

Systemic discrimination part 2

# What we can do

---

## Module 2 handouts



British Columbia's  
**Office of the Human Rights  
Commissioner**

# Indicators of systemic discrimination

## Impacts certain groups more than others

A key characteristic of systemic discrimination is that it impacts one or more groups as a whole rather than an individual. Groups negatively impacted are those historically in positions of lesser power.<sup>1</sup>

**Example:** Indigenous people, persons with disabilities/disabled people and women may all be impacted by systemic discrimination.

## Appears in patterns

Systemic discrimination shows up in patterns because it impacts a specific group or groups more than others and occurs repeatedly, rather than in one isolated occurrence.

**Example:** On average, women's hourly wage in B.C. is 18.6% less than that of men.

## Is based on attributed rather than actual characteristics

**Attributed** characteristics are often based on bias and stereotyping and not actual fact. **Actual** characteristics are based on facts about why certain groups can't participate or are penalized to a higher degree.

**Example:** Blindness is an actual characteristic that prevents blind people from piloting airplanes. Being unable to carry out administrative tasks is a characteristic that may be attributed to blind people but isn't based on fact. A company's policy to not hire blind people as pilots is not systemic discrimination. A policy not to hire blind people in administrative roles because they are blind is systemic discrimination.

## Shows up in policies, practices, behaviours and attitudes

Organizations may have **policies** that impact a group or groups of people more than others in a negative way.

**Example:** The shopping mall's policy in the workshop scenario prevented a higher percentage of Indigenous people and people with disabilities from using the mall.

Although there may be no specific policy in place, the way an organization does things (its **practices**) may impact a group or groups more negatively than others.

---

<sup>1</sup> Groups with histories of lesser power include those protected under BC's *Human Rights Code*, among others, such as those identified under the category of social condition. Social condition could include factors such as income, employment, housing status, education and literacy levels.



**Example:** 46% of Muslim immigrants earn below \$20,000 a year, compared to 29% of immigrants of other religions. Employers don't have policies to pay Muslim immigrants less or hire them less frequently or to lower paying positions, but the statistics show that many have the practice of doing so.

Negative **behaviours and attitudes** may impact one or more groups more than others. These attitudes and behaviours are often the result of policies and practices. They may also result from biases and stereotypes.

**Example:** If fewer than half of trans and non-binary youth feel safe at school, it is probable that the behaviours of staff and students contribute to this lack of sense of safety.

### Impacts include creating barriers, harms or increased disadvantages

Systemic discrimination may create **barriers** that prevent certain groups from participating or being included.

**Example:** In the workshop scenario, the mall policy created barriers for Indigenous people and people with disabilities to access and use the mall.

Systemic discrimination may result in **harm** to certain groups.

**Example:** Indigenous and Black people are overrepresented in police-involved deaths in B.C., which is the province with the highest rate of police-involved deaths in the country.

Systemic discrimination sometimes **increases the disadvantages** that certain groups of people already face.

**Example:** 22% of people in Canada are disabled but they make up 41% of people who experience poverty. People with disabilities experience many barriers to participation in society. Poverty is an added disadvantage.

### Is based on historical patterns of inequality

Systemic discrimination doesn't just appear out of the blue; rather, it is rooted in history. Groups that are traditionally in positions of power and privilege tend to develop policies and practices. These often also show up as attitudes and behaviours that impact groups with lower levels of power.

**Example:** Indigenous peoples have been negatively impacted by policies, including the Indian Act and residential schools for generations. Negative stereotypes about Indigenous peoples began in the past and have continued into the present. Many non-Indigenous people apply these negative stereotypes to all Indigenous peoples rather than considering each person individually. This can lead to discriminatory treatment of all Indigenous peoples.



## Increases the power of one group over another

Systemic discrimination increases the control dominant groups exert over groups historically in positions of lesser power.

**Example:** More than 52% of children in foster care in B.C. are Indigenous. Policies established under B.C.'s child welfare system increase the power governments maintain over Indigenous families.

## May be unintentional

In many cases, systemic discrimination occurs without ill intent. Behaviours may be carried out or policies or practices may be put in place without the intent to create barriers or harm. If the indicators described above are present, these behaviours, policies and practices may be considered forms of systemic discrimination.

**Example:** When the restaurant Lauren visited designed the tables, they probably didn't intentionally make them inaccessible for people using wheelchairs.

## Often appears neutral

A policy, practice or behaviour may appear neutral if it has no negative impacts on the group(s) that developed it, even if one or more other groups are negatively impacted. This is especially true if the impacts are not noticed by those who are not impacted, or if those impacted are assumed to be responsible for or deserving of the impacts.

**Example:** The mall administrators in the Gladys scenario considered the security policy to be neutral. It was developed to increase the safety of people using the mall. B.C.'s Human Rights Tribunal ruled that it wasn't neutral because it made it more difficult for Indigenous people and people with disabilities to use the mall.

