms. Many companies are not transparent about how hate is showing up on their platforms or how they are addressing hate, which can obscure the scope of the problem and even amplify it.
- **Hate is not new. Hate has a long history in B.C., rooted in power and control and long-standing patterns of discrimination and oppression.** It is difficult to separate the specific conditions of the pandemic (including isolation, fear and anxiety, increased time online and economic stresses) and the rise in white nationalism that resurged prior to the pandemic (particularly in the context of the rise of populist leaders in the U.S. and around the world). The result, however, is the same—hate incidents are increasingly present across British Columbia.

While hate is often reflected through the actions of individuals, it serves to reinforce existing systems of oppression. However, not all discrimination and inequality results in hate speech and violence. With respect to hate in the pandemic specifically, psychological research supports the idea that perception of the threat of disease may be uniquely and powerfully linked to xenophobia and other forms of discrimination.¹⁰⁷⁸ Previous pandemics have seen similar increases in hate incidents. Other associated factors that contributed to the rise in hate in the COVID-19 pandemic include global and local dynamics of blame, mobilization against public health measures, social distancing and isolation, alcohol and mental health challenges, an absence of community and of a sense of belonging, the normalization of hate and the spread of misinformation, disinformation and conspiracy theories, and far-right and ideologically motivated violent extremism.

- **A lack of data on hate incidents that occur in different sectors and settings across the province impedes action.** The Commissioner requested extensive data on hate to inform the Inquiry. The Commissioner found that most public bodies do not collect data on hate incidents. The Commissioner also found that there are data quality issues or limitations with police, prosecution and court data (including that there is no tracking of when hate is considered an aggravating factor in sentencing). Further, social media companies were unable or unwilling to provide the Commissioner with data on hate on their platforms in B.C. or Canada during the pandemic.
- **Legal responses to hate have been largely ineffective** in addressing the problem (including criminal, civil and administrative law responses) because of problems in reporting (a lack of safety in police responses, of coordination between community reporting and of accountability for what happens with reports), a conservative approach to recommending or pursuing charges by police and Crown (resulting in very small numbers of prosecutions compared to the reports of hate emerging from community), the inaccessibility of the civil justice system, a lack of knowledge of civil resolution mechanisms and severe delays at the Human Rights Tribunal.
- **Government responses to hate have been largely ineffective** in addressing the problem because of a lack of relevant policies in public institutions, an absence of data, the underfunding of community organizations who are well-situated to address hate in their communities and the failure to apply a human rights-based approach to emergency management.
- **Community responses to hate can be effective** with adequate funding and centralized coordination. In particular, community organizations are shown to be effective in supporting those who have experienced hate, as well as in providing exit avenues for those who have perpetrated hate.

We turn now to how we can address this problem in tangible but transformative ways. As noted above, the Commissioner recognizes that hate is deeply rooted in systemic inequalities. However, here her recommendations are not aimed at tackling discrimination, inequality and violence more broadly. Instead, she is focused for the purpose of this Inquiry on making recommendations that can directly and effectively prevent and address hate incidents.

While the Commissioner recognizes that the federal government falls outside her legislative mandate and therefore has refrained from making recommendations to it, she hopes that her recommendations below aimed at social media companies may be informative for the Government of Canada if and when they choose to address the significant impact of online hate across the country through the regulation of these online actors.

The Commissioner's recommendations are organized along the following themes:

- Understanding hate and acknowledging its harm
- Building safety and belonging
- Fostering accountability and repairing harm

These themes highlight that the solutions lie in understanding what has been lacking in our societal response to crisis. For example, societal ignorance must be addressed through education, impunity must be addressed through more robust accountability mechanisms, and social isolation must be met with programs designed to bolster belonging and connection.



To breathe life into the policy changes recommended below, the Commissioner recommends that the Government of British Columbia demonstrate its commitment to addressing hate in our communities during times of crisis and beyond by establishing the following institutional mechanisms:

1. The head of the BC Public Service should create a role at the assistant deputy minister level or higher to coordinate and lead prevention and responses to hate. This role should include the responsibility to oversee the implementation of the recommendations in this report aimed at the provincial government and related public bodies. It is essential that the mandate of this role stretch across all areas of hate, including hate on the basis of gender (including gender identity and expression), race, religion, Indigeneity, sexual orientation, disability, social condition and more.
2. The Premier and Cabinet should commit to producing a whole-of-government strategy and action plan on addressing hate, informed by this report and the Commissioner's recommendations, with clear timelines, deliverables and transparent reporting. The strategy and action plan must be adequately funded and include:
 - a. Creating a community advisory group to support the development of the plan with representation from people with lived experience of hate.
 - b. Committing to publishing reliable data on hate incidents, based on police databases, social media reports and the centralized community reporting mechanism (as discussed in recommendation 5).
 - c. Publishing an annual public report on progress made under the plan, using key performance indicators to measure change over time.
 - d. Introducing, for consideration by the legislative assembly, an amendment to B.C.'s *Human Rights Code* (s.47.12) to provide the Human Rights Commissioner with the legislative mandate to provide independent oversight on the implementation of this strategy.

Understanding hate and acknowledging its harm

To respond effectively to hate, we must understand it—where it comes from, how it manifests and how it impacts those who both perpetuate it and are subject to it. Failing to recognize the harm caused by discrimination, hate and structural inequalities creates the ideal circumstances for hate to flourish, and the impacts of hate on our communities to deepen. One of the reasons the Commissioner conducted an inquiry into this topic was to create the space to build this shared understanding of hate.

Hate flourishes in the absence of a shared truth. This speaks to the truth-telling aspect of truth and reconciliation. While truth and reconciliation processes were designed for transitional societies and emerging democracies, the rationale of truth as a precursor to resolving large-scale societal conflicts and transitioning towards a safer and more equal society applies here. Understanding the problem—with a focus on the experiences of those individuals and communities who have been victimized or targeted—is essential for us to move forward towards resolution and transformation.

The importance of truth to transformation was explained by the Truth and Reconciliation Commission of Canada:

“We are mindful that knowing the truth about what happened in residential schools in and of itself does not necessarily lead to reconciliation. Yet, the importance of truth-telling in its own right should not be underestimated; it restores the human dignity of victims of violence and calls governments and citizens to account. Without truth, justice is not served, healing cannot happen, and there can be no genuine reconciliation between Aboriginal and non-Aboriginal peoples in Canada....”¹⁰⁷⁹

As Elder Jim Dumont explained at the Traditional Knowledge Keepers Forum in June 2014:

‘In Ojibwe thinking, to speak the truth is to actually speak from the heart.’ At the community hearing in Key First Nation, Saskatchewan, in 2012, survivor Wilfred Whitehawk told us he was glad that he disclosed his abuse: ‘I don’t regret it because it taught me something. It taught me to talk about truth, about me, to be honest about who I am.... I am very proud of who I am today. It took me a long time, but I’m there. And what I have, my values and belief systems are mine, and no one is going to impose theirs on me. And no one today is going to take advantage of me—man or woman, the government or the RCMP—because I have a voice today. I can speak for me, and no one can take that away.’”¹⁰⁸⁰

As Chairman of the Truth and Reconciliation Commission in South Africa, Desmond Tutu described the importance of truth in the work of the commission and, ultimately, in the country’s transition from apartheid to democracy:

“...to say ‘let’s forget about it’ was unsatisfactory [because] you revictimize the victim. You say to the victims: ‘What happened in your case either didn’t happen, or it doesn’t matter.’

And you remember in Dorfman’s ‘Death and the Maiden,’ the woman recognizes the voice of the man who tortured and raped her. And she manages to tie him up, and she’s got a gun, and he still denies it. And she’s on the verge of killing him! And then, he turns around, and yes, he admits he did it. And she lets him go, because that lie subverted her identity, her integrity. And we found, you know, that just in the telling of the story, people have experienced a catharsis, a healing.”¹⁰⁸¹

During the Inquiry, we heard about the normalization of hate. There is an inverse relationship between normalization and accountability. In other words, if we don't see the problem, we won't be able to hold those responsible accountable for causing the problem. When hate becomes "background noise," it can become obscured even to those who experience it. The internalization of hate results in shame, embarrassment and long-term psychological harm.¹⁰⁸²

We gathered extensive data through our research and information requests showing that hate has increased dramatically in a variety of ways and across platforms, but we also heard about the significant data gaps that compromise our full understanding of hate and its impacts. In addition, while we have provided "By the numbers" sections in this report to illustrate the problem of hate with the data available, it is clear that hate does not end with data. The difference between knowledge and acknowledgement is described by South African Constitutional Court Judge Albie Sachs in his discussion about the importance of the truth and reconciliation process in that country:

"There was in reality an enormous amount of knowledge about repression in South Africa, but hardly any acknowledgement of what the cost was in human terms. Acknowledgement involves an acceptance not only of the existence of a phenomenon, but also of its emotional and social significance. It presupposes a sense of responsibility for the occurrence, an understanding of the meaning that it has for the persons involved and for society as a whole.

One way of looking at the [Truth and Reconciliation Commission] process was to see it as a means of converting knowledge into acknowledgement."¹⁰⁸³

The Commissioner heard important truths about lived experiences of hate incidents during the pandemic, the prevalence of hate across the province and the impact on marginalized communities. This evidence speaks to what Justice Sachs calls the "emotional and social significance" of hate and is summarized in the "What we have learned about hate" section. We also heard about the larger societal systems of inequality that prop up these incidents, as summarized in the "root causes of hate" section.

Recommendations on understanding hate and acknowledging its harm:

3. All of us, as individuals who make up our communities and our province, have an obligation to understand and confront hate in our communities. We are not powerless in the face of hate. We have an obligation to educate ourselves, including by reviewing this report with a focus on the experiences of those who have been subjected to hate. We must realize our responsibility to treat each other with respect and dignity and to create a sense of belonging and acceptance in our communities and our public institutions. To support this important goal, BCOHRC will continue to develop educational initiatives aimed at addressing hate.
4. The Minister of Education and Child Care should significantly expand anti-hate curriculum throughout the K–12 system so that all students develop the knowledge, skills and attitudes necessary to identify and combat hate and extremism. The ministry should:
 - a. Directly include anti-hate education in the curriculum in at least one “big idea” and support it through specific curricular competencies, content and supporting materials.
 - b. Add hate, misinformation and disinformation to the ministry’s Digital Literacy Framework.
 - c. Include in the curriculum the history and contributions of Indigenous, Black and other racialized people, women, LGBTQ2SAI+ people, people with disabilities and other marginalized communities.
5. The Minister of Public Safety and Solicitor General, with support from the Attorney General, should develop, adequately fund and promote a civilian- or community-led province-wide centralized reporting system for hate incidents, which should be designed to:
 - a. Provide psycho-social support to victim-survivors. This reporting system must include funding for a robust and accessible advocate and counsellor network to immediately connect people who are reporting hate incidents with the help that they need, including mental health supports.
 - b. Support victim-survivors to navigate the legal system, including human rights complaints, police reports and restorative justice processes.
 - c. Collect reliable and accessible disaggregated data, analyze the data for trends and recommend to the ministry steps that should be taken to address these trends.
 - d. Take into account the needs of young people and their experiences of hate in schools and other youth-oriented institutions.

This reporting system should be multilingual, accessible to people with disabilities and utilize a variety of reporting platforms such as online and by phone, text and email. Supports available through the reporting system must be accessible across urban, rural and remote communities. Frontline service organizations in the public and private sector must post information on how to access the reporting system and supports for victim-survivors in ways that are visible to all employees and those they serve.

6. All police services in B.C., including both municipal departments and the RCMP (as it operates under contract with the Province), should redirect internal funds to add additional and mandatory training for new police officers and for ongoing professional development on hate crimes response, investigation and recommending charges. Training should follow standardized benchmarks to be established by the Minister of Public Safety and Solicitor General and should aim to increase non-specialized officer training in this area, including training on how to recognize hate incidents and when gender-based violence should be pursued as a hate-related charge.

Building safety and belonging

“True belonging means we not only use our voices to speak out against inequity and hatred but create spaces for all voices to be heard and all differences and lived realities acknowledged.”¹⁰⁸⁴

As we have noted throughout this report, hate is not a new phenomenon in our province or our communities, but the social, economic and emotional impact of a global pandemic created fertile grounds for hate to both emerge and grow in increasingly mainstream forums.

Fear, anxiety, isolation and disconnection undermine our sense of belonging and safety. This sense of profound insecurity has informed the rise of hate in a number of ways. Similarly, in ways that are often difficult to entangle from the pandemic itself, we heard about how the rise of hate at this time is intimately connected to the rise of white nationalism and populism. Knowing the impact of periods of crisis on our communities, we must account for and prepare for the rise of hate, including gender-based violence, in planning for such periods of emergency.

As our online spaces have increasingly become threatening and hateful, the voices of marginalized individuals and communities have been muted, if not silenced. Online hate causes significant harms to democracy and human dignity. As we detail in the “Deeper dive: Online hate” section of this report, social media platforms continue to provide opportunities for extremists to proliferate their ideas and recruit participants. Unfortunately, accurate data and effective regulation of these spaces remains elusive. We heard how hate incidents can make targeted individuals feel like they do not belong and are not safe in their own communities or in online spaces such as social media forums. The stereotypes and beliefs that underlie hate often reinforce this sense of not belonging, including perceptions of racialized people as “permanent foreigners” or perceptions of people living in poverty or homeless as “not real members of the community.”¹⁰⁸⁵

At the same time, isolation seems to be a contributing factor to growing far-right radicalization, including online. We heard from many former perpetrators and community organizations that work with former perpetrators of hate that extremist groups often offer a sense of belonging and purpose to young men. Former extremist Caleb Cain described his experiences of being radicalized online: “I just kept falling deeper and deeper into this, and it appealed to me because it made me feel a sense of belonging. I was brainwashed.”¹⁰⁸⁶

A universal theme emerging from this evidence is a deep insecurity and struggle with abuse or lack of attachment in the lives of those who join white supremacist groups. Their human need for connection was often the original driving force for their involvement in these groups, as detailed in the “root causes of hate” section. In the evidence we considered, ideologies of hate were rarely at the origin of their alliances. Instead, those ideologies became a means to define the self in opposition to the racialized “other” and in community with other white males. Again, the sense of “not belonging” motivated hateful behaviour.

What emerges from the evidence is that the line between “us” and “them,” whoever might be on either side of that line in any particular circumstance, plays a crucial role in the proliferation of hate in our communities. An enduring sense of insecurity both motivates and flows from hateful incidents. Building inclusive communities where everyone feels a sense of connection and safety, particularly in times of crisis, is clearly key to addressing hate.

Recommendations on building safety and belonging:

- 7.** The Minister of Public Safety and Solicitor General, with support from the Attorney General, should support and fund community development of restorative and healing programs to deal with hate. Restorative justice programs should be developed to both prevent hate and to address hate once it has occurred, and must include robust mental health supports delivered by those with expertise in addressing hate.

Restorative justice approaches should be informed by Indigenous Peoples and Indigenous legal traditions. Restorative processes could also involve multifaith and multicultural communities and leaders as appropriate. Services must be accessible across urban, rural and remote communities. Given the potential risks to the restorative approach (as detailed in the report), regular program evaluation and public reporting on efficacy must be included. Programs should be geared towards both:

- a.** Leading perpetrators of hate and people at risk of perpetrating hate away from hateful ideologies and groups, with a focus on building a sense of belonging and community. Former perpetrators of hate should assist with developing restorative justice programs directed at perpetrators of hate or potential perpetrators, and these programs should be available to people who are investigated, prosecuted and/or sentenced for hate-related criminal offences under the *Criminal Code* as well as to those who are at risk of offending.
- b.** Providing support to victim-survivors of hate incidents. Restorative justice processes must centre the perspective, needs and consent of victim-survivors of hate incidents, and should also focus on the importance of community connection and community-based supports.

- 8.** The Minister of Public Safety and Solicitor General should work with the Minister of Emergency Management and Climate Readiness to incorporate a human rights-based approach to existing emergency response procedures. In particular:
 - a.** Emergency planning for major crises must include planning to address a rise in hate speech and hate-fueled violence, including gender-based violence. Particular attention should be paid to the safety of frontline workers.
 - b.** A communication strategy should be developed for times of crisis to ensure multilingual and accessible, accurate, evidence-based and transparent communication. Communication must promote inclusion and cohesion and swiftly denounce hate in all its forms.
 - c.** A broad network of well-funded community organizations working against hate, including gender-based violence, should be maintained. Community organizations involved in victim-survivor and offender support should be surveyed to evaluate the impact of government emergency response during the pandemic in order to incorporate those learnings into future emergency response procedures.
 - d.** Anti-violence emergency planning must include increased and targeted services for women, young people and gender-diverse people seeking safe refuge and support, such as increased shelter and transition house spaces with room for social distancing and public communication plans to ensure that victim-survivors know where to seek help. Mental health and addiction supports should also be provided for abusers.
 - e.** Low barrier mental health supports should be widely available to help people with the potential anxiety, fear, uncertainty and isolation associated with emergencies.

- 9.** Social media platforms, including Google, Meta, Reddit, Rumble, Telegram, TikTok and Twitter, should:
 - a.** Ensure they have and enforce rigorous terms of service to address hateful content.
 - b.** Reform algorithms to favour less divisive, discriminatory and misleading content in order to drive viewers away from potentially hateful information.
 - c.** Immediately stop placing advertisements alongside hateful content.
 - d.** Allow independent audits in order to assess ongoing risks of hate amplification created by platform design, and develop risk mitigation strategies of ongoing risks.
 - e.** Commit to timely, transparent and accurate public reporting on the frequency and nature of hateful online content in B.C. and platform responses including timeliness, actions taken, and appeals and reversals. Transparency requirements should also include providing adequate access to data for independent researchers to evaluate both the prevalence of hate content on platforms and platforms' responses, along with provisions to ensure this access does not compromise social media users' privacy rights.

Fostering accountability and repairing harm

After a hate incident occurs, what can we do to hold people accountable for their actions, help prevent the incident from reoccurring and repair and support those who have been harmed? And how does this individual process of accountability and repair relate to addressing the impact of hate on our communities and across society more broadly?

In exploring the individual and social consequences of human rights violations by the military government in Chile, a mental health team described the multiple levels of repair in the human rights context:

“The term ‘reparation’ has a double meaning. First, it is a psychoanalytical concept, developed by Melanie Klein, that is used to explain the intrapsychic process of repair. But it is also a legal term used, for example, in connection with economic compensation after a war. This double meaning is significant because repair in the psychoanalytic sense must occur at both the individual and social levels, but it can only take place fully if it is linked to reparation in the legal sense—that is, with truth and justice for the victim and compensation where it is helpful.”¹⁰⁸⁷



Accountability and repair can include forgiveness. In this context, forgiveness relies upon acknowledgement by the wrongdoer of the harm caused and a commitment to repairing the damage from the wrongdoer and those who have been harmed, perhaps including punishment for the wrongdoer.¹⁰⁸⁸ While forgiveness may at first blush be an incompatible response to the hateful conduct and patterns we have discussed throughout this report, forgiveness can be important to the project of addressing hate. As legal scholar Martha Minow points out, we live in a remarkably unforgiving era, which is a context in which hate flourishes. Polarization does not beget compassion. On the other hand, accountability, repair and ultimately forgiveness can play essential roles in addressing hate and its attendant harms. These concepts play a key role in many Indigenous legal responses to hate and other social harms. Forgiveness featured heavily in the stories we heard from former perpetrators and those who provided supports to them, often providing the gateway to accountability and repair, and forms the foundation of the recommendation above regarding restorative justice approaches to accountability for hate.

Accountability and repair also engage other approaches to justice. We heard about the limitations of the criminal justice system and of administrative and civil law systems in responding to hate incidents and hate crimes, including in responding to online hate. We heard about how to improve mechanisms of accountability through improved law enforcement and the strengthening of policy.

We also heard about the dangers of relying too heavily on police enforcement for human rights violations, particularly those facing marginalized people who may not trust police responses. Our recommendations recognize that the approach to hate must be multi-pronged, including restorative and punitive processes that allow those targeted by hate to seek redress for the harms they have experienced. Where the law seeks to keep our communities safer, such as through the criminal justice system, human rights must be central to how we understand community safety. Where the law seeks to uphold human rights, we must address hate in this context.

Recommendations on fostering accountability and repairing harm:

- 10.** The Attorney General should institute reforms to Crown policy directives to emphasize the strong public interest in prosecuting hate crimes by:
 - a.** Encouraging a broader range of prosecutions of hate-related incidents. Restorative justice measures should be considered as appropriate.
 - b.** Issuing guidance on when gender-based violence should be approached as a hate crime, including where gender-based violence may be considered a hate-related aggravating factor in sentencing.
 - c.** Collecting and publishing data on hate incidents including charge approvals, prosecution outcomes and sentencing and cases involving hate as an aggravating factor in sentencing. This data should include disaggregated demographic data. Data should be analyzed to determine whether further reforms are necessary to improve the effectiveness of criminal justice responses to hate and ensure that prosecutions do not further embed inequities.

- 11.** The Minister of Public Safety and Solicitor General should draft a policing standard on responding to police-reported hate incidents, which must include:
 - a.** An emphasis on when gender-based violence should be approached as a hate crime, including guidance on gathering evidence to support cases where gender-based violence may be considered a hate-related aggravating factor in sentencing.
 - b.** Hate crime indicators to assist with investigations and charge recommendations.
 - c.** A requirement that all police departments appoint and train at least one existing position as a designated hate crimes specialist, who is responsible for consulting with specialized Crown Counsel and BC Hate Crimes.
 - d.** Direction to police to provide referrals to victim-survivors for support to the province-wide reporting system.
 - e.** Direction to ensure uniform data collection and reporting, including a consistent definition of hate incident/crime and a requirement to record multiple hate motivations where evident as well as disaggregated demographic data on victim-survivors and offenders.
 - f.** Direction to police to encourage people to report and to investigate a broader range of hate incidents.

The Commissioner anticipates that the RCMP will harmonize their policing standards in B.C. with this provincial policing standard on hate, in accordance with Article 6.5 of the Provincial Police Service Agreement.

- 12.** The Attorney General should take steps to enable the BC Human Rights Tribunal to be more responsive to hate, including by:
 - a.** Ensuring adequate funding to the Tribunal to effectively process complaints.
 - b.** Introducing legislation for consideration by the legislative assembly to amend s.7 of B.C.'s *Human Rights Code* to clarify that it applies regardless of whether publications are online or offline.
 - c.** Introducing legislation for consideration by the legislative assembly to amend s.7, along with other substantive sections of the Code containing prohibited grounds of discrimination, to include social condition as a prohibited ground of discrimination for the purposes of hateful publications.

Conclusion

While hate has deep roots in our society, it has risen sharply during the pandemic. Once you have traversed this mountain of evidence, it becomes impossible to deny that we are at a reckoning. In our hyper-polarized society, we must be decisive in our compassion and creative in devising non-violent responses to hate.

We urge everyone across British Columbia to read this report, to learn about the harm hate is causing in our communities and to support one another as we experience hate and take a stand against it. We urge the Government of British Columbia to take crucial actions against hate, as outlined above. We urge social media companies to adopt socially responsible corporate practices that include transparency, and that effectively address the proliferation of hate on their platforms. We commit ourselves as BC's Office of the Human Rights Commissioner to continue to prioritize addressing hate, including through public education and holding the government to account.

While the COVID-19 pandemic has caused immense stress and division in our communities, it has also been a great teacher. This may have been the first major global crisis that many of us have experienced, but it will likely not be the last. This is our opportunity to learn from what has happened over the last three years. It is our duty to act now to be prepared for the next crisis.



Appendices

Appendix A: List of Inquiry participants

This Appendix lists participants who have consented to make public their participation in BCOHRC's Inquiry into hate in the pandemic.

Knowledge Holders

- Zara Chaudhry
- Rueben George
- Lynnell Halikowski
- Gwen Haworth
- Baljit Lally
- Ms. Liu
- Ingrid Mendez
- Vanessa Richards
- Heather Walkus
- Brandon Yan
- Ending Violence Association of BC
- FAST (Fighting Antisemitism Together)
- Federation of Asian Canadian Lawyers (British Columbia)
- First United Church
- Islamophobia Legal Assistance Hotline
- Métis Nation BC
- Ministry of Attorney General (Justice Services Branch)
- Ministry of Attorney General (Multiculturalism and Anti-Racism Branch)
- MOSAIC

Inquiry terms of reference consultation participants

- Battered Women's Support Services
- BC Association of Aboriginal Friendship Centres
- BC Hate Crimes
- BC Muslim Association
- Black Lives Matter Vancouver
- Bridging Gaps Foundation
- Canadian Association of Black Lawyers
- Canadian Hard of Hearing Association – BC Chapter
- Centre for Israel and Jewish Affairs – Pacific Chapter
- Disability Alliance BC
- Downtown Eastside Women's Centre
- project1907
- QMUNITY
- Union of BC Indian Chiefs
- Vancouver Police Department Hate Crimes Unit
- Victoria Immigrant and Refugee Centre Society
- West Coast LEAF

Organizations and individuals who made oral submissions to the Inquiry¹⁰⁸⁹

- BC Association of Aboriginal Friendship Centres
- BC Hate Crimes
- BC Sanctuary Health
- Dr. Caroline Orr Bueno

- Burnaby Together – Coalition Against Racism and Hate
- Canadian Human Rights Commission
- Centre for Israel and Jewish Affairs – Pacific Chapter
- Collingwood Neighbourhood House, Resilience BC Anti-Racism Network Vancouver
- Community Alliance of Racialized and Ethnocultural Services for Equitable Health (CARES)
- Community Legal Assistance Society (CLAS)
- DIVERSEcity
- Elimin8Hate
- Esk'etemc First Nation
- First United Church Community Ministry Society
- Fix Police Reporting / Vietnamese Professionals Association of BC
- Daniel C. Gallant, lawyer, registered social worker and former perpetrator of hate
- Brad Galloway, representing himself and the Centre on Hate, Bias and Extremism and the Organization for the Prevention of Violence (Evolve Program)
- Global Access and Inclusion Foundation
- Greater Vancouver Japanese Canadian Citizens' Association
- Health Justice
- Dr. Bonnie Henry, Provincial Health Officer
- Hua Foundation
- Interior Crisis Line Network (and BC Crisis Line Network)
- Jewish Federation of Greater Vancouver
- Dustin Klaudt, Klaudt Law
- KCR Community Resources
- Liminal Spaces Consulting
- Tony McAleer, Cure for Hate
- Dr. Tanner Mirrlees, Ontario Tech University
- MOSAIC
- David O'Brien, ETA Toronto, operated by Yorktown Family Services
- Office of the Seniors Advocate
- project1907
- Radical Action with Migrants in Agriculture (RAMA) Okanagan
- Retail Council of Canada
- Roman Catholic Archdiocese of Vancouver
- School District 22 – Vernon
- South Asian Legal Clinic of BC
- South Okanagan Immigrant and Community Services
- Stand with Asians Coalition
- Support Network for Indigenous Women and Women of Colour
- Tl'etinqox Government
- Dr. Natasha Tusikov, York University
- Unifor
- Vancouver Holocaust Education Centre
- Vancouver Police Department Hate Crimes Unit
- Naina Varshney
- Wavefront Centre for Communication Accessibility
- West Coast Prison Justice Society
- Dr. Vincent Yang
- YouthTalkNation

Organizations and individuals who made written submissions to the Inquiry

- Kevin Barnum
- BC Federation of Labour
- BC Teachers' Federation
- Community Legal Assistance Society
- CUPE BC
- EliminateHate
- Health Justice
- Lachman Johal
- project1907
- Retail Council of Canada
- Rise Women's Legal Centre
- Society for Children and Youth of BC
- University of Victoria Students' Society
- Vietnamese Professionals Society of BC
- West Coast LEAF
- YWCA Metro Vancouver

Public survey consultation participants

- BC Association of Aboriginal Friendship Centres
- BC Coalition of People with Disabilities
- BC Poverty Reduction Coalition
- Black Lives Matter Vancouver
- British Columbia Aboriginal Network on Disability Society
- Burnaby Together – Coalition Against Racism and Hate
- Centre for Israel and Jewish Affairs – Pacific Chapter
- Collingwood Neighbourhood House
- Ending Violence Association of BC
- Feminists Deliver

- Foundation for a Path Forward
- Global Access and Inclusion Foundation
- Homelessness Services Association BC
- Hua Foundation
- Immigrant and Multicultural Services Society of Prince George
- Inclusion BC
- Liminal Spaces Consulting
- Métis Nation BC
- MOSAIC
- Prince George Sexual Assault Centre
- Prisoners' Legal Services Society
- project1907
- Public survey Community Liaison Organizations
- Rainbow Health Co-op
- Stand with Asians Coalition
- Support Network for Indigenous Women and Women of Colour
- Vancouver Holocaust Education Centre
- West Coast LEAF

Public sector agencies who responded to information requests

- Office of the Premier
- Cabinet Office
- B.C. ministries (excluding health and education ministries)
 - Ministry of Attorney General (BC Prosecution Service, Court Services Branch and Multiculturalism and Anti-Racism Branch)
 - Ministry of Children and Family Development
 - Ministry of Citizens' Services
 - Ministry of Finance – Gender Equity Office

- Ministry of Labour
- Ministry of Public Safety and Solicitor General (including Emergency Management BC)
- Ministry of Social Development and Poverty Reduction (including WorkBC)
- Health agencies and authorities
 - Ministry of Health
 - Ministry of Mental Health and Addictions
 - Fraser Health Authority
 - Interior Health Authority
 - Island Health Authority
 - Northern Health Authority
 - Vancouver Coastal Health Authority
 - First Nations Health Authority
 - Provincial Health Services Authority
 - Providence Health
- Municipal governments
 - City of Kelowna
 - District of Kitimat
 - City of Nanaimo
 - District of Squamish
 - City of Vancouver
 - City of Victoria
 - City of Williams Lake
- Education agencies
 - Ministry of Post-Secondary Education and Future Skills
 - Ministry of Education and Child Care

- School districts
 - SD 20 (Kootenay-Columbia)
 - SD 36 (Surrey)
 - SD 57 (Prince George)
 - SD 63 (Saanich)
- Post-secondary educational institutions
 - BC Institute of Technology
 - Camosun College
 - Selkirk College
 - University of British Columbia
 - University of Northern British Columbia
- Public Service Agency
- Transportation agencies
 - BC Ferries
 - BC Transit
 - TransLink
- WorkSafeBC
- Statistics Canada

Police services who responded to information requests¹⁰⁹⁰

- Abbotsford Police Department
- Central Saanich Police Service
- Metro Vancouver Transit Police
- Nelson Police Department
- New Westminster Police Department
- Oak Bay Police Department
- Port Moody Police Department
- Royal Canadian Mounted Police of British Columbia
- Saanich Police Department
- Vancouver Police Department
- Victoria Police Department
- West Vancouver Police Department

Social media companies who received information requests and orders

- Google LLC (including YouTube)
- Meta (including Facebook, Instagram, Messenger, WhatsApp)
- Reddit, Inc.
- Rumble, Inc.
- Telegram (did not respond to the Commissioner's order)
- TikTok Pte. Ltd.
- Twitter, Inc. (substantive response not provided)

External researchers and reviewers

- Dr. Myrna Dawson, University of Guelph, "[Considering gender-based violence as a form of hate: A socio-legal examination](#)"
- Dr. Chris Giles, Kwantlen Polytech University
- Dr. Margaret Jackson and Dr. Sarah Yercich, Simon Fraser University, FREDA Centre for Research on Gender-Based Violence Against Women and Children, "[COVID-19 and domestic violence through an intersectional lens: Safety, security, rights](#)"
- Dr. Sarah Morales, "[Indigenous legal responses to hate incidents: A Coast Salish case study](#)"
- Dr. Barbara Perry, Ontario Tech University, Centre for Bias and Extremism, and Dr. Stanislav Vysotsky, University of the Fraser Valley, "[The roots of hate in British Columbia: Past and present](#)"
- Dr. Heidi Tworek and Dr. Chris Tenove, University of British Columbia, "[Online hate in the pandemic](#)"

Pre-release of findings consultation participants

- BC Coalition of Guide Dog Users
- BC Poverty Reduction Coalition
- BC Teachers' Federation
- British Columbia Aboriginal Network on Disability Society
- Dr. Caroline Orr Bueno
- Burnaby Family Life
- Burnaby Together – Coalition Against Racism and Hate
- Canadian Union of Public Employees
- Centre for Israel and Jewish Affairs – Pacific Chapter
- Council of Canadians with Disabilities
- Ending Violence Association of BC
- Esk'etemc First Nation
- Daniel C. Gallant, lawyer, registered social worker and former perpetrator of hate
- Brad Galloway representing himself and the Centre on Hate, Bias and Extremism and the Organization for the Prevention of Violence (Evolve Program)
- Good Neighbours Committee
- Greater Vancouver Japanese Canadian Citizens' Association
- Hua Foundation
- Impact North Shore
- Inclusion BC
- Inter-Cultural Association of Greater Victoria
- Kamloops Immigrant Services
- Literacy Alberni Society
- Lower Mainland Purpose Society

- Métis Nation BC
- MOSAIC
- Prince George Sexual Assault Centre
- project1907
- Rainbow Health Cooperative
- RAMA Okanagan
- Resilience BC Anti-Racism Network and spoke agencies
- Retail Council of Canada

- Rise Women's Legal Centre
- Roman Catholic Archdiocese of Vancouver
- Dr. Natasha Tusikov, York University
- Society for Children and Youth of BC
- Unifor
- Vietnamese Professionals Association of BC
- Wavefront Centre for Communication Accessibility
- West Coast LEAF



Appendix B: Public poll methodology and results

Methodology

In order to gauge the public's awareness of the reported rise in hate incidents that were occurring in British Columbia, BC's Office of the Human Rights Commissioner (BCOHRC) conducted an online survey between December 17–19, 2022. The survey also followed up on a 2021 poll of the public's knowledge of the mandate and function of BCOHRC.

A representative sample of 800 adults in British Columbia were asked to participate in the online survey. They were asked open-ended and close-ended questions related to the increase in hate incidents in British Columbia since the beginning of the COVID-19 pandemic (January 2020) and the general role of BCOHRC in the province. The data was weighted statistically according to Canadian census figures for age, gender and region in British Columbia. The margin of error (which measures the sample variability) was +/- 3.5 percentage points, 19 times out of 20.

Results

The following questions and corresponding summaries of results are about hate incidents that occurred in British Columbia during the COVID-19 pandemic. Hate incidents are actions and speech rooted in prejudice that, in the view of the person who experiences or witnesses them, are:

- Aimed at a person or a group of people because of a personal characteristic (including age, disability, gender expression or identity, ethnicity, Indigenous identity, place of origin, race, immigration status, religion, sex, sexual orientation and economic status), and
- Intended to, or do, significantly harm the targeted individual or group.

We'd like to ask you some questions about your personal experience during the COVID-19 pandemic. Since the start of the COVID-19 pandemic in January 2020, have any of the following happened to you?

- More than one in four people in British Columbia (26%) witnessed hate incidents during the pandemic, including 50% of those aged 18–24.
- About one in six (16%) were affected by hate incidents directed at their community during the pandemic, including 29% of respondents of East Asian origin and 32% of respondents of Southeast Asian descent.
- Almost one in 10 people in British Columbia (9%) directly experienced a hate incident during the pandemic, including 20% of Indigenous respondents and 15% of East Asian respondents.

[Open-ended question] In your view, what actions could be taken by government or communities that would prevent hate-related incidents in British Columbia?

- Three in four respondents (75%) answered this question with their own proposals for action.
- More than two in five of the collected responses focused on “punishment” for perpetrators (44%).
- Significantly fewer respondents called for an increase in “community engagement” (21%), “education” (18%), “media campaigns” (8%), “more surveillance and/or police enforcement” (4%), “law reform” (3%) and “better reporting tools” (2%).

As you may know, there has been a reported increase in the number of hate-related incidents during the COVID-19 pandemic in British Columbia. How concerned are you about this situation?

- Four in five people in British Columbia (80%) were either “very concerned” (37%) or “moderately concerned” (43%) about the situation.
- Concern was highest among those aged 18–24 (89%), followed by those aged 24–44 (81%), those aged 45–65 (78%) and those aged 65 and over (77%).

Are you aware of these ways in which people can report a hate-related incident in British Columbia?

- Almost nine in 10 people in British Columbia (85%) are aware that they can report a hate-related incident to the police.
- Significantly fewer people in British Columbia are aware that they can file a human rights complaint with the BC Human Rights Tribunal (47%) or rely on community-based/alternative reporting (29%).

[Open-ended question] Are you aware of other ways in which people can report a hate-related incident in British Columbia?

- Fewer than one in five respondents (17%) answered this question.
- In a third of the collected responses (33%), people said that hate-related incidents can be reported on “social media,” while more than one in four (27%) mentioned “regular media or reporters.”
- Fewer people in British Columbia suggested reporting hate-related incidents to the “police” (23%) or to “other entities,” such as local, provincial and federal government officials or a lawyer (17%).

Have you ever heard of BC’s Office of the Human Rights Commissioner?

- Just over half of people in British Columbia (52%+1 since we asked in March 2021) had heard of BC’s Office of the Human Rights Commissioner, including 57% of men, 57% of those aged 45–64 and 70% of those aged 65 and over.

[Open-ended question] From what you have seen, read, heard or experienced, what does BC's Office of the Human Rights Commissioner do?

- More than half of the respondents to this question (58%) did not offer a comment on what the Office does, while more than two in five (42%) provided a response.
- Out of those who provided responses, 22% said the Office “addresses” human rights concerns, while 20% thought it “deals” with them.
- In addition, 16% said the Office “investigates,” 11% said it “protects,” 7% said it “helps” and 2% said it “educates.”

There are two remaining categories that deserve special attention.

- One in 10 responses (10%) stated that the Office does “nothing” or “not much.”
- We also found that 12% of responses relied on language that suggests the Office is a “legal body” with prosecution capabilities and/or that it manages individual complaints.

As you may know, BC's Office of the Human Rights Commissioner has the ability to conduct public inquiries into a broad range of human rights issues. In August 2021, BC's Office of the Human Rights Commissioner announced a public inquiry to examine the reported rise in hate-related incidents during the COVID-19 pandemic. Before today, were you aware of this Inquiry?

- Just over one in five people in British Columbia (21%) were aware of this Inquiry.
- Awareness was highest among men (24%), respondents aged 65 and over (25%) and residents of Northern B.C. (29%).



Appendix C



Survey Results: Experiences of hate in B.C. during the pandemic

What we heard from British Columbians

May 5, 2022

Prepared by R.A. Malatest & Associates Ltd. for BC's Office of the Human Rights Commissioner's Inquiry into hate in the pandemic

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BACKGROUND AND INTRODUCTION

British Columbia's Human Rights Commissioner is an independent officer of the Legislature. The mandate of BC's Office of the Human Rights Commissioner ("BCOHRC") is to address the root causes of inequality, discrimination and injustice in B.C. by shifting laws, policies, practices and cultures. This work is accomplished through education, research, advocacy, inquiry and monitoring.

While BCOHRC does not accept or adjudicate human rights complaints – that is the role of the BC Human Rights Tribunal—part of BCOHRC's work does involve monitoring human rights complaints and other issues of prejudice and discrimination and responding accordingly within the scope of the Office's mandate. The Office has observed a significant increase in reported hate-related incidents in B.C. since the start of the pandemic in early 2020. As a result of this alarming trend, BCOHRC has undertaken an Inquiry into hate in pandemic in British Columbia.

The purpose of this Inquiry is to examine hate in all its forms, including hate aimed at a person or a group of people because of their actual or perceived individual, collective or intersecting characteristics including age, disability, gender expression or identity, ethnicity, Indigenous identity, place of origin, race, immigration status, religion, sex, sexual orientation or social condition. The intended outcome of the Inquiry is to establish facts about the incidence, impacts, and causes of hate in the province, and to make recommendations for change. This work involves an intensive research and fact-finding process which includes:

- presentations and roundtable discussions (with individuals with lived experience, experts, community-facing groups, public and private institutions, Indigenous governments and former perpetrators of hate);
- an open public survey for people in British Columbia to share their experiences of hate since January 2020;
- a review of administrative data and public records on hate incidents; and
- secondary research related to the causes and consequences of hate, hate and inequality in times of crisis/disaster, responses to hate/harm in Indigenous legal systems, the role of online hate, and the psychology of pandemics.

This report summarizes the results of the open public survey.

SURVEY METHODOLOGY

This section provides an overview of the open public survey's methodology.

Questionnaire design

The survey was designed to be used to collect feedback from the public on their experiences of hate incidents during the COVID-19 pandemic (January 2020 to present day). The survey gathered input from people who have experienced, witnessed or been affected by hate incidents during this time. This input was used to better understand the context of hate incidents (e.g., where and how they happen) and the reactions and responses of victims (e.g., did they seek supports, from whom, etc.). The survey was designed to take approximately 20 minutes to complete and contained three open-ended questions. See **Appendix A** for the survey instrument.

Survey translation

To ensure this survey was accessible to as many people in British Columbia as possible, the questionnaire was professionally translated into 15 languages commonly spoken in B.C.¹ in addition to English.

Survey administration

The survey was available to the public throughout the surveying period (January 31–March 6, 2022), and respondents were able to navigate to BCOHRC's Inquiry website at any time to complete the survey at their convenience. The survey was available to be completed online, over the phone or in hardcopy in 16 languages.

Table 1.1 and **Table 1.2** show the breakdown of survey completions by mode and by language.

Table 1.1 Survey completions by mode

Mode	Count
Mobile	1,685
Online	955
Telephone*	2

*This number does not reflect surveys that were started on the telephone and finished online.

Table 1.2 Survey completions by language

Language	Count
English	2,559
Korean	24
Simplified Chinese	17
Japanese	11
Spanish	9
Farsi	8
Traditional Chinese	6
Hebrew	5
Arabic	3

¹ The languages are French, Farsi, Traditional Chinese, Simplified Chinese, Punjabi, Tagalog, Arabic, Korean, Vietnamese, Spanish, Hindi, Japanese, Portuguese, Urdu, and Hebrew.

In addition to the online survey, our in-house call center hosted an information hotline throughout the data collection period. This hotline was staffed with someone who was available to answer questions about the survey, provide information about where and how to complete the survey, and connect respondents with support resources as needed. This hotline was available via a toll-free number. The survey hotline was staffed from 8 am to 6 pm Monday through Friday, from 10 am to 6 pm on Saturdays, and from noon until 8 pm on Sundays. During these hours, surveyors were available to take calls.

Coding and analysis of survey data

Open-ended survey comments were coded by theme. Coding frameworks were developed with input from BCOHRC. The coding frameworks contained a list of themes, or codes, that were used to summarize the open-ended comments (see **Appendix B**). Trained coders reviewed open-ended comments and applied codes to survey responses, those codes were then reviewed by a member of the research team and refined as needed. A maximum of three codes could be applied to each comment.

Closed-ended survey responses and codes applied to open-ended comments were summarized using appropriate methods (e.g., frequencies). Where appropriate, cross-tabulations and associated statistical tests of significance were conducted if the analysis aligned with the purpose of the survey (e.g., comparing responses by gender, age, or other demographics).

Limitations

Results from this survey are not reflective of the entire population of B.C. and may not be representative of all hate incidents that have been experienced or witnessed, or that have affected people since the onset of the pandemic. These results reflect the experiences of 930 individuals who responded to the survey and reported an incident that aligns with BCOHRC's definition of hate. There are many different types of hate incidents in our society. For this inquiry, "hate incidents" were defined as actions and speech rooted in prejudice that, in the view of the person who experiences or witnesses it, are:

- aimed at a person or a group of people because of a personal characteristic (including age, disability, gender expression or identity, ethnicity, Indigenous identity, place of origin, race, immigration status, religion, sex, sexual orientation or economic status), and
- intended to, or do, significantly harm the targeted individual or group.

Overall, 2,642 complete surveys were received, 202 of which the respondent did not give consent to use their responses (when asked at the end of the survey) leaving 2,440 survey responses. A large number of responses (1,510) were received from individuals reporting an experience that did not align with the definition of hate. These responses have not been analysed in-depth and are not included in the findings summarized in the next section of this report. These data have been provided to BCOHRC in a separate document. Prevailing themes among these responses include anti-government and anti-pandemic rhetoric, dissatisfaction and anger related to pandemic mandates (e.g., vaccine and mask mandates, stay-at-home orders, etc.), and calling for the prosecution of various government officials (provincial or federal) perceived to be responsible for pandemic related measures and mandates.

Example comments from respondents in this group:

"Justin Trudeau's recurrent public speeches are the only hate speech"

"ATTACKED/DENIED SERVICE FOR NOT BEING A MASKHOLE"

"I have sent in a request to have Justin Trudeau charged with hate crimes."

"Honk"

"This is not a joke. Justin Trudeau has piled on the hate speech lately. He is abusing his position and dividing the nation. People like me feel very attacked by him and others in positions of power."

"Trudeau has and news media have created a division in Canada. He should be held accountable"

"Justin Trudeau is a communist globalist puppet who serves the plans of the global elites, not the people of Canada."

"End all mandates and restrictions around covid and vaccine! STOP THE HATE!!!"

"END ALL MANDATES"

"Mandates create division."

"Fear based mainstream media."

SUMMARY OF FINDINGS

This section provides a summary of the survey results. Key areas include incidents of hate since January 2020, reported impacts of hate, and where respondents found strength and healing following an incident. Where possible, breakdowns of the data have been provided by respondent demographic characteristics:

- Age: 44 years and under vs. 45 years and older
- Gender: Girl/woman vs. boy/man
- Region: Lower Mainland vs. Vancouver Island vs. other B.C. regions
- Ethnicity: White vs. non-white (where possible, breakdowns have been provided by ethnicity; due to small sample sizes, data from non-white respondents have been aggregated).

Survey respondent characteristics

In total, 2,642 complete surveys were received. Of those, 202 respondents did not provide consent to use their survey data and 1,510 of the responses received did not align with the definition of hate being applied to this Inquiry. After data screening and cleaning, 930 useable, on-topic surveys were received. Respondents tended to be women (58%); a small proportion of respondents reported being someone with gender diverse or trans experience (4%). The majority were between the ages of 25 and 44 (41%) or 45 and 64 (40%) years old. Respondents predominately reported that they were white (44%) or East Asian (21%). Most respondents reported their sexual orientation as straight/heterosexual (85%). About one-half (47%) reported that they had a religious or spiritual affiliation. Some respondents reported having a disability (28%) or living in poverty (15%). See **Tables 1.3 through 1.5** for a full breakdown of respondent gender, age, and ethnicity.

Table 1.3 Survey respondent-reported gender

Gender identity	Proportion
Girl/woman	58%
Boy/man	30%
Non-binary	2%
Two-spirit/two-spirited	1%
Prefer to self-describe	<1%
Prefer not to say / unsure	4%

n (sample size) = 930

*Respondents could select multiple responses.

Survey question A3: What is your gender?

Table 1.4 Survey respondent-reported age at time of incident

Age	Proportion
17 or younger	2%
18–24	5%
25–44	41%
45–64	40%
65 or older	7%
Prefer not to say	1%

n (sample size) = 930

Survey question A2: How old were you at the time of the hate incident?

Table 1.5 Survey respondent-reported ethnicity

Ethnicity	Proportion
White (Western and Eastern European)	44%
East Asian (Chinese, Korean, Japanese, Taiwanese)	21%
Jewish	9%
North American Indigenous	6%
Middle Eastern (Arab, Persian, Afghan, Egyptian, Iranian, Lebanese, Turkish, Kurdish, other West Asian)	5%
South Asian (Indian, Pakistani, Bangladeshi, Sri Lankan, Indo-Caribbean)	5%
Latino (Latin American, Hispanic)	4%
Southeast Asian (Filipino, Vietnamese, Cambodian, Thai, Indonesian, or other Southeast Asian)	4%
Black, or of African descent (African, Afro-Caribbean, African Canadian)	4%
Middle and/or South American Indigenous	1%
Prefer not to say / not applicable	7%

n (sample size) = 930

*Respondents could select multiple responses.

Survey question A7: Which of the following ethnic or racial categories best describes you?

Reported demographic characteristics of respondents who directly experienced a hate incident:

Respondents who reported directly experiencing a hate incident (n=595) were primarily white (46%) or East Asian (25%) (see **Table 1.6**). The majority were women (61%) and tended to be between the ages of 25 and 64 years old (see **Tables 1.7 and 1.8**). Some respondents who experienced a hate incident reported an LGBTQ identity (15%). Nearly one-half of those who reported experiencing a hate incident reported having a spiritual affiliation and about 10% of respondents who reported experiencing a hate incident also reported wearing a marker of their religious or spiritual affiliation. Some respondents reported that they encounter barriers or difficulties with daily activity or limited activities because of a disability or long-term physical or mental health condition (13%), or that they were living in poverty (7%) or reported being homeless (1%) at the time of the incident. Finally, small proportions of respondents (1–3%) reported that the incident occurred while they were working in a front-line position, for example, at a grocery store, gas station, coffee shop or vaccination clinic.

Table 1.6 Reported ethnicity of those who experienced a hate incident

Ethnicity	Proportion
White (Western and Eastern European)	46%
East Asian (Chinese, Korean, Japanese, Taiwanese)	25%
North American Indigenous	8%
Middle Eastern (Arab, Persian, Afghan, Egyptian, Iranian, Lebanese, Turkish, Kurdish, other West Asian)	5%
Latino (Latin American, Hispanic)	5%
South Asian (Indian, Pakistani, Bangladeshi, Sri Lankan, Indo-Caribbean)	5%
Southeast Asian (Filipino, Vietnamese, Cambodian, Thai, Indonesian, or other Southeast Asian)	4%
Black, or of African descent (African, Afro-Caribbean, African Canadian)	4%
Middle and/or South American Indigenous	1%

n (sample size) = 595

*Respondents could select multiple responses.

Survey question A7: Which of the following ethnic or racial categories best describes you?

Table 1.7 Reported gender of those who directly experienced a hate incident

Gender identity	Proportion
Girl/woman	61%
Boy/man	33%
Non-binary	3%
Two-spirit/two-spirited	1%
Prefer to self-describe	1%
Prefer not to say / unsure	1%

n (sample size) = 595

*Respondents could select multiple responses.

Survey question A3: What is your gender incident?

Table 1.8 Reported age of those who directly experienced an incident

Age	Proportion
17 or younger	1%
18–24	5%
25–44	44%
45–64	43%
65 or older	6%
Prefer not to say	1%

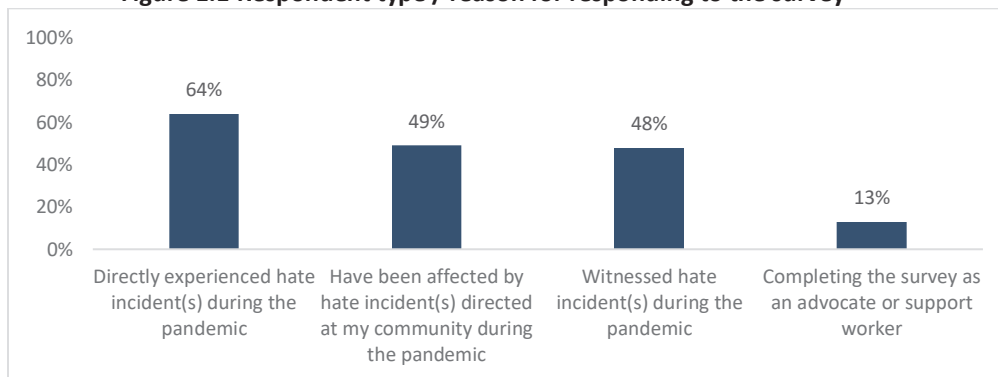
n (sample size) = 595

Survey question A2: How old were you at the time of the hate incident?

Incidence of hate since January 2020

Survey respondents were asked whether they had directly experienced, been affected by, or witnessed hate during the pandemic. They could also have been filling out the survey as an advocate or support worker. Respondents were most likely to complete the survey because they directly experienced a hate incident during the pandemic (64%, n=595), followed by being affected by an incident (49%, n=456), or witnessing an incident (48%, n=446) (see **Figure 1.1**). Respondents could select multiple options; about one-third of respondents (30%) indicated they had experienced and witnessed or been affected by an incident, and 20% reported that they were both affected by incidents and witnessed hate incidents.

Figure 1.1 Respondent type / reason for responding to the survey



n (sample size) = 930

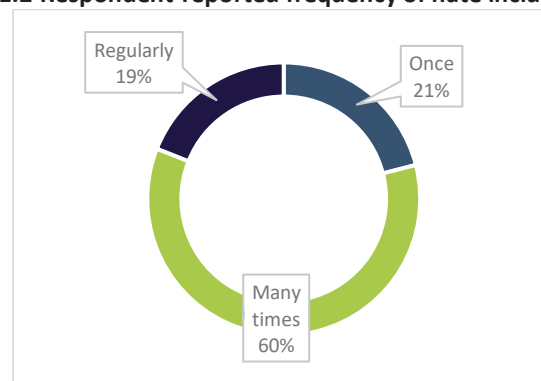
*Respondents could select multiple responses.

Survey question A1: I... (respondent reason for responding to the survey)

Younger respondents, under the age of 45 were slightly more likely to witness an event compared to older respondents (56% compared to 45%, respectively). Similarly, respondents who reported their ethnicity as white (57%) were more likely to witness an incident compared non-white respondents (45%) who were more likely to experience or be affected by an incident. No differences were observed based on respondent gender. (See **Appendix C**, Tables C1–C4.)

Most respondents reported that they were affected by hate many times (60%) or regularly (19%) during the pandemic. Some respondents (21%) reported that they had been affected by hate only once during the pandemic (see **Figure 1.2**). There were no differences based on age, gender, ethnicity or region. (See **Appendix C**, Tables C5–C8.)

Figure 1.2 Respondent-reported frequency of hate incidents



n (sample size) = 880

Survey question B2: How often were you affected by hate incidents during the pandemic?

Overall, 38% (n=353) of respondents reported that they witnessed or experienced a hate incident for the first time after the onset of the pandemic in early 2020. The majority (62%) of respondents had experienced, witnessed, or been affected by hate incidents prior to the onset of the pandemic. Respondents from the Lower Mainland area (67%) and Vancouver Island (66%) were more likely than respondents from other regions of the province (48%) to report experiencing or witnesses hate incidents before the onset of the pandemic. White respondents (40%, n=381) were less likely than respondents of other ethnicities to report that they experienced hate before the onset of the pandemic. South Asian (95%, n=37), Middle Eastern (86%, n=44), Black (83%, n=30), and Indigenous respondents (72%, n=42) were most likely to report that they had experienced hate before the onset of the pandemic.

“I have lived here 54 years and have never experienced this. I never thought I would feel unsafe in my own home/community.”

“Before the pandemic I did get racial judgment but it increased.”

“Hate crimes targeting Asians are on the rise.”

“As an immigrant to Canada I used to feel welcomed and included in Canadian society. I now feel excluded and ostracized from Canadian society. I am contemplating moving out of the country due to the hatred I am being exposed to since the pandemic.”

To better understand whether the pandemic had contributed to a rise in hate incidents, respondents were asked whether they felt the rise in hate incidents was due to any factors related to the COVID-19 pandemic (see **Table**

1.9). The majority of respondents (58%) felt that the rise in hate incidents was due to the perpetrators blaming certain groups for the pandemic or having the perception that certain groups are aggravating the pandemic. Over one-half of respondents (56%) felt that the increase was due to a normalization of hate incidents online and elsewhere.

Table 1.9 Perceived pandemic-related causes of reported hate incidents

Perceived reason	Total	Experienced	Affected by	Witnessed
Blame for the pandemic or perception that groups are aggravating the pandemic	58%	61%	64%	65%
Normalization of hate incidents, including online	56%	56%	73%	67%
Hateful political commentary	52%	54%	66%	63%
Stress related to the pandemic	43%	46%	49%	48%
Views about pandemic related orders including stay at home orders, mandatory mask mandates, and vaccination cards	43%	47%	48%	52%
n (sample size)	930	595	455	443

Respondents could select multiple responses.

Survey question D2: The Commissioner wants to understand whether and how the pandemic is contributing to the reported rise in hate incidents. Please select all that the factors that you think may have contributed to the hate incident you experienced or were affected by.

Among those who directly experienced an incident, there were some differences observed by age and ethnicity of the respondents. (See **Appendix C**, Tables C9–C12.) Older respondents (56%) were less likely than younger respondents (64%) to report that a normalization of hate incidents, including online, has contributed to a rise in hate incidents since the onset of the pandemic.

White respondents (62%, n=16) and South Asian respondents (70%, n=23) were more likely than East Asian respondents (42%, n=79), Latino respondents (49%, n=19) and Middle Eastern respondents (49%, n=22) to report that hateful political commentary is contributing to a rise in hate incidents. White respondents (59%) were also more likely than respondents of any other ethnicity (25%–41%) to report views about pandemic related orders contributing to a rise in hate incidents since the onset of the pandemic.

White respondents (59%, n=228) and Black respondents (41%, n=11) were less likely than respondents of other ethnicities to report that blame for the pandemic or perception that groups are aggravating the pandemic contributed to a rise in hate incidents since the onset of the pandemic. Specifically, respondents of East Asian (89%, n=166) and Southeast Asian (68%, n=23) descent were most likely to report this and some discussed this issue when they left comments in the survey:

“At work, one of my coworkers refused to work with me because she thought I might had COVID for being Asian.”

“I think that with COVID 19 linked with originating in China, people who may have held prejudiced/racist thinking may have felt it was okay to verbalize/take action on their racist beliefs and putting it into action towards those who physically look East Asian.”

“Since the pandemic, there is a lot of noticeable hate from mainly the white population towards Asians - blaming us for this disruption for the past two years.”

“Looked at me, pointed and said it's all your fault, you Asian people.”

Respondent-reported details of the hate incidents:

Respondents were asked to provide details about the hate incident that they experienced, witnessed or were affected by. Specifically, they were asked to report where the incident occurred, in what region of the province it occurred, and what happened during the incident.

The majority of respondents reported that the incident occurred in the Lower Mainland area (57%), followed by the Vancouver Island / Coastal region (25%) (see **Table 1.10**). This finding is unsurprising, as more than one-half of the province's population resides in the Lower Mainland area.

Table 1.10 Region that an incident occurred in

Region	Total	Experienced	Affected by	Witnessed
Metro Vancouver / Lower Mainland / Fraser Valley / Southwest	57%	57%	60%	56%
Vancouver Island / Coastal region (including Gulf Islands)	25%	24%	23%	25%
Thompson-Okanagan	6%	7%	6%	6%
Kootenays	4%	5%	4%	4%
Cariboo	3%	3%	2%	4%
Nechako	2%	2%	2%	3%
Northeast	2%	2%	2%	2%
North Coast	1%	1%	1%	1%
n (sample size)	865	577	429	427

*Respondents could select multiple responses.

Survey question C2: What region did the incident occur in?

Respondents reported that incidents occurred most in an outdoor public space (48%), on social media platforms (39%), in an indoor space (not someone's home; 32%), at work (24%), or on the internet (23%) (see **Table 1.11**).

Table 1.11 Respondent reported location of hate incidents

Location	Total	Experienced	Affected by	Witnessed
In an outdoor public space, like on the sidewalk or street, at a park or plaza, etc.	48%	52%	56%	59%
Social media platform (for example, Facebook, YouTube, Instagram, Twitter, TikTok)	39%	36%	50%	52%
In an indoor space that was not someone's home, like a mall, grocery store, restaurant library, bank, etc.	32%	38%	35%	40%
At work	24%	30%	27%	30%
On the internet (for example, on a website)	23%	22%	32%	31%
On public transit, including trains, ferries, buses	20%	21%	22%	26%
At school (elementary school, high school, college, university, trade school, etc.)	12%	14%	15%	15%
In a private home or vehicle	9%	12%	9%	9%
At a government office or service centre	8%	11%	10%	11%
Health care setting (e.g. doctor's office, medical clinic)	7%	8%	9%	10%
Hospital – emergency	6%	8%	7%	7%
In a housing complex	5%	7%	7%	8%
By phone/text	5%	8%	6%	6%
Community centre	5%	6%	7%	7%
Hospital – non-emergency	5%	7%	5%	7%

Location	Total	Experienced	Affected by	Witnessed
On private transit including airlines, cabs and ride share	5%	7%	6%	7%
At a place of worship/religious institution	4%	5%	7%	6%
Nursing home, retirement home, other care home	3%	3%	4%	5%
Homeless camp or shelter	2%	2%	3%	3%
Police station	3%	3%	2%	3%
n (sample size)	930	595	455	443

*Respondents could select multiple responses.

Survey question C1: Where did the incident take place?

Among those who directly experienced an incident, younger respondents were more likely than older respondents to report that the incident occurred at school (17% and 10%), on public transit (28% and 14%), at work (33% and 26%), and on social media platforms (41% and 33%). These findings likely reflect the fact that younger respondents are more likely than older respondents to be enrolled in school (i.e., they are typical university-age), in the workforce rather than retired, and likely spend more time on social media platforms than older respondents.

Women (39%) were more likely than men (28%) to report that the incident occurred on a social media platform, and men (27%) were more likely than women (18%) to report that the incident occurred on the internet.

Respondents from the Lower Mainland area were less likely than respondents from other regions to report that the incident occurred on a social media platform (32% and 50%) or in a private home or vehicle (10% and 15%), and more likely to report that the incident occurred on public transit (26% and 90%). Respondents from the Lower Mainland area (56%) and Vancouver Island (57%) were more likely to report that the incident occurred in an outdoor public space compared to respondents from other regions (40%).

White respondents were more likely than non-white respondents to report that the incident occurred on a social media platform (45% and 30%), in a private home or vehicle (14% and 10%), or at work (36% and 24%). Non-white respondents were more likely to report that the incident occurred in an outdoor public space (57% and 45%) or on public transit (27% and 14%). (See **Appendix C**, Tables C13–C16.)

The three most frequently reported locations where hate incidents were experienced included outdoor public spaces, social media platforms and indoor public spaces. Events that occurred in these locations were further analyzed.

Respondents who reported that they experienced a hate incident **in an outdoor public space, like on the sidewalk or street, at a park or plaza, etc. (n=308)** were most likely to be women (63%, n=190) between the ages of 25–44 years old (50%, n=154) or 45–64 years old (38%, n=118). Most of the respondents who reported that they experienced a hate incident in an outdoor public space were white (41%, n=121) or East Asian (36%, n=104), similar to the overall sample.

Incidents reported as occurring in outdoor public spaces were most likely to involve hateful comments in public (83%), hateful comments in private conversations (48%), or insulting nonverbal actions (46%). Respondents reported that they thought the incident was motivated by race, ethnicity, or ancestry (68%), cultural markers (24%), sex, gender, or gender identity (24%), or language (23%). Additionally, respondents reported that the perpetrator was most often a white (89%) man (83%) between the ages of 25 and 64 years old (90%) that was a stranger (89%).

"Someone has been drawing swastikas and KKK hoods on a picture of a black child on _____ Street. It has happened at least twice and it hasn't been fully removed either time."

"Someone used chalk to draw swastikas on the entrance to a local synagogue."

"Someone is writing swastikas and racist words on buildings and benches in our community park. They are removed but reappear."

"graffiti promoting genocide targeted at eastern Asian in public spaces"

"White supremacy posters and flyers displayed in public spaces"

Respondents who reported that the incident occurred on a **social media platform (for example, Facebook, YouTube, Instagram, Twitter, TikTok) (n=216)** tended to be women (68%) between the ages of 25 and 44 years old (51%, n= 110), being slightly younger than the overall sample. The majority of these respondents were white (63%, n=121) or East Asian (18%, n=35). Indigenous respondents represented about 8% of the overall sample but accounted for 10% (n=20) of respondents reporting that they had experienced a hate incident on a social media platform.

Incidents that occurred on a social media platform were most likely to involve hateful comments in public (90%), hateful comments in private conversations (73%), being denied the same treatment as others (54%), or insulting nonverbal actions (49%). Respondents were most likely to report that the incident was motivated by race, ethnicity or ancestry (50%), political beliefs (44%), or sex, gender or gender identity (29%).

"Mostly over the internet. Death threats, racial slurs and hateful comments used."

"I was waiting for the bus with my friend on [street and location removed] (we're both gay) and a man down the street started yelling that he "felt like killing some faggots. Especially the one with the bag (that would be me)."

"Someone managed to get into an invite-only zoom meeting about cultural experiences and anonymously shouted hate speech at the person presenting their personal work"

Respondents reporting that the incident occurred on a social media platform were most likely to report that the perpetrator was a stranger (75%) who they perceived to be a white (91%) man (84%) between the ages of 45 and 64 years old (50%).

Respondents who reported that the incident occurred **in an indoor space that was not someone's home, like a mall, grocery store, restaurant library, bank, etc. (n=225)** tended to be women (67%) between the ages of 25 and 44 years old (49%) or 45 and 64 years old (42%). Similar to the overall sample, respondents were most likely to be white (52%, n=105) or East Asian (26%, n=53).

Respondents who reported experiencing a hate incident in an **indoor public space** were most likely to report that the incident involved hateful comments in public (85%), hateful comments in private conversations (56%), or being denied the same treatment as others (51%). Respondents reported that they felt the incidents were motivated by race, ethnicity or ancestry (55%), political beliefs (35%), or language (26%).

"On several occasions in the last few months I've been on the receiving end of slurs, insults, and verbal harassment regarding my gender identity and appearance. In this instance it was a group of 5 or 6 teenaged (or young adult) males in a fast food restaurant."

The perpetrator was most likely to be between the ages of 25–44 years old (46%) or 45–64 years old (45%). These incidents appeared to have multiple perpetrators, as 79% of respondents reported that the perpetrator was a man and 60% reported that the perpetrator was a woman. Most respondents (87%) reported that the perpetrator was a white (87%) stranger (87%).

What happened:

Respondents were most likely to report that the incident involved hateful comments made in public (73%), followed by hateful comments made in private (42%), insulting nonverbal actions (32%), and being denied the same treatment as others (30%; see **Table 1.12**).

Some respondents left comments that provided more detail about what they experienced:

“At work, one of my coworker refused to work with me because she thought I might had COVID for being Asian. I also got the slanted-eye racist gesture at work, public, and University. At soccer practice for my son, some boys shouts at me ethnic slurs such as “ching chang chong””

“The incident was subtle, but a disregarding of my views and being told to not share my opinions about work decisions.”

Table 1.12 Details of the hate incident / what happened

Details	Total	Experienced	Affected by	Witnessed
Hateful comments made in public	73%	75%	80%	83%
Hateful comments made in private	42%	48%	47%	50%
Nonverbal actions that are insulting	32%	35%	40%	40%
Being denied the same treatment as others	30%	37%	36%	33%
Threats of physical violence	20%	23%	27%	27%
Spitting or deliberately coughing on the victim	18%	21%	22%	26%
Refused entry or asked to leave a business	18%	23%	18%	19%
Abuse of power by the police or someone in authority	14%	17%	20%	18%
Property damage	13%	12%	18%	0%
Physical violence	10%	11%	12%	13%
Objects thrown at the victim	9%	11%	13%	14%
n (sample size)	930	595	455	443

n (sample size) = 595

*Respondents could select multiple responses.

Survey question C4: What happened?

Among those who directly experienced a hate incident, women (53%) were more likely than men (39%) to report hateful comments in private. Incidents involving hateful comments in private conversation were less likely to occur in the Lower Mainland area (44%) compared to all other regions of B.C. (60%). Similarly, respondents reported that incidents involving being refused entry to a store occurred more often in other regions of the province (35%) compared to the Lower Mainland (18%).

Non-white respondents (12%) were more likely to report physical violence compared to white respondents (9%). Specifically, Black respondents (35%, n=11) and East Asian respondents (17%, n=32) were significantly more likely to report physical violence compared to other respondents (10%). (See **Appendix C**, Tables C17–C20.)

Some more extreme types of hate were explored further: threats of physical violence and deliberate spitting or coughing.

Respondents who reported that the incident they experienced involved **threats of physical violence (n=134)** were most likely to be women (60%) between the ages of 25 and 64 (88%). Similar to the overall sample, they were most likely to be white (64%, n=78), East Asian (18%, n=17), or Indigenous (13%, n=15). Incidents were mostly likely to involve threats of physical violence made in an outdoor public space (68%), an indoor public space (68%), or at work (43%). Those who experienced an incident felt they were targeted because of their race, ethnicity or ancestry (51%), sex, gender or gender identity (34%), or because of their appearance (30%).

Respondents reported that the perpetrator was most often a white (87%) man (89%) between the ages of 25 and 64 (87%). The perpetrator was most often a stranger (81%), followed by a person in authority (31%) or an acquaintance (26%).

Respondents who reported that the incident they experienced involved **being spit on or deliberately coughed on (n=124)** were most likely to be women (63%) between the ages of 25 and 44 years old (50%). They were most likely to be white (44%, n=51), East Asian (37%, n=43), or Indigenous (13%, n=15). Incidents were mostly likely to occur in outdoor public spaces (82%), an indoor public space (55%), or on public transit (40%). Those who experienced an incident felt they were targeted because of their race, ethnicity or ancestry (74%), sex, cultural markers or traditions (30%), or sex, gender or gender identity (30%).

Respondents reported that the perpetrator was most often a white (87%) man (86%) between the ages of 25 and 64 (88%). The perpetrator was most often a stranger (93%), followed by a person in authority (26%) or a professional (24%).

Characteristics of perpetrators of hate incidents:

Overall, three-quarters of respondents reported that the perpetrator was white (see **Table 1.13**). Respondents indicated that perpetrators of the hate incidents tended to be men (67%) between the ages of 25 and 65 (see **Tables 1.14** and **1.15**). There were no notable differences based on respondents' gender, age, ethnicity, or the region that the incidents occurred in.

Table 1.13 Reported ethnicity of perpetrator of hate incidents

Ethnicity	Total	Experienced	Affected by	Witnessed
White (Western and Eastern European)	75%	78%	77%	80%
North American Indigenous	8%	9%	8%	11%
Black, or of African descent (African, Afro-Caribbean, African Canadian)	8%	9%	8%	10%
Middle Eastern (Arab, Persian, Afghan, Egyptian, Iranian, Lebanese, Turkish, Kurdish, other West Asian)	7%	8%	9%	9%
East Asian (Chinese, Korean, Japanese, Taiwanese)	6%	8%	6%	8%
South Asian (Indian, Pakistani, Bangladeshi, Sri Lankan, Indo-Caribbean)	6%	3%	7%	7%
Latino (Latin American, Hispanic)	3%	3%	2%	3%
Southeast Asian (Filipino, Vietnamese, Cambodian, Thai, Indonesian, or other Southeast Asian)	3%	3%	3%	2%
Middle and/or South American Indigenous	2%	3%	2%	3%
Unsure / prefer not to answer	11%	8%	11%	10%
n (sample size)	930	595	455	443

*Respondents could select multiple responses.

Survey question D5: Which of the following ethnic or racial categories do you think best describes the perpetrator?

Table 1.14 Reported gender of perpetrator

Gender	Total	Experienced	Affected by	Witnessed
Boy/man	67%	70%	71%	70%
Girl/woman	41%	45%	44%	45%
Non-binary	4%	5%	5%	5%
Two-spirit/two-spirited	3%	3%	3%	5%
Prefer not to say / unsure	11%	8%	13%	12%
n (sample size)	930	595	455	443

*Respondents could select multiple responses.

Survey question D4: What gender do you think the perpetrator is?

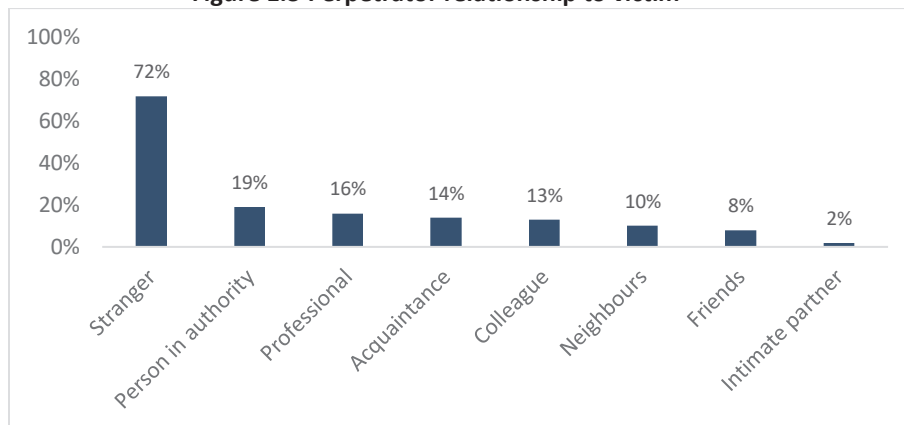
Table 1.15 Reported age of perpetrator

Age	Total	Experienced	Affected by	Witnessed
17 or younger	3%	3%	2%	2%
18–24	6%	5%	6%	6%
25–44	32%	33%	32%	35%
45–64	36%	40%	35%	34%
65 or older	5%	5%	4%	6%
Unsure / prefer not to say	18%	14%	22%	18%
n (sample size)	930	595	455	443

Survey question C2: How old do you think the perpetrator was at time of the hate incident?

Respondents were also asked to report whether they had a relationship with the perpetrator of the hate incident. Most respondents (73%) reported that the perpetrator was a stranger, followed by a person in authority (19%), or a professional (16%) (see **Figure 1.3**). White respondents (21%) were more likely than non-white respondents (15%) to report that the perpetrator was a professional but no other meaningful differences by gender, age or region were observed. (See **Appendix C**, Tables C21–C24.)

Figure 1.3 Perpetrator relationship to victim



n (sample size) = 930

Survey question D6: Based on your understanding, what was the relationship between the perpetrator and the person the hate was directed at?

Perceived motivation of reported hate incidents:

Overall, respondents were most likely to report that the hate incident was motivated by race, ethnicity, or ancestry (60%), followed by political beliefs (20%), religious or spiritual beliefs (19%), or cultural markers or traditions (19%) (see **Table 1.16**). Some respondents left comments that highlighted the reasons they thought they were targeted by the perpetrator:

“I was targeted because I belong to a visible minority community. I wear a turban and keep unshorn facial hair.

I was wearing hijab and I was with my young children.”

“The hateful language used by the older white male was threatening and 100% Asian hate-based. He followed me in the grocery store uttering racist remarks the whole time.”

Table 1.16 Perceived causes of reported hate incidents

Perceived reason	Total	Experienced	Affected by	Witnessed
Race, ethnicity, or ancestry	60%	59%	64%	64%
Political beliefs	20%	24%	25%	24%
Religious or spiritual beliefs	19%	19%	25%	22%
Cultural markers or traditions	19%	18%	21%	24%
Sex, gender, or gender identity	17%	19%	21%	21%
Language	16%	16%	18%	19%
Physical disability	12%	14%	13%	12%
Appearance	11%	13%	13%	15%
Socioeconomic status or class	9%	9%	10%	12%
Mental health condition	9%	10%	9%	11%
Sexual orientation	8%	9%	12%	11%
Age	8%	9%	10%	10%
Cognitive or intellectual disability	5%	5%	5%	6%
Substance or drug use	4%	3%	5%	6%
Profession/job*	2%	2%	2%	2%
n (sample size)	930	595	455	443

Respondents could select multiple responses.

Survey question D1: I believe I, or the person/people who were affected by the hate incident, were targeted because of my/their...

*Perceived cause emerged in “other” responses; it was not a response category on the survey.

Among those who experienced an incident, perceived motivation of the hate incident differed depending on respondent age, gender, ethnicity, and the region that the incident occurred in. (See **Appendix C**, Tables C25–C28.) Younger respondents were more likely than older respondents to report that they were targeted because of their race (67% and 52%), language (23% and 9%), or cultural markers (21% and 15%). Unsurprisingly, older respondents (13%) were more likely to report that they were targeted because of their age compared to younger respondents (7%).

Some differences were observed based on the gender of the respondents:

- Women (21%) were more likely than men (8%) to report that they were targeted because of their sex, gender, or gender identity.
 - 41% of these incidents involved threats of physical violence, 85% involved hateful comments in public, 60% involved hateful comments in private conversations, and 46% involved insulting nonverbal actions.
- Women (21%) were also more likely to report than men (8%) that they were targeted because of their sexual orientation.

As were some differences based on the location of the incident:

- Respondents reporting that the incident occurred in the Lower Mainland area (74%) were more likely to report that they were targeted because of their race or cultural markers compared to respondents from other regions (51% in the Vancouver Island region and 31% in all other regions).
- Respondents reporting that the incident occurred in regions outside of the Lower Mainland or Vancouver Island were more likely to report that they were targeted because of their mental health condition (15% compared to 9% for the Lower Mainland and Vancouver Island) or because of their political beliefs (42% compared to 22% for the Lower Mainland and 18% for Vancouver Island).

Finally, differences in perceived motivations behind the incident were observed based on respondent ethnicity. White respondents were more likely than non-white respondents to report that the incident was motivated by:

- sexual orientation (14% and 6%);
- sex, gender, or gender identity (26% and 14%);
- appearance (18% and 9%);
- physical disability (22% and 8%);
- socioeconomic status or class (12% and 8%);
- or political beliefs (34% and 16%).

Non-white respondents were more likely than white respondents to report that the incident was motivated by:

- race, ethnicity or ancestry (81% of non-white respondents compared to 33% of white respondents);
- language (24% and 7%);
- or cultural markers (24% and 11%).

To better understand who is experiencing hate, perceived causes of the incidents were explored by ethnicity. While some trends and patterns emerged, this data should be interpreted with caution as sample sizes become small and may not be representative:

- Black (88%, n=21), East Asian (97%, n=142), Southeast Asian (96%, n=21), South Asian (87%, n=27) and Middle Eastern (84%, n=26) respondents were more likely to report that the incident was motivated by race, ethnicity of ancestry.

- East Asian (23%, n=34), Latino (42%, n=11), and Middle Eastern (45%, n=14) respondents were more likely to report that the incident was motivated by language.
- Black (42%, n=10), South Asian (48%, n=15), and Middle Eastern (42%, n=13) respondents were more likely to report the incident was motivated by cultural markers.
- South Asian (32%, n=10) and Middle Eastern (42%, n=13) respondents were more likely to report the incident was motivated by religion.

Respondents who reported that the incident they experienced was motivated by **race, ethnicity, or ancestry (n=347)** tended to be women (63%) between the ages of 25–44 years old (50%, n=172). Most of the respondents were East Asian (42%, n=142) or white (26%, n=89). These incidents were most likely to occur in an outdoor public space (61%), an indoor public space (35%) or at work (27%). They were most likely to involve hateful comments in public (75%), hateful comments in private conversations (45%), or insulting nonverbal actions (38%). Respondents reported that the perpetrator tended to be a white (84%) man (78%) between the ages of 25–44 years old (41%) or 45–64 years old (42%) who was a stranger (84%).

Respondents who reported that they were targeted because of their **political beliefs (n=139)** were women (60%) or men (40%) between the ages of 25–44 years old (42%) or 46–64 years old (47%). These respondents tended to be white (78%, n=108); note that this proportion is larger than the proportion of white individuals in the overall sample, and white respondents were more likely than others to report that they were targeted because of their political beliefs.

These incidents were most likely to occur in an outdoor public space (54%), an indoor public space (55%), or at work (44%). They were most likely to involve hateful comments in public (85%), hateful comments in private conversations (68%), or being denied the same treatment as others (40%).

Respondents reported that the perpetrators of these incidents tended to be white (87%) men (78%) and/or women (60%) between the ages of 45–64 years old (51%). Perpetrators were mostly likely to be strangers (73%), followed by a person in authority (39%), acquaintances (33%), friends (28%), or neighbours (20%).

Respondents who reported that they were targeted because of their **religious or spiritual beliefs (n=116)** tended to be women (60%) or men (40%) between the ages of 25–44 years old (43%) or 45–64 years old (45%). These respondents were predominately white (54%, n=56) or Middle Eastern (13%, n=13). A small proportion of these respondents (7%, n=8) reported that they wear a visible marker of their religion/spiritual affiliation.

Respondents reported that incidents perceived to be motivated by religious or spiritual beliefs occurred most often in an outdoor public space (57%), an indoor public space (43%), or at work (35%). The incidents mostly involved hateful comments in public (84%), hateful comments in private conversations (55%), or being denied the same treatment as others (50%).

Perpetrators of these incidents tended to be white (75%) men (79%) between the ages of 25–44 years old (48%, n=43). Respondents reported that perpetrators were most likely to be strangers (75%) or acquaintances (32%).

Survey respondent comments about the hate incidents:

Survey respondents were given the opportunity to provide additional details about the incident; 209 respondents provided comments. Most of these comments provided additional, specific details about the incident. Over one-quarter (29%, n=60) of respondents who left a comment mentioned that they had noticed a change in their experiences of hate, specifically race-based hate incidents, since the onset of the pandemic (see **Table 1.17**). Comments from respondents captured their experiences of hate during the pandemic, including a change in their experiences since the onset of the pandemic:

"I had never witnessed such hate towards a person before."

"Those in healthcare such as myself are experiencing high levels of hate from the pandemic. I am a public health official and have been called a Nazi, communist etc. more than once. I have never experienced this kind of threat and hate before."

"The trucker "freedom" convoy has lead to a significant increase in attacks against disabled people or workers in the city."

Table 1.17 Other details of the incident

Perceived reason	Total	Experienced	Affected by	Witnessed
Comments re: details about specific incident	65%	66%	62%	50%
Change in experience of hate since onset of pandemic	29%	28%	26%	23%
Related to COVID-19	17%	19%	15%	14%
Physical, mental, or emotional health changes	7%	9%	9%	6%
Lack of accountability	6%	9%	9%	4%
Hate symbols	6%	1%	16%	6%
Rise in extremism	5%	3%	9%	5%
Feeling unwelcome	4%	6%	7%	2%
Need to educate public about hate	4%	4%	6%	3%
Resulted in fear to express their identity	2%	3%	4%	2%
n (sample size)	209	140	105	123

There were 209 on-topic comments received from survey respondents. Comments could contain up to three themes. Survey question D7: Is there anything else you would like to tell us about the incident?

Reported impacts of hate

Survey respondents were asked how the hate incident impacted them in the hours, days, and weeks following. The majority (84%) of respondents reported immediate emotional or mental distress, a loss of sense of safety (65%), and/or long term emotional or mental distress (45%). Very few respondents reported no impact (3%) (see **Table 1.18**).

Table 1.18 Reported impacts of hate incidents

Impact	Total	Experienced	Affected by	Witnessed
Immediate emotional or mental distress (e.g., worry, stress, unhappiness, panic attacks, intrusive thoughts)	84%	87%	88%	87%
Loss of sense of safety	65%	70%	74%	69%
Long term emotional or mental distress	45%	53%	59%	46%
Avoided normal routines such as taking the bus, or walking certain routes etc.	35%	41%	43%	40%
Left social media or made changes in social media	30%	32%	38%	38%
Feeling less connected to the land	28%	34%	34%	29%
Loss of relationship(s)	21%	25%	27%	26%
Physical or emotional impacts led me to lose income or my job	12%	17%	12%	12%
Physical or emotion impacts led me to lose services or benefits	9%	12%	12%	10%
Physical injury or illness	5%	8%	7%	7%
Physical or emotional impacts led me to lose housing	4%	5%	5%	3%
No impact	3%	2%	1%	3%
n (sample size)	892	587	448	438

Respondents could select multiple responses.

Survey question E1: How were you affected by the incident in the hours, days, and weeks afterwards?

Some respondents commented on the impact to their physical, mental, or emotional health as a result of the hate incident:

"I felt demeaned and upset which resulted in anxiety and lack of sleep."

"I have an anxiety disorder from harassment at work."

"The incidents have caused mental instability/suicidal thoughts, fear of people, total distrust in government/healthcare/police, anxiety, extreme stress, lacking physical health."

"Suffered ongoing mental anguish from ramifications of threat."

"Felt socially isolated, misunderstood, targeted and erased."

Some reported that they were:

"afraid for my safety and feel like no one wants to help [them]."

Generally, respondents highlighted the mental and emotional distress they still experience:

"I get anxiety when I need to go out. I never used to be an anxious person but now I get worried about confrontation every time I have to leave the house."

"Physically, I am unharmed, but emotionally and psychologically, I am shaken and furious about this."

Among those who experienced an incident, there were differences in reported impacts of the incidents observed based on respondent age, gender, ethnicity, and location of the incident. (See **Appendix C**, Tables C29–C32.)

Overall, small proportions of respondents reported that the incident resulted in physical injury; older respondents (11%) were more likely to report this than younger respondents (5%). Women were more likely than men to report a loss of sense of safety (74% and 59%), that they avoided normal routines like taking the bus or walking certain routes (45% and 32%), and that they experienced a loss of relationships (27% and 18%).

Non-white respondents (40%) were more likely than white respondents (28%) to report feeling less connected to the land (34% and 22%), specifically, 30% of East Asian respondents (n=54), 8% of South Asian respondents (n=14), and 6% of Southeast Asian respondents (n=11) reported this. Non-white respondents (47%) were also more likely than white respondents (35%) to report that after the incident they avoided normal routines like taking the bus or walking certain routes; East Asian respondents were most likely to report this (33%, n=72).

White respondents were more likely than non-white respondents to report that they left social media or made changes to their social media (41% and 24%), and that they experienced a loss of relationships (34% and 18%).

There were some differences in impacts based on the region that the incident occurred in:

- Respondents reporting that the incident occurred on Vancouver Island (86%) or in the Vancouver (90%) area were more likely than respondents from other regions (81%) to report immediate emotional distress.
- Respondents reporting that the incident occurred in the Vancouver area (36%) were less likely than respondents reporting that the incident occurred in other regions (41%) to report that they left social media or made changes to their social media.
- Respondents indicating that the incident occurred in the Vancouver area (21%) were less likely than respondents indicating that the incident happened in other regions (37%) to report a loss of relationships.

Impacts by type of incident experienced:

When the impact of the incident was examined by type of incident, the same patterns emerged; respondents were most likely to report that the incident resulted in immediate emotional or mental distress, a loss of sense of safety, and/or long term emotional or mental distress. **Table 1.19** provides a breakdown of reported impacts for the top three most frequently reported/experienced types of hate incidents.

Table 1.19 Reported impacts of hate incidents by type of incident experienced

Impact	Hateful comments in public	Hateful comments in private	Non-verbal actions that are insulting
Immediate emotional or mental distress (e.g., worry, stress, unhappiness, panic attacks, intrusive thoughts)	89%	90%	89%
Loss of sense of safety	74%	76%	83%
Long term emotional or mental distress	56%	62%	61%
Avoided normal routines such as taking the bus, or walking certain routes etc.	45%	47%	59%
Left social media or made changes in social media	37%	48%	40%
Feeling less connected to the land	37%	38%	41%
Loss of relationship(s)	29%	39%	30%
Physical or emotional impacts led me to lose income or my job	18%	23%	19%
Physical or emotion impacts led me to lose services or benefits	14%	18%	21%
Physical injury or illness	9%	12%	13%
Physical or emotional impacts led me to lose housing	6%	7%	9%
n (sample size)	443	283	208

Respondents could select multiple responses.

Survey question E1: How were you affected by the incident in the hours, days, and weeks afterwards?

Impacts by perceived cause of the incident:

Respondents who reported that the incident was motivated by political beliefs were more likely to report an impact compared to those who perceived the incident to be caused by other reasons. No other differences based on perceived cause in impacts were observed (see **Table 1.20**).

Table 1.20 Reported impacts of hate incidents, by perceived cause

Impact	Race	Cultural markers	Religion	Gender	Political beliefs
Immediate emotional or mental distress (e.g., worry, stress, unhappiness, panic attacks, intrusive thoughts)	83%	78%	88%	76%	99%
Loss of sense of safety	63%	66%	71%	67%	79%
Long term emotional or mental distress	39%	42%	48%	46%	69%
Avoided normal routines such as taking the bus, or walking certain routes etc.	37%	37%	32%	41%	42%
Feeling less connected to the land	28%	33%	32%	26%	46%
Left social media or made changes in social media	25%	34%	37%	37%	68%
Loss of relationship(s)	14%	18%	27%	23%	50%
Physical or emotional impacts led me to lose income or my job	8%	12%	16%	16%	30%
Physical or emotion impacts led me to lose services or benefits	6%	10%	12%	11%	27%
Physical injury or illness	5%	9%	10%	11%	11%
Physical or emotional impacts led me to lose housing	3%	5%	6%	63%	11%
No impact	3%	2%	1%	2%	1%
n (sample size)	558	186	177	177	158

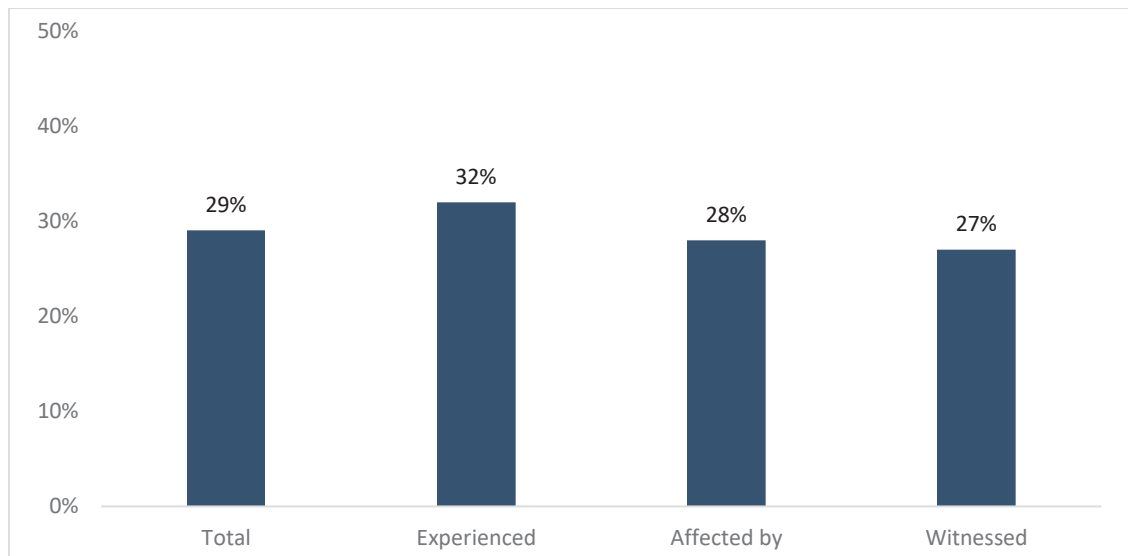
Respondents could select multiple responses. Groups are not mutually exclusive.

Survey question E1: How were you affected by the incident in the hours, days, and weeks afterwards?

Reporting of hate incidents:

Overall, 72% of respondents did not report the incident that they experienced, witnessed, or were affected by. Twenty-nine percent (29%) of respondents reported the incident. Those who experienced (32%) an incident were slightly more likely than those who witnessed (27%) or were affected by (28%) an incident to make a report about it (see **Figure 1.4**). No differences were identified by the gender, age or ethnicity of the respondents. Respondents who reported that the incident occurred in the Lower Mainland area (25%) were less likely than respondents from other regions (34%) to make a report about the incident. Incidents that occurred at school (47%, n=37) were most likely to be reported, followed by incidents that occurred in a healthcare setting (42%, n=19), at work (42%, n=68), in a housing complex (42%, n=17), at a hospital (non-emergency) (38%, n=15), and those that occurred in a private home or vehicle (36%, n=24).

Figure 1.4 Proportion of respondents that reported a hate incident



n (total) = 849; n (experienced) = 569; n (affected) = 415; n (witnessed) = 416

Survey question F1: Did you make a report about the incident?

Small proportions of respondents indicated that they reported the incident to police (11%) or to the manager, owner or other authority at a private business (9%) (see **Table 1.21**). Older respondents were more likely than younger respondents to report the incident to the media (26% and 14%) or through community-based / alternative reporting options (11% and 23%). Men (29%) were more likely to report the incident to “other government organizations” compared to women (14%). (See **Appendix C**, Tables C33–C44.)

Table 1.21 Respondents reporting incidents

Who respondents reported to	Total	Experienced	Affected by	Witnessed
Police	11%	15%	12%	12%
Manager, business owner, or other authority at a private business	9%	12%	8%	10%
Other government organization	6%	7%	6%	5%
Human resources or other authority at my workplace	6%	8%	7%	7%
Media	5%	6%	7%	6%
Community-based or alternative reporting	4%	5%	5%	5%
BC Human Rights Tribunal	3%	5%	3%	3%
Healthcare professional	3%	5%	3%	4%
School principal or school board	3%	0%	1%	1%
Did not report	72%	70%	72%	73%
n (sample size)	849	569	415	416

Respondents could select multiple responses.

Survey question F2: Where did you report the incident?

Most respondents who reported the incident indicated they did so because they believed making a report was important (77%) and/or wanted the perpetrator(s) to be accountable for their actions (69%) (see **Table 1.22**). There were no differences by the age, gender or ethnicity of the respondents or by the location of the incidents.

Table 1.22 Respondent-reported reasons for making a report

Reason for reporting	Total	Experienced	Affected by	Witnessed
Believed making a report was important	77%	78%	83%	82%
Wanted the person/people to be accountable for their actions	69%	72%	74%	71%
Believed reporting would make a difference	66%	65%	67%	67%
Wanted to set an example by standing up to injustice	57%	58%	63%	62%
For safety, protection, or support*	4%	4%	5%	4%
n (sample size)	241	182	117	111

Respondents could select multiple responses.

Survey question F3: Why did you choose to report the incident?

*Reason for making the report emerged in "other" responses, it was not a response category on the survey.

Respondents who did not make a report about the incident were most likely to report that they did not think making a report would make a difference (68%) (see **Table 1.23**). This finding was also captured in comments received from respondents (see quotes below in the next section).

Table 1.23 Respondent-reported reasons for choosing to not to make a report

Reasons	Total	Experienced	Affected by	Witnessed
I did not think it would make a difference	68%	73%	74%	71%
I did not trust the authorities	28%	32%	34%	33%
I thought I would be treated poorly or unfairly	28%	35%	34%	29%
I wouldn't be taken seriously / no one would believe me	28%	35%	35%	30%
It would take too much energy or effort	21%	26%	26%	25%
I was worried about negative consequences to me, my career or family	20%	25%	22%	21%
I did not want to be involved in an official report / complaints process	18%	21%	19%	17%
The reporting options were not accessible	12%	13%	14%	14%
I felt embarrassed about the incident	12%	14%	11%	11%
The reporting options were not culturally relevant/safe	9%	10%	12%	10%
I have submitted a report/complaint before, and wasn't satisfied with the response	8%	9%	11%	11%
I did not want to get anyone in trouble	6%	7%	4%	6%
Another person reported it*	2%	0%	2%	2%
I/we resolved the issue without making a report*	1%	1%	1%	1%
n (sample size)	591	377	286	298

Respondents could select multiple responses.

Survey question F4: What caused you to choose not to report the incident?

*Reason for not making the report emerged in "other" responses, it was not a response category on the survey.

Among those who experienced an incident, younger respondents were more likely than older respondent to have not filed a report because they:

- did not trust the authorities (36% and 27%);
- felt embarrassed (18% and 11%);
- thought they would be treated unfairly or poorly (41% and 29%);
- thought it would take too much effort (31% and 21%);
- thought they would not be taken seriously (43% and 25%);
- or they were worried about negative consequences (29% and 20%).

Respondents from the Lower Mainland (75%) were more likely than other respondents to indicate that they did not file a report because they did not feel it would make a difference. White respondents (33%) were more likely than non-white respondents (18%) to not have reported the incident because they were worried about negative consequences to themselves, their career, or their family. Non-white respondents were more likely than white respondents to not have reported the incident because they:

- did not want to be involved in a report or complaint (26% and 15%);
- felt embarrassed (17% and 11%);
- or thought it would take too much effort (32% and 19%).

Survey respondent comments about reporting or not reporting the incident:

Survey respondents were given the opportunity to leave a comment explaining more about their decisions to report or not report an incident, their experience with the reporting process, and whether they would change anything about their decision; 206 respondents provided comments. Approximately one-third of the respondents (34%) who left comments indicated that there was insufficient follow-up after they made a report. These respondents noted that:

"A lot of concerns not taken seriously [and they are] very uncomfortable making reports."

Other respondents said:

"My concerns were completely ignored."

"The reporting did not result in any action and made things worse."

"Authority complaints were brushed off with no help."

"Every concern was IGNORED by my employer.... which is a municipal government!!!!"

"I have no idea if concern was taken seriously as there has been no response"

Similarly, respondents reported that they were unsure about the effectiveness of making a report (20%) and/or were worried about the consequences of making a report (6%):

"There are incredible social consequences for speaking out."

"No safe avenue."

"No complaint was made as it would impact my career."

"I am concerned my report would not be taken seriously or I would be attacked."

"I didn't feel comfortable about reporting the incident. We live in a small town and confidentiality is not respected."

"I did not feel my concerns would be taken seriously."

"I didn't think making a report would make a difference since the perpetrator was a stranger and the incident was brief."

Some respondents left comments highlighting that the reporting process was unclear or needs to be improved in some way (14%). These respondents mentioned that:

"guidance in how to make a proper report would be most helpful."

Some respondents were unsure of where or how to report the incident:

"I did not know where to report this incident. I would like to report it so that others are not harassed."

"I couldn't find anywhere to make an official report."

"I don't know of any place to report intimate partner abuse."

"I wish I knew where I could report the incident."

Or reported encountering barriers when they tried to report the incident:

"The City worker who took my report was excellent. I also tried to report to the [police] but found repeated barriers to do so - e.g., the form was in non-fillable PDF that required specific software or a printer to complete and could not be submitted anonymously."

Some respondents also commented on a lack of accountability and lack of consequences for the hate incident that they experienced or witnessed:

"Things happen and nobody is held accountable."

"BC and federal government is doing nothing to combat antisemitic behaviour in Canada."

"A number of neighbors have complained, but officials are not doing anything."

"Incident reported to the police department, no further follow-ups or checks"

"There should be not only laws but policies in place at every workplace with accountability measures to further prevent this."

"I noticed that the people that were involved knew nothing about the holocaust."

"It is sad nobody helps you when it happens."

Table 1.24 Other details related to reporting

Perceived reason	Total	Experienced	Affected by	Witnessed
Insufficient follow-up after making a report	34%	38%	42%	37%
Unsure about effectiveness of making a report	20%	23%	21%	19%
Negative impacts related to the hate incident	16%	16%	14%	20%
The reporting process was unclear or needs to be improved	14%	13%	15%	15%
Need for education and accountability	13%	11%	14%	15%
Took individual action after the incident, but didn't make a report	9%	7%	8%	11%
Worried about consequences of making a report	6%	6%	6%	6%
n (sample size)	206	146	117	93

There were 206 on-topic comments received from survey respondents. Comments could contain up to three themes.

Survey question F5: Are there other details about the impact of the incident or the response that you would like to share? For example, were you comfortable seeking support or making a report? Were your concerns taken seriously? What would you change?

Reported strengths

The final question on the survey asked respondents to report on what they did to care for themselves and where they found strength, connection, and even love in the face of hate. Respondents who provided comments (n= 136) reported that they found healing through connecting with community or social groups (42%), becoming involved in activism and/or contributing to social movements (18%), or through participating in support groups (10%). These comments highlighted the resiliency and strength of individuals. In seeking help and support to process their own experiences, many connected with others who had similar experiences and they healed together:

"I found my strength in my faith, family and close friends."

"I have found strength in connecting with others who feel marginalized like I do. Finding a sense of community has been lifesaving."

"Being able to share my experience and have another stranger tell me that was not right."

"Connection with friends who know and love me"

"I have found comfort in sharing my stories with other BIPOC."

"I sought out advocacy online. Queer advocacy resources and also strong professional advocacy."

"What I found empowering was the support, interest and questions asked by fellow Jewish people and also many Asian friends."

"Jewish groups like CIJA and CJPAC have helped protect the Jewish community during this latest rise of antisemitism. "

Some respondents noted that healing from their experience empowered them to help others who have had similar experiences:

"I am trying to empower myself by seeking groups that advocate for anti-Asian hate crimes, and counter freedom convoy groups that are doing work to educate why this group is not really supporting freedom for all."

"I decided to go to my first protest and met many like-minded individuals who are filled with love and support for one another."

"I volunteer a great deal. I also clean my street of litter."

"It was empowering reading protests online in other parts of the world where Asian hate was not being tolerated. A sense of global community is uplifting."

"I became an activist."

"I started following Jewish social justice activists."

Other comments highlighted steps that individuals had taken to focus on their own self-care and health (9%). Respondents reported engaging in meditation, exercise, positive thinking and other self-care practices, and noted that these steps helped in their healing process:

"I exercise and go out for walks and take care of my animals."

"I find a quiet place to think, deep breath and relax. Most anti-Semitic comments or micro-aggressive behaviours are upsetting, thoughtless and often come from ignorance."

"I meditate, do cardio exercise at home, and go for a walk."

"Kept positive thoughts."

"Nature, reading, exercise, supporting others who are attacked with hatred."

"Practice daily affirmations, meditation and yoga. Lots of self-love and care. Spend time out in nature. Exercise and working out."

"Researched health daily. Practiced holistic health. Walks outdoors. Found other individuals supporting individual freedom and health. Meditating and sending unconditional love to all every day, including perpetrators. "

To facilitate healing, some respondents commented that they established distance from triggers regarding the hate incident (8%):

"I have cared for myself by limiting my exposure to strangers and by limiting my communications with those who speak hate rhetoric to myself and my children."

"I isolated myself so I would not be a target."

"I stopped engaging with white people or trying to fit into the white people society. I feel like an invisible person in society."

"I stopped going to that store."

"Took a leave of absence from work to work on myself and strengthen myself in my beliefs."

"We had to move away to avoid constant confrontation and harassment from the people involved as I couldn't bring myself to send my son back to the school where the teacher who evicted us works."

Finally, some respondents commented that they did not find strength or support and reported feeling helpless (8%):

"I found no assistance or love in my local community. I've had to leave the area entirely."

"My mental health suffered so greatly in part because of not being able to find support/understanding/empathy in the community at large."

"There is nowhere that is helpful. Have tried many times over the years for myself, my friends and family. Hospital, crisis response, police and public counselling can't get away from people needing help fast enough."

Table 1.25 Respondent final comments

Comment	Total	Experienced	Affected by
Using community and social interaction to help heal	42%	45%	44%
Becoming involved in activism and contributing to social movements	18%	18%	21%
Participating in support groups	10%	8%	16%
Focus on self-care and individual health	9%	10%	10%
Feeling hopeless / suicidal ideation	8%	10%	5%
Established distance from triggers regarding the hate incident	8%	9%	8%
Prioritized relationships and social support from family	8%	9%	6%
Utilized professional help like counselling, psychiatry, or other mental health services to heal	6%	6%	5%
Using religion to help heal	5%	4%	6%
Unsure/skeptical of reporting procedures and action taken	4%	6%	2%
Finding a creative outlet to help heal	3%	3%	5%
n (sample size)	136	105	63

n (sample size) = 236 on-topic comments were received from survey respondents. Comments could contain up to three themes.

Survey question H1: BCOHRC wants to hear about the strengths of individual and community-based responses to hate. We want to understand where people found strength, connection and even love in the face of hate. We want to understand what you did to care for yourself.

SUMMARY OF KEY FINDINGS AND CONCLUSION

Incidence of hate since January 2020

This survey represents one component of BCOHRC's Inquiry into hate during the pandemic and sought input from people in British Columbia on their experiences of hate since the onset of the pandemic in January 2020. The survey was available from January 31 through March 6, 2022 and could be completed online, over the telephone, or in hardcopy upon request. In total, 930 responses were analyzed in-depth; 595 (64%) of these respondents reported that they had directly experienced a hate incident since January 2020, 456 (49%) reported that they were affected by a hate incident, and 447 (48%) reported that they had witnessed a hate incident. Most respondents reported that they had been affected by hate many times during the pandemic and that they had experienced, witnessed, or been affected by hate incidents before the onset of the pandemic.

Most participants felt that the COVID-19 pandemic had contributed to a rise in hate incidents due to several factors. A main factor was the blaming of certain groups for the pandemic or perceptions that these groups were aggravating the pandemic. Comments from survey respondents revealed that individuals of East Asian descent (or perceived to be of East Asian descent) were targets of hate, particularly at the beginning of the pandemic, and were blamed for causing the pandemic because the COVID-19 virus originated in China. Most respondents also reported that the normalization of hate throughout the pandemic contributed to a rise in incidents and/or that hateful political commentary had contributed to a rise in hate incidents.

Hate incidents were most frequently reported to occur in the Lower Mainland area, followed by the Vancouver Island / Coastal area. Given that over one-half of the province's population lives in the Lower Mainland area, this finding is not surprising. Incidents appeared to be distributed in a pattern that aligns with the distribution of the population. Respondents reported that hate incidents occurred in a variety of locations, most often in an outdoor public space, on a social media platform, or in an indoor space that was not someone's home. Respondents who reported an ethnicity that was not white were more likely to report experiencing incidents occurring in an outdoor public space or on public transit compared to white respondents who were more likely to report that incidents occurred on social media platforms, in a private home or vehicle, or at work.

Respondents reported that hate incidents most often involved hateful comments made in public (73%) or private (42%), insulting non-verbal actions (32%), or being denied the same treatment as others (30%). Some respondents (10%) reported that the incident involved physical violence. Non-white respondents were more likely to report physical violence compared to white respondents. Small proportions of Black and East Asian respondents were more likely to report physical violence compared to other respondents.

Respondents that directly experienced a hate incident were most likely to be white or East Asian, women, and between the ages of 25 and 64 years old. Survey respondents provided details about the perpetrators of the hate incidents they had experienced, witnessed, or been affected by. Perpetrators were most often white men between the ages of 25 and 64 years old. The targets of the hate incident reported that the perpetrators were most often strangers, and only small proportions of respondents reported that they had had a preexisting relationship with the perpetrator.

Most respondents believed individuals were targeted because of their race, ethnicity, or ancestry (60%). Smaller proportions of respondents reported that incidents were motivated by political, religious or spiritual beliefs, or the cultural markers or traditions of the target. Comments from respondents suggested that individuals belonging to a visible minority community are often targets of hate because they are visible and different from the norm; for

example, some respondents commented that they were targeted because they were wearing a turban, others mentioned they were targeted because they looked or appeared to be Asian. In general, non-white respondents were more likely than white respondents to report that the hate incident was race-based, language-based, or due to visible cultural markers or traditions.

Recognizing that the experience of non-white respondents is varied and that this is not a homogenous group, further analysis was conducted to better understand the experience of respondents from different ethnic and cultural backgrounds (these findings should be interpreted with caution as the sample sizes are small). Black, Asian, and Middle Eastern respondents were more likely than others to be targeted because of their race, ethnicity or ancestry. East Asian, Southeast Asian, Latino, and Middle Eastern respondents were more likely to report that the incident was motivated by language. South Asian and Middle Eastern respondents were more likely than others to report that the incident was motivated by religion, possibly because these groups are likely to wear visible markers of their religions like head coverings.

Impacts of hate incidents:

The most commonly-reported impact of hate incidents was immediate emotional or mental distress (84%) followed by loss of sense of safety (65%), and long-term emotional or mental distress (45%). Nearly all respondents reported some impact as a result of the incident they experienced, witnessed, or were affected by. The impact of the incident varied depending on the age, gender, or ethnicity of the respondent. Notably, women and non-white respondents were more likely than others to report a loss of sense of safety and/or avoiding normal routines.

Less than one-third of respondents indicated that they reported the incident that they experienced, witnessed, or were affected by. Respondents who experienced an incident were slightly more likely than those who witnessed or were affected by an incident to report it. Small proportions of respondents reported the incident to police, a manager or owner of a business, or other authority or organization. These respondents reported the incident because they believed it was important, wanted the perpetrator to be accountable for their actions, or because they believed that making a report would make a difference. Most respondents who did not report the incident noted that they did not think the report would make a difference. Respondents left comments expressing their concerns that reporting authorities do not take reports of hate incidents seriously. Some respondents were also concerned about negative impacts to themselves, their family, or their careers.

Respondent strengths and resiliency:

Respondents' final comments on the survey highlighted individual resiliency and strength. Respondents reported that they found strength and healing by connecting with community and social groups, becoming involved in activism, and participating in support groups (formal and informal). These comments generally highlight the importance of social connection and finding support from like-minded people who can understand the hate incidents that were experienced or witnessed.

Conclusion:

Overall, these survey responses have helped to shed light on the prevalence of hate incidents since the onset of the pandemic and on the types of hate that are being experienced or witnessed in the province of British Columbia. Respondents highlighted the impact that hate incidents have had on them, many noting long-term and/or significant impacts like a loss of sense of safety. Despite these experiences and impacts, many respondents also shared details about their healing journeys and where they found strength, support, and connection.

APPENDIX A:

Survey instrument

**BC's Office of The Human Rights Commissioner
Inquiry into hate in the pandemic
Public engagement survey**

Survey introduction:

British Columbia's Office of the Human Rights Commissioner (BCOHRC) is an independent Office of the Legislature that exists to address the root causes of inequality, discrimination, and injustice in B.C. by shifting laws, policies, practices, and cultures. BCOHRC does this work through education, research, advocacy, inquiry, and monitoring.

In August 2021, the Commissioner launched an inquiry into hate in B.C. during the COVID-19 pandemic. BCOHRC wants to hear from people who experienced, witnessed or were affected by hate incidents during the pandemic. Completing this survey is one of the ways people can share their experiences with the Commissioner. Learn more about [how to get involved](https://hateinquiry.bchumanrights.ca/get-involved/) in the Inquiry by visiting the website: <https://hateinquiry.bchumanrights.ca/get-involved/>

Participation in this survey is voluntary. You can stop the survey at any time. If you exit the survey without finishing it, you will be asked if you consent to sharing your responses with BCOHRC or if you would like them to be deleted. If you need more time to complete the survey you can save your responses and complete the survey another time. **You can skip any questions you do not wish to answer.**

Please do not include information that could identify you or others in your responses (for example, any names and addresses of people). You will be asked to provide your consent to use your responses once you have completed the survey and are ready to submit your responses.

This survey will take approximately 20 minutes of your time, depending on your answers. You will be asked to share details about yourself, the hate incident you were involved in, your response to the incident, and how it affected you.

Frequently asked questions:

1. What am I being asked to share?

The survey asks you to share details of hate incidents that you experienced or witnessed during the pandemic. We want to hear from you even if you have already reported your experience to the police or another body. We know that sharing experiences with hate may be triggering. You are welcome to have an advocate or support worker complete the survey on your behalf. We also encourage you to take care of yourself, including by accessing help that is available: <https://hateinquiry.bchumanrights.ca/make-submissions/get-support/>

We know that hate existed in B.C. before the pandemic and that for many people it is a far too common experience. If you experienced more than one hate incident during the pandemic, we ask you to choose which incident you want to share: this could be the incident that happened most recently, was most impactful or one that you wish to tell us about for any other reason. You will have the option of sharing more than one hate incident, if that is what you would like to do.

2. What is a hate incident?

There are many different types of hate present in our society. For this inquiry, “hate incidents” are defined as actions and speech rooted in prejudice that, in the view of the person who experiences or witnesses it, are:

- aimed at a person or a group of people because of a personal characteristic (including age, disability, gender expression or identity, ethnicity, Indigenous identity, place of origin, race, immigration status, religion, sex, sexual orientation and economic status), and
- intended to, or do, significantly harm the targeted individual or group.

Examples of hate incidents could include:

- An elderly Asian man being shoved in a grocery store by a person who makes racist remarks related to the pandemic
- A transgender girl being subjected to hateful comments on social media and at school
- A homeless man with disabilities being pushed to the ground and told to get a job
- A woman being attacked by someone she knows who identifies as being an “incel”

3. How will the information I provide be used?

Your input will be used to examine the types of hate incidents people and communities in B.C. experienced during the pandemic, the impact of those incidents and the steps people are taking in response to them.

Your input will be analyzed and will inform the Commissioner's final report and recommendations to prevent and eliminate hate in the province.

We will not be investigating your specific experience with hate. We will not be sharing or forwarding your information and experience to any other organization including the police or the Human Rights Tribunal.

4. What help is available?

If you have never talked about your experience before, you may not know how it will affect you. You may feel uncomfortable and notice changes in your body as you describe details and impacts. Writing it down or practicing talking or thinking about it before taking the survey can help. You may also need additional help.

Help is available for you by contacting:

- **BC Mental Health Support Line at 310-6789** (it's a 7-digit number so do not enter any area code) or
- **VictimLinkBC, by phone at 1-800-563-0808 or by email VictimLinkBC@bc211.ca**

These services are available day and night, staffed by trained workers and for some of the services interpretation is available in up to 140 languages.

If you prefer to get help by typing, you can access live web chat from 12pm–1am

- For adults in B.C. at [Crisis Centre Chat](#)
- For youth in B.C. at [Youth in BC](#)

- **The Indian Residential School Survivors Society by phone at 1 (800) 721-0066 or (866) 925-4419 for 24-hour crisis support**

BCOHRC may fund short term counselling for individuals who are affected by participating in the Inquiry. Counselling can be accessed by contacting **BCOHRC at inquiry@bchumanrights.ca**. Note that funding for counselling support is limited.

5. Can someone help me complete the survey?

Community organizations are in place to help you fill out the survey. If you would like support in sharing your experiences through this survey, please send an email to inquiry@bchumanrights.ca to be connected with someone who can assist you.

You can also complete the survey by phone by calling **1-855-412-1933**.

Someone will be available to answer your call Monday to Friday 9:00–17:00, Saturday 10:00–18:00, or Sunday 12:00–20:00. If your call is not answered please leave a message with your name and number and someone will call you back as soon as possible within operating hours.

Arrangements can be made for a call centre agent to answer questions or help you complete the survey in any of the following languages:

- Amharic
- Arabic
- Bengali
- Cantonese
- Creole
- Dogri
- Farsi
- French
- German
- Gujri
- Haryanvi
- Hindi
- Kashmiri
- Mandarin
- Pahari
- Punjabi
- Sinhalese
- Somali
- Spanish
- Tagalog
- Urdu
- Yoruba

6. How will my privacy be protected?

BCOHRC will keep survey responses confidential and anonymous. Your information will not be shared with anyone outside of BCOHRC and its survey contractor. The Commissioner's final report will not include information that could identify you but will include trends emerging from the survey data so we can better understand who, how, where and why hate is being experienced.

Your information and responses cannot be accessed under the *Freedom of Information and Protection of Privacy Act*. Questions about your privacy during the Inquiry can be directed to Mark Milotay, Chief Information Officer, BCOHRC at mark.milotay@bchumanrights.ca.

SECTION A. About you

Before asking you to share details about the hate incidents you experienced, we want to learn a little bit about who you are. If you have directly experienced a hate incident or were affected by hate incidents in the pandemic, you will be asked more questions about yourself at the end of the survey.

A1. I ... (please select all that apply)

- directly experienced hate incident(s) during the pandemic
- have been affected by hate incident(s) directed at my community during the pandemic
- witnessed hate incident(s) during the pandemic
- am completing the survey as an advocate or support worker → **skip to SECTION B (page 7)**
- am completing the survey as a person opposed to pandemic related public health orders (e.g. lockdowns, mask mandates, vaccination passports) → **skip to SECTION B (page 7)**

A2. How old were you at the time of the hate incident?

- 17 or younger
- 18–24
- 25–44
- 45–65
- 65 or older

A3. What is your gender identity? Select all that apply

- Girl/Woman
- Boy/Man
- Non-binary
- Two-spirit/Two-spirited
- Prefer to self describe: _____

A4. Are you someone with gender diverse/trans experience (meaning your gender identity does not align with your sex assigned at birth)?

- Yes
- No

A5. Do you identify as an Indigenous person?

- Yes
- No → **skip to A7**

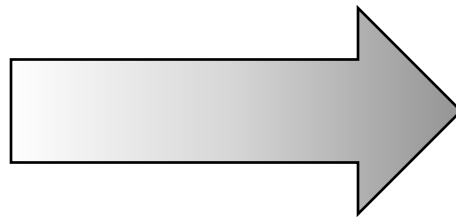
A6. As you identify as an Indigenous person, please select all that apply

- First Nations
- Metis
- Inuit
- Other Indigenous nation. Please specify: _____

A7. In our society, people are often described by their race or racial background. Some common categories that may be used to describe people are “White,” “Black,” “East Asian,” etc. Which of the following ethnic or racial categories best describe you? Please select all that apply.

- Black, or of African descent (African, Afro-Caribbean, African Canadian)
- East Asian (Chinese, Korean, Japanese, Taiwanese)
- Southeast Asian (Filipino, Vietnamese, Cambodian, Thai, Indonesian, or other Southeast Asian)
- South Asian (Indian, Pakistani, Bangladeshi, Sri Lankan, Indo-Caribbean)
- Middle and/or South American Indigenous
- Latino (Latin American, Hispanic)
- Middle Eastern (Arab, Persian, Afghan, Egyptian, Iranian, Lebanese, Turkish, Kurdish, other West Asian)
- White (Western and Eastern European)
- Other ethnic or racial category. Please describe: _____
- Not sure
- Not applicable

**PLEASE CONTINUE ON TO
SECTION B ON NEXT PAGE**



SECTION B. Incident details

These next questions ask you about hate incidents directed at you, that affected you or that you witnessed during the COVID-19 pandemic. Remember that you can stop the survey at any time.

A hate incident includes actions and speech

- aimed at a person or a group of people because of their identity(s) that may include age, disability, gender expression or identity, ethnicity, Indigenous identity, place of origin, race, immigration status, religion, sex, sexual orientation, and economic status and
- that is meant to hurt, humiliate, silence, shame, and/or make a person or group feel less than human.

B1. Have you experienced, witnessed or been affected by hate incidents in B.C. during the pandemic (from January 2020 until present)? Select all that apply.

- Yes, I have directly experienced one or more hate incidents
- Yes, I witnessed one or more hate incidents
- Yes, I have been affected by one or more hate incidents
- No, I have not experienced, witnessed or been affected by hate incidents in that time period

B2. How often were you affected by hate incidents during the pandemic

- Once
- Many times
- Regularly

B3. Did you directly experience, witness, or were affected by, hate incidents before the onset of the pandemic in January 2020?

- Yes
- No
- Not sure / Can't remember

IF YOU HAVE NOT EXPERIENCED, WITNESSED, OR BEEN AFFECTED BY HATE INCIDENTS DURING THE PANDEMIC, THIS IS THE END OF YOUR SURVEY. Thank you for your interest in this survey. We are using this survey to collect information about hate incidents that you witnessed or experienced in B.C. during the pandemic. If you didn't witness or experience a hate incident during the pandemic but would like to share your views regarding the reported rise in hate in the pandemic with BCOHRC, there are other ways to get involved by visiting the Inquiry website: <https://hateinquiry.bchumanrights.ca/get-involved/>

IF YOU HAVE EXPERIENCED, WITNESSED, OR BEEN AFFECTED BY HATE INCIDENTS DURING THE PANDEMIC, PLEASE CONTINUE ON TO SECTION C

SECTION C. Incident location

If you were involved in more than one hate incident during the pandemic, please choose an incident you want to share: this could be the incident that happened most recently, was most impactful, or one that you wish to tell us about for any other reason.

As a reminder, a hate incident includes actions and speech

- aimed at a person or a group of people because of their identity(s) that may include age, disability, gender expression or identity, ethnicity, Indigenous identity, place of origin, race, immigration status, religion, sex, sexual orientation, and economic status and
- that is meant to hurt, humiliate, silence, shame, and/or make a person or group feel less than human.

C1. Where did this incident take place? Please check all that apply

- At school (elementary school, high school, college, university, trade school, etc.)
- On public transit, including trains, ferries, buses
- On private transit including airlines, cabs and ride share
- In an outdoor public space, like on the sidewalk or street, at a park or plaza, etc.
- In an indoor space that was not someone's home, like a mall, grocery store, restaurant library, bank, etc.
- At a government office or service centre
- At work
- At a place of worship/religious institution
- In a private home or vehicle
- In a housing complex
- Nursing home, retirement home, other care home
- Community centre
- Homeless camp or shelter
- Hospital – emergency
- Hospital – non-emergency
- Health care setting (for example, doctor's office, medical clinic)
- Police station
- Social media platform (for example, Facebook, YouTube, Instagram, Twitter, TikTok)
- On the internet (for example, on a website)
- By phone/text
- Other. Please specify: _____
- Don't know

C2. What region did the incident occur in?

- Vancouver Island / Coast (including Gulf Islands)
- Metro Vancouver / Lower Mainland / Fraser Valley / Southwest
- Thompson-Okanagan
- Kootenays
- Cariboo
- North Coast
- Nechako
- Northeast

C3. Did the incident occur on, or near, a date of particular significance to the individual or community impacted by the incident, for example, a religious holiday, cultural celebration or pride day?

- Yes
- No

C4. What happened during the incident? Please only include acts by the person who initiated the incident. Select all that apply.

- Physical violence (e.g., punching, choking, kicking)
- Threats of physical violence including with a weapon
- Objects thrown at you, or the person who experienced the incident
- Spitting or deliberately coughing on you or the person who experienced the incident
- Property damage, vandalism, or graffiti
- Hateful comments (e.g., insults, slurs, degrading labels,) in public (e.g., pamphlets, signs, on website)
- Hateful comments in private conversations (e.g., in person, email, text, social media)
- Refused entry or asked to leave a store, business, public transportation, or public facility, (e.g., library or recreation centre)
- Abuse of power by the police or other person in authority (e.g., unjust detaining or treatment)
- Being denied the same treatment as others
- Nonverbal actions that are insulting (e.g., gestures)
- Other, please describe:

SECTION D. Perpetrator(s) of hate

In order to address, eliminate and prevent hate from occurring, it is important to understand who is acting hatefully (“the perpetrator”). The next questions ask you to share your perception of the person/people who acted hatefully. You are welcome to skip these questions by selecting “prefer not to say” if you do not want to answer them.

D1. I believe I, or the person/people who were affected by the hate incident, were targeted because of my/their...
Select all that apply.

- Race, ethnicity, or ancestry
- Language
- Cultural markers or traditions (e.g., clothing, food, accent, language)
- Religion or spiritual beliefs
- Sex, gender, or gender identity
- Sexual orientation
- Marital or family status
- Age
- Appearance (weight, height, tattoos, etc.)
- Physical disability (including disabling health conditions)
- Cognitive or intellectual disability
- Mental health condition
- Substance or drug use
- Socioeconomic status or class (including poverty and homelessness)
- Political beliefs
- Other, please specify: _____

D2. The Commissioner wants to understand whether and how the pandemic is contributing to the reported rise in hate incidents. Please select all that the factors that you think may have contributed to the hate incident you experienced or were affected by.

- Blame for the pandemic or perception that groups are aggravating the pandemic
- Stress related to pandemic (for example, financial stress or stress from isolation)
- Hateful political commentary
- Normalization of hate incidents including online
- The person who acted hatefully was living with mental health or substance use issues
- Views about pandemic related orders including stay at home orders, mandatory mask mandates, and vaccination cards
- Other, please specify: _____

D3. How old do you think the perpetrator was at the time of the hate incident you described?

- 17 or younger
- 18–24
- 25–44
- 45–65
- 65 or older

D4. What gender do you think the perpetrator is? Select all that apply

- Girl/Woman
- Boy/Man
- Non-binary
- Two-spirit/Two-spirited

D5. Which of the following ethnic or racial categories do you think best describes the perpetrator? Please select all that apply.

- Black, or of African descent (African, Afro-Caribbean, African Canadian)
- East Asian (Chinese, Korean, Japanese, Taiwanese)
- Southeast Asian (Filipino, Vietnamese, Cambodian, Thai, Indonesian, or other Southeast Asian)
- South Asian (Indian, Pakistani, Bangladeshi, Sri Lankan, Indo-Caribbean)
- Indigenous to North America
- Middle and/or South American Indigenous
- Latino (Latin American, Hispanic)
- Middle Eastern (Arab, Persian, Afghan, Egyptian, Iranian, Lebanese, Turkish, Kurdish, other West Asian)
- White (Western and Eastern European)
- Other ethnic or racial category → Please describe: _____

D6. Based on your understanding, what was the relationship between the perpetrator and the person the hate was directed at?

- Strangers
- Neighbours
- Acquaintances
- Friends
- Colleagues
- Intimate partners
- The perpetrator was a professional
- The perpetrator was a person in authority

D7. Are there any other details about the incident that you think are important for us to know about?

SECTION E. Incident impact

E1. How were you affected by the incident in the hours, days, and weeks afterwards? Select all that apply.

- No impact
- Immediate emotional or mental distress (e.g., worry, stress, unhappiness, panic attacks, intrusive thoughts)
- Long term emotional or mental distress
- Loss of sense of safety
- Feeling less connected to the land
- Physical injury or illness
- Avoided normal routines such as taking the bus, or walking certain routes etc.
- Left social media or made changes in social media
- Loss of relationship(s)
- Physical or emotional impacts led me to lose income or my job
- Physical or emotional impacts led me to lose housing
- Physical or emotion impacts led me to lose services or benefits
- Other impact → Please specify: _____

SECTION F. Response to the incident

Please continue to tell us about the same incident you described earlier in the survey.

F1. Did you make a report about the incident?

- Yes → **Do not answer question F4.**
- No, I did not report the incident → **Skip to question F4.**

F2. Where did you report the incident? Select all that apply.

- BC Human Rights Tribunal
- Police
- Other government organization
- Healthcare professional (doctor's office, clinic, etc.)
- Human resources or other authority at my workplace (if incident was related to work)
- Manager, business owner, or other authority at a private business
- Media
- Community based / alternative reporting
- Other → Please specify: _____

F3. Why did you choose to report the incident? Select all that apply.

Only answer this question if you did report the incident.

- I believed making a report was important
- I believed reporting would make a difference
- I wanted the person/people to be accountable to me/my community for their actions
- I wanted to set an example by standing up to injustice
- Other → Please describe: _____

F4. What caused you to choose to not to report the incident? Select all that apply. **Only answer this question if you did not report the incident.**

- I did not know where to report or how to report
- The reporting options were not accessible
- The reporting options were not culturally relevant/safe
- I did not think it would make a difference
- I did not trust the authorities
- I did not want to be involved in an official report/complaints process
- I did not want to get anyone in trouble
- I felt embarrassed about the incident
- I thought I would be treated poorly or unfairly
- It would take too much energy or effort
- I wouldn't be taken seriously / no one would believe me
- I was worried about negative consequences to me, my career or family
- I have submitted a report/complaint before, and wasn't satisfied with the response
- Other → Please describe: _____

F5. Are there other details about the impact of the incident or the response that you would like to share? For example, were you comfortable seeking support or making a report? Were your concerns taken seriously? What would you change?

IF YOU WERE A WITNESS TO HATE INCIDENTS BUT DID NOT DIRECTLY EXPERIENCE A HATE INCIDENT, PLEASE END THE SURVEY HERE.

Thank you for sharing your experience.

By submitting this survey, you are agreeing to share your information with BC's Office of the Human Rights Commissioner and to participate in BCOHRC's Inquiry into hate in the pandemic.

Sharing experiences with hate can cause you to experience trauma again. Help is available for you by contacting:

- **BC Mental Health Support Line at 310-6789** (it's a 7-digit number so do not enter any area code)
- **VictimLinkBC at 1-800-563-0808 or by email VictimLinkBC@bc211.ca**

These services are available day and night, staffed by trained workers and interpretation is available in up to 140 languages.

If you prefer to get help by typing, you can access live web chat from 12pm-1am:

- For adults in B.C. at [Crisis Centre Chat](#)
- For youth in B.C. at [Youth in BC](#)
- The Indian Residential School Survivors Society by phone at 1 (800) 721-0066 or (866) 925-4419 for 24-hour crisis support

Help including access to counselling, is available by contacting:

- **BCOHRC at inquiry@bchumanrights.ca**

SECTION G. Demographics of the person who experienced or was affected by the hate incident

BCOHRC wants to understand who is being impacted by hate incidents during the pandemic. Having a more complete picture of people's identities will help the Commissioner and communities to develop targeted solutions to hate. You are welcome to skip any questions you don't want to answer or that aren't relevant to the hate incident(s) you experienced or were affected by.

We want to hear from anyone who experienced a hate incident in B.C. including immigrants, refugees, and those without immigration status.

G1. Were you born in Canada?

- Yes
- No → **Skip to question G3.**

G2. How recently did you move to Canada?

- Less than 5 years ago
- 5 to 9 years ago
- 10 to 20 years ago
- More than 20 years ago
- Not sure

G3. We know that during the COVID-19 pandemic, frontline workers experienced hate. We would like to know if you experienced hate **while working** in any of the following. Please select all that apply.

- Coffee shop, restaurant, bar
- Gas station
- Grocery store
- Transit
- Security guard
- Vaccination clinic
- Medical clinic
- Hospital
- Other → Please specify: _____.
- Not applicable

G4. Which of the following best describes your sexual orientation?

- Straight or heterosexual
- Gay or lesbian
- Bisexual or pansexual
- Asexual

G5. Do you have a religious and/or spiritual affiliation?

- No religion/not religious → **Skip to question G7.**
- Yes

G5B. What is your religious and/or spiritual affiliation?

- Buddhist
- Christian
- Catholic
- Hindu
- Jewish
- Muslim
- Shinto
- Sikh
- Traditional Indigenous spiritual
- Other → Please specify: _____.

G6. Do you wear a marker of your religious/spiritual affiliation?

- Yes. Please describe: _____
- No

G7. Do you face any barriers or difficulties with your daily activities, or are your activities limited because of a disability or long-term physical, mental or health condition?

- Yes
- No

G8. At the time of the incident were you living in poverty?

(Poverty is defined as being unable to consistently pay for one's basic needs such as housing (including being underhoused / not having enough rooms for the number of people in the home), food, and health care.)

- Yes
- No

G9. At the time of the incident were you homeless?

- Yes
- No

SECTION H. Conclusion

H1. BCOHRC wants to hear about the strengths of individual and community-based responses to hate. We want to understand where people found strength, connection and even love in the face of hate. We want to understand what you did to care for yourself. Please share additional details about anything you found helpful or empowering.

Thank you for sharing your experience.

Do you consent to sharing the information you provided with BC's Office of the Human Rights Commissioner and to participate in the Inquiry into hate in the pandemic?

- Yes, include my responses in the Inquiry
- No, do not use my responses

How did you hear about this survey?

- The Inquiry website
- Community organization
- Social media post
- On the radio
- On TV
- Word of mouth
- Other → Please explain: _____

Sharing experiences with hate can cause you to experience trauma again. Help is available for you by contacting:

- **BC Mental Health Support Line at 310-6789** (it's a 7-digit number so do not enter any area code)
- **VictimLinkBC at 1-800-563-0808 or by email VictimLinkBC@bc211.ca**

These services are available day and night, staffed by trained workers and interpretation is available in up to 140 languages.

If you prefer to get help by typing, you can access live web chat from 12pm–1am

- For adults in B.C. at [Crisis Centre Chat](#)
- For youth in B.C. at [Youth in BC](#)
- **The Indian Residential School Survivors Society by phone at 1 (800) 721-0066 or (866) 925-4419 for 24-hour crisis support**

Help, including access to counselling, is available by contacting:

- **BCOHRC at inquiry@bchumanrights.ca**

If you have more to tell us about this incident or participate in the Inquiry in other ways, you can visit the website below for more information on how to get involved in the Inquiry. You will have the option to contact BCOHRC directly or leave your contact information so that someone from BCOHRC can contact you.

<https://hateinquiry.bchumanrights.ca/make-submissions/>

APPENDIX B:

Coding frameworks

C1. Where did this incident take place? Please check all that apply		
Code	Label	Example
1	At school (elementary school, high school, college, university, trade school, etc.)	
2	On public transit, including trains, ferries, buses	
3	On private transit including airlines, cabs and ride share	
4	In an outdoor public space, like on the sidewalk or street, at a park or plaza, etc.	"driveway outside a hotel"
5	In an indoor space that was not someone's home, like a mall, grocery store, restaurant library, bank, etc.	"bingo hall" "BC Liquor store" "shopping in stores"
6	At a government office or service centre	
7	At work	"At _____, where I work"
8	At a place of worship/religious institution	
9	In a private home or vehicle	"at my home"
10	In a housing complex	
11	Nursing home, retirement home, other care home	
12	Community centre	
13	Homeless camp or shelter	
14	Hospital – emergency	
15	Hospital – non-emergency	
16	Health care setting (e.g. doctor's office, medical clinic)	
17	Police station	
18	Social media platform (for example, Facebook, YouTube, Instagram, Twitter, TikTok)	
19	On the internet (for example, on a website)	"email"
20	By phone/text	
22	In the media (not social media)	"mainstream media", "news and media", "news broadcast"
23	Social circle (no location specified)	"friend", "family members"
998	Off-topic: Pandemic-related	"vaccine mandates"
999	Off-topic: Not pandemic-related	"Anywhere I go" "By BC gov and Justin Trudeau" "The Liberal's Rules and Controls."

*1–20 are response options in the survey.

C4. What happened during the incident? Please only include acts by the person who initiated the incident. Select all that apply.		
Code	Label	Example
1	Physical violence (e.g., punching, choking, kicking)	"walking from school, mugged and punched"
2	Threats of physical violence including with a weapon	"...lunging at me" "physical intimidation"
3	Objects thrown at you, or the person who experienced the incident	"They threw food waste at me"
4	Spitting or deliberately coughing on you or the person who experienced the incident	
5	Property damage, vandalism, or graffiti	
6	Hateful comments (e.g., insults, slurs, degrading labels,) in public (e.g., pamphlets, signs, on website)	"dehumanizing language"
7	Hateful comments in private conversations (e.g., in person, email, text, social media)	"excessive teasing, ridiculing" "insults" "verbal harassment"
8	Refused entry or asked to leave a store, business, public transportation, or public facility, (e.g., library or recreation centre)	"Denied service" "refused entry"
9	Abuse of power by the police or other person in authority (e.g., unjust detaining or treatment)	
10	Being denied the same treatment as others	"Not allowing my son to play because he is Jewish"
11	Nonverbal actions that are insulting (e.g., gestures)	"aggressive posture" "racial profiling re. shoplifting"
998	Off-topic: Pandemic-related	
999	Off-topic: Not pandemic-related	"A trans woman rubbed up against me on the bus" "Abuse by elected officials" "I'm being harassed by my own government" "Justin Trudeau's recurrent public speeches"

*Codes 1–11 are response options in the survey.

D1. I believe I, or the person/people who were affected by the hate incident, were targeted because of my/their... Select all that apply.		
Code	Label	Example
1	Race, ethnicity, or ancestry	"being Jewish" "colour of my skin" "I'm an immigrant, my nationality"
2	Language	
3	Cultural markers or traditions (e.g., clothing, food, accent, language)	
4	Religion or spiritual beliefs	
5	Sex, gender, or gender identity	"Because I am a woman"
6	Sexual orientation	
7	Marital or family status	
8	Age	
9	Appearance (weight, height, tattoos, etc.)	"Fatness"
10	Physical disability (including disabling health conditions)	
11	Cognitive or intellectual disability	
12	Mental health condition	
13	Substance or drug use	
14	Socioeconomic status or class (including poverty and homelessness)	
15	Political beliefs	
16	Career/job	"Because I'm a nurse" "Frontline worker" "Health care worker" "job"
998	Off-topic: Pandemic-related	"vaccination status" "because I won't take vaccine" "Against vaccines" "against mandates" "ATTACKED/DENIED SERVICE FOR NOT BEING A MASKHOLE" "being unvaccinated"
999	Off-topic: Not pandemic-related	"its taught now to hate straight white men like me" "Not sharing Justin Trudeau's views"

*Codes 1–15 are response options in the survey.

D2. The Commissioner wants to understand whether and how the pandemic is contributing to the reported rise in hate incidents. Please select all that the factors that you think may have contributed to the hate incident you experienced or were affected by.		
Code	Label	Example
1	Blame for the pandemic or perception that groups are aggravating the pandemic	
2	Stress related to pandemic (for example, financial stress or stress from isolation)	
3	Hateful political commentary	"rise of extremism globally"
4	Normalization of hate incidents including online	
5	The person who acted hatefully was living with mental health or substance use issues	
6	Views about pandemic related orders including stay at home orders, mandatory mask mandates, and vaccination cards	"differing mandates world-wide" "government mandates"
7	Religious views	"Religious institutions homophobia" "Religious views that target LGBTQ people"
8	Systemic issues	"imbedded systemic racism" "systemic antisemitism"
9	Media-related	"Misinformation spread by the news"
10	Government-related	"The PM", "Politicians"
998	Off-topic: Pandemic-related	
999	Off-topic: Not pandemic-related	"wanting to travel to see family" "Because I am a white male"

*Codes 1–6 are response options in the survey

D7. Are there any other details about the incident that are important for us to know about?		
Code	Label	Example
1	Lack of accountability	<p>"Things happen and nobody is held accountable, incidents are happening more often than before"</p> <p>"Deep seeded hate has been part of communities for a long time. Homophobic, Transphobic ad Racist attacks have always been there and have only been allowed to fester and get worse as nothing has been done about it as people are all to willing to stand there ad watch it happen or join in."</p>
2	Resulted in fear to express their identity	<p>"As a person in authority, it is absolutely disgusting to make derogatory remarks regarding one's race. I personally do not look Metis but I am and these comments made me uncomfortable and unwilling to identify myself as such."</p> <p>"I am fearful when traveling with a passport that has my Jewish name on it, of being singled out."</p>
3	Feeling unwelcome	"As an immigrant to Canada I used to feel welcomed and included in Canadian society. I now feel excluded and ostracized from Canadian society."
4	Change in experience of racism since onset of pandemic	<p>"As a B.C residence from Korea, I heard several times saying 'go back to China'. Please educate people. All Asians are not Chinese. This started happening to me after covid happening."</p> <p>"Before the pandemic I did get Racial judgment, but it increased"</p> <p>"Hate crimes targeting Asians are on the rise. White people say that the pandemic is because of Asians."</p>
5	Need to educate public about hate	"Please educate people. All Asians are not Chinese. This started to me after covid happening."
6	Rise in extremism	<p>"there is a dangerous lack of open conversation - everyone has become extremely left/right blue/red black/white pro/anti regarding the mandates and vaccine program during this pandemic"</p> <p>"I've never seen such division before"</p>
7	Hate symbols	<p>"White supremacy posters and flyers displayed in public spaces in the uptown New Westminster area. This has happened before, prior to the pandemic..."</p> <p>"White supremacist symbols, banners, flags. Antisemitism."</p> <p>"I saw a swastika graffitied on a crosswalk lamp post ... I also heard from friends that there had been swastika flags flown there."</p>
8	Comments on details about a specific hate incident	<p>"I was elbowed in the stomach for speaking Chinese in the white majority community of White Rock"</p> <p>"i was wearing hijab and I was with my young children."</p>
9	Mandates related to COVID-19	"I shouldn't be ostracised because I won't get vaccinated"; "The mandates caused more division"
10	Physical, mental, or emotional health changes	"My anxiety and depression has exploded"; "I am suffering with mobility issues from not being able to go to the gym"; "My mental health deteriorated"
998	Off-topic: Pandemic-related	
999	Off-topic: Not pandemic-related	<p>"Justin Trudeau was the perpetrator"</p> <p>"Make love not war"</p>

E1. How were you affected by the incident in the hours, days, and weeks afterwards? Select all that apply.		
Code	Label	Example
1	Immediate emotional or mental distress (e.g., worry, stress, unhappiness, panic attacks, intrusive thoughts)	"anger" "anxiety" "shock"
2	Long term emotional or mental distress	"brought back past trauma" "cannot be there emotionally for my children" "suicidal ideation" "suicidal and hopelessness"
3	Loss of sense of safety	
4	Feeling less connected to the land	
5	Physical injury or illness	
6	Avoided normal routines such as taking the bus, or walking certain routes etc.	"no longer going to the pool for fear of harassment"
7	Left social media or made changes in social media	
8	Loss of relationship(s)	
9	Physical or emotional impacts led me to lose income or my job	"wanted to leave nursing, and still do"
10	Physical or emotional impacts led me to lose housing	
11	Physical or emotion impacts led me to lose services or benefits	
12	Substance use/abuse	"alcohol abuse from depression and hopelessness"
998	Off-topic: Pandemic-related	
999	Off-topic: Not pandemic-related	

*Codes 1–11 are response options in the survey.

F3. [If F1=1] Why did you choose to report the incident? Select all that apply.		
Code	Label	Example
1	I believed making a report was important	
2	I believed reporting would make a difference	
3	I wanted the person/people to be accountable to me/my community for their actions	
4	I wanted to set an example by standing up to injustice	"You have to stand up to hate" "to stand up for minority rights" "bring awareness"
5	To get support	"I was feeling very suicidal and needed support" "I was searching for help"
6	For protection or safety reasons	"I wanted to protect myself"; "For my neighbour's safety"
998	Off-topic: Pandemic-related	
999	Off-topic: Not pandemic-related	

*Codes 1–4 are response options in the survey.

F4. [If F1=2] What caused you to choose to not to report the incident? Select all that apply.		
Code	Label	Example
1	I did not know where to report or how to report	"Where would you report this?" "Didn't know that being coughed on was an assault"
2	The reporting options were not accessible	
3	The reporting options were not culturally relevant/safe	
4	I did not think it would make a difference	"Didn't feel it would achieve a positive change"
5	I did not trust the authorities	"authorities do not care"
6	I did not want to be involved in an official report/complaints process	
7	I did not want to get anyone in trouble	
8	I felt embarrassed about the incident	
9	I thought I would be treated poorly or unfairly	
10	It would take too much energy or effort	"dealing with cancer, no energy" "I thought it would be endless and overwhelming"
11	I wouldn't be taken seriously / no one would believe me	
12	I was worried about negative consequences to me, my career or family	"worried I would lose my license"
13	I have submitted a report/complaint before, and wasn't satisfied with the response	
14	Addressed the issue without a formal complaint	"Addressed it without formal complaint"
15	Another person reported it	"Another bystander stayed and reported" "it was already reported"
998	Off-topic: Pandemic-related	
999	Off-topic: Not pandemic-related	"Because I'm white and only Indigenous matter" "I'm a white male punching bag"

*Codes 1–14 are response options in the survey.

F5. Are there other details about the impact of the incident or the response that you would like to share? For example, were you comfortable seeking support or making a report? Were your concerns taken seriously? What would you change?		
Code	Label	Example
1	Insufficient follow-up after making a report	<p>"Concerns have been ignored. Systems of accountability are not working."</p> <p>"Concerns we not taken seriously"</p> <p>"I called the police years ago when someone made derogatory comments to me, and I was told this wasn't a crime so not a police matter. If we can't go to the police, where do we turn?"</p>
2	Need for education and accountability	<p>"Education is an ongoing thing, but people learn best when there are immediate consequences to their behaviour."</p> <p>"Educate all police officers on the significance of the situation."</p> <p>"...it would be our desire to educate the wider community and understand the source of hate."</p>
3	Need for a restorative justice approach	"If we knew who painted the graffiti, our desire was to find a restorative justice-based approach as the incident left no lasting damage..."
4	Negative impacts related to hate incidents	<p>"I feel unsafe in my own country and am witnessing a great divide not only in my family but in my community..."</p> <p>"I get anxiety when I need to go out"</p> <p>"I have avoided contact with the group of people that participate in the activities surrounding the accusations and hateful comments"</p>
5	Worried about consequences from making a report	"Didn't feel safe making a report"
6	Unsure about effectiveness of reporting process	<p>"I'm not sure that reporting the incident would do anything."</p> <p>"I'm worried that I wouldn't be taken seriously."</p>
7	The reporting process needs to be refined and made clear	<p>"Guidance in how to make a proper report would be most helpful to all impacted I believe."</p> <p>"There needs to be an immediate response to reporting and consequences to the perpetrator"</p>
8	Took individual action after hate incident but did not report	<p>"I just felt the need to remove myself from the situation"</p> <p>"I didn't report it but took matters into my own hands"</p>
997	Other	
998	Off-topic: Pandemic-related	
999	Off-topic: Not pandemic-related	<p>"No"</p> <p>"No thanks"</p> <p>"Oust those in power"</p> <p>"Overhaul the government and mainstream media"</p> <p>"I have sent in a request to have Justin Trudeau charged with hate crimes."</p>

H1. BCOHRC wants to hear about the strengths of individual and community-based responses to hate. We want to understand where people found strength, connection and even love in the face of hate. We want to understand what you did to care for yourself.		
Code	Label	Example
1	Using community and social interaction to help heal	<p>"What I found helpful and empowering is my memories of veterans who have given their lives for freedom. I have coffee with some of them in the morning. I find their experiences helpful and empowering."</p> <p>"What I found empowering was the support, interest and questions asked by fellow Jewish people and also many Asian friends."</p> <p>"talked to my friends and family"</p> <p>"I connected with others who have been affected by the Hate comments."</p>
2	Feeling hopeless / suicidal ideation	<p>"There is nothing I can do. Feeling of shame to shop, to be in public or leave my apartment"</p> <p>"I wanted kill myself at the moment realized I have to have help I contacted a psychologist..."</p>
3	Finding a creative outlet to help heal	<p>"Listening to music"</p> <p>"Play music. Watch a cheery movie."</p> <p>"practice daily affirmations, meditation and yoga"</p>
4	Using religion to help heal	<p>"I pray every day and read the bible to gain strength"</p> <p>"I found strength, connection and love in my Wife's Catholic faith's teachings and in my own meditation and faith practices."</p>
5	Unsure/skeptical of reporting procedures and management of hate incidents	"We've lost faith in the institutions that are supposed to protect our rights."
6	Establish distance from triggers regarding the hate incident	"Avoid news, politicians, and reminders of the incident."
7	Finding healing through pets and/or support animals	"Hold my dogs a little tighter"
8	Utilized professional help, counselling, psychiatry, or other mental health services to heal	"Making sure I have had professional help, Trauma counselor, Psychiatrist"
9	Focus on self-care and individual health	<p>"Time in nature when possible"</p> <p>"Attend to physical health and exercise."</p>
10	Prioritized relationships and social support from family	"Calling like-minded friends for support. My partner has witnessed some of this and is appalled. He is supportive. My sister lives nearby and we talk."
11	Becoming involved in activism and contributing to social movements	"Connecting with family, friends and allies. Taking bystander intervention training. Speaking out against hate."
12	Participate in support groups with individuals who have experienced similar hate incidents	<p>"Finding groups who were in the same position as me helped relieve the stress and anxiety caused by the incident and similar incidents."</p> <p>"Finding groups of like minded supportive people, online and in person."</p>
13	Have not engaged in self-care	"I haven't done anything to look after myself"
996	Off-topic: Unintelligible	
997	Off-topic: Complaint about survey	

H1. BCOHRC wants to hear about the strengths of individual and community-based responses to hate. We want to understand where people found strength, connection and even love in the face of hate. We want to understand what you did to care for yourself.

Code	Label	Example
998	Off-topic: Pandemic-related	"End all mandates and restrictions around covid and vaccine! STOP THE HATE!!!"
999	Off-topic: Not pandemic-related	"Our prime minister is trying to divide people by hateful speeches and commentary" "I am an upper income earner. Successful in daily life and intelligent enough to understand hate."

APPENDIX C:

Data tables

Table C1. Experiences and witnesses of hate by gender (QA1)

Respondent characteristics	Woman/girl	Man/boy
Respondent directly experienced a hate incident	353	192
Respondent was affected by a hate incident	167	83
Respondent witnessed a hate incident	158	85
Respondent is an advocate or support worker	20	6
n (total sample size)	353	353

*Respondents could select multiple responses.

Table C2. Experiences and witnesses of hate by age (QA1)

Respondent characteristics	44 and younger	45 and older
Respondent directly experienced a hate incident	302	290
Respondent was affected by a hate incident	156	123
Respondent witnessed a hate incident	158	116
Respondent is an advocate or support worker	19	14
n (total sample size)	302	297

*Respondents could select multiple responses.

Table C3. Experiences and witnesses of hate by region (QA1)

Respondent characteristics	Vancouver Island/Coast	Metro Vancouver/ Lower Mainland/ Fraser Valley/ Southwest	All other regions
Respondent directly experienced a hate incident	140	326	111
Respondent was affected by a hate incident	64	155	52
Respondent witnessed a hate incident	63	149	58
Respondent is an advocate or support worker	9	15	8
n (total sample size)	140	326	111

*Respondents could select multiple responses.

Table C4. Experiences and witnesses of hate by ethnicity (collapsed) (QA1)

Respondent characteristics	Non-white	White
Respondent directly experienced a hate incident	324	271
Respondent was affected by a hate incident	151	128
Respondent witnessed a hate incident	135	140
Respondent is an advocate or support worker	12	21
n (total sample size)	324	271

*Respondents could select multiple responses.

Table C5. How often respondent was affected by hate by gender (QB2)

How often were you affected by hate incidents during the pandemic?	Woman/girl		Man/boy	
	N	%	N	%
Once	60	17.5%	45	23.8%
Many times	218	63.6%	95	50.3%
Regularly	65	19.0%	49	25.9%
n (total sample size)	343	100.0%	189	100.0%

Table C6. How often respondent was affected by hate by age (QB2)

How often were you affected by hate incidents during the pandemic?	44 and younger		45 and older	
	N	%	N	%
Once	56	19.0%	53	18.7%
Many times	180	61.2%	161	56.9%
Regularly	58	19.7%	69	24.4%
n (total sample size)	294	100.0%	283	100.0%

Table C7. How often respondent was affected by hate by region (QB2)

How often were you affected by hate incidents during the pandemic?	Vancouver Island / Coast		Metro Vancouver / Lower Mainland / Fraser Valley / Southwest		All other regions	
	N	%	N	%	N	%
Once	24	18.0%	60	18.8%	22	20.2%
Many times	77	57.9%	193	60.3%	63	57.8%
Regularly	32	24.1%	67	20.9%	24	22.0%
n (total sample size)	133	100.0%	320	100.0%	109	100.0%

Table C8. How often respondent was affected by hate by ethnicity (collapsed) (QB2)

How often were you affected by hate incidents during the pandemic?	Non-white		White	
	N	%	N	%
Once	68	21.5%	42	15.9%
Many times	184	58.2%	158	59.8%
Regularly	64	20.3%	64	24.2%
N (total sample size)	316	100.0%	264	100.0%

Table C9. Pandemic-related causes of hate by gender (QD2)

Please select all the factors that you think may have contributed to the hate incident you experienced or were affected by.	Woman/girl		Man/boy	
	N	%	N	%
Blame for the pandemic or perception that groups are aggravating the pandemic	226	66.1%	109	61.6%
Stress related to the pandemic	178	52.0%	74	41.8%
Hateful political commentary	177	51.8%	102	57.6%
Normalization of hate incidents, including online	199	58.2%	98	55.4%
The person who acted hatefully was living with mental health or substance use issues	48	14.0%	27	15.3%
Views about pandemic related orders	174	50.9%	83	46.9%
n (total sample size)	342	--	177	--

*Respondents could select multiple responses.

Table C10. Pandemic-related causes of hate by age (QD2)

Please select all the factors that you think may have contributed to the hate incident you experienced or were affected by.	44 and younger		45 and older	
	N	%	N	%
Blame for the pandemic or perception that groups are aggravating the pandemic	183	63.8%	177	64.1%
Stress related to the pandemic	153	53.3%	119	43.1%
Hateful political commentary	164	57.1%	152	55.1%
Normalization of hate incidents, including online	182	63.4%	149	54.0%
The person who acted hatefully was living with mental health or substance use issues	49	17.1%	34	12.3%
Views about pandemic related orders	132	46.0%	149	54.0%
n (total sample size)	287	--	276	--

*Respondents could select multiple responses.

Table C11. Pandemic-related causes of hate by region (QD2)

Please select all the factors that you think may have contributed to the hate incident you experienced or were affected by.	Vancouver Island / Coast		Metro Vancouver / Lower Mainland / Fraser Valley / Southwest		All other regions	
	N	%	N	%	N	%
Blame for the pandemic or perception that groups are aggravating the pandemic	86	64.2%	203	66.3%	61	55.5%
Stress related to the pandemic	61	45.5%	157	51.3%	49	44.5%
Hateful political commentary	84	62.7%	160	52.3%	62	56.4%
Normalization of hate incidents, including online	82	61.2%	170	55.6%	72	65.5%
The person who acted hatefully was living with mental health or substance use issues	16	11.9%	53	17.3%	13	11.8%
Views about pandemic related orders	68	50.7%	137	44.8%	68	61.8%
n (total sample size)	134	--	306	--	110	--

*Respondents could select multiple responses.

Table C12. Pandemic-related causes of hate by ethnicity (collapsed) (QD2)

Please select all the factors that you think may have contributed to the hate incident you experienced or were affected by.	Non-white		White	
	N	%	N	%
Blame for the pandemic or perception that groups are aggravating the pandemic	217	70.2%	145	56.4%
Stress related to the pandemic	154	49.8%	118	45.9%
Hateful political commentary	159	51.5%	159	61.9%
Normalization of hate incidents, including online	169	54.7%	163	63.4%
The person who acted hatefully was living with mental health or substance use issues	51	16.5%	32	12.5%
Views about pandemic related orders	120	38.8%	161	62.6%
n (total sample size)	309	--	257	--

*Respondents could select multiple responses.

Table C13. Location of hate incident by gender (QC1)

Where did this incident take place? Please check all that apply.	Woman/girl		Man/boy	
	N	%	N	%
At school	41	11.7%	20	10.4%
On public transit	67	19.1%	37	19.3%
On private transit	16	4.6%	13	6.8%
In an outdoor public space	181	51.6%	101	52.6%
In an indoor space that was not someone's home	138	39.3%	65	33.9%
At a government office or service centre	28	8.0%	25	13.0%
At work	102	29.1%	54	28.1%
At a place of worship or religious institution	12	3.4%	12	6.3%
In a private home or vehicle	41	11.7%	21	10.9%
In a housing complex	27	7.7%	11	5.7%
Nursing home, retirement home, or other care home	11	3.1%	7	3.6%
Community centre	17	4.8%	12	6.3%
Homeless camp or shelter	5	1.4%	4	2.1%
Hospital – emergency	24	6.8%	18	9.4%
Hospital – non-emergency	22	6.3%	14	7.3%
Health care setting	28	8.0%	12	6.3%
Police station	4	1.1%	8	4.2%
Social media platform	135	38.5%	53	27.6%
On the internet	59	16.8%	44	22.9%
By phone or text	30	8.5%	12	6.3%
n (total sample size)	351	--	192	--

*Respondents could select multiple responses.

Table C14. Location of hate incident by age (QC1)

Where did this incident take place? Please check all that apply.	44 and younger		45 and older	
	N	%	N	%
At school	52	17.4%	29	10.1%
On public transit	83	27.8%	40	13.9%
On private transit	25	8.4%	16	5.6%
In an outdoor public space	171	57.2%	137	47.6%
In an indoor space that was not someone's home	120	40.1%	104	36.1%
At a government office or service centre	31	10.4%	31	10.8%
At work	99	33.1%	75	26.0%
At a place of worship or religious institution	14	4.7%	15	5.2%
In a private home or vehicle	35	11.7%	35	12.2%
In a housing complex	21	7.0%	23	8.0%
Nursing home, retirement home, or other care home	8	2.7%	12	4.2%
Community centre	20	6.7%	15	5.2%
Homeless camp or shelter	7	2.3%	5	1.7%
Hospital – emergency	26	8.7%	21	7.3%
Hospital – non-emergency	15	5.0%	28	9.7%
Health care setting	23	7.7%	27	9.4%
Police station	7	2.3%	8	2.8%
Social media platform	122	40.8%	94	32.6%
On the internet	70	23.4%	59	20.5%
By phone or text	25	8.4%	22	7.6%
n (total sample size)	289	--	288	--

*Respondents could select multiple responses.

Table C15. Location of hate incident by region (QC1)

Where did this incident take place? Please check all that apply.	Vancouver Island / Coast		Metro Vancouver / Lower Mainland / Fraser Valley / Southwest		All other regions	
	N	%	N	%	N	%
At school	26	18.8%	37	11.4%	16	14.4%
On public transit	28	20.3%	84	25.8%	10	9.0%
On private transit	15	10.9%	23	7.1%	3	2.7%
In an outdoor public space	78	56.5%	180	55.4%	44	39.6%
In an indoor space that was not someone's home	52	37.7%	126	38.8%	43	38.7%
At a government office or service centre	13	9.4%	40	12.3%	9	8.1%
At work	46	33.3%	84	25.8%	42	37.8%
At a place of worship or religious institution	4	2.9%	16	4.9%	9	8.1%
In a private home or vehicle	21	15.2%	33	10.2%	15	13.5%
In a housing complex	10	7.2%	31	9.5%	3	2.7%
Nursing home, retirement home, or other care home	3	2.2%	11	3.4%	6	5.4%
Community centre	9	6.5%	22	6.8%	3	2.7%
Homeless camp or shelter	2	1.4%	8	2.5%	2	1.8%
Hospital – emergency	9	6.5%	31	9.5%	6	5.4%
Hospital – non-emergency	15	10.9%	18	5.5%	9	8.1%
Health care setting	12	8.7%	25	7.7%	11	9.9%
Police station	2	1.4%	10	3.1%	3	2.7%
Social media platform	54	39.1%	105	32.3%	53	47.7%
On the internet	38	27.5%	61	18.8%	26	23.4%
By phone or text	15	10.9%	21	6.5%	11	9.9%
n (total sample size)	138	--	325	--	111	--

*Respondents could select multiple responses.

Table C16. Location of hate incident by ethnicity (collapsed) (QC1)

Where did this incident take place? Please check all that apply.	Non-white		White	
	N	%	N	%
At school	43	13.4%	38	14.1%
On public transit	86	26.8%	38	14.1%
On private transit	27	8.4%	15	5.6%
In an outdoor public space	188	58.6%	121	45.0%
In an indoor space that was not someone's home	120	37.4%	105	39.0%
At a government office or service centre	44	13.7%	21	7.8%
At work	78	24.3%	97	36.1%
At a place of worship or religious institution	17	5.3%	12	4.5%
In a private home or vehicle	32	10.0%	38	14.1%
In a housing complex	28	8.7%	16	5.9%
Nursing home, retirement home, or other care home	13	4.0%	7	2.6%
Community centre	23	7.2%	12	4.5%
Homeless camp or shelter	9	2.8%	3	1.1%
Hospital – emergency	25	7.8%	23	8.6%
Hospital – non-emergency	18	5.6%	25	9.3%
Health care setting	22	6.9%	28	10.4%
Police station	11	3.4%	4	1.5%
Social media platform	95	29.6%	121	45.0%
On the internet	60	18.7%	70	26.0%
By phone or text	17	5.3%	30	11.2%
n (total sample size)	321	--	269	--

*Respondents could select multiple responses.

Table C17. What happened during the hate incident by gender (QC4)

What happened during the incident? Please only include acts by the person who initiated the incident.	Woman/girl		Man/boy	
	N	%	N	%
Physical violence	33	9.4%	22	11.5%
Threats of physical violence	74	21.0%	44	22.9%
Objects thrown at you	40	11.4%	21	10.9%
Spitting or deliberately coughing on you	67	19.0%	39	20.3%
Property damage	43	12.2%	20	10.4%
Hateful comments in public	268	76.1%	139	72.4%
Hateful comments in private conversations	186	52.8%	75	39.1%
Refused entry or asked to leave a store	77	21.9%	40	20.8%
Abuse of power by the police or someone in authority	52	14.8%	35	18.2%
Being denied the same treatment as others	128	36.4%	65	33.9%
Nonverbal actions that are insulting	132	37.5%	59	30.7%
n (total sample size)	352	--	192	--

*Respondents could select multiple responses.

Table C18. What Happened during the hate incident by age (QC4)

What happened during the incident? Please only include acts by the person who initiated the incident.	44 and younger		45 and older	
	N	%	N	%
Physical violence	32	10.6%	31	10.7%
Threats of physical violence	67	22.2%	66	22.8%
Objects thrown at you	39	12.9%	28	9.7%
Spitting or deliberately coughing on you	71	23.5%	52	18.0%
Property damage	38	12.6%	34	11.8%
Hateful comments in public	232	76.8%	215	74.4%
Hateful comments in private conversations	151	50.0%	134	46.4%
Refused entry or asked to leave a store	66	21.9%	71	24.6%
Abuse of power by the police or someone in authority	49	16.2%	52	18.0%
Being denied the same treatment as others	108	35.8%	113	39.1%
Nonverbal actions that are insulting	116	38.4%	93	32.2%
n (total sample size)	302	--	289	--

*Respondents could select multiple responses.

Table C19. What happened during the hate incident by region (QC4)

What happened during the incident? Please only include acts by the person who initiated the incident.	Vancouver Island / Coast		Metro Vancouver / Lower Mainland / Fraser Valley / Southwest		All other regions	
	N	%	N	%	N	%
Physical violence	15	10.7%	36	11.1%	12	10.8%
Threats of physical violence	36	25.7%	71	21.8%	24	21.6%
Objects thrown at you	14	10.0%	38	11.7%	15	13.5%
Spitting or deliberately coughing on you	26	18.6%	73	22.5%	23	20.7%
Property damage	17	12.1%	39	12.0%	15	13.5%
Hateful comments in public	109	77.9%	247	76.0%	78	70.3%
Hateful comments in private conversations	69	49.3%	143	44.0%	66	59.5%
Refused entry or asked to leave a store	34	24.3%	58	17.8%	39	35.1%
Abuse of power by the police or someone in authority	24	17.1%	53	16.3%	23	20.7%
Being denied the same treatment as others	60	42.9%	109	33.5%	44	39.6%
Nonverbal actions that are insulting	43	30.7%	127	39.1%	34	30.6%
n (total sample size)	126	--	325	--	111	--

*Respondents could select multiple responses.

Table C20. What happened during the hate incident by ethnicity (collapsed) (QC4)

What happened during the incident? Please only include acts by the person who initiated the incident.	Non-white		White	
	N	%	N	%
Physical violence	38	11.8%	25	9.2%
Threats of physical violence	56	17.3%	78	28.8%
Objects thrown at you	35	10.8%	32	11.8%
Spitting or deliberately coughing on you	73	22.6%	51	18.8%
Property damage	40	12.4%	32	11.8%
Hateful comments in public	236	73.1%	213	78.6%
Hateful comments in private conversations	145	44.9%	140	51.7%
Refused entry or asked to leave a store	56	17.3%	81	29.9%
Abuse of power by the police or someone in authority	55	17.0%	48	17.7%
Being denied the same treatment as others	107	33.1%	115	42.4%
Nonverbal actions that are insulting	125	38.7%	84	31.0%
n (total sample size)	323	--	271	--

*Respondents could select multiple responses.

Table C21. Perpetrator relationship to target by gender (QD6)

Based on your understanding what was the relationship between the perpetrator and the person the hate was directed at?	Woman/girl		Man/boy	
	N	%	N	%
Strangers	266	76.7%	139	73.9%
Neighbours	46	13.3%	19	10.1%
Acquaintances	57	16.4%	25	13.3%
Friends	41	11.8%	16	8.5%
Colleagues	55	15.9%	23	12.2%
Intimate partners	7	2.0%	2	1.1%
The perpetrator was a professional	67	19.3%	34	18.1%
The perpetrator was a person in authority	75	21.6%	42	22.3%
n (total sample size)	614	176.9%	300	159.6%

Table C22. Perpetrator relationship to target by age (QD6)

Based on your understanding what was the relationship between the perpetrator and the person the hate was directed at?	44 and younger		45 and older	
	N	%	N	%
Strangers	229	77.1%	211	74.0%
Neighbours	31	10.4%	38	13.3%
Acquaintances	48	16.2%	50	17.5%
Friends	29	9.8%	33	11.6%
Colleagues	54	18.2%	42	14.7%
Intimate partners	10	3.4%	6	2.1%
The perpetrator was a professional	58	19.5%	56	19.6%
The perpetrator was a person in authority	61	20.5%	72	25.3%
n (total sample size)	520	175.1%	508	178.2%

Table C23. Perpetrator relationship to target by region (QD6)

Based on your understanding what was the relationship between the perpetrator and the person the hate was directed at?	Vancouver Island / Coast		Metro Vancouver / Lower Mainland / Fraser Valley / Southwest		All other regions	
	N	%	N	%	N	%
Strangers	104	76.5%	255	79.2%	68	61.8%
Neighbours	14	10.3%	42	13.0%	11	10.0%
Acquaintances	31	22.8%	46	14.3%	21	19.1%
Friends	20	14.7%	24	7.5%	17	15.5%
Colleagues	29	21.3%	48	14.9%	18	16.4%
Intimate partners	5	3.7%	6	1.9%	5	4.5%
The perpetrator was a professional	33	24.3%	57	17.7%	22	20.0%
The perpetrator was a person in authority	34	25.0%	67	20.8%	29	26.4%
n (total sample size)	270	198.5%	545	169.3%	191	173.6%

Table C24. Perpetrator relationship to target by ethnicity (collapsed) (QD6)

Based on your understanding what was the relationship between the perpetrator and the person the hate was directed at?	Non-white		White	
	N	%	N	%
Strangers	247	77.9%	194	72.4%
Neighbours	39	12.3%	30	11.2%
Acquaintances	40	12.6%	58	21.6%
Friends	25	7.9%	37	13.8%
Colleagues	48	15.1%	49	18.3%
Intimate partners	7	2.2%	9	3.4%
The perpetrator was a professional	55	17.4%	61	22.8%
The perpetrator was a person in authority	67	21.1%	69	25.7%
n (total sample size)	528	166.6%	507	189.2%

Table C25. Perceived motivation of hate incident by gender (QD1)

I believe I, or the person/people who were affected by the hate incident, were targeted because of my/their...	Woman/girl		Man/boy	
	N	%	N	%
Race, ethnicity, or ancestry	199	57.8%	124	65.3%
Language	54	15.7%	33	17.4%
Cultural markers or traditions	59	17.2%	26	13.7%
Religion or spiritual beliefs	59	17.2%	36	18.9%
Sex, gender, or gender identity	71	20.6%	16	8.4%
Sexual orientation	18	5.2%	19	10.0%
Marital or family status	13	3.8%	1	.5%
Age	28	8.1%	16	8.4%
Appearance	38	11.0%	24	12.6%
Physical disability	42	12.2%	22	11.6%
Cognitive or intellectual disability	8	2.3%	10	5.3%
Mental health condition	34	9.9%	15	7.9%
Substance or drug use	14	4.1%	3	1.6%
Socioeconomic status or class	28	8.1%	16	8.4%
Political beliefs	72	20.9%	47	24.7%
n (total sample size)	344	--	190	--

*Respondents could select multiple responses.

Table C26. Perceived motivation of Hate incident by age (QD1)

Where did this incident take place? Please check all that I believe I, or the person/people who were affected by the hate incident, were targeted because of my/their...	44 and younger		45 and older	
	N	%	N	%
Race, ethnicity, or ancestry	199	66.8%	146	51.6%
Language	67	22.5%	28	9.9%
Cultural markers or traditions	63	21.1%	41	14.5%
Religion or spiritual beliefs	57	19.1%	59	20.8%
Sex, gender, or gender identity	57	19.1%	54	19.1%
Sexual orientation	26	8.7%	28	9.9%
Marital or family status	15	5.0%	10	3.5%
Age	20	6.7%	36	12.7%
Appearance	34	11.4%	42	14.8%
Physical disability	36	12.1%	46	16.3%
Cognitive or intellectual disability	17	5.7%	11	3.9%
Mental health condition	31	10.4%	31	11.0%
Substance or drug use	14	4.7%	6	2.1%
Socioeconomic status or class	22	7.4%	33	11.7%
Political beliefs	69	23.2%	70	24.7%
n (total sample size)	298	--	283	--

*Respondents could select multiple responses.

Table C27. Perceived motivation of hate incident by region (QD1)

I believe I, or the person/people who were affected by the hate incident, were targeted because of my/their...	Vancouver Island / Coast		Metro Vancouver / Lower Mainland / Fraser Valley / Southwest		All other regions	
	N	%	N	%	N	%
Race, ethnicity, or ancestry	69	50.7%	238	73.7%	33	30.8%
Language	18	13.2%	67	20.7%	10	9.3%
Cultural markers or traditions	28	20.6%	64	19.8%	11	10.3%
Religion or spiritual beliefs	34	25.0%	58	18.0%	20	18.7%
Sex, gender, or gender identity	28	20.6%	56	17.3%	27	25.2%
Sexual orientation	17	12.5%	26	8.0%	12	11.2%
Marital or family status	6	4.4%	11	3.4%	7	6.5%
Age	13	9.6%	31	9.6%	10	9.3%
Appearance	20	14.7%	37	11.5%	17	15.9%
Physical disability	26	19.1%	38	11.8%	18	16.8%
Cognitive or intellectual disability	11	8.1%	13	4.0%	3	2.8%
Mental health condition	13	9.6%	32	9.9%	16	15.0%
Substance or drug use	4	2.9%	8	2.5%	8	7.5%
Socioeconomic status or class	17	12.5%	25	7.7%	12	11.2%
Political beliefs	30	22.1%	59	18.3%	45	42.1%
n (total sample size)	136	--	323	--	107	--

*Respondents could select multiple responses.

Table C28. Perceived motivation of hate incident by ethnicity (collapsed) (QD1)

I believe I, or the person/people who were affected by the hate incident, were targeted because of my/their...	Non-white		White	
	N	%	N	%
Race, ethnicity, or ancestry	258	81.4%	89	33.3%
Language	77	24.3%	19	7.1%
Cultural markers or traditions	75	23.7%	29	10.9%
Religion or spiritual beliefs	60	18.9%	56	21.0%
Sex, gender, or gender identity	43	13.6%	69	25.8%
Sexual orientation	18	5.7%	37	13.9%
Marital or family status	12	3.8%	13	4.9%
Age	24	7.6%	32	12.0%
Appearance	28	8.8%	48	18.0%
Physical disability	25	7.9%	59	22.1%
Cognitive or intellectual disability	9	2.8%	20	7.5%
Mental health condition	19	6.0%	43	16.1%
Substance or drug use	9	2.8%	11	4.1%
Socioeconomic status or class	24	7.6%	32	12.0%
Political beliefs	50	15.8%	91	34.1%
n (total sample size)	317	--	267	--

*Respondents could select multiple responses.

Table C29. Reported impacts of the hate incident by gender (QE1)

How were you affected by the incident in the hours, days, and weeks afterwards?	Woman/girl		Man/boy	
	N	%	N	%
Immediate emotional or mental distress	303	87.1%	161	85.2%
Long-term emotional or mental distress	191	54.9%	88	46.6%
Loss of sense of safety	259	74.4%	112	59.3%
Feeling less connected to the land	118	33.9%	64	33.9%
Physical injury or illness	23	6.6%	12	6.3%
Avoided normal routines such as taking the bus, or walking certain routes	157	45.1%	61	32.3%
Left social media or made changes in social media	117	33.6%	47	24.9%
Loss of relationships	93	26.7%	34	18.0%
Physical or emotional impacts led me to lose income or my job	54	15.5%	29	15.3%
Physical or emotional impacts led me to lose housing	16	4.6%	7	3.7%
Physical or emotional impacts led me to lose services or benefits	37	10.6%	24	12.7%
No impact	2	.6%	8	4.2%
n (total sample size)	348	--	189	--

*Respondents could select multiple responses.

Table C30. Reported impacts of the hate incident by age (QE1)

How were you affected by the incident in the hours, days, and weeks afterwards?	44 and younger		45 and older	
	N	%	N	%
Immediate emotional or mental distress	262	87.6%	245	86.0%
Long-term emotional or mental distress	155	51.8%	153	53.7%
Loss of sense of safety	211	70.6%	196	68.8%
Feeling less connected to the land	109	36.5%	92	32.3%
Physical injury or illness	15	5.0%	31	10.9%
Avoided normal routines such as taking the bus, or walking certain routes	133	44.5%	108	37.9%
Left social media or made changes in social media	101	33.8%	82	28.8%
Loss of relationships	77	25.8%	69	24.2%
Physical or emotional impacts led me to lose income or my job	45	15.1%	50	17.5%
Physical or emotional impacts led me to lose housing	12	4.0%	16	5.6%
Physical or emotional impacts led me to lose services or benefits	27	9.0%	42	14.7%
No impact	7	2.3%	5	1.8%
n (total sample size)	299	--	285	--

*Respondents could select multiple responses.

Table C31. Reported impacts of the hate incident by region (QE1)

How were you affected by the incident in the hours, days, and weeks afterwards?	Vancouver Island / Coast		Metro Vancouver / Lower Mainland / Fraser Valley / Southwest		All other regions	
	N	%	N	%	N	%
Immediate emotional or mental distress	120	86.3%	288	89.7%	88	80.7%
Long-term emotional or mental distress	76	54.7%	165	51.4%	61	56.0%
Loss of sense of safety	100	71.9%	223	69.5%	74	67.9%
Feeling less connected to the land	46	33.1%	115	35.8%	29	26.6%
Physical injury or illness	15	10.8%	22	6.9%	8	7.3%
Avoided normal routines such as taking the bus, or walking certain routes	55	39.6%	134	41.7%	42	38.5%
Left social media or made changes in social media	50	36.0%	85	26.5%	45	41.3%
Loss of relationships	35	25.2%	66	20.6%	40	36.7%
Physical or emotional impacts led me to lose income or my job	25	18.0%	36	11.2%	34	31.2%
Physical or emotional impacts led me to lose housing	4	2.9%	18	5.6%	7	6.4%
Physical or emotional impacts led me to lose services or benefits	17	12.2%	37	11.5%	16	14.7%
No impact	4	2.9%	6	1.9%	1	.9%
n (total sample size)	139	--	321	--	109	--

*Respondents could select multiple responses.

Table C32. Reported impacts of the hate incident by ethnicity (collapsed) (QE1)

How were you affected by the incident in the hours, days, and weeks afterwards?	Non-white		White	
	N	%	N	%
Immediate emotional or mental distress	275	86.2%	235	87.7%
Long-term emotional or mental distress	164	51.4%	147	54.9%
Loss of sense of safety	223	69.9%	186	69.4%
Feeling less connected to the land	127	39.8%	74	27.6%
Physical injury or illness	22	6.9%	24	9.0%
Avoided normal routines such as taking the bus, or walking certain routes	148	46.4%	94	35.1%
Left social media or made changes in social media	75	23.5%	110	41.0%
Loss of relationships	56	17.6%	90	33.6%
Physical or emotional impacts led me to lose income or my job	47	14.7%	50	18.7%
Physical or emotional impacts led me to lose housing	19	6.0%	10	3.7%
Physical or emotional impacts led me to lose services or benefits	37	11.6%	34	12.7%
No impact	8	2.5%	4	1.5%
n (total sample size)	319	--	308	--

*Respondents could select multiple responses.

Table C33. Reporting of hate incidents by gender (QF1)

Did you make a report about the incident?	Woman/girl		Man/boy	
	N	%	N	%
Yes	104	31.0%	62	33.5%
No	231	69.0%	123	66.5%
n (sample size)	335	100.0%	185	100.0%

Table C34. Reporting of hate incidents by age (QF1)

Did you make a report about the incident?	44 and younger		45 and older	
	N	%	N	%
Yes	86	30.1%	96	34.3%
No	200	69.9%	184	65.7%
n (sample size)	286	100.0%	280	100.0%

Table C35. Reporting of hate incidents by region (QF1)

Did you make a report about the incident?	Vancouver Island / Coast		Metro Vancouver / Lower Mainland / Fraser Valley / Southwest		All other regions	
	N	%	N	%	N	%
Yes	55	41.4%	87	27.8%	36	34.0%
No	78	58.6%	226	72.2%	70	66.0%
n (sample size)	133	100.0%	313	100.0%	106	100.0%

Table C36. Reporting of hate incidents by ethnicity (collapsed) (QF1)

Did you make a report about the incident?	Non-white		White	
	N	%	N	%
Yes	91	29.4%	93	35.9%
No	219	70.6%	166	64.1%
n (sample size)	310	100.0%	259	100.0%

Table C37. Reasons for reporting hate incident by gender (QF3)

Why did you choose to report the incident?	Woman/girl		Man/boy	
	N	%	N	%
I believed making a report was important	75	72.8%	51	82.3%
I believed reporting would make a difference	63	61.2%	42	67.7%
I wanted the person/people to be accountable for their actions	73	70.9%	47	75.8%
I wanted to set an example by standing up to injustice	57	55.3%	40	64.5%
To get support	2	1.9%	0	.0%
For protection or safety reasons	6	5.8%	0	.0%
n (total sample size)	103	--	62	--

*Respondents could select multiple responses.

Table C38. Reasons for reporting hate incident by age (QF3)

Why did you choose to report the incident?	44 and younger		45 and older	
	N	%	N	%
I believed making a report was important	67	78.8%	73	76.0%
I believed reporting would make a difference	57	67.1%	60	62.5%
I wanted the person/people to be accountable for their actions	58	68.2%	72	75.0%
I wanted to set an example by standing up to injustice	45	52.9%	59	61.5%
To get support	1	1.2%	1	1.0%
For protection or safety reasons	4	4.7%	2	2.1%
n (total sample size)	85	--	96	--

*Respondents could select multiple responses.

Table C39. Reasons for reporting hate incident by hate by region (QF3)

Why did you choose to report the incident?	Vancouver Island / Coast		Metro Vancouver / Lower Mainland / Fraser Valley / Southwest		All other regions	
	N	%	N	%	N	%
I believed making a report was important	42	77.8%	71	81.6%	24	66.7%
I believed reporting would make a difference	35	64.8%	55	63.2%	23	63.9%
I wanted the person/people to be accountable for their actions	39	72.2%	63	72.4%	25	69.4%
I wanted to set an example by standing up to injustice	30	55.6%	49	56.3%	22	61.1%
To get support	1	1.9%	1	1.1%	0	.0%
For protection or safety reasons	2	3.7%	2	2.3%	2	5.6%
n (total sample size)	54	--	87	--	36	--

*Respondents could select multiple responses.

Table C40. Reasons for reporting hate incident by ethnicity (collapsed) (QF3)

Why did you choose to report the incident?	Non-white		White	
	N	%	N	%
I believed making a report was important	74	81.3%	68	73.9%
I believed reporting would make a difference	62	68.1%	57	62.0%
I wanted the person/people to be accountable for their actions	68	74.7%	64	69.6%
I wanted to set an example by standing up to injustice	56	61.5%	50	54.3%
To get support	1	1.1%	1	1.1%
For protection or safety reasons	4	4.4%	2	2.2%
n (total sample size)	91	--	92	--

*Respondents could select multiple responses.

Table C41. Reasons for not reporting hate incident by gender (QF4)

What caused you to choose to not to report the incident?	Woman/girl		Man/boy	
	N	%	N	%
I did not know where to report or how to report	108	48.0%	49	40.2%
The reporting options were not accessible	31	13.8%	15	12.3%
The reporting options were not culturally relevant/safe	17	7.6%	13	10.7%
I did not think it would make a difference	163	72.4%	88	72.1%
I did not trust the authorities	62	27.6%	38	31.1%
I did not want to be involved in an official report	43	19.1%	29	23.8%
I did not want to get anyone in trouble	13	5.8%	9	7.4%
I felt embarrassed about the incident	37	16.4%	15	12.3%
I thought I would be treated poorly or unfairly	79	35.1%	34	27.9%
It would take too much energy or effort	60	26.7%	31	25.4%
I wouldn't be taken seriously / no one would believe me	72	32.0%	43	35.2%
I was worried about negative consequences to me, my career, or my family	52	23.1%	25	20.5%
I have submitted a report/complaint before, and wasn't satisfied with the response	16	7.1%	10	8.2%
n (total sample size)	225	--	122	--

*Respondents could select multiple responses.

Table C42. Reasons for not reporting hate incident by age (QF4)

What caused you to choose to not to report the incident?	44 and younger		45 and older	
	N	%	N	%
I did not know where to report or how to report	85	43.4%	79	43.9%
The reporting options were not accessible	24	12.2%	23	12.8%
The reporting options were not culturally relevant/safe	21	10.7%	17	9.4%
I did not think it would make a difference	145	74.0%	129	71.7%
I did not trust the authorities	71	36.2%	49	27.2%
I did not want to be involved in an official report	47	24.0%	33	18.3%
I did not want to get anyone in trouble	15	7.7%	10	5.6%
I felt embarrassed about the incident	35	17.9%	19	10.6%
I thought I would be treated poorly or unfairly	80	40.8%	53	29.4%
It would take too much energy or effort	61	31.1%	37	20.6%
I wouldn't be taken seriously / no one would believe me	85	43.4%	45	25.0%
I was worried about negative consequences to me, my career, or my family	57	29.1%	36	20.0%
I have submitted a report/complaint before, and wasn't satisfied with the response	20	10.2%	14	7.8%
n (total sample size)	196	--	180	--

*Respondents could select multiple responses.

Table C43. Reasons for not reporting hate Incident by region (QF4)

What caused you to choose to not to report the incident?	Vancouver Island / Coast		Metro Vancouver / Lower Mainland / Fraser Valley / Southwest		All other regions	
	N	%	N	%	N	%
I did not know where to report or how to report	36	47.4%	98	43.9%	22	32.8%
The reporting options were not accessible	12	15.8%	29	13.0%	5	7.5%
The reporting options were not culturally relevant/safe	7	9.2%	21	9.4%	6	9.0%
I did not think it would make a difference	54	71.1%	166	74.4%	48	71.6%
I did not trust the authorities	27	35.5%	64	28.7%	27	40.3%
I did not want to be involved in an official report	19	25.0%	51	22.9%	8	11.9%
I did not want to get anyone in trouble	7	9.2%	13	5.8%	3	4.5%
I felt embarrassed about the incident	9	11.8%	38	17.0%	5	7.5%
I thought I would be treated poorly or unfairly	32	42.1%	71	31.8%	29	43.3%
It would take too much energy or effort	21	27.6%	62	27.8%	12	17.9%
I wouldn't be taken seriously / no one would believe me	30	39.5%	76	34.1%	23	34.3%
I was worried about negative consequences to me, my career, or my family	17	22.4%	52	23.3%	23	34.3%
I have submitted a report/complaint before, and wasn't satisfied with the response	9	11.8%	17	7.6%	8	11.9%
n (total sample size)	76	--	223	--	64	--

*Respondents could select multiple responses.

Table C44. Reasons for not reporting hate incident by ethnicity (collapsed) (QF4)

What caused you to choose to not to report the incident?	Non-white		White	
	N	%	N	%
I did not know where to report or how to report	99	46.0%	66	40.7%
The reporting options were not accessible	29	13.5%	18	11.1%
The reporting options were not culturally relevant/safe	25	11.6%	13	8.0%
I did not think it would make a difference	155	72.1%	120	74.1%
I did not trust the authorities	64	29.8%	57	35.2%
I did not want to be involved in an official report	55	25.6%	25	15.4%
I did not want to get anyone in trouble	11	5.1%	14	8.6%
I felt embarrassed about the incident	36	16.7%	18	11.1%
I thought I would be treated poorly or unfairly	66	30.7%	67	41.4%
It would take too much energy or effort	68	31.6%	30	18.5%
I wouldn't be taken seriously / no one would believe me	76	35.3%	54	33.3%
I was worried about negative consequences to me, my career, or my family	39	18.1%	54	33.3%
I have submitted a report/complaint before, and wasn't satisfied with the response	22	10.2%	12	7.4%
n (total sample size)	215	--	162	--

*Respondents could select multiple responses.



Appendix D



Supplementary report on additional responses not relevant to the Inquiry

May 5, 2022

Prepared by R.A. Malatest & Associates Ltd. for BC's Office of the Human Rights Commissioner's Inquiry into hate in the pandemic

BACKGROUND AND INTRODUCTION

British Columbia's Human Rights Commissioner is an independent officer of the Legislature. The mandate of BC's Office of the Human Rights Commissioner ("BCOHRC") is to address the root causes of inequality, discrimination and injustice in B.C. by shifting laws, policies, practices and cultures. This work is accomplished through education, research, advocacy, inquiry and monitoring.

While BCOHRC does not accept or adjudicate human rights complaints – that is the role of the BC Human Rights Tribunal—part of BCOHRC's work does involve monitoring human rights complaints and other issues of prejudice and discrimination and responding accordingly within the scope of the Office's mandate. The Office has observed a significant increase in reported hate-related incidents in B.C. since the start of the pandemic in early 2020. As a result of this alarming trend, BCOHRC has undertaken an Inquiry into hate in the pandemic in B.C.

The purpose of this Inquiry is to examine hate in all forms, which includes hate aimed at a person or a group of people because of their actual or perceived individual, collective or intersecting characteristics including age, disability, gender expression or identity, ethnicity, Indigenous identity, place of origin, race, immigration status, religion, sex, sexual orientation or social condition. The intended outcome of the Inquiry is to establish facts about the incidence, impacts, and causes of hate in the province, and to make recommendations for change. This work involves an intensive research and fact-finding process which includes:

- presentations and roundtable discussions (with individuals with lived experience, experts, community-facing groups, public and private institutions, Indigenous governments and former perpetrators of hate);
- an open public survey for people in British Columbia to share their experiences of hate since January of 2020;
- a review of administrative data and public records on hate incidents; and
- secondary research related to the causes and consequences of hate, hate and inequality in times of crisis/disaster, responses to hate/harm in Indigenous legal systems, the role of online hate, and the psychology of pandemics.

A large number of responses (1,510) were received from individuals reporting an experience that did not align with the definition of hate. Prevailing themes among these responses included anti-government and anti-pandemic rhetoric, dissatisfaction and anger related to pandemic mandates (e.g., vaccine and mask mandates, stay-at-home orders, etc.), and calling for the prosecution of various government officials (provincial or federal) perceived to be responsible for various mandates and orders. This document provides a brief summary of the characteristics of these respondents and a summary of comments received on the survey.

SUMMARY OF RESPONDENT CHARACTERISTICS AND COMMENTS

Survey respondent characteristics

In total, 1,510 responses were received from individuals who were responding to the survey as a person opposed to pandemic related public health orders (e.g., lockdowns, mask mandates, vaccination passports). Most of these respondents (n=1,381) went on to complete the survey but 129 of these respondents answered only the first question of the survey. Respondents were primarily women (66%), between the ages of 25 and 65 years old, and primarily white (67%). See **Tables 1.1** through **1.3** for a full breakdown of respondent gender, age, and ethnicity.

Table 1.1 Survey respondent-reported gender

Gender identity	Proportion
Girl/woman	66%
Boy/man	27%
Non-binary	<1%
Two-spirit/two-spirited	<1%
Prefer to self-describe	1%
Prefer not to say / unsure	6%

n (sample size) = 1,381

*Respondents could select multiple responses.

Survey question A3: What is your gender?

Table 1.2 Survey respondent-reported age at time of incident

Age	Proportion
17 or younger	<1%
18–24	3%
25–44	47%
45–64	43%
65 or older	6%
Prefer not to say	2%

n (sample size) = 1,381

Survey question A2: How old were you at the time of the hate incident?

Table 1.3 Survey respondent-reported ethnicity

Ethnicity	Proportion
White (Western and Eastern European)	67%
East Asian (Chinese, Korean, Japanese, Taiwanese)	8%
North American Indigenous	6%
Middle Eastern (Arab, Persian, Afghan, Egyptian, Iranian, Lebanese, Turkish, Kurdish, other West Asian)	2%
Latino (Latin American, Hispanic)	2%
South Asian (Indian, Pakistani, Bangladeshi, Sri Lankan, Indo-Caribbean)	1%
Southeast Asian (Filipino, Vietnamese, Cambodian, Thai, Indonesian, or other Southeast Asian)	1%
Black, or of African descent (African, Afro-Caribbean, African Canadian)	1%
Middle and/or South American Indigenous	<1%
Prefer not to say / not applicable	16%

n (sample size) = 1,381

*Respondents could select multiple responses.

Survey question A7: Which of the following ethnic or racial categories best describes you?

Respondent-reported details of the hate incidents

Respondents tended to report that hate incidents occurred in the Lower Mainland (32%) or Vancouver Island (20%) areas (see **Table 1.4**). Nearly all of the reported incidents involved hateful comments made in public (84%) or being denied the same treatment as others (72%) (see **Table 1.5**).

Table 1.4 Region that a hate incident occurred in

Region	Proportion
Metro Vancouver / Lower Mainland / Fraser Valley / Southwest	32%
Vancouver Island / Coast (including Gulf Islands)	20%
Thompson-Okanagan	13%
Kootenays	7%
Cariboo	3%
Nechako	3%
Northeast	2%
North Coast	2%

n (sample size) = 1,381

*Respondents could select multiple responses.

Survey question C2: What region did the incident occur in?

Table 1.5 Details of the hate incident / what happened

What happened	Porportion
Hateful comments made in public	84%
Being denied the same treatment as others	72%
Hateful comments made in private	62%
Refused entry or asked to leave a business	61%
Nonverbal actions that are insulting	39%
Abuse of power by the police or someone in authority	30%
Threats of physical violence	17%
Spitting or deliberately coughing on the victim	6%
Objects thrown at the victim	6%
Property damage	5%
Physical violence	3%

n (sample size) = 1,381

*Respondents could select multiple responses.

Survey question C4: What happened?

Characteristics of perpetrators of hate incidents:

Respondents reported that perpetrators of the hate incident were most likely to be men (59%) between the ages of 44 and 64 years old (44%), but it should be noted that many respondents simply selected all response options to this question and most others throughout the survey, so it is unclear how reliable these data are (see **Table 1.6** and **Table 1.7**).

Table 1.6 Reported gender of the perpetrator

Gender	Proportion
Boy/man	59%
Girl/woman	45%
Non-binary	<1%
Two-spirit/two-spirited	<1%
Prefer not to say / unsure	16%

n (sample size) = 1,381

*Respondents could select multiple responses.

Survey question D4: What gender do you think the perpetrator is?

Table 1.7 Reported age of the perpetrator

Age	Proportion
17 or younger	<1%
18–24	1%
25–44	24%
45–64	44%
65 or older	4%
Unsure / prefer not to say	14%

n (sample size) = 1,381

Survey question C2: How old do you think the perpetrator was at time of the hate incident?

Example comments:

Overall, 1,138 of these respondents left at least one comment in the survey. Common themes in the comments received from these respondents included anti-government rhetoric, anti-vaccine mandate rhetoric, and anti-mask mandate rhetoric:

“Trudeau has incited hatred against the unvaccinated.”

“A Prime Minister should lead their people, not divide them.”

“Allowing the government to violate the charter of rights and freedoms is wrong but you allowed it to take place and is still going on”

“Justin Trudeau has labelled people as racist, misogynist, nazis, unacceptable. He said “these people take up space”, “do we tolerate them”.”

“Justin trudeau is a communist globalist puppet who serves the plans of the global elites, not the people of Canada.

Justin Trudeau is a violent criminal”

“Dr. Bonnie Henry and Justin Trudeau spewing hate and divisive language.”

“Dr. Henry and government encouraging people to talk to their family and friends to get vaccinated. It put me in a position of having to justify my medical decision. INAPPROPRIATE! “im

“Since our prime minister and public authorities started to blame unvaccinated people for the pandemic. Many people were prompted to judge, insult, call names to those who opted out the vaccine.”

“I have faced numerous hateful verbal attacks based on my personal health choice. These attacks have occurred in my home, at my place of business, at my children's schools, in my neighborhood, at amateur sporting events etc. I've witnessed teach”

“I have never felt so degraded in my life then I have in the last 2 years. I have been kicked out of local community events and refused entry to businesses, treated like a stray dog.”

“It has been so heartbreaking that from 2020, the divide and the hate has grown bigger. Canada is known for being a tolerant, respectful and about choices country. We have laws against hate speech yet our own leader has spewed hate and division.”

“It is being supported by our government and media and becoming normalized. No one should be treated as a second rate person for personal choice.”

“It occurs every where not just in one location in BC. “

“It was several people telling others that their lives have no value and that they don't deserve to live because of their views and/or beliefs in regards to “science” and “facts” surrounding the pandemic and the policies put it place.”

“Justin Trudeau and the BC health officers have made numerous hateful comments towards the unvaccinated members of society causing them to feel as outcasts and eliminating them from being able to live normal lives”

“Called a plague rat, doorknob licker, menace to society. Plus idiot, moron, etc”

“COVID-19 plandemic created so much discrimination.”

Appendix E: Media tracking of hate incidents in B.C. during the pandemic

This Appendix is available for viewing at hateinquiry.bchumanrights.ca/documents.

Appendix F: Online hate regulation in other jurisdictions

BCOHRC staff conducted research into laws and codes of conduct regulating online hate in jurisdictions internationally. Examples of some of these laws are summarized below.

Europe

Communications Platforms Act

Location: Austria

On January 1, 2021, the *Hate on the Net Prevention Act* and the *Communications Platforms Act* came into force in Austria.¹⁰⁹¹ The [Communications Platforms Act](#) applies to all domestic and foreign providers of for-profit communication platforms with more than 100,000 registered users in Austria or more than €500,000 of revenue generated in Austria. Platforms that offer goods and services, such as eBay, not-for-profit online encyclopedias like Wikipedia, and video-sharing platforms like YouTube are exempt.

The Act also requires the immediate deletion or blocking of access to obviously illegal content/postings (if they appear obvious to a legal layperson) without further investigation within 24 hours after a report is made. It also requires the deletion or blocking of access to any other illegal content or postings if their illegality only emerges after a detailed examination within seven days after a report is made. Section 10 prescribes fines of up to €10 million for failing to provide a notification mechanism for unlawful content or for failing to remove illegal content that has been reported.

Digital Services Act

Location: European Union

In December 2020, the European Union (EU) proposed the [Digital Services Act \(DSA\)](#)¹⁰⁹² which the European Commission and European Council agreed upon on April 22, 2022. On October 4, 2022, the European Council gave its final approval for the DSA.

The DSA contains EU-wide due diligence obligations that will apply to all digital services that connect consumers to goods, services or content, including new procedures for the faster removal of illegal content as well as comprehensive protection for users' fundamental rights online.¹⁰⁹³ The DSA will apply to social media platforms such as Google and Facebook.¹⁰⁹⁴

The DSA will give people more control over what they see online. Users will have better information about why specific content is recommended to them, and they will be able to opt out of profiling. Targeted advertising will be banned for minors and the use of sensitive data, such as sexual orientation, religion or ethnicity, won't be allowed. The new rules will also help protect users from [harmful and illegal content](#). They will significantly improve the removal of illegal content, making sure it is done as quickly as possible. The rules will also help tackle harmful content, which, like political or health-related disinformation, doesn't have to be illegal. Better rules for the protection of freedom of speech will also be introduced.¹⁰⁹⁵

Hate on the Net Prevention Act

Location: Austria

The [*Hate on the Net Prevention Act*](#) is a modification of existing laws, including criminal law and media law. It prohibits and punishes cyberbullying as well as the incitement of hate on the basis of religion, ethnicity or disability. The Act also provides that victims of hate speech and other forms of harassment can be granted psychosocial and legal support at their request.

Network Enforcement Act

Location: Germany

In 2017, Germany passed the *Network Enforcement Act*. The Act is applicable only to social media networks that have two million or more registered users in Germany. It obligates the covered social media networks to remove content that is “clearly illegal” within 24 hours after receiving a user complaint. If the illegality of the content is not obvious, the social network has seven days to investigate and delete it. A social media network may be fined up to €5 million for non-compliance.

In 2021, the *Network Enforcement Act* was amended¹⁰⁹⁶ to state that social media networks that receive more than 100 complaints about illegal content in a calendar year are required to publish reports every six months on how they deal with these complaints.

Notwithstanding the above, the UN Human Rights Committee examined the status of civil and political rights in Germany and criticized the *Network Enforcement Act* for enlisting social media companies to carry out government censorship without putting in place judicial oversight measures with respect to content removal.¹⁰⁹⁷



Online Harms White Paper

Location: United Kingdom

In 2020, the U.K. published an [Online Harms White Paper](#) that envisages that platforms have a duty of care to actively monitor and take down certain categories of unlawful content.¹⁰⁹⁸ The White Paper indicates that the aim of online content regulation is not to prevent adults from accessing or posting legal content, nor to require companies to remove specific pieces of legal content. Rather, the proposed regulatory framework seeks to require companies, where relevant, to explicitly state what content and behaviour is acceptable on their sites. Platforms should then enforce this consistently.

The White Paper proposes that this regulation follow a proportionate and risk-based approach and that the duty of care be designed to ensure that all companies have appropriate systems and processes in place to react to concerns over harmful content and improve the safety of their users, from effective complaint mechanisms to transparent decision-making over actions taken in response to reports of harm.

The legislation should only apply to companies that provide services or use functionalities on their websites which facilitate the sharing of user-generated content or user interactions, for example through comments, forums or video-sharing. It is believed that only a very small proportion of U.K. businesses (estimated to account to less than 5%) fit within this definition.

It is also indicated that the regulator should have a range of enforcement powers to take action against companies that fail to fulfil their duty of care. This will drive rapid remedial action and ensure that non-compliance faces serious consequences. The enforcement powers referenced are the power to issue warnings, notices and substantial fines. The White Paper also includes proposals for business disruption measures, including Internet Service Provider (ISP) blocking and the power to hold senior management liable.

Online Safety Bill

Location: United Kingdom

The U.K. also has an Online Safety Bill, which is currently at the committee stage at the House of Commons. Among other things, the Bill imposes duties of care on providers of regulated user-to-user services and regulated search services in relation to content and activity on their services.

South Pacific

Code of Conduct on Disinformation and Misinformation

Location: Australia

In February 2021, Australia introduced the [Code of Conduct on Disinformation and Misinformation](#).¹⁰⁹⁹ The Code has been adopted by Adobe, Apple, Facebook, Google, Microsoft, Redbubble, TikTok and Twitter. The Code encourages signatories to develop and implement measures that reduce the propagation of misinformation and disinformation on online platforms. Users are also encouraged to report inappropriate content. The Code, however, allows signatories to opt out of it by notifying the Digital Industry Group Inc.

Harmful Digital Communications Act

Location: New Zealand

In 2015, New Zealand established the [Harmful Digital Communications Act](#). The Act stipulates, among other things, that digital communication:

- Should not be threatening, intimidating or menacing
- Should not be grossly offensive
- Should not denigrate an individual by reason of his or her colour, race, ethnic or national origins, religion, gender, sexual orientation or disability

Anyone who is affected under the Act is empowered to file a complaint against a defendant before the District Court for an order to take down the offending material, to request an apology and for an order to the defendant to refrain from the conduct concerned. Anyone who causes harm through the means of digital communication is liable to imprisonment for a maximum of two years or a fine not exceeding \$50,000 in the case of a natural person. A corporation is liable to a fine of \$200,000.¹¹⁰⁰ The Act also provides that online content hosts will not be liable under the Act if they notify the author of the specific content of the complaint received within 48 hours and request that the author either file a counter-notice or take down the content if the author is unreachable.¹¹⁰¹

Online Safety Act

Location: Australia

The Australian [Online Safety Act](#) was passed in July 2021 with the aim of improving and promoting the online safety of Australians.¹¹⁰² The Act establishes an eSafety Commissioner who is responsible for administering complaint systems relating to cyberbullying, cyber abuse and the non-consensual sharing of intimate images, among other things. Section 94 of the Act requires an internet service provider to block access to materials that promote, incite, instruct or depict abhorrent violent conduct. The Act further stipulates that the eSafety Commissioner is not required to observe any requirements of procedural fairness in relation to the giving of a blocking request and that such a request is to last no longer than three months. The eSafety Commissioner may also request that certain industries develop codes that apply to participants within them dealing with online activities.

In addition to the above, the *Online Safety Act* states that the provider of a social media service, internet search engine or designated internet service may be given a removal notice requiring the provider to remove certain material. Internet search engine services may also be given a link deletion notice requiring the provider to cease providing a link to certain material. The provider of an app distribution service may be given an app removal notice requiring the provider to cease enabling end users to download an app that facilitates the posting of certain content.

Safety by Design Framework

Location: Australia

Australia has also created the [Safety by Design Framework](#), which focuses on the ways technology companies can minimize online threats by anticipating, detecting and eliminating online harms before they occur.¹¹⁰³ It adopts a proactive and preventative approach which focuses on embedding safety into the culture and leadership of organizations. Key initiatives that make up the Framework include:

- A set of principles that position user safety as a fundamental design consideration
- An interactive assessment tool for enterprises and start-up tech companies to embed safety into the culture, ethos and operations of their businesses
- Engagement with universities to embed the Safety by Design Framework into their curricula

Global

Christchurch Call

The [Christchurch Call](#) is a community of over 120 governments, online service providers and civil society organizations acting together to eliminate terrorist and violent extremist content online.

The Call is an action plan that commits governments and tech companies to a range of voluntary measures, including countering drivers of terrorism and violent extremism and developing industry standards and voluntary frameworks to prevent the use of online services to disseminate terrorist and violent extremist content.¹¹⁰⁴ Tech companies particularly committed to enhancing transparency in setting community standards by putting in place policies for detecting and removing terrorist and violent extremist content.

The Call has enhanced collaboration between governments, civil society and companies through the work of the reformed Global Internet Forum to Counter Terrorism (GIFCT). For example, there has been more sharing of information, databases and algorithms with smaller tech companies, a crisis protocol has been established, and a Content Incident Protocol has been tested in controlled environments and used in real life terrorism incidents.¹¹⁰⁵

The voluntary nature of the Call has, however, been subject to critique in some quarters. For example, it has been argued that the use of terms like “industry standards” and “voluntary frameworks” in the Call leaves it open to varying interpretations which can work in favour of those who are not interested in ensuring the safety of the digital space but are more interested in hindering free speech.¹¹⁰⁶

A 2021 [report](#) published by the governments of France and New Zealand provides a snapshot of measures put in place by supporters who have committed to implementing the Call. It reveals that most respondents perceive the Call’s impact as being “above average.”¹¹⁰⁷ These respondents emphasized the need for more collaboration between governments and civil society on the implementation of the Call.

Appendix G: Education initiatives addressing hate in jurisdictions outside of B.C.

BCOHRC staff conducted research into education initiatives addressing hate in jurisdictions outside of British Columbia. Examples of some of these initiatives are summarized below.

Canada

Canadian Anti-Hate Network toolkit

On June 29, 2022, the Canadian Anti-Hate Network released a [Confronting Hate in Canadian Schools](#) toolkit. The toolkit is geared towards enabling parents, educators and community members to identify when students are consuming hate materials and propaganda. It also provides the tools needed to properly intervene in the recruitment of children and youth to supremacist groups and movements. The toolkit also contains a [Know Your Opposition](#) component that describes various hate groups and movements.

Don't Click!

[Don't Click!](#) is a youth online hate and extremism prevention initiative. Since 2021, they have worked to give youth the tools they need to handle negativity online, both for themselves and as bystanders. Don't Click! has a youth group which uses survey results and other research to develop youth-led prevention projects. The group has created three presentations for junior high school students to teach about online hate and extremism prevention and to provide practical strategies for addressing these issues. Supported by the Organization for the Prevention of Violence, REACH Edmonton, and other school leadership programs and city agencies, the Don't Click! Youth Group has many more presentations planned.

Facing Online Hate by Media Smarts

Media Smarts Canada has a number of resources on hate, including lesson plans, on their [Facing Online Hate: Portal Page](#).¹¹⁰⁸ An example is their [Challenging Hate Online](#) lesson plan. The lesson is for grades 10–12 and takes 2–2.5 hours to complete. It teaches students how digital media can be used to combat or foster hatred. Using a jigsaw activity, students look at five anti-hate organizations' websites, analyze their content and use the information learned to create their own anti-hate campaigns. The objective of this exercise is to understand how the internet can be used to facilitate or address hate, recognize the makings of a successful awareness campaign and identify the roles one can play in countering racism and intolerance.

United States of America

Echoes & Reflections Program by ADL

Through the [Echoes & Reflections Program](#), the Anti-Defamation League (ADL) offers training to educators on how they can utilize multimedia to teach students about the history of the Holocaust, and they also offer the opportunity to listen to the personal stories of over 1,400 survivors, liberators and rescuers.¹¹⁰⁹ The Echoes & Reflections Resource Guide provides a 10-lesson plan which educators can incorporate into their curricula to teach about the Holocaust in a way that provides historical context to its roots. It also helps them teach the Holocaust as a human story, while creating opportunities for critical thinking.

“Education to End Hate” initiative

Location: California

In 2020, California’s State Superintendent of Public Instruction announced a multifaceted [Education to End Hate](#) initiative designed to provide teachers and students with the resources necessary to address hate, bigotry and racism.¹¹¹⁰ This Sacramento-based initiative, organized in collaboration with the California Department of Education, involves establishing educator training grants and partnerships with community leaders and virtual classrooms. The grant consists of \$200,000 to be awarded to different educators supporting anti-racism and bias. In terms of partnerships, the initiative involves collaborations with the Simon Wiesenthal Centre, while the virtual classroom series provides an avenue to broadcast dialogues about bias and discrimination.

No Place for Hate by ADL

[No Place for Hate](#) is a worldwide organizing framework for K–12 schools run by the Anti-Defamation League (an organization that started in the United States) which aims to inspire students, educators and family members to use their influence to create inclusive school environments.¹¹¹¹ It has been in existence since 1999 and has had over 1,700 schools join the program. Through this program, participating schools can incorporate ADL’s anti-bullying and harassment resources into their curricula. All students at participating schools are to get involved in three ADL-approved anti-bias and anti-bullying activities and provide evidence of these activities, including videos, articles and photos. Once these steps are completed, schools receive a customized No Place for Hate banner.

Examples of No Place for Hate projects and programs include the [Stand Up to Bullying Monster Project](#) created for K–5 students by Minnieville Elementary School in Virginia.¹¹¹² The project involved students and their families coming together to talk about the harmful effects of bullying. Students were required to create monsters who would display a positive message. The monsters were displayed in a hall where other families were able to view other monster projects and learn more about the No Place for Hate project. Students also brought up topics for discussion such as “How can you stand up to bully monsters?” and “How can we make Minnieville a No Place for Hate school?” They also watched the “We Are Monsters” musical, which emphasized the importance of friendship and valuing individual differences.

#USvsHate project

Location: New York

The [#USvsHate](#) project based in New York is a teaching resource developed by Teaching Tolerance which seeks to magnify student voices and fight against hate, bias and bigotry.¹¹¹³ #USvsHate provides and recommends a variety of lessons on how to create and thrive in an inclusive society. This includes lessons developed by the American Federation of Teachers, Teaching for Change, Facing History Ourselves and more. These lessons address varying forms of hate ranging from racism, antisemitism, homophobia, transphobia, gender-based violence and more. Examples of these lessons include:

- **First Encounters with Race and Racism:** This lesson encourages classroom conversations on race among middle school (and above) students. Teachers encourage students to share stories about their first encounters with race or racism and discuss the stories and the lessons learned with their class.
- **Native American Heritage Month resources:** This lesson is geared towards K–12 students and above. It provides a platform for discussions on unique challenges faced by Indigenous Peoples and how to address them.
- **What Is it Like to Be an Immigrant Separated from Your Family?:** This lesson is for middle school students and above. Through this, students build empathy for immigrant children who are separated from their families at the U.S. border, and then write poems to describe what they think about the situation.
- **LGBTQ History Timeline lesson:** This lesson is for grades 8–12. It involves learning about the contributions of LGBTQ persons to society.
- **Ideas for More Anti-Hate Actions “Do Something!”:** At the end of this set of lessons, educators are encouraged to have students develop their own anti-hate campaigns on how they intend to take action against hate and bias in their communities.



Europe

A Manual of Good Practices Against Hate

Location: Denmark, Greece, Italy, United Kingdom

The NEw CHapter: Network of Cooperation against Hate, a joint project between Denmark, Greece, Italy and the U.K. geared towards promoting collaboration among organizations working with young people to combat hate speech, produced an anti-hate manual in 2018 titled “[A Manual of Good Practices Against Hate](#).”¹¹¹⁴ The manual consists of 14 best practices to tackle hate speech, discrimination and bullying and includes strategies to connect with youth at risk of social exclusion. The best practices included in the manual highlight how street art festivals, plays, training sessions, social media and more can be used to tackle hate speech and bullying.

Hate Free Larissa Festival

Location: Greece

The [Hate Free Larissa Festival](#) was held in Greece from July–October 2017 and was geared towards connecting youth and other citizens in Larissa to address hate speech.¹¹¹⁵ The festival consisted of street art, a photography exhibition and human rights workshops addressing hate speech. Ten graffiti artists from various parts of Greece were invited to convert hate speech art into love speech art.

South Pacific

Safety by Design Framework

Location: Australia

Australia’s eSafety Commissioner’s [Safety by Design Framework](#) calls for safety to be placed at the heart of the design and development of online products and services.¹¹¹⁶ One of the goals of the Safety by Design Framework is “to shape a new generation of engineers, computer scientists, lawyers, ethicists, entrepreneurs and technologists... by embedding Safety by Design in university curricula around the world.” The eSafety Commissioner plans to work with tertiary institutions to include Safety by Design concepts in a number of disciplines. Throughout 2021, several universities piloted Safety by Design material across various disciplines and lesson structures including seminars, lectures, podcasts and online learning.

Appendix H: Restorative justice programs in other jurisdictions

BCOHRC staff conducted cross-jurisdictional research into restorative justice programs in jurisdictions outside of British Columbia. Examples of some programs identified in the search are included below.

Canada

Collaborative Justice Program

Location: Ontario, Canada

[The Collaborative Justice Program \(CJP\)](#) in Ottawa was developed through joint efforts by the Ottawa Crown Attorney’s Office, the Council on Justice and Corrections, the Department of Justice, and Public Safety Canada.¹¹¹⁷ CJP works with victims, offenders and communities to “bridge the gap between victims and offenders to facilitate understanding, accountability, forgiveness, acceptance and reparation.”

Usually, post-charge cases are referred to CJP with consent from the Crown and Defence Counsel. Cases are accepted after a case worker establishes that the offender is willing to take responsibility for their actions, is remorseful and willing to work towards repairing the harm caused, and the victim is willing to join the program as well. Throughout the process, in working with the offender, the caseworker helps the offender acknowledge the reason for their behaviour and provides support to the victim. If at any time the parties agree to meet, a Restorative Circle is set up. It involves the victims, offenders, facilitators and persons providing support to the victim and the offender. At the end of the process, the parties may agree to a Resolution Agreement, which can be submitted to the court for consideration during sentencing, although there is no expectation that the victim will forgive the offender.

Sulah

Location: Ontario, Canada

[Sulah](#) is a program offered by Community Justice Initiatives (CJI) in Ontario in partnership with the Coalition of Muslim Women of Kitchener-Waterloo that employs restorative approaches in addressing Islamophobia, racism and xenophobia.¹¹¹⁸ The program is available to residents in several regions in Ontario.¹¹¹⁹ Referrals to Sulah come from individuals or service providers, particularly the Waterloo Region Police Service (WRPS). The WRPS refers hate incidents that are not criminal in nature to Sulah. Following a referral, a CJI service centre agent speaks with interested parties to ascertain the scope of the issues involved and the appropriateness of the Sulah process in resolving these issues. Afterwards, trained facilitators are assigned to meet with the parties, and subsequent meetings including discussion circles are organized. Sulah reports having received 43 referrals and 127 participants as of March 2022.¹¹²⁰

United States of America

Victims' Voices Heard Inc.

Location: Delaware, United States

[Victims' Voices Heard Inc. \(VVH\)](#) administers a victim-offender dialogue program “that offers victims and survivors of violent crime the opportunity to meet with their offender face-to-face in order to facilitate the healing process.”¹¹²¹ VVH reports that their Impact of Crime on Victims program has reduced the re-offence rate of participants by 50%.

VVH operates an Apology Letter Bank that provides an opportunity for offenders to acknowledge their faults and take responsibility for their crimes and the impacts they may have had on the victim(s). Guidelines regarding apology letters include ensuring that they are not sent directly to the victims or their families or supporters, that only the victim can initiate the apology letter process, and that the victim retains the prerogative to decide to accept or decline a letter. Writing an apology, however, does not impact the offender’s sentence.

In a 2015 report based on data about 333 prisoners in Delaware, the organization reported that offenders who completed the Impact of Crime on Victims program were significantly less likely to re-offend than offenders who did not participate in the program.¹¹²² Only 35% re-offended in the three years following the program, compared to 67% of prisoners who did not participate in the restorative justice process and re-offended within three years of being released from prison.¹¹²³

Europe

Why me?

Location: United Kingdom

[Why me?](#) is a national charity in the United Kingdom promoting restorative justice.¹¹²⁴ It is focused on supporting victims and helping offenders desist from committing further crimes. Why me? runs several projects targeted at improving restorative justice for young people, those who speak English as an additional language, LGBTQ+ people who have experienced a hate crime and survivors of sexual and domestic violence. The organization works with the police, probation services, restorative providers, community groups and more.

Similarly to other programs previously discussed, at Why me? the restorative justice process only goes ahead after both parties have agreed to it, and can happen through a number of ways including letter exchanges, physical or virtual meetings, via proxies for the victim and offender (if they don’t want to meet). If both parties agree to the process, a facilitator will arrange a Restorative Justice Conference.

Why me? notes that, sometimes, victims only need to have an initial meeting with the facilitator without any form of direct or indirect conversation with the offender. They also specifically note that 85% of victims who go through the restorative justice process come out satisfied with the results and that evidence suggests that restorative justice processes reduce re-offending by 7%. However, only 5% of offenders are informed about the opportunity to participate in restorative justice processes as an option.¹¹²⁵

Africa

Prison Fellowship Rwanda

Location: Rwanda

We can learn a lot from the reconciliation process that took place in Rwanda following the genocide during the 1994 civil war. One such program, organized by [Prison Fellowship Rwanda](#), is the Umuvumu Tree Project, a community-led initiative aimed at promoting post-genocide reconciliation.¹¹²⁶ The program involves discussions with groups of victims and groups of offenders (though not each others' victims or offenders) over a period of six to 12 weeks. During these facilitated discussions, participants talk about taking responsibility for their actions, truth telling, making amends, forgiveness and reconciliation.

Dan Van Ness, the Executive Director of the Centre for Justice and Reconciliation (working in collaboration with Prison Fellowship Rwanda), reports that at the beginning of the program, only 5,000 out of 110,000 prisoners had confessed and accepted responsibility for their crimes, but six months after the program commenced the number increased to about 32,000 prisoners.¹¹²⁷ The program provided an opportunity for offenders who wanted to make amends to do so. For example, a former prisoner expressed his gratitude for the opportunity to work on building homes for genocide survivors as it transformed the way he saw himself—no longer as a Hutu but as a Rwandan.



Appendix I: Programs for perpetrators of hate across Canada and internationally

BCOHRC staff conducted cross-jurisdictional research into programs for perpetrators of hate outside of British Columbia. Examples of some programs identified in the search are included below.

Community-based programs

Canada

Canadian Practitioners Network for the Prevention of Radicalization and Extremist Violence

Location: Montreal, Quebec

[The Canadian Practitioners Network for the Prevention of Radicalization and Extremist Violence \(CPN-PREV\)](#) is an “evidence-based and practitioners-centred network established to bring forward Canadian leadership and develop excellence in countering violent radicalization.” Based in Montreal, Quebec,¹¹²⁸ and funded by Public Safety Canada’s Community Resilience Fund (CRF), it promotes collaboration between researchers, practitioners, policy makers and community organizations on the issue of violent extremism.¹¹²⁹

Among other things, CPN-PREV produces evidence-based best practice guidelines on the assessment and prevention of violent extremism as well as on intervening in it. It does this by generating systematic reviews on exposure to extremist online content leading to violent radicalization and outcomes of intervention programs. It further promotes the development and sustainability of multisectoral intervention networks and trains practitioners on intervention best practices.¹¹³⁰

CPN-PREV has published on its website (but not evaluated) a list of resources geared towards countering violent radicalization.¹¹³¹

Organization for the Prevention of Violence

Location: Edmonton, Alberta

[The Organization for the Prevention of Violence \(OPV\)](#) is a community and expert-led non-governmental organization which runs the Evolve Program. The Evolve Program is a “specialized, interdisciplinary program that provides direct support to individuals involved in hate or extremism, their affected family or friends, as well as victims of hate incidents.”¹¹³² It involves counselling, mentorship and trauma-informed care along with providing customized supports to persons and their families who want to disengage from extremist and hate-motivated groups.

Individuals can also access religious counselling, advocacy, crisis management, addiction support and help with basic needs. The program assists with applications for financial support and in navigating government systems such as child welfare and the criminal justice system. The program is confidential and free and personalized to meet the needs of each individual participant. OPV particularly notes that when a person starts to think about violence as the only way to cause societal change, or they use hateful symbols and media, it is useful to seek support for the individual.

Although they primarily serve the Edmonton area, OPV is available to provide remote support across Canada. Persons who would like to be a part of the Evolve Program are asked to fill out a contact form available on OPV's website. OPV notes that they need to expand their referral base to schools by creating more awareness about the Evolve Program.

Based on a 2021 report, OPV states that they offered their services to 29 clients from April 2019 to April 2021.¹¹³³ Of these, 16 were participants who espoused extremist or hateful beliefs and 13 were family members of these individuals. In analyzing the referral sources through which participants and their families joined the program, the report notes that very few referrals were made by the police. The report further identified clinical counselling, mentoring and crisis management as the most important needs of the participants they attended to, while family members often benefited from advocacy and help with navigating the criminal justice system.

It was also observed that although Evolve was set up as a voluntary program, referrals came from sources (law enforcement, parole boards and other government agencies) that mandated participants to join the program. OPV expresses concerns that such mandatory participation "can diminish motivation to participate in the program, lead to heightened distrust of the Evolve staff and undermine the rapport necessary for a successful intervention."¹¹³⁴

Polarization Clinic

Location: Montreal, Quebec

[The Polarization Clinic](#) aims to provide fast, free, confidential and specialized support to individuals and families suffering the consequences of radicalization.¹¹³⁵ The Clinic consists of a team of social workers, psychologists and psychiatrists who are experts on social polarization issues and who are mandated by the Ministry of Health and Social Services to offer services in Quebec.

The Clinic seeks to support people who have questions about social polarization and radicalization, people who are victims of discrimination or hate crimes and family members who are concerned that their loved ones are at risk of being radicalized. The Clinic offers adults, teens and children psychological and psychiatric assessment, psychological and social support, psychotherapy and assistance in returning to school or work.

Yorktown Family Services

Location: Toronto, Ontario

[Yorktown Family Services](#) operates Estimated Time of Arrival (ETA). ETA is one of the few programs in Canada made up of interdisciplinary positions, including a therapist, youth engagement workers, engagement and intervention worker and more, who engage with young adults (and sometimes adults) that are involved in violent extremism or hate groups.¹¹³⁶ They offer a non-criminalized approach to helping people disengage from violence, hate and extremist activity. They also embark on public education campaigns and support other organizations engaging with people who are involved in hate-motivated crimes.

ETA notes that people are often recruited to become involved in violent activities through mainstream social media (Facebook, Twitter, Instagram), and also that children as young as 11 or 12 have been recruited through video game platforms. The organization works to disengage youth

from hate and extremist activities by creating a safe space for them to have difficult conversations about their ideologies and approaches to life and to deconstruct these views (termed “open dialogue”). Other useful interventions utilized include building trust, assisting in finding jobs and housing, providing medication for those prone to anxiety and depression, helping to boost their self-esteem, and so on. ETA essentially constitutes a holistic intervention approach. The organization welcomes self-referrals, referrals from professionals and referrals from concerned friends or family members. They may be contacted via a designated phone number.

United States of America

Life After Hate (EXIT USA)

Location: Chicago, United States

[Life After Hate](#) is an organization based in Chicago, founded by former extremists who are committed to helping people leave extremist groups and hateful online spaces.¹¹³⁷ The not-for-profit organization values compassion, empathy, integrity, redemption and accountability, and has expanded its services to family members who are also looking to disengage from such groups. It functions with the support of a multidisciplinary team comprising former extremists who help participants recognize the steps they need to leave behind a lifestyle based on hate and violence and build a life based on compassion.

Life After Hate recognizes that the services they provide are quite labour intensive. They report having received 60 service requests within a three-month period and spending 12–18 months per client. Since its establishment in 2011, Life After Hate has assisted more than 500 individuals and their families in exiting hate groups.¹¹³⁸ People who are looking for help and support can contact the organization at a designated phone number or fill out an online form.

Europe

Drudel 11 Thuringian Advisory Services

Location: Germany

[Drudel 11 Thuringian Advisory Services](#) provide support (voluntary, free and confidential) to those who want to leave right-wing extremist groups.¹¹³⁹ They also support the families of these individuals as well as specialists who need advice on how to work through situations involving right-wing extremists. In doing so, they help establish new social contacts, develop academic and professional perspectives, and develop and implement individual, self-determined goals. The Thuringian counselling service can be contacted by phone or email.

EXIT Deutschland (EXIT Germany)

Location: Germany

Inspired by EXIT Sweden, [EXIT Germany](#) was established in August 2000 as an initiative designed to assist people who want to leave right-wing extremist groups and make a new life for themselves.¹¹⁴⁰ It is funded by donations from the Federal Ministry for Family Affairs, Senior Citizens, Women and Youth.

EXIT Germany assists persons through the disengagement and resocialization process in line with the five-stage model used in Sweden. They offer support by handling challenges to their clients’ physical security. However, they do not provide financial support.

EXIT Germany functions on the basis that clients must take personal responsibility for their actions and the subsequent consequences. They may also provide legal assistance and refer clients to psychological counselling. EXIT Germany can be contacted by phone, email and via Facebook. Since its establishment, EXIT Germany has successfully assisted over 800 individuals and recorded a 3% recidivism rate.¹¹⁴¹

EXIT Sweden

Location: Sweden

[EXIT Sweden](#) is a non-governmental organization primarily funded by government grants.¹¹⁴² The NGO provides targeted support to individuals who want to disengage from white power/neo-Nazi groups. They also offer personal meetings, assign a contact person who is available 24/7, and support individuals in reaching out to governmental agencies and in accessing police, housing and social services. Counselling support is also available to family and friends of persons who have signed on to the program.

EXIT Sweden emphasizes that the work they do is tailor-made to the specific client and is targeted at creating a new social identity different from the person's previous extremist identity. Steps taken to achieve this can include involvement in social activities and training or more practical measures like tattoo removal. The length of the entire exercise per participant can range from a few months to a number of years.

Sacro Tackling Offending Prejudices (STOP)

Location: Scotland

[STOP \(Sacro Tackling Offending Prejudices\)](#) is a Scotland-based organization, funded by the Scottish government, working towards tackling low to moderate levels of sectarian and hate crimes by challenging the attitudes and behaviours that contribute to the offending behaviours.¹¹⁴³ The aim is to positively challenge and change prejudicial attitudes and behaviours in order to reduce the recurrence of hate crimes.

The organization provides Cognitive Behavioural Therapy (CBT) educational programs targeted at first-time/low-to-moderate offenders as well as those prone to radicalization. It utilizes motivational interviewing techniques with change talk to encourage perpetrators of hate crimes to come to the realization that their attitudes and behaviours are illegal, dangerous and unacceptable. The organization's approach also leads perpetrators to reflect on their actions and think about why they act the way they do.

The program works with perpetrators of hate crimes as well as with their families, friends, communities and other social contacts. STOP accepts referrals from a range of government agencies, for example, social work, procurators fiscals, Police Scotland and so on. Their programs can be done within a small group environment or one-on-one and take about six to eight weeks to complete.

Violence Prevention Network

Location: Germany

The [Violence Prevention Network](#) is a German organization offering deradicalization programs that assist vulnerable people and violent offenders motivated by extremism in changing their behaviour.¹¹⁴⁴ Their goal is to provide violent offenders and persons at risk of extremism with the tools and resources necessary to live an independent life where they do not harm themselves or others.¹¹⁴⁵

In assisting people who are at risk of violent extremism, the Network utilizes Verkehrspädagogik® (responsible pedagogy), which seeks to effect a behavioural change by encouraging people to take responsibility for their actions.¹¹⁴⁶ The Network also makes it their duty to utilize a humanist approach, where offenders are taught to build and maintain relationships and develop empathy, a sense of responsibility and the necessary skills for self-reflection.¹¹⁴⁷ The Network provides counselling, advanced training, prevention workshops, deradicalization in prison, and dissociation and disengagement assistance.

Examples of the Network's ongoing projects include Advice Centre Bavaria, which works to prevent the radicalization of youth, and Advice Centre Hesse, aimed at assisting people seeking to escape from violent extremism.¹¹⁴⁸ In its 2020 annual report, the Network recorded facilitating 291 school workshops, 166 trainings for specialists, 89 group and individual trainings in prison, 192 disengagement cases, 104 consultations with relatives and 76 consultations with institutions from January 1, 2020 to December 31, 2020.¹¹⁴⁹ The Network also undergoes both internal and external evaluations to enhance the quality of its projects.



Government initiatives

The United States of America

Office of Juvenile Justice and Delinquency Prevention

On October 27, 2021, the [Office of Juvenile Justice and Delinquency Prevention \(OJJDP\)](#) launched an initiative with the goal of preventing youth-related hate crimes and identity bullying.¹¹⁵⁰

The initiative focuses on prevention and early detection by supporting youth in resisting and disengaging from extremist hate groups and by providing space for youth to voice their opinions on hate crimes while deconstructing these opinions. In addition, the initiative involves the development of a hate crime prevention curriculum.

Europe

Channel program (England and Wales)

Location: England and Wales, United Kingdom

The [Channel](#) program England and Wales is an integral part of the [Prevent](#) program,¹¹⁵¹ which aims to stop people from becoming or supporting terrorists. When a person is assessed as being vulnerable to radicalization through Prevent, they are referred to the Channel program. A Channel panel is subsequently created to discuss the referral. The panel consists of a Local Authority and representatives from education and health services. The panel assesses the extent of the person's vulnerability and whether or not to take on the case. If the panel determines that the person's circumstances are not related to terrorism, the panel refers them to other forms of support outside the Channel program.

Educational, vocational and mental health supports are provided to program participants. The panel also conducts monthly reviews of participants' progress and decides that participants can leave the program when there is no further risk of deradicalization. For those who drop out of the program, the Channel panel may provide other forms of support while the police manage any risk they may pose. Six- and 12-month reviews are also conducted on participants who complete the program. If it is assessed that they stand a risk of radicalization at this stage, they are allowed to re-enter the program. It is important to note that persons who are already involved in terrorist activities are not eligible for the Channel program.

The U.K. *Counter-Terrorism and Security Act* gave statutory backing to the Channel program and required each Local Authority in England and Wales to establish a Channel panel in their respective areas.

Relevant statistics from a 2020 report on Prevent are:

- From April 2019 to March 2020, Prevent received 6,287 referrals, 77% of which were deemed not suitable for Channel reference and 65% of which were referred to alternative programs¹¹⁵²
- Twenty-three per cent were considered for Channel support, and 11% of these were adopted as Channel cases¹¹⁵³
- Seventy-nine per cent of these adopted cases had left the program at the time the report was published and 82% of those who had exited posed no further radicalization concerns¹¹⁵⁴
- The remaining 18% either withdrew or were withdrawn because they were assessed as no longer needing the program¹¹⁵⁵

Diversity Program (Programma Diversidad)

Location: Spain

The [Diversity Program \(Programma Diversidad\)](#) is optional for prison inmates and required for those who have been sentenced for crimes relating to hate, violence and discrimination.¹¹⁵⁶ The program runs across seven prisons and involves a number of individual and group sessions geared towards addressing hate crimes. The goal of the program is to re-educate and reintegrate offenders and involves discussions on topics including self-esteem, intolerance and prejudice. Participants also discuss and reflect on the consequences of their actions.

United Kingdom Home Office Research Report

Location: United Kingdom

[The United Kingdom Home Office Research Report](#) provides a summary of activities put in place by various community organizations addressing hate speech in the U.K.¹¹⁵⁷ It includes a section on perpetrator-focused activities. The report states that a number of workshops and one-on-one activities were useful in engaging with youth predisposed to engaging in hate crimes. This includes the following:

- Bringing together young adults from both settled and newly migrant communities over a shared meal to discuss aspects of a culture unfamiliar to their own
- Delivering a diversity awareness course and workshop involving the collaborative production of music tracks to groups of young men from two different communities
- Bringing together young people to collaboratively create a joint statement of human rights, during which they were encouraged to discuss their own cultures and the concept of identity

Evaluations of these workshops found that young people came away with a better understanding of diversity and inclusion.¹¹⁵⁸

Appendix J: Hate reporting tools in other jurisdictions

BCOHRC staff conducted cross-jurisdictional research into multilingual, accessible systems for reporting hate incidents. Below are some examples of community-based reporting tools in jurisdictions outside of Canada.¹¹⁵⁹

United States of America

Anti-Defamation League

[Anti-Defamation League \(ADL\)](#) is an anti-hate organization that works towards stopping the “defamation of Jewish people and securing justice and fair treatment for all.”¹¹⁶⁰ It focuses mostly on addressing antisemitism and bias through collecting incident reports. ADL engages in research and advocacy and develops tech products that can be used to combat online hate, and it is leading a multi-state campaign to address gaps in hate laws targeted at ensuring that perpetrators of cybercrimes and harassment are held accountable.

Orange County Human Relations

Location: California

[Orange County Human Relations \(OC Human Relations\)](#) is a private, not-for-profit organization founded for the purpose of developing and implementing proactive human relations programs in partnership with schools, corporations, cities, foundations and individuals. Hate incidents can be reported through an online form or by email submission, phone or text.¹¹⁶¹ OC Human Relations also provide a wide range of support to victims of hate crimes, including a food bank, housing, a health care assistant, case management and client advocacy, citizenship assistance, emergency funding, health screenings, faith-based connections and community support, legal services, restorative justice, refugee services and youth mentoring, among other things.

STOP AAPI HATE

[STOP AAPI HATE](#) is a coalition that tracks and responds to incidents of hate, violence, harassment, discrimination and more against Asian Americans and Pacific Islanders in the United States.¹¹⁶²

Their work includes collating data and conducting research with a view to advocate for policy and narrative change. Hate incidents can be reported on their website, which allows people to choose the language in which they want to make the report. Images or video clips of the incident can also be uploaded to the online tool.

United Kingdom

Galop

[Galop](#) is the U.K.'s LGBT+ anti-abuse charity focused on providing support to LGBT+ people who have experienced abuse and violence.¹¹⁶³ They specialize in supporting victims and survivors of domestic abuse, sexual violence, hate crimes and other forms of abuse. The organization has a designated LGBT+ Hate Crime Helpline and webchat, which are available on specific days, with translations available. A notable feature is that the responders are fellow LGBT+ persons and no reports are made to the police without the victim's consent. Galop provides advocacy and casework support, including advice on rights and options, emotional and medical support, information on safety and emergency housing options, referrals to specialist LGBT+ organizations, and support with navigating the criminal justice system among other things. In addition, Galop utilizes the data derived from reports to influence policy change through identifying patterns of abuse and producing research reports, fact sheets and guidance documents that address the needs of the U.K.'s LGBT+ community.

Stop Hate UK

[Stop Hate UK](#)'s mission is to "combat prejudice and hate, support those affected, and educate towards a free society."¹¹⁶⁴ They have a hate crime reporting app that allows pictures, videos and audio recordings to be uploaded directly from a device, and also to link directly to community organizations or to the police in an emergency situation. Incidents can be reported anonymously using the app and a telephone reporting line 24 hours a day, 365 days a year. The app allows for a direct response to the person making the report and also for referrals to appropriate organizations. Stop Hate UK provides support to victims, along with referrals to outside agencies where necessary, and uses the information collected to push for systemic change related to hate crimes.

Tell MAMA

[Tell MAMA \(Measuring Anti-Muslim Attacks\)](#) is a non-governmental organization that works on tackling anti-Muslim hatred in the U.K.¹¹⁶⁵ The organization describes itself as "a secure and reliable service that allows people from across England to report any form of anti-Muslim abuse."¹¹⁶⁶ They have an online reporting platform and encourage victims to report hate incidents by placing a call, sending an SMS to a designated number or sending an email or through social media. Tell MAMA provides counselling, advocacy, court attendance and other support to victims of Islamophobia.

South Pacific

Netsafe

Location: New Zealand

[Netsafe](#) is New Zealand's independent, non-profit online safety organization that helps people and schools in New Zealand experiencing harmful content online.¹¹⁶⁷ There's a form on the platform that allows people to report hate crimes online. They also indicate that translators are available if needed and have a "quick exit" button (which, when clicked, redirects to a weather page) that allows people to leave the site if their abuser is close by. Netsafe uses the data collected to advocate for systemic change from education workshops to policy change.

Appendix K: Civil remedies for hate in Canada and internationally

BCOHRC staff conducted research into civil remedies for hate in Canada and internationally, and the following are some examples. Note that we have not included human rights complaint mechanisms in this Appendix.

Canada

Intimate Images and Cyber-Protection Act

Location: Nova Scotia

The [Intimate Images and Cyber-Protection Act](#) is designed to discourage and prevent cyberbullying and the sharing of intimate images without consent, and to respond when they do happen.

Nova Scotia's government recently completed a public review of the Act and will be developing a plan to implement the review's recommendations. The recommendations include improving legal, mental health and crisis support for victims and creating a centralized, trauma-informed referral process for victims seeking advice and support.¹¹⁶⁸

United States of America

Civil rights law for ethnic intimidation

Location: Pennsylvania

When a person is the victim of the crime of ethnic intimidation, Pennsylvania law provides for civil redress. The law allows for individuals to file a civil rights lawsuit against the perpetrator of hate crime(s) relating to institutional vandalism to obtain money damages and a court order directing the criminal activity to stop. The Pennsylvania Attorney General, in consultation with the district attorney, may also file a civil lawsuit to obtain a court order to stop the activity or for other equitable relief.¹¹⁶⁹

Ralph Civil Rights Act and Tom Bane Civil Rights Act

Location: California

The [Ralph Civil Rights Act](#)¹¹⁷⁰ provides that it is the right of every person in California to be free from violence or the threat of violence against their person or property because of their actual or perceived sex, race, colour, ancestry, national origin, religion, disability, medical condition, genetic information, marital status, sexual orientation, citizenship, primary language, immigration status, political affiliation or position in a labour dispute. These listed characteristics are merely examples, and other bases for a discrimination claim exist under the Act.¹¹⁷¹

The [Tom Bane Civil Rights Act](#)¹¹⁷² provides protection against interference or attempts to interfere by threat, intimidation or coercion with a person's exercise or enjoyment of any constitutional or statutory rights.¹¹⁷³

Remedies for violations of the *Ralph Civil Rights Act* or *Tom Bane Civil Rights Act* include restraining orders, injunctive relief, actual damages, exemplary or punitive damages, a civil penalty of \$25,000 and attorney's fees. An action may be brought by the Attorney General, any district attorney or city attorney or by the harmed individual.¹¹⁷⁴

Code of Virginia

Location: Virginia

The [Code of Virginia](#) allows victims to file civil lawsuits for acts of harassment, violence or vandalism which are motivated by animosity based on race, religion, gender, disability, gender identity, sexual orientation or ethnic identity.¹¹⁷⁵ Available remedies that the court can grant include injunctive relief, damages (including punitive damages), attorney fees and more.

Europe

Protection from Harassment Act 1997

Location: United Kingdom

The [Protection from Harassment Act 1997](#) prohibits people from pursuing conduct that amounts to harassment, which includes behaviour that alarms or distresses a person. Section 3 of the Act provides for civil remedies for harassment. It stipulates that a victim may bring a claim for damages because of any anxiety caused by the harassment and any financial loss resulting from the harassment. The court may also issue an injunction restraining the defendant from pursuing any action that amounts to harassment. Not all provisions apply throughout the U.K.

South Pacific

Harmful Digital Communications Act

Location: New Zealand

Section 19 of the [Harmful Digital Communications Act](#) provides civil remedies for actions that constitute harmful digital communication. The Act specifically provides that a District Court can order a defendant to do various things, including take down or disable a digital communication, cease or refrain from the conduct concerned, publish a correction, provide a right of reply to the affected individual and/or publish an apology. The court can also order an online host to do various things, including take down or disable public access to material that has been posted, and release to the court the identity of an anonymous or pseudonymous poster.

Appendix L: Summary of public body responses to the Commissioner’s information requests

In early 2022, B.C.’s Human Rights Commissioner sent information requests to a broad range of public bodies for:

- Data on hate or hate incidents collected from January 2015 to December 2021
- Copies of policies, procedures and guidelines describing how the public bodies respond to hate or hateful incidents
- Records of calls or meetings related to a perceived rise in hate or hateful incidents since the pandemic began in January 2020
- Public communications related to monitoring or responding to hate or hateful incidents since the pandemic began in January 2020

This Appendix summarizes their responses, which largely focused on the first two points listed above.

Public Service Agency¹¹⁷⁶

The Public Service Agency (PSA) is a central agency in British Columbia that reports to the Minister of Finance and provides human resource leadership, expertise, services and programming to the provincial government. The PSA’s mandate includes “protecting employees from bullying, discrimination and harassment, and promoting a respectful workplace.”¹¹⁷⁷ The PSA:

- Sets directions for corporate policies for ministries and provides communication and resources to promote the understanding of and adherence to these policies
- Upon request, provides support to managers when employees have reported allegations of inappropriate conduct
- Provides conflict management services for employees upon request
- Conducts PSA-led investigations into major allegations of workplace misconduct and advises ministries regarding employee discipline, as appropriate¹¹⁷⁸

In response to the Commissioner’s request for policies and procedures on responding to hate incidents, many public bodies indicated that they follow the corporate policies established by the PSA.

PSA's responses

The PSA does not have specific policies or procedures on identifying, responding to and/or preventing hate incidents that occur within the public service or in programs, services and spaces operated by the government. The PSA reported to the Commissioner that they have policies that address bullying, discrimination and harassment, which include a continuum of behaviours that occur within the public service or in programs, services and spaces operated by the government. Although not referenced specifically, this continuum of behaviours includes hate incidents.

The PSA has a Diversity and Inclusion Branch whose mandate is to establish programs and a corporate strategy promoting diversity and inclusion. The PSA provided copies of relevant corporate policies, including:

- The Public Service Oath Regulation
- HR Policy #4 on Occupational Safety and Health
- HR Policy #9 on Standards of Conduct for Public Service Employees
- HR Policy #11 on Discrimination, Bullying and Harassment in the Workplace

The PSA noted that they have educational programs, corporate onboarding and corporate communications to promote these policies.

However, the Commissioner did not have access to evidence about whether anti-discrimination policies alone in this context have proven to be a sufficient response to the rise in hate and hate incidents given the lack of specific targeting of these issues.



By the numbers

In 2019, prior to the start of the pandemic, the PSA conducted a Diversity and Inclusion Survey to learn about employees' experiences and perceptions of diversity and inclusion in the workplace. Some of the survey's findings include:

- Workplace incidents are often verbal and often unreported. Of the four incident types asked about on the survey (work-related, verbal, physical and sexual), 30.4% of respondents witnessed or experienced a verbal incident within the 12 months prior to filling out the survey.
- Most respondents indicated that these incidents involved internal employees such as co-workers, supervisors or management, or direct reports. Only about one in 10 respondents said the incident(s) involved someone from outside of the public service, such as a citizen or contractor.
- About two in five verbal incidents may have been related to personal characteristics of the respondent, with sex, age and race as the likeliest factors.
- Several groups showed a considerably higher likelihood to witness or experience verbal incidents in the workplace. These included transgender and gender diverse employees, LGBTQ2SAI+ employees, Indigenous employees and employees with disabilities.

With respect to PSA investigations into workplace misconduct, the PSA reported that of all the investigations into allegations of bullying, discrimination and harassment that took place between 2018 and 2022, there was one hate incident each in 2018, 2019 and 2020, no hate incidents in 2021 and two allegations of hate that were under investigation at the time of the writing of this report.

Ministry of Attorney General¹¹⁷⁹

The Ministry of Attorney General (AG) is responsible for the *Multiculturalism Act* and has a Multiculturalism and Anti-Racism Branch.¹¹⁸⁰ The branch's mandate is to promote diversity and inclusion in communities, tackle systemic discrimination across British Columbia and support the Parliamentary Secretary for Anti-Racism Initiatives.

AG's responses

The AG does not have any policies, procedures or guidelines specific to responding to hate or hate incidents. Rather, the AG provided the Commissioner with records that highlight the below actions and initiatives to combat hate and racism.

AG'S MANDATE

The Attorney General's mandate letter references working with the Parliamentary Secretary for Anti-Racism Initiatives to:

- Work with BCOHRC to introduce the *Anti-Racism Data Act* (passed in the summer of 2022)
- Review anti-racism laws in other jurisdictions and consult with stakeholders to inform the introduction of the upcoming Anti-Racism Act
- Recognize the internment of more than 22,000 Japanese Canadians during World War II¹¹⁸¹

RESILIENCE BC ANTI-RACISM NETWORK

Prior to the start of the pandemic, on November 20, 2019, the government announced its plan to replace the Organizing Against Racism and Hate program (OARH) with a new hub called the Resilience BC Anti-Racism Network to provide services through a hub and spoke model.

In early 2020, the government announced that it had selected the Victoria Immigrant and Refugee Centre Society (VIRCS) to provide hub services for the new Resilience BC Anti-Racism Network, stating that the hub would be “an expert, third-party contractor that maintains a provincial scope on responding to hate incidents. It will deliver relevant expertise and knowledge, connect and coordinate spoke communities and be a key link between the Province, communities and other key stakeholders.”¹¹⁸² The term of the contract was one year, with up to four additional one-year options to renew at the discretion of the Province.

As a next step, the Ministry of Tourism, Arts and Culture issued a call for proposals for spoke services as part of the Resilience BC Anti-Racism Network, which ran from April 7 to May 22, 2020. They stated that the role of the spokes would be to “lead anti-racism and anti-hate work at the local level, to build awareness of what comprises racism and hate, mobilize their communities to respond to hate incidences, and lead discussions and anti-racism education opportunities.”¹¹⁸³

The ministry was seeking agencies to deliver services to up to 40 geographic communities in all regions of the province, including the Northeast, Nechako, the North Coast, Cariboo, Thompson/Okanagan, the Kootenays, the Lower Mainland, Vancouver Island and the Coast. The contract terms were for one year, with up to three additional one-year options to renew at the discretion of the Province. The contract amount was up to \$7,500 per year per geographic community serviced. With respect to the funding to enhance or expand existing services, ministry records indicated that:

“[S]ome organizations may express disappointment that the new funding is one-time only, though this can be mitigated by explaining that the funding offers them the opportunity to test out ideas and build relationships. It should also be noted this is an application-based model designed to address emerging issues on hate and racism in B.C. Communities in the Network are not guaranteed a spot in future years.”¹¹⁸⁴

This was accompanied by the acknowledgement that the expansion of geographic communities would allow “[Ministry of Tourism, Arts and Culture] to engage all geographic communities that originally expressed interest in joining the Resilience BC Anti-Racism Network in the summer Call for Proposal process.”

As part of the \$1.9 million for anti-racism in the provincial Pandemic Response and Economic Recovery Plan, the Multiculturalism Branch received a budget lift of \$600,000 to further expand the Resilience BC Anti-Racism Network. The purpose of the funding was to:

- Expand the number of geographic communities involved in the program from 40 to 48
- Expand the involvement of ethno-cultural, racialized and religious minority communities
- Develop new training, tools and resources to enhance the capacity of frontline responders (for example, victim service workers, settlement workers) to support people who have experienced racism and hate

The ministry also awarded one-time grants to two new agencies to act as spokes in the hub and spoke model while expanding the number of geographic communities receiving services—mainly through existing contracted service providers. Each geographic community served was linked to the Resilience BC Anti-Racism Network. There were also one-time grants issued to establish four community convenors: the BC Association of Aboriginal Friendship Centres, the African Arts and Cultural Community Contributor Society, the Hua Foundation and the Foundation for a Path Forward.

CONTRACTS WITH RESILIENCE BC SPOKE AGENCIES

Resilience BC’s contracts with spoke agencies require the development of a community response protocol for responding to alleged hate crimes and hate incidents. The protocol is to be collaboratively developed with community-based network members, including law enforcement detachments.¹¹⁸⁵

Spoke agencies are noted as key community contacts for the AG and other provincial government officials in the event of an alleged incident of hate. The Resilience BC hub supports spoke agencies as required in their creation of community response protocols for incidents of racism and hate.

Each spoke agency contract includes a contact for BC Hate Crimes to be engaged as required in responding to trends and/or incidents. Spoke contracts require the convening and coordination of an active local network in each of the communities receiving service. Part of the local network’s role is to support the implementation of the response protocol developed when a hate crime or incident is alleged to occur in the community requiring support.

Incidents reported directly by the province are responded to on a case-by-case basis with a variety of supports which may include BC Hate Crimes, Resilience BC hub, a spoke agency, WorkSafeBC and/or redirection to other healing resources such as counselling. The Resilience BC [website](#) also has a “report a hate crime” webpage to offer the general public—whether they are witnesses or victims of a hate incident—with directions on how to report incidents directly to police agencies.

THE MULTICULTURALISM GRANT PROGRAM

As part of B.C.'s \$1.9 million Pandemic Response and Economic Recovery Plan, the Ministry of Tourism, Arts and Culture received a budget lift of \$500,000 for its Multiculturalism Grant Program, bringing the total available allocation for 2020–2021 to \$800,000. The program's goal is to "build intercultural trust and understanding between British Columbians to address racism and systemic barriers faced by racialized and other under-represented groups." The new funding was intended to support more projects within the program that address issues highlighted during the COVID-19 pandemic including "a significant increase in anti-Asian racism, along with persistent issues of anti-Indigenous and anti-Black racism." The funding was split between:

- A Black, Indigenous, and People of Colour (BIPOC) Larger Grant Stream (a \$300,000 investment in 30 grants)
- A Regular Grant Stream (a \$500,000 investment in approximately 100–120 grants)

TRAINING INITIATIVES

B.C.'s Pandemic Response and Economic Recovery Plan funds allocated \$550,000 for AG training initiatives, including an internal government training initiative (\$250,000) and a public-facing external anti-racism training initiative (\$300,000).

The goal of the internal initiative was to:

- Build on existing Gender Based Analysis (GBA+) and PSA Learning Centre training tools and resources by developing and delivering a new learning module on systemic, institutional and structural racism for senior-level B.C. public servants and Crown agencies
- Redesign the current reporting template for B.C.'s annual Report on Multiculturalism to better support ministries and Crown agencies in reporting on efforts to address systemic racism

The goal of the public-facing external initiative was to:

- Develop and implement an online training module for first responders and frontline workers to improve their capacity to support people who have experienced hate crimes
- The Ending Violence Association of BC received all of the \$300,000 in funding under this program to develop trauma-informed response training for frontline service providers who are supporting victim-survivors of hate

RACIST INCIDENT HOTLINE

In April 2021, the government announced that it would be creating a racist incident hotline. The Commissioner requested information from the ministry on its plans. The ministry only provided the Commissioner with one record in response to this request—which was correspondence with BC211 regarding BC211 as a potential operator. The ministry did not provide the Commissioner with any additional information regarding the planned hotline, including when it would be operational, who would operate it, what funding would be allocated to it, what services would be available to enable reporting, what supports would be available to people who make reports and how the ministry intends to use the information collected through the hotline.

By the numbers

The Commissioner requested data from the AG on hate and hate incidents. The AG provided 34 final reports from Resilience BC Anti-Racism Network spokes for 2020–2021. In their final reports, the spokes were asked to include the “number of inquiries, referrals and reports they received regarding racism and hate activity.” Many spokes reported increases in racist and hate-related incidents across the province since the start of the pandemic.

Although there does not appear to be consistency in how the data was collected and reported by Resilience BC Anti-Racism Network spokes, their reports include approximately 250 inquiries, referrals and reports of racism/hate from 2020–2021. Some spokes reported that they do not collect/receive hate incident reports. Some spokes reported not having sufficient resources to support people who do report. The spokes reported on a range of incidents, including:

- Discriminatory/hateful comments directed to a woman wearing a hijab
- Harassment directed at an Asian newcomer at work for having an accent
- Harassment directed at Asian/East Asian people, including being blamed for COVID-19 and being told to go back to China
- A Black person being followed by staff in a grocery store
- Racial slurs written on city signs
- Many reports of online racism/hate
- An online meeting being interrupted by a person posting racist/hateful language on the screen
- The defacing of rainbow sidewalks and benches
- Racist and homophobic graffiti on school playgrounds
- Swastikas painted in public places¹¹⁸⁶
- Rampant anti-Indigenous comments on online platforms

Ministry of Public Safety and Solicitor General

The Ministry of Public Safety and Solicitor General (PSSG)¹¹⁸⁷ is responsible for delivering public safety services in B.C., including Emergency Management BC. The minister's mandate letter includes the following priorities:

- Increase support for initiatives that are proven to prevent and reduce crime, and increase the use of restorative justice programs
- Continue to work to implement the Calls for Justice of the National Inquiry into Missing and Murdered Indigenous Women and Girls
- Take concrete steps to evaluate the recommendations of the Special Committee on Reforming the Police Act and, with the assistance of the Parliamentary Secretary for Anti-Racism Initiatives, bring forward recommendations to address systemic racism, create dedicated hate crimes units within local police forces, and review training and procedures related to "wellness checks"
- Support the work of the Parliamentary Secretary for Gender Equity to develop an action plan to end gender-based violence, including minimum standards for sexual assault response, more training for police, Crown Counsel and justices, and the provision of core funding for sexual assault centres
- Work closely with the Parliamentary Secretary for Emergency Preparedness and communities to identify gaps in existing emergency response procedures and resources with the goal of updating and future-proofing our province-wide ability to respond to crises, including pandemics¹¹⁸⁸
- Administer the provincial Shift program

PSSG's responses

The Commissioner requested data on hate incidents, policies and procedures on responding to hate and records pertaining to human rights considerations in emergency management planning. PSSG provided responses from its Policing and Security Branch, Crime Safety and Crime Prevention Branch, and BC Corrections and Emergency Management BC.

THE POLICING AND SECURITY BRANCH

The Policing and Security Branch provided the Commissioner with the Promotion of Unbiased Policing Standards that will come into effect on July 30, 2023.¹¹⁸⁹ The standards seek to promote unbiased policing in the province by requiring policies and procedures, training, audit activity and community engagement.

The Policing and Security Branch also administers the Shift program, which works to counter radicalization towards violent behaviour, including individuals expressing hate in many forms.

Additionally, a Policing and Security Branch manager sits on the cross-government working group on hate. In 2020, the B.C. government established a cross-ministry coordinating committee to tackle racism and hate.

BC CORRECTIONS

BC Corrections provided the Commissioner with a policy related to the conduct of people in custody as related to hatred or contempt, and also to the supervision of individuals in custody or the community for intimate partner violence and sexual assault offences. With respect to intimate partner violence and sexual assault, BC Corrections noted that “we believe intimate partner violence and sexual assault are representative of hate perpetrated on the basis of gender identity.”¹¹⁹⁰

BC Corrections explained that section 21(1)(h) of the *Correction Act Regulation* states that people in custody must not “behave in a manner toward a person that shows hatred or contempt for the person based on the person’s race, colour, ancestry, place of origin, religion, marital status, family status, physical or mental disability, sex, sexual orientation or age.”¹¹⁹¹ BC Corrections has an internal discipline processes to determine if someone has breached the rules established in the Regulation.

The Commissioner also learned that PSSG commissioned research in support of the cross-ministry working group to explore “non-enforcement strategies to addressing hate-motivated incidences which do not meet the threshold for charges to be laid under the *Criminal Code* (or, for example, in cases where the victim chooses not to pursue charges).”¹¹⁹² The research includes interviewing experts in various fields related to hate crimes in B.C. and in other jurisdictions and conducting a literature review and jurisdictional scan to produce a list of actionable best practices and policy recommendations for the government.

EMERGENCY MANAGEMENT BC

Emergency Management BC (EMBC) is the province’s lead coordinating agency for all emergency management activities, including planning, training, testing and exercising to help strengthen provincial preparedness for emergencies. The Commissioner was surprised to learn that EMBC has no records pertaining to human rights considerations in emergency management planning.

EMBC advised that during the COVID-19 pandemic, its Emergency Support Services office worked with health partners to develop guidance for safe COVID-19 service delivery and became involved in specific incidents to ensure volunteer and evacuee safety. In addition, EMBC plans to review policies concerning its code of conduct for volunteers and has been working to ensure communities have access to cultural safety training.

By the numbers

Policing and Security Branch

PSSG does not collect crime data from B.C.'s police agencies. Under the Uniform Crime Reporting program, all police agencies are required to submit information on police-reported crimes to Statistics Canada. The ministry uses the data reported by Statistics Canada to monitor trends.

Crime Safety and Crime Prevention Branch

The Crime Safety and Crime Prevention Branch of PSSG reported that VictimLinkBC experienced a 138% increase in hate crime calls from 2020–2021, with a rise from 29 calls in 2020 to 69 calls in 2021. They also reported a perception among some staff and volunteers that hate incidents increased during the pandemic.

Emergency Management BC

Emergency Management BC reported that there was a perception amongst volunteers and at the Emergency Support Services (ESS) office that incidents of racism increased during the COVID-19 pandemic. However, they did not have records of any specific incidents. They explained that some of the factors that may be contributing to an increase in hate incidents amongst evacuees and volunteers are related to service delivery capacity and the need for increased cultural safety and humility training. They explained that the pandemic has “decreased the number of people volunteering for ESS, reduced the number of communities willing to host evacuees, compounded the stress in ESS reception centres, and created an additional barrier to services for evacuees.”¹¹⁹³ They noted that these factors may have contributed to more contentious interactions and hate incidents between volunteers and evacuees.

BC Corrections

BC Corrections provided the Commissioner with statistics related to the conduct of people in custody as related to hatred or contempt, as well as the supervision of individuals in custody or the community for intimate partner violence and sexual assault offences. The number of discipline processes related to hatred or contempt has remained stable over the pandemic, with 18 hearings in 2019, 18 in 2020 and 14 in 2021.

To minimize risk to the public, BC Corrections works closely with police to monitor clients in the community who have been charged with and/or convicted of sexually motivated offences. They provided the Commissioner with data on the average daily count of individuals charged or convicted of intimate partner violence and of individuals charged with sexual assault as their most serious offence between 2015–2021 and under community supervision or in custody. Significantly fewer individuals were charged and convicted of intimate partner violence and sexual assault as their most serious offence during the pandemic. This trend is deeply concerning given the evidence of increased gender-based violence during the pandemic. BC Corrections noted that this general trend was not unique to these offence types as a result of reduced court operations and efforts to divert people away from custodial settings during the pandemic.

Health sector

The Commissioner requested information from the following health sector entities: the Ministry of Health,¹¹⁹⁴ Ministry of Mental Health and Addictions,¹¹⁹⁵ Fraser Health Authority,¹¹⁹⁶ Interior Health,¹¹⁹⁷ Island Health,¹¹⁹⁸ Northern Health Authority,¹¹⁹⁹ Provincial Health Services Authority (PHSA),¹²⁰⁰ Providence Health Care,¹²⁰¹ Vancouver Coastal Health (VCH)¹²⁰² and First Nations Health Authority.¹²⁰³

The health sector's responses

MINISTRY OF HEALTH

The Minister of Health's mandate letter provides that, with support from the Parliamentary Secretary for Anti-Racism Initiatives, they are to draw from the work of the ["In Plain Sight: Addressing Indigenous-specific Racism and Discrimination in B.C. Health Care"](#) report to address systemic racism in the health care system. This includes leading work with health care employers and unions to prioritize the hiring of a health care workforce that better represents the diverse communities it serves.¹²⁰⁴

The Ministry of Health does not monitor hate incidents (or incidents of racism, harassment or discrimination) across the health system. It does not have specific policies or procedures on hate or hate incidents. The Ministry of Health provided several policies/plans that may be seen as related to hate and apply to the health system as a whole. These include a Psychological Health and Safety Policy and a Workplace Violence Prevention Framework and Policy Directive. All predate the pandemic, and there is no evidence that these policies and their implementation plans were revisited or accelerated in response to the pandemic. The ministry also provided reports from the Examining the Societal Consequences of the COVID-19 Pandemic project co-led by the Office of the Public Health Officer (PHO) and the BC Centre for Disease Control (BCCDC).¹²⁰⁵

MINISTRY OF MENTAL HEALTH AND ADDICTIONS

As a small, policy-oriented body, the Ministry of Mental Health and Addictions (MMHA) did not provide any unique information in response to BCOHRC's requests.

RACISM AND VIOLENCE IN HEALTH CARE

Although not specific to the pandemic, one form of hate or systemic discrimination that was identified during the last two years is that of racism in health care settings, with a specific focus on anti-Indigenous racism. Policy responses to racism in health care generally, and anti-Indigenous racism in particular, have largely been in response to the "In Plain Sight" report and its recommendations. Health authorities and the Ministry of Health have committed to implementing these recommendations.

As one action to support the implementation of these recommendations, the First Nations Health Authority, (FNHA), First Nations Health Council (FNHC), and the First Nations Health Directors Association (FNHDA) released the Anti-Racism Cultural Safety and Humility Action Plan (the Plan) in April 2021. A Cultural Safety and Humility Team was established to lead the implementation of the Plan. Over the last two years, the FNHA supported over 129 engagements with First Nations across the province on important health measures such as COVID-19.¹²⁰⁶

HEALTH AUTHORITIES

No health authority provided a policy or procedure specific to hate or hate incidents. All health authorities have an internal respectful workplace policy that prohibits harassment and discrimination and outlines internal processes for bringing forward and addressing employee complaints.¹²⁰⁷

For several years, all health authorities have had Patient Care Quality Offices (PCQO) where health system users can bring forward concerns and complaints. There is also a Patient Care Quality Review Board that is in place to review concerns that clients feel are not sufficiently addressed at the health authority level. The specifics of how often these offices deal with hate incidents and whether they are effective in this regard is not available.

Health authorities provided several policies on psychological safety, targeted violence and violence prevention, philosophies of care, Indigenous cultural safety, and whistleblower and safe reporting processes. Notable examples of recent changes related to the pandemic include those listed below.

- The PHSA’s “COVID-19: Maintaining a Safe and Inclusive Culture Guideline” is intended to promote a welcoming, culturally safe, ethical and psychologically safe workplace that strives for professional excellence across the PHSA during the COVID-19 pandemic. It describes the negative stigmas associated with certain cultural backgrounds in relation to the pandemic and reiterates the PHSA’s zero-tolerance approach to discrimination, bullying and harassment.
- Several health authorities updated policies or created new policies to address anti-racism. These changes took place during the pandemic. However, the changes appear to be more closely linked to the November 2020 “In Plain Sight” report rather than a response to the pandemic.
- Island Health reviewed its social media during the pandemic and found that “comments left on Island Health’s social media platforms during the pandemic, which could be considered as hateful generally, did not single out individual Island Health care providers as a target, but more often were directed at the health authority as an entity, and/or provincial government and provincial leaders as the policy and lawmakers.”
- VCH developed a new set of guidelines for public interactions via social media (see the next section) in response to a perceived rise in hateful and otherwise inappropriate posts.
- VCH noted two events held in 2021 during Asian Heritage Month on the topic of anti-Asian racism.

By the numbers

To respond to BCOHRC's information request, health authorities developed a methodology for identifying and manually reviewing complaints records. This was a manual process that did not include certain data information such as whistleblower incident data. The two sources of data reviewed and provided by health authorities were Patient Care Quality complaints through the Patient Care Quality Offices (PCQO) and internal human resources data—predominantly discrimination and harassment incidents.

For PCQO data, the BC Patient Safety Learning System (PSLS) at the PHSA identified complaints in each health authority where the sub-subject included discrimination or a series of related keywords. Health authorities then reviewed these identified complaints and determined which ones met the definition of hate. The health authorities cautioned that the data provided may not be exhaustive. They explained that the PSLS is in the process of moving towards a more robust complaints classification system.

Looking across multiple data sets in each health authority and taking into account definitional issues, it is difficult to make conclusive statements beyond general trends in hate incidents. It is even more difficult to draw causal connections as there may be many confounding reasons for observed trends that have nothing to do with the pandemic. With these caveats, the data provided by the health authorities shows the following:

- The data provided by **Interior Health** does not break out incidents by year, trends cannot be identified
- Data from **Island Health** shows an increase in reported hate incidents in 2021 driven by sub-categories of race, gender and Indigenous identity
- An increase in reported hate incidents began in **Northern Health** in 2019 prior to the pandemic and continued to grow in 2020 and 2021 and this increase was driven by sub-categories of race and Indigenous identity
- **Fraser Health** showed an increase in reported incidents from 2020 to 2021, and health and safety workplace incident data and respectful workplace data both show a flat trend for 2020 and 2021
- **Vancouver Coastal Health** showed an increase in incidents in 2021
- **Providence Health Care** showed an increase in incidents in 2020 and 2021
- The **Provincial Health Services Authority** didn't show any increase in hate incidents in PCQO data, but respective workplace data showed an increase in staff reports of incidents in 2021
- Several health authorities also noted seeing significant increases in hateful or otherwise inappropriate social media posts on their accounts

Education sector

The Commissioner requested information from the following education sector entities: the Ministry of Education and Child Care,¹²⁰⁸ the Ministry of Post-Secondary Education and Future Skills¹²⁰⁹ and five post-secondary institutions and four school districts. The post-secondary institutions the Commissioner sent information requests to are the University of Northern British Columbia (UNBC),¹²¹⁰ the University of British Columbia (UBC),¹²¹¹ the British Columbia Institute of Technology (BCIT),¹²¹² Camosun College¹²¹³ and Selkirk College.¹²¹⁴ The school districts the Commissioner sent information requests to are the Prince George School District (SD 57),¹²¹⁵ Kootenay-Columbia School District (SD 20),¹²¹⁶ Saanich School District (SD 63)¹²¹⁷ and Surrey School District (SD 36).¹²¹⁸

The education sector's responses

THE MINISTRY OF EDUCATION AND CHILD CARE

The Ministry of Education and Child Care is responsible for overall policy direction for the K–12 public school system. The Ministry of Education and Child Care does not have policies, procedures or guidelines that describe how to monitor and respond to hate incidents.

The ministry noted that monitoring and responding to hateful incidents is the responsibility of boards of education who are guided by the ministry's Safe and Caring School Communities Policy and who themselves create policies and procedures related to employee and student well-being.¹²¹⁹ The Safe and Caring School Communities Policy guides boards of education and schools in efforts to create safe and inclusive learning environments. While the policy requires boards to reference within their codes of conduct each of the prohibited grounds of discrimination of B.C.'s *Human Rights Code*, they do not specifically require schools to monitor or respond to hate incidents. Boards are expected to monitor behaviours to ensure that codes are current and reflect situations that arise, and that they specifically address behaviour that intimidates or exposes students or staff to physical harm, ridicule, hatred or contempt.

MINISTRY OF POST-SECONDARY EDUCATION AND FUTURE SKILLS

The Ministry of Post-Secondary Education and Future Skills' mandate is to provide leadership and direction for post-secondary and skills training across the province. The Ministry of Post-Secondary Education and Future Skills does not have policies or procedures on hate or hate incidents. The ministry explained that public post-secondary institutions are responsible for managing their internal operations.

POST-SECONDARY INSTITUTIONS

None of the post-secondary institutions that the Commissioner sent requests to have policies on hate or hate incidents. They provided copies of relevant policies, including on harassment and discrimination, sexual violence and misconduct, abusive and threatening behaviour and violence.

- Harassment and discrimination (BCIT, Selkirk, UBC, UNBC)
- Sexual violence and misconduct (BCIT, Camosun, Selkirk, UBC, UNBC)
- Abusive or threatening behaviour (BCIT, UNBC)
- Misconduct (Camosun, UNBC)
- Violence (Selkirk)

Some post-secondary institutions also referenced having an office devoted to human rights or diversity, equity and inclusion. All were active in their practices and communications to educate on and promote diversity, inclusion and anti-racism during the pandemic.

SCHOOL DISTRICTS

None of the four school districts the Commissioner sent requests to have policies on hate or hate incidents. They provided copies of relevant policies including on codes of conduct, sexual orientation and gender identity, discrimination, bullying and harassment, safe schools, anti-discrimination and human rights. The copies included the following:

- Code of Conduct (SD 20, SD 57)
- Sexual Orientation and Gender Identity (SD 20, SD 57, SD 63)
- Discrimination, Bullying and Harassment (SD 20, SD 36, SD 63)
- Safe and Caring Schools (SD 36, SD 63)
- Anti-Discrimination and Human Rights (SD 36)
- Rights and Responsibilities of Students (SD 57)
- Respectful Workplace (SD 57)
- Bus Conduct (SD 57)
- Acceptable Use of Networks (SD 57)
- Maintenance of Order (SD 63)
- Violence and Threat Risk Assessment (SD 20, SD 63)
- Expectations for Adults Interacting with Students (SD 20)



By the numbers

From the data reviewed, there appears to have been an increase in hate incident reporting in K–12 and post-secondary schools across the province.

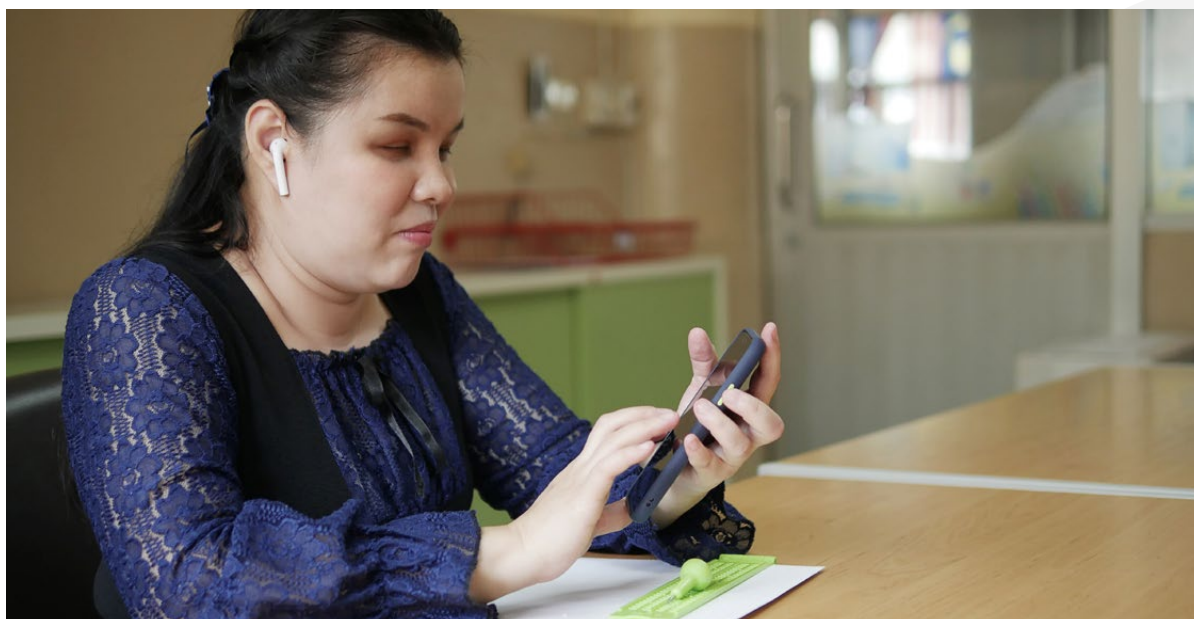
- The **Ministry of Post-Secondary Education and Future Skills** does not collect data related to hate or hate incidents.
- Since 2012 when its Expect Respect and Safe Education (ERASE) reporting tool was launched, the **Ministry of Education and Child Care** has collected anonymous reports from students identifying concerns including bullying, racism and violence.¹²²⁰ Reports received are sent to the respective school or school district’s safe school coordinator and may also be sent to local police. ERASE data only records incidents reported and may not reflect the actual number of incidents occurring in schools.
 - The ministry provided data on 2,224 reports received through the ERASE reporting tool between 2018–2019 and 2021–2022 (412 in 2018–2019, 562 in 2019–2020, 598 in 2020–2021 and 857 in 2021–2022). The data showed an increase in reported incidents during the pandemic.
 - Although hate is not a category included in the tool, reports referencing racism or discrimination increased during the pandemic from 28 in 2019–2020 to 58 in 2021–2022. There was also a concerning number of reports in other areas, with 673 reports related to bullying/cyberbullying between 2018–2019 and 2021–2022.
 - The Commissioner didn’t receive demographic data related to these reports so is unable to comment about the student populations most affected.
- **Selkirk College** does not collect data related to hate or hate incidents.
- **Camosun College**’s Office of Student Support received reports of 139 incidents between January 2018 and December 2021. They aligned their data from January 2018 to December 2021 to fit within BCOHRC’s definition of hate and hate incidents and recorded sexual and gender-based incidents separately. There was a disturbing number (129) of sexual violence and gender-based violence incidents across the four years of records. Six of 10 recorded hate incidents occurred during the pandemic. The data broke down as follows:
 - 2018: 23 sexual and gender-based violence incidents and one hate incident
 - 2019: 47 cases of sexual violence and gender-based violence incidents and three hate incidents

- 2020: 21 sexual violence and gender-based violence incidents and four hate incidents
- 2021: 38 sexual violence and gender-based violence incidents and two hate incidents
- **UBC** provided data on 1,969 harassment and discrimination incidents from its Vancouver and Okanagan campuses for the period of July 1, 2015 to April 30, 2021. UBC saw a significant increase in reported harassment and discrimination incidents during the pandemic, with a 100% increase in incidents between 2018–2019 and 2020–2021. The highest cause of incidents overall was race/ethnicity (526/1,969), followed by sexual harassment and gender (387/1,969) followed closely by disability (both physical and mental) (324/1,969). It is not clear from the data, however, how many of these incidents align with the Commissioner’s definition of hate.
- **UNBC** provided the Commissioner with data on 71 incidents from their harassment and discrimination reports (50) and from separate student incident reports (21) that occurred between 2015 and 2021. The reports included both internal and external incidents. The data below showed no increase in hate-related incidents during the pandemic. The data broke down as follows:
 - 2015: Eight incidents, including one incident related to race/ethnicity
 - April 30, 2016 to May 1, 2017: Nine incidents
 - April 30, 2017 to May 1, 2018: 28 incidents, including three related to race/ethnicity, three related to sexual harassment, one related to harassment and one posting of hate crimes posters
 - April 30, 2018 to May 1, 2019: Two incidents related to sexual harassment
 - April 30, 2019, to May 1, 2020: Six incidents, including two related to sexual harassment
 - April 30, 2020 to May 1, 2021: 16 incidents, including three related to sexual harassment, two human rights complaints/mediations, one incident related to bullying and harassment, and one related to physical or mental disability
 - May 1, 2021 to December 31, 2021: Two incidents, including one related to sexual harassment and one related to race/ethnicity

- **BCIT** provided the Commissioner with data on discrimination, harassment and discrimination and sexual harassment incidents. There were 68 incidents in total from 2015–2021. Harassment and discrimination incidents accounted for 59% (40/68) of all incidents, sexual harassment for 16% (11/68), discrimination for nearly 15% (10/68) and harassment for 10% (7/68). The majority of the incidents were internal, meaning not involving the public (56). The number of incidents remained fairly stable over time but doubled during the pandemic between 2019 and 2020. The data broke down as follows:
 - 2015: Eight incidents, where four were discrimination, three were harassment and discrimination and one was sexual harassment
 - 2016: Six incidents, where four were harassment and discrimination and two were sexual harassment
 - 2017: 13 incidents, including one harassment and discrimination, one discrimination and one sexual harassment
 - 2018: Four incidents, where three were harassment and discrimination and one was discrimination
 - 2019: Nine incidents, where one was harassment, one discrimination and seven harassment and discrimination
 - 2020: 18 incidents, where one was harassment, 10 were harassment and discrimination and seven were sexual harassment
 - 2021: 10 incidents, where five were harassment, three discrimination and two harassment and discrimination

- Of the **four school districts** the Commissioner requested data from, only **School District 57 in Prince George (SD 57)** provided the Commissioner with data. This data was collected using MyEducationBC software¹²²¹ which collects data on student disciplinary incidents. SD 57 provided the Commissioner with all of its data on incidents related to bullying and harassment that may have been hate-motivated. There were 841 incidents in total from 2015–2021. The data showed a decrease in incidents during the pandemic. The data broke down as follows:
 - 2019: 143 incidents, where 101 were cases of bullying and 42 cases of harassment
 - 2020: 41 cases, where 21 were cases of bullying and 20 cases of harassment
 - 2021: 93 cases, where 54 were cases of bullying, 38 cases of harassment and one case related to sexual orientation

- The number of incidents based on school type was nearly equal between elementary and secondary schools
- Alternative schools accounted for only 0.5% of the total with five incidents
- The only incident concerning a staff member was related to a sexual orientation complaint in 2021
- **School District 36 in Surrey (SD 36), School District 63 in Saanich (SD 63) and School District 20 in Kootenay-Columbia (SD 20)** did not provide any data as they do not track hate or hate-related incidents. SD 20 explained that they do not have a system that centrally collects reports from schools in the district. SD 63 explained that they track overall incidents of student misbehaviour which may include incidents of hate, but there is not a separate category for hate.
 - Although they didn't have data to provide, SD 20 commented that they have been observing a rise in issues related to racism and hate in their communities. They noted that some students, especially younger students, do not understand the impact of some words and symbols associated with hate and racism and that there can be cultural misunderstandings as the region diversifies. In addition, SD 20 explained that the pandemic seemed to have exacerbated feelings of loneliness, a sense of disconnection from community/family and negative impacts on mental wellness, and these could be contributing to the issues.



Municipalities

The Commissioner sent information requests to the municipalities of Kelowna,¹²²² Kitimat,¹²²³ Nanaimo,¹²²⁴ Squamish,¹²²⁵ Vancouver,¹²²⁶ Victoria¹²²⁷ and Williams Lake.¹²²⁸

Municipalities' responses

The municipalities generally do not have policies, procedures or guidelines that explicitly address hate incidents. However, most have a range of corporate policies specific to discrimination, harassment/bullying, oppressive behaviour/anti-racism and violence/safety. There appears to be a gap in formalized systems aimed at identifying, reporting and monitoring hate-related incidents.

KELOWNA

Kelowna reported having an internal human resource complaints and investigation process for incidents of discrimination, bullying and harassment. The municipality identified having the following policies:

- No Discrimination, Harassment or Bullying Policy
- Good Neighbour Bylaw No. 11500
- Whistleblower Policy
- Imagine Kelowna/City of Kelowna
- Indigenous Connections
- Journey Home Strategy
- Mercer Final Proposal – Power of a Diverse Workplace Diversity and Inclusion Strategic Plan
- Regional Poverty Reduction Strategy
- Kelowna Integrated Court

KITIMAT

The District of Kitimat reported that they have procedures and policies that address safety and violence which are largely focused on escalating responses and calling the RCMP. Their Respectful Workplaces Policy and Collective Agreement also speaks to discrimination, bullying and harassment.

The District told the Commissioner that they are undergoing an assessment of diversity and inclusion in their operations, and a toolkit is being developed so that they can incorporate it into the organization. The policies they provided are as follows:

- Safe Place Program
- Respectful Workplace (updated in March 2022)
- Employment Safety
- Intoxicated Patrons
- Kitimat Leisure Services Facility Code of Conduct
- District of Kitimat Statement of Objectives
- Leisure Services Advisory Commission (LSAC) Mission Statement

NANAIMO

None of Nanaimo's municipal policies have been revised since the beginning of the pandemic, though they have been reviewed. They have an internal human resource process for internal workplace incidents that may involve hate. Their corporate policies are listed below:

- [Respectful Workplace](#)
- [Code of Conduct](#)
- [Violence in the Workplace](#)

SQUAMISH

The District of Squamish reported that they have an internal human resource complaints and investigation process for reporting incidents of discrimination and harassment. While they do not monitor hate incidents, they stated that the Inquiry process has prompted them to look at monitoring and mitigating hate in the future. They identified the following relevant policies:

- [Respectful Workplace Policy](#)
- [Emergency Response Procedure](#)
- [Incident Reports, Post-Robbery Checklist](#)
- [Violence in the Workplace Prevention Program](#)
- [Employee Code of Ethics/Conflict of Interest](#)

VANCOUVER

The City of Vancouver's policies include:

- [Human Rights and Harassment Policy](#)
- [Code of Conduct](#)
- [Respectful Workplace Policy](#)
- [Whistleblowing Policy](#)
- [Board Safe Access for Everyone 2021 Policy and Procedures](#)

In addition, the Vancouver Public Library identified the following documents:

- [Diversity and Inclusion](#)
- [Patron Centred Service](#)
- [Expectations of Behaviour](#)
- [Security Manual](#)
- [VPL Strategic Plan 2020–23](#)
- [Technology Policies Information Tech – Internet Usage and Public Internet and Computers](#)

VICTORIA

The City of Victoria has human resource policies and procedures for any incidents of violence involving City staff. They investigate and respond to any incidents of violence in a workplace. However, there is no system for classifying any of these as hate incidents. No information was shared about how harassment or discrimination is monitored. The City did not provide detailed information about their policies.

WILLIAMS LAKE

The City of Williams Lake reported that they are considering adding guidelines around hate incidents to their new Code of Conduct. They have an internal Discrimination and Harassment Policy and an internal human resource process for complaints related to incidents in the workplace. It is unclear how incidents are monitored.

SUPPORTING INDIVIDUALS FROM MARGINALIZED GROUPS

Several municipalities described launching initiatives to support individuals from marginalized groups during the pandemic. For example, Vancouver and Victoria both identified pandemic responses to support individuals who are unhoused.

- Squamish and Victoria had no records to provide.
- The City of Victoria had no records to provide but indicated that their response to the pandemic included considering the human rights of persons experiencing homelessness who were forced to shelter in parks due to the closure of various shelters.
- The City of Kelowna budgeted \$250,000 to support an anti-stigma campaign with the tagline “Don’t let stigma overshadow your humanity,” along with a short video.
- The City of Vancouver identified the initiatives below. Their efforts appear to have primarily focused on anti-racism but also included tools and strategies to engage and support different marginalized groups in emergency responses.
 - **COVID Vulnerability Assessment Framework:** It is an equity-based decision-making tool used to identify populations that have been disproportionately impacted by COVID-19.
 - **COVID ongoing response plan:** This plan explains how each City department will help deliver on objectives of the response plan, including reaching non-English speaking populations, supporting unsheltered and precariously housed populations and monitoring and mitigating the impact of COVID-19 and public health orders on disproportionately affected populations.
 - **Innovation on Racial Equity in Emergency Response – Lessons Learned from the Ethnocultural Communities Branch Summary of Opportunities and Operations Report for Emergency Operations Centre:** This initiative provided advice and support to help ensure historically under-represented, albeit significant, segments of the city’s population were included and prioritized in emergency responses.

By the numbers

Most municipalities reported that they do not use the classification of “hate incidents” or “discrimination” in their data collection. The District of Squamish reported that the Inquiry process has prompted them to look more closely into how they can monitor and mitigate hate going forward. Three municipalities (Nanaimo, Victoria and Squamish) told the Commissioner that they track violent incidents. The Commissioner did not request this data for review.

Kelowna

Kelowna tracks incidents of hate and discrimination from security reports. These are internal tools used to track and report incidents, including reports from security services, by-law services and graffiti service requests. Kelowna had a significant increase in reported incidents between 2020 (5) and 2021 (23). They noted that they improved the way they record and track incidents in 2021. They were the only municipality to provide disaggregated data.

The largest proportion (nearly 75%) of recorded incidents involved discrimination based on race/ethnicity, followed by poverty, gender, disability, religion, age and sexual orientation. Incidents included racist graffiti, homophobic propaganda, and violence targeting women, people with physical disabilities and racial minorities.

Kelowna also noted an increase in offensive graffiti and stickering in the city in 2021. This included hateful remarks/symbols against people of African, Asian and Jewish descent.

Kelowna further provided results from its community safety survey that found that 13% percent of respondents were concerned about hate crimes because of their ethnicity, culture, race, gender, sexual orientation or religion at least some of the time.

The City’s Community Safety Plan indicates that the 2019 rate of reported hate crimes was 1.4 crimes per 100,000 people, an increase of 35% from 2014. No data was provided for 2019–2021.

Vancouver

The City of Vancouver does not collect data on hate incidents. The Vancouver City Equity Office has only existed since September 2020 and has reported only one incident they believe might qualify as hate based on sexual misconduct. The City defers to the Vancouver Police Department (VPD) to track hate crimes and hate incidents. They also rely upon Statistics Canada data for monitoring.

Vancouver does collect data on offensive graffiti incidents, including the removal of racist or hateful graffiti. The City of Vancouver has a problem with racist and hateful graffiti. Graffiti incidents increased sharply from 83 in 2018 to 793 in 2019 and continued to increase dramatically during the pandemic. From 2015 to March 2022, there were 3,782 removals of hateful or racist graffiti, specifically:

- 2015: 50 incidents
- 2016: 78 incidents
- 2017: 35 incidents
- 2018: 83 incidents
- 2019: 793 incidents
- 2020: 1,231 incidents
- 2021: 1,300 incidents
- January to March 2022: 212 incidents

Other municipalities

The District of **Kitimat** collects data on reports of discrimination between employees.

The City of **Nanaimo** reported no incidents under the category of hate, but highlighted two incidents where racist and sexist remarks were made towards women and youth in recreational facilities.

The City of **Squamish** reported that the Inquiry process has prompted them to look more closely into how they can monitor and mitigate hate going forward.

While it is unclear how **Williams Lake** collects data on hate incidents, they reported having no record of incidents between 2015 and 2021.

Transportation sector

The Commissioner sent information requests to BC Ferries,¹²²⁹ BC Transit¹²³⁰ and TransLink.¹²³¹ These agencies run the major public transportation networks in B.C.

BC Transit operates 88 transit systems in 130 communities across British Columbia (outside of Greater Vancouver). They transport 58 million passengers every year.¹²³²

TransLink, or South Coast British Columbia Transportation Authority, delivers services through contractors and four operating companies and subsidiaries: Coast Mountain Bus Company, British Columbia Rapid Transit Company Ltd. (SkyTrain), Metro Vancouver Transit Police and West Coast Express Ltd. Every day over 380,000 customer journeys are taken on this regional transit system, which covers 21 municipalities, one electoral area and one First Nation. Its services include buses, the SkyTrain, the SeaBus and the West Coast Express train.¹²³³

A common theme running through submissions that the Commissioner reviewed from these bodies was that transit is an important public space, and for many passengers it is a necessary part of daily life—one they cannot opt out of, even when they experience or witness a hate incident. This may be especially true for people with disabilities, people with low income, immigrants, students, unhoused people and other communities.

The transportation sector's responses

None of the bodies have specific policies about monitoring and responding to hate or hateful incidents. However, they all have policies about monitoring and addressing discrimination, harassment and bullying and about building respectful workplaces.

BC FERRIES

The following policies, procedures and guidelines are used by BC Ferries to address discrimination, harassment and bullying:

- [Respectful Workplace Policy](#)
- [Statement on Diversity, Inclusion and Respect, which was created in 2018 and revised in February 2021](#)
- [Code of Business Conduct and Ethics \(approved in November 2004 and revised in June 2018\)](#)
- [Employee Relations \(created in March 2006 and revised in April 2017\)](#)

BC TRANSIT

BC Transit's relevant policies, procedures and guidelines are:

- [Code of Business Conduct \(created in 2021\)](#)
- [Treatment of Employees in the Workplace \(last reviewed in November 2020\)](#)
- [Provisions on harassment and discrimination in the collective agreements of BC Transit's unions, Unifor, the Canadian Union of Public Employees \(CUPE\) and MoveUP](#)

TRANSLINK AND OTHER TRANSIT COMPANIES

The relevant policies, procedures and guidelines of TransLink, British Columbia Rapid Transit Company and Coast Mountain Bus Company are:

- **TransLink:** Respectful Workplace Policy (reviewed in 2021)
 - The CUPE collective agreement states its support and adoption of the Respectful Workplace Policy
- **Coast Mountain Bus Company:** Employee Code of Conduct and Prevention of Workplace Bullying and Harassment (2021)
- **British Columbia Rapid Transit Company:** Respectful Workplace Policy, and Director and Employee Code of Conduct Policy

Each agency receives complaints from the public and expects employees to report violations of policies. Each has processes in place to respond to complaints.

By the numbers

BC Ferries

BC Ferries does not collect or record data on hate or hate incidents. In response to the request from the BCOHRC, BC Ferries reviewed incidents recorded between 2015–2021 and identified incidents that may be consistent with the Commissioner’s definition of hate incidents.

This was a manual review, and BC Ferries noted that it might not be statistically reliable.

BC Ferries identified 97 incidents between 2015–2021 (eight in 2015, eight in 2016, seven in 2017, 15 in 2018, 10 in 2019, 34 in 2020, and 15 in 2021). Of the 97 total incidents, 34 were based on race/ethnicity, 20 were based on disability, 15 were in relation to mask mandates, 12 were based on Indigenous identity, eight in relation to gender/sexual harassment, three based on sexual orientation, two based on religion, one based on age and three had unknown causes. There was a significant increase in incidents in 2020 compared to 2021. More than half of the incidents in 2020 were related to the enforcement of masking requirements.¹²³⁴

BC Transit

In response to the request from BCOHRC, BC Transit provided data incidents consistent with the Commissioner’s definition of hate incidents. They provided the data broken down by year, internal/external incidents and incident type. The incident type categories tracked by BC Transit are gender, race, Indigenous identity, religion, sexual orientation, marginalized people and hate. They did not explain how hate was defined.

BC Transit provided data on five internal incidents between employees and on 153 external incidents that occurred between 2015 and 2021 (15 in 2015, 14 in 2016, 20 in 2017, 27 in 2018, 29 in 2019, 32 in 2020 and 28 in 2021). There was a small increase in the number of incidents during the pandemic. Seven of 153 external incidents were categorized as hateful incidents and five of these occurred in 2020 and 2021. Race was by far the highest category of incidents tracked, accounting for 128 of the 153 incidents.¹²³⁵ BC Transit did not provide complaint/incident details for analysis.

TransLink

In response to the request from BCOHRC, TransLink provided data from a number of sources including internal incidents and employee relations and also external incidents and customer complaints. Between 2016 and 2021, TransLink received 1,047 complaints which it identified as relating to human rights.

The total number of reported complaints related to human rights decreased during the pandemic from 168 complaints in 2018 to 113 in 2020. Thirty-eight complaints were received between 2016 and 2021 that were categorized as derogatory/hateful speech. Between 2016 and 2021, TransLink received complaints from customers about mistreatment based on race or ethnicity (747 out of 1,047 customer service complaints) and other grounds, including disability (24 out of 1,047), sexual orientation (53 out of 1,047), homelessness (35 out of 1,047), place of origin (88 out of 1,047) and religion (59 out of 1,047). TransLink explained that single incidents may have resulted in multiple complaints, and the data reflects both founded and unfounded incidents. 38 complaints were received that were categorized as derogatory or hateful.

A qualitative review of TransLink complaints, with a particular focus on incidents after the start of the COVID-19 pandemic, reveals evidence of discriminatory graffiti on TransLink property and evidence of discriminatory behaviour by TransLink customers and staff (including uneven rule enforcement, denial of service and use of slurs and other harmful language).

Other ministries and public bodies

Ministry of Finance

The Ministry of Finance works closely with the Parliamentary Secretary for Gender Equity and with support from the Minister of Public Safety and Solicitor General to, among other things, develop an action plan to end gender-based violence. This action plan is to include minimum standards for sexual assault responses, along with more training for police, Crown Counsel and justices, and the establishment of core funding for sexual assault centres.

The Ministry of Finance is also taking action to deter hate groups from registering as societies under B.C.'s *Societies Act*.¹²³⁶

Ministry of Citizens' Services

The Ministry of Citizens' Services supports the Parliamentary Secretary for Anti-Racism Initiatives in the collection, housing and analysis of race-based data which will be essential to modernizing sectors like policing, health care and education. It has larger divisions such as Service BC and the Real Property Division, which have their own policies for addressing incidents.

SERVICE BC

Service BC's policies include managing comments, complaints, incidents and issues as well as policies on limiting access to services and a service practice guide. These enable staff to monitor public interactions for any risk or incidents of unacceptable behaviour. They do not specifically refer to hate incidents or hate-motivated violence, but target violence broadly. De-escalation training is provided to staff, and, as a last resort, managers may restrict how a person can connect with Service BC.

In 2018–2019, Service BC recorded 10 incidents. This rose to 25 incidents in 2020–2021. Male clients were the predominant aggressors, and they were usually verbally abusive towards predominantly female staff. The incidents were usually related to service delivery disputes. Service BC stated that their data may be incomplete due to gaps in internal reporting.

REAL PROPERTY DIVISION

The Real Property Division has a Bullying or Violence in the Workplace Policy. It does not specifically target hate incidents but, rather, targets violence broadly. The division is required to conduct an annual risk assessment to examine where risks of injury from violence exist. Gaps in safety procedures, policies, work area arrangements and employee training and education can be addressed once an assessment is completed.¹²³⁷

Ministry of Children and Family Development

The Ministry of Children and Family Development's (MCFD) complaint program does not systematically record incidents as hate or hate incidents. MCFD provided the Commissioner with the following policies to manage incidents and complaints:

- **Children and Youth in Care Policies:** These policies provide direction on when action must be taken to address circumstances where a child/youth in care experiences harm because of discrimination and racism. It includes requirements for workers and information on respecting the identity of children and youth.
- **Reportable Circumstances Policy and Guidelines:** These speak to reporting incidents of assault and serious emotional trauma, which could include bullying.
- **Working with Specific Groups of Children and Youth at Risk for Suicide:** This policy mentions hate and discrimination.
- **Social Sector Recovery Plan:** This plan mentions hate crimes increasing as a result of the pandemic.¹²³⁸

Ministry of Labour

The Ministry of Labour did not have data on hate or hate incidents involving frontline staff. However, they did supply data on 12 hate incidents from 2020–2022 which involved members of the public directing misogynistic or racial remarks against frontline staff.

The ministry does not have specific hate or hate incident policies. They did provide the Commissioner with the following policies they have to manage incidents and complaints:

- **BC Public Service Human Resource Policy 11 – Discrimination, Bullying and Harassment in the Workplace:** This policy sets out the definitions of what constitutes discrimination, bullying and harassment along with the roles and responsibilities of supervisors or managers as well as staff, and details of the complaint process.
- **Employers' Advisers Office and Workers' Advisers Office Joint Practice Directive #5 – Workplace Threats:** Operational branches of the Ministry of Labour have specific policies like this one to deal with threats. These policies were in place prior to the start of the pandemic.¹²³⁹

Ministry of Social Development and Poverty Reduction

The Ministry of Social Development and Poverty Reduction (SDPR) does not collect data based on hate or hate incidents. The ministry uses an Incident and Reporting Tracking (IRT) system for ministry staff to report incidents involving harm or hazard. The IRT system was updated in June 2022 to better capture discriminatory events, including incidents involving racism, harassment or discrimination. SDPR did not provide any policies, procedures or guidelines specifically related to hate or hate incidents but noted that they follow corporate policies and processes set by the Public Service Agency related to discrimination, harassment, bullying and oppressive behaviour. SDPR has an Inclusion, Diversity and Cultural Safety team with a portfolio dedicated to equity and anti-racism and offers a five-part training series on anti-racism.¹²⁴⁰

Gender Equity Office

The Gender Equity Office does not collect data on hate or hate incidents. The office doesn't have any policies, procedures or guidelines describing how it monitors or responds to hate or hateful incidents.¹²⁴¹

Cabinet Operations

Cabinet Operations acts as a secretariat to the cabinet and its committees. Any records on hate or hate incidents held by Cabinet Operations would be prepared by the responsible ministries for the purpose of cabinet deliberations and are subject to cabinet privilege.¹²⁴²

WorkSafeBC

WorkSafeBC has a statutory mandate to regulate compliance with the *Workers' Compensation Act* and the Occupational Health and Safety Regulation. As a regulator, WorkSafeBC does not track or collect data on hate or hate-related incidents in workplaces in B.C. However, they do collect and respond to workplace incidents that are acts of violence, bullying or harassment. As an employer in B.C., WorkSafeBC has policies, procedures and guidelines in place to monitor and respond to hate or hateful incidents, including policies related to bullying and harassment and respect in the workplace.¹²⁴³



Appendix M: Victim-survivor services programs in B.C. and other jurisdictions

This appendix describes victim-survivor services programs in B.C. as well as some examples from other jurisdictions.

Canada

British Columbia

The **Ministry of Public Safety and Solicitor General** contracts with service providers to provide over 400 victim-survivor services and programs aimed at preventing violence against women across B.C., including:¹²⁴⁴

- **VictimLinkBC:** This multilingual (includes service provision in 17 Indigenous languages) confidential service is available across B.C. and the Yukon 24 hours a day, seven days a week. The service can be accessed by phone, email and text. VictimLinkBC provides information and referral services to all victims of crime, including victims of racism and hate crimes. The service also provides immediate crisis support to victims of family and sexual violence, including victims of human trafficking exploited for labour or sexual services.
- **92 police-based victim service programs:** These programs serve victims of all types of crime and trauma and assist police and communities in situations involving multiple injuries or deaths. They operate out of B.C.'s RCMP detachments and municipal police departments. For example, the Vancouver Police Department acknowledged that, as part of their investigations, they can provide victim services to those impacted by hate incidents.
- **75 community-based victim service programs:** These serve victims of family and sexual violence, ethno-specific and diverse communities, children and Indigenous Peoples, and primarily operate out of non-profit organizations. The programs include nine Domestic Violence Units that respond to the highest risk cases of domestic violence.
- **91 Stopping the Violence Counselling programs:** These programs provide individual and group counselling for women who have experienced childhood abuse, sexual assault and violence in relationships.
- **84 Prevention, Education, Advocacy, Counselling and Empowerment (PEACE) programs:** These provide group and individual counselling for children ages three to 18 (and their non-offending caregivers) who have witnessed abuse, threats or violence at home.
- **53 outreach services:** These help women identify and access the services they need by providing information and referrals, along with accompaniment and transportation and other necessary assistance.
- **11 multicultural outreach services:** These provide services to communities in up to 24 languages to ensure immigrant and visible minority women receive assistance from workers who speak their own language and are familiar with their culture.

B.C.'s **Ministry of Public Safety and Solicitor General's Community Safety and Crime Prevention Branch (CSCP)** delivers programs directly to victim-survivors of crime. These programs include:¹²⁴⁵

- **Crime Victim Assistance Program (CVAP):** This is a financial benefits program to assist victims, immediate family members and some witnesses in coping with and healing from the effects of violent crime by providing a range of benefits, including counselling and income support or other protective measures to help offset financial costs.
- **Victim Safety Unit (VSU):** This program provides safety and notification services to higher risk victims and works with victim service programs to ensure victims are aware of and have access to safety services.
- **Victim Court Support Program:** This program assists victims through the justice process by coordinating between victim service and justice system personnel, including Crown Counsel or probationary officers.
- **The Restitution Program:** This program assists victims of crime who have unpaid restitution orders. It also works with offenders to encourage compliance.
- **Family Information Liaison Unit (FILU):** Funded by the Department of Justice Canada, FILU helps families of missing and murdered Indigenous women and girls get information (subject to privacy laws, regulations and policies) about their loved one(s) by gathering existing information on behalf of families from system and agency partners. These partners include the police, the coroner's service, corrections, child and family services and health services. FILU works to share the gathered information with families in a trauma-informed and culturally sensitive way. They help families access available services and supports—for example, clinical and cultural counselling—that promote healing.

CSCP is further working with its partners on a multi-year advanced training project for service providers as part of wellness and training initiatives to support the delivery of victim services. There are several topics for implementation, such as training in anti-racism, unconscious bias, systemic racism within the justice system and the impact of service delivery to clients. CSCP reported that it will be prioritizing these topics in order to provide victim services and prevention services for gender-based violence with new tools and resources to respond to racism and hate.¹²⁴⁶

Community groups have also created additional social supports for victim-survivors of racism and hate, including programs to help make people feel safer. For example:

- **Burnaby Together Coalition:** In response to requests for individualized support, Burnaby Together Coalition received funding from the City of Burnaby to conduct an environmental scan of existing informal and formal resources for people who have experienced racism, as well as to identify gaps and opportunities.¹²⁴⁷

- **Elimin8Hate**: This organization developed a sharing and healing circle for all Asian people called Reclaim Your Name. Another is planned for all racialized people. They described this process as:

“[A] way for folks to be able to process some of what they’re feeling. It’s one way in for folks to be able to connect with other folks who are experiencing that same feeling of isolation and feeling alone in that powerlessness. It can assist in feeling more empowered in their own identity and feeling of self and being able to share their voice and feel some sense of unity within community and to build community and access and connect to one another.”¹²⁴⁸

- **Hua Foundation**: Their Chinatown Cares food delivery program was created based on concerns raised by Chinese seniors who were scared of going shopping alone.¹²⁴⁹
- **Liminal Spaces Consulting** and **South Okanagan Immigrant Community Services**:¹²⁵⁰ Both of these organizations have been creating community protocols for how to respond to incidents of racism, hate and discrimination in their communities.
- **South Asian Legal Clinic of B.C.**: This Clinic offers free multi-lingual legal advice and information to low-income people living in British Columbia who identify as South-Asian.¹²⁵¹

Other Canadian jurisdictions

Victim-survivor service programs similar to B.C.’s for people affected by crime, including hate crime, exist across Canada.

Europe

There are also some community-, police- and government-based programs outside of Canada that offer support to those who have experienced hate. For example:

- **Association of Counseling Centers for Victims of Right-wing, Racist and Antisemitic Violence (VBRG)**: Located in Germany, VBRG is an association of 15 independent counselling organizations for people affected by far-right, racist and antisemitic violence.¹²⁵² These counselling organizations are independent, free of charge, multilingual and pro-victim. Services include emotional counselling, decision guidance on next steps, providing information on available legal options, assistance in securing legal representation, accompanying victims to government agencies such as the police, preparing for and accompanying victims to court, providing counselling on financial support relating to legal aid, compensation and assistance with necessary applications.

- **Police Service of Northern Ireland (PSNI):** PSNI work closely with hate crime support workers to give victims the confidence to report incidents and crimes. The department has five hate crime support workers who contact victims and refer them to other services such as legal advice, housing issues and health and psychological support. There are also specific support workers for varying forms of hate speech, including speech that is racist or targets people due to their gender identity or disability status.¹²⁵³
- **Austria's *Hate on the Net Prevention Act*:** This Act came into force on January 1, 2021, and it specifically provides that victims of hate speech are entitled to psychosocial and legal process support. This includes “the preparation of those affected for the process and the associated emotional stress, as well as support for interrogations in the preliminary and main proceedings, legal process support, legal advice and representation by a lawyer.”¹²⁵⁴



Appendix N: International human rights instruments that address discrimination and hate

International human rights instruments Canada has adhered to

Canada has adhered to the following core United Nations (UN) international human rights instruments that address hate in various forms, including hate speech, discrimination and genocide:

- **Universal Declaration of Human Rights (UDHR)**: Article 7 of the UDHR provides that every person is “entitled to equal protection against any discrimination in violation of this Declaration and against any incitement to such discrimination.”¹²⁵⁵
- **Rome Statute of the International Criminal Court**: The Rome Statute confers jurisdiction on the International Criminal Court to preside over matters involving genocide, crimes against humanity, war crimes and crimes of aggression.¹²⁵⁶
- **Convention on the Prevention and Punishment of Genocide (Genocide Convention)**: Article 3 of the Genocide Convention prohibits and punishes direct and public incitement to commit genocide.¹²⁵⁷
- **International Covenant on Civil and Political Rights (ICCPR)**: Article 20 of the ICCPR stipulates that any propaganda for war is prohibited and additionally, that any advocacy of national, racial or religious hatred inciting discrimination, hostility or violence is prohibited by law.¹²⁵⁸
- **Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW)**: CEDAW prohibits all forms of discrimination against women in every area of life, be it political, social, economic, cultural, educational and so on.¹²⁵⁹
- **International Convention on the Elimination of All Forms of Racial Discrimination (ICERD)**: States who are parties to ICERD must take various steps to eliminate racial discrimination. This includes making it an offence to disseminate ideas based on racial superiority or hatred, or to incite racial discrimination. It further includes making it an offence to aid racist activities, including the financing thereof, and to carry out any acts of violence or incitement to such acts against any race or group of persons of another colour or ethnic origin.¹²⁶⁰
- **The Committee on the Elimination of all Forms of Racial Discrimination General Recommendation no. 35 on Combatting Racist Hate Speech**: This committee is a body of independent experts that monitors the implementation of ICERD. General Recommendation no. 35 focuses on the causes and consequences of racist hate speech.¹²⁶¹ The recommendation particularly notes that although ICERD is race-specific, it is also applicable to expressions that amount to hate speech affecting a wide range of groups. This includes Indigenous Peoples, descent-based groups, immigrants or non-citizens, migrant domestic workers, refugees and asylum seekers, as well as women members of these and other vulnerable groups. The principles set out in the recommendation apply to any means of dissemination—oral, print, electronic media, social networks, symbols, images and behaviour.

- **Convention on the Rights of Persons with Disabilities (CRPD)**: Article 5 of the CRPD prohibits discrimination on the basis of disability and mandates states who are parties to the CRPD to establish effective legal frameworks protecting against discrimination on all grounds.¹²⁶² Article 16(1) also requires State Parties to “take all appropriate legislative, administrative, social, educational and other measures to protect persons with disabilities, both within and outside the home, from all forms of exploitation, violence and abuse, including their gender-based aspects.” It further mandates State Parties to put in place effective legislation and policies that ensure that violence and abuse against persons with disabilities are identified, investigated and prosecuted.
- **United Nations Declaration on the Rights of Indigenous Peoples (UN Declaration)**: Article 10 of the UN Declaration stipulates that Indigenous Peoples have the right to be free from discrimination based on their Indigenous identity.¹²⁶³ Article 7(2) further states that Indigenous Peoples shall not be subjected to any form of genocide or violent act, including the forceful removal of children. States are particularly required to ensure that Indigenous women and children are protected against all forms of violence and discrimination under Article 22(2).
- **Convention on the Rights of the Child (CRC)**: Article 2 of the CRC stipulates that all children are entitled to the protection of their rights and that State Parties should take necessary steps to ensure that children are protected from all forms of discrimination on the basis of their status, activities or expressed opinions, or on the basis of the beliefs of their parents, legal guardians or family members.¹²⁶⁴

Documents and plans released by the United Nations related to hate

The UN has released several documents and plans related to hate speech, including COVID-19 related hate speech. A description of these instruments is found below:

- **Rabat Plan of Action on the Prohibition of Advocacy of National, Racial or Religious Hatred that Constitutes Incitement to Discrimination, Hostility or Violence, 2012**: Released in 2012,¹²⁶⁵ the Rabat Plan exists to gain a nuanced understanding of legislative patterns, judicial practices and policies on the subject of the incitement of national, racial and religious hatred. Its objective is to assess the extent of conformity with and implementation of the prohibition of incitement and to identify possible actions at all levels. The Rabat Plan also sets a high six-part threshold test for restrictions on freedom of expression to determine the severity of potential hate-related criminal offences:
 1. **Social and political context**: The social and political context at the time the speech was made and disseminated is important in determining whether a statement constitutes an incitement to discrimination, hostility or violence.
 2. **Status of the speaker**: The speaker’s status and standing in relation to the audience to whom the statement was made should be considered.
 3. **Intent to incite the audience against a target group**: By Article 20 of the ICCPR, the speaker must have an intent to incite the audience. Mere negligence or recklessness is not enough to constitute an offence. Also, simply distributing a material does not constitute intent.

4. **Content and form of the speech:** This is an essential component of an incitement offence. It relates to the degree to which the speech was provocative and assesses its form, style and the nature of the argument deployed in the speech or the balance struck between the arguments deployed.
 5. **Extent of the speech's dissemination:** This relates to the reach of the speech. Factors to consider here include the public nature of the speech, its magnitude and audience, the means and frequency of its dissemination (leaflet or internet) and whether the audience had the capacity to act on the speech.
 6. **Likelihood, including imminence, of harm:** This requires a consideration of whether there is a reasonable likelihood that the speech could incite its audience into taking actual steps against the targeted persons.
- **UN Strategy and Plan of Action on Hate Speech (UNSPLAHS):** Launched in 2019 by the UN,¹²⁶⁶ UNSPLAHS makes a firm commitment to address hate speech at global and national levels. UNSPLAHS has two objectives. The first is to increase efforts to deal with the underlying cause of hate speech and utilize education as a preventative tool to raise awareness and build social cohesion. The second is to address the impact of hate speech on societies by enhancing advocacy and developing useful counter-narrative guides.
 - UNSPLAHS consists of 13 commitments, including monitoring and analyzing hate speech, addressing root causes, drivers and actors of hate speech, engaging and supporting victims by addressing their needs through advocacy for remedies, and providing access to justice and psychological counselling. Other commitments include engaging with new and traditional media, keeping up with technological innovation and encouraging further research on the relationship between the use of the internet and social media in spreading hate speech, and utilizing formal and informal education in addressing and countering hate speech.



- **United Nations Guidance Note on Addressing and Countering COVID-19 Related Hate Speech**: Released by the UN in 2020 in response to the spread of hate speech after the start of the COVID-19 pandemic, the guidance note recognizes that hate speech has heightened during the pandemic, particularly against people perceived to be Chinese or Asian persons, or certain ethnic and religious migrants and foreigners.¹²⁶⁷ It also recognizes that there have been conspiracy theories and rumours ascribing the COVID-19 virus to Jews, Muslims, Christians, Bahá'is and other minority groups. It further notes that hate speech is being advanced through mainstream media, online social media and tech platforms, and that COVID-19 related hate speech may exacerbate social and economic inequalities and threaten sustainable development and international peace and security.
 - The guidance note contains recommendations to UN departments and agencies, member states, social media and tech companies, media and civil society. Recommendations to UN bodies include monitoring and collecting data on COVID-19 related hate speech and convening relevant actors to develop strategies to address hate speech. Member states are encouraged to ensure that schools address COVID-19 related hate speech and misinformation by encouraging the development of critical thinking and social and emotional skills. They are also to promote the dissemination of public interest narratives on the diversity and struggles of people affected by the pandemic. Social media and tech companies are to develop anti-hate speech policies in conjunction with affected communities, utilize human-administered review processes rather than automation (where necessary), monitor the dissemination of hate speech on their platforms and take down offending materials.
- **Engaging Religious Actors to Counter Hate Speech, Prevent Incitement to Violence, and Build Peaceful and Inclusive Societies, 2021**: Released by the UN Human Rights Office of the High Commissioner in 2021, this document recognizes that religious leaders play an important role in peace-building. Religious leaders are therefore encouraged to use their influence to build peaceful, inclusive and just societies through social engagement.¹²⁶⁸
- **Plan of Action for Religious Leaders and Actors to Prevent Incitement to Violence that Could Lead to Atrocity Crimes**: Released by the UN in 2017, the Action Plan indicates that specific actions are required to prevent and counter incitement to violence and emphasizes the need to enhance education and capacity-building, foster interfaith and intra-faith dialogue and build peaceful and inclusive societies through respecting, protecting and promoting human rights.¹²⁶⁹

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