

1.

Hate in the Pandemic Inquiry Guidelines

October 26, 2021

Contents

Introduction	1
Purpose	2
Definitions	2
Application of these guidelines	3
Accessibility	3
Respectful participation	3
How can community organizations participate in the Inquiry?	4
How can individuals who have experienced or witnessed hate incidents participate?	5
How can Indigenous governments, public and private sector institutions, and academics participate?	6
How can “formers” or disengaged perpetrators of hate participate?	7
Oral presentations and roundtable participation (“Inquiry sessions”)	7
How to provide written and video submissions to the Commissioner	8
Financial support	9

Introduction

1. On August 18, 2021, BC’s Office of the Human Rights Commissioner announced the launch of its first [public Inquiry looking into hate in the COVID-19 pandemic \(Inquiry\)](#). The Inquiry arose out of the significant increase in reported hate-related incidents, including online incidents, in B.C. since the start of the pandemic in early 2020. The Inquiry is focused on hate in all its forms, not only racism and racial hate.
2. More information about the Inquiry including the [terms of reference](#) are available on the Inquiry website at: <https://hateinquiry.bchumanrights.ca>.
3. The Human Rights Commissioner is responsible for establishing Inquiry guidelines. The Human Rights Commissioner may update these guidelines during the course of the Inquiry.

Purpose

4. The purpose of these guidelines is to establish processes to guide the Inquiry.

Definitions

5. In these guidelines:

"BCOHRC" means BC's Office of the Human Rights Commissioner

"Commissioner" means the Human Rights Commissioner for B.C.

"Community liaison organizations" means organizations who will provide outreach and support to individuals to participate in an Inquiry public survey that will be launched in early 2022.

"Hate incident" means 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 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 does, significantly dehumanize, humiliate, degrade, injure, silence and/or victimize the targeted individual or group.

"Inquiry participant" means anyone who participates in the inquiry, including individuals, community organizations, Indigenous governments, public and private institutions, academics and "formers" or disengaged perpetrators of hate.

"Inquiry questions" means questions developed by the Commissioner to guide presentations and submissions.

"Oral presentation" means either an online presentation to the Commissioner or participation in a roundtable at an Inquiry community session responding to the Inquiry questions.

"Video submission" means a video provided to BCOHRC responding to the Inquiry questions.

"Written submission" means a written document provided to BCOHRC responding to the Inquiry questions.

Application of these guidelines

6. Except where stated otherwise, these guidelines apply to:
 - a. Inquiry participants
 - b. Community liaison organizations
 - c. All aspects of the Inquiry including oral presentations, written submissions, video submissions, witness statements, communications between Inquiry participants and BCOHRC, and other activities related to the Inquiry.

Accessibility

7. BCOHRC will provide interpreters, including sign language interpreters, for Inquiry participants who require such accommodations.
8. If Inquiry participants require interpreters and/or other specific accommodations to ensure that they can participate in an accessible, trauma-informed, safe, and/or culturally appropriate way, Inquiry participants should provide BCOHRC with at least seven days' notice so that BCOHRC can arrange these accommodations. To request an interpreter or other accommodation, Inquiry participants should contact inquiry@bchumanrights.ca or call 1-844-922-6472 (toll free).
9. BCOHRC will make best efforts to provide Inquiry participants with the requested accommodations.

Respectful participation

10. BCOHRC staff will be respectful in their interactions with Inquiry participants.
11. BCOHRC expects that Inquiry participants will be respectful in their interactions with BCOHRC, Community liaison organizations, and other Inquiry participants.
12. BCOHRC recognizes that sharing experiences with hate may be difficult and that it may necessitate the use of strong and emotional language. However, inappropriate behaviour including threats, harassment or language that is offensive, racist, misogynistic, homophobic, transphobic or otherwise hateful will not be tolerated, except insofar as it is language used to describe a hate incident.
13. If Inquiry participants engage in behaviour deemed inappropriate by the Commissioner, the Commissioner may take any steps deemed necessary to ensure the integrity of the Inquiry and to ensure the safety of the Commissioner, BCOHRC staff and contractors, Community liaison organizations and other Inquiry participants. These steps may include issuing

warnings, ending an Inquiry session early, cancelling an Inquiry participant's oral presentation or roundtable participation, and imposing restrictions on further participation in the Inquiry.

How to participate - Community organizations

14. The Commissioner would like to hear from any organization that wishes to share their experiences with [hate incidents](#) during the pandemic (January 2020-present). There are **three ways** organizations can participate:
 - a. **Sign up to make an online oral presentation to the Commissioner or participate in an online roundtable.** These sessions will take place in November 2021 and will be hosted through Zoom (an online meeting platform) with the option to join by telephone. To sign up, send an email to inquiry@bchumanrights.ca or call 1-844-922-6472 (toll free).
 - b. **Prepare a written submission** and provide it to BCOHRC by March 31, 2022.
 - c. **Prepare a video submission** and provide it to BCOHRC by March 31, 2022.
15. For details about how to provide written submissions and video submission to the Commissioner, see [section on making submissions](#) below.
16. Through any of these methods of making submissions, organizations can provide any information that answers the following **questions**:
 - a. Who does your organization represent, serve, or work with?
 - b. Has your organization seen a rise in hate during the pandemic? If so, are you able to share any stories or data you've been collecting about the frequency and the nature of these hate incidents, the specific demographic groups (e.g., age, race, gender, etc.) within your communities that have been frequently targeted, and the impact on your communities?
 - c. What role do you think the pandemic has played in the rise of hate your organization has seen? What could have been done differently by government and other duty-bearers to reduce this impact?
 - d. Has your organization responded to this increase in hate (such as increased direct support, creating a reporting line, assisting people to report to the police, assisting people to file complaints with the B.C. Human Rights Tribunal, political advocacy, public campaigns, etc.) or do you have plans to do so in the future? What have been the strengths and challenges of those approaches?

- e. What services or mechanisms exist in your community to report hate incidents or to support people who have experienced hate incidents, and what are the strengths and challenges of those?
 - f. Is there anything else you'd like to add to inform recommendations to address, eliminate or prevent hate incidents during times of crisis and beyond?
17. Limited financial support is available to enable organizations to participate. An emotional support person will be available (in an online breakout room) to support presenters on the day of their oral presentation. See [section on financial support](#) for more information.
18. The Commissioner will keep these presentations and submissions confidential unless community organizations provide consent to the Commissioner to post them on the Inquiry website and/or to refer to them in the Commissioner's Inquiry final report. However, the Commissioner will identify the community organizations whose presentations and submissions she relies on in her Inquiry final report, and on the Inquiry website.

How to participate - Individuals who have experienced or witnessed hate incidents

19. The Human Rights Commissioner would like to hear from any person who experienced or witnessed a hate incident during the pandemic (January 2020-present) to ensure we hear from those most directly affected by hate incidents.
20. There will be **five ways** individuals can participate:
- a. **Complete a survey online, by phone or printed copy.** The survey and hotline will be available in numerous languages starting in early 2022.
 - b. **Prepare a written submission** and provide it to BCOHRC by March 31, 2022.
 - c. **Prepare a video submission** and provide it to BCOHRC by March 31, 2022.
 - d. **Sign up to make an oral presentation to the Commissioner or provide a witness statement** starting in early 2022.
 - e. **Submit an artistic expression** and provide it to BCOHRC by March 31, 2022.
21. For details about how to provide written and video submissions and artistic expressions to the Commissioner, see [section on making submissions here](#).
22. The Commissioner recognizes that sharing experiences with hate can be retraumatizing. To support individuals to share their experiences with hate



during the pandemic, BCOHRC will provide interpreters and/or other specific accommodations to ensure individuals can participate in an accessible, trauma-informed, safe, and/or culturally appropriate way, as outlined in the [section on accessibility here](#). BCOHRC will also be developing a network of community liaisons. These community liaison organizations will provide outreach and support to community members that want to participate in the Inquiry survey in early 2022. In addition, BCOHRC will provide counselling support to participants who require that support.

23. BCOHRC will keep survey responses anonymous and confidential. The Commissioner will only rely on aggregate and de-identified data from the survey responses when preparing her Inquiry final report. BCOHRC will keep written and video and submissions, oral presentations, witness statements and artistic expressions confidential unless people consent to the Commissioner posting these documents to the Inquiry website and/or including them in her Inquiry final report. The Commissioner may describe the written and video submissions, witness statements and artistic expressions in a de-identified way in her Inquiry final report, and on the Inquiry website.

How to participate - Indigenous governments, public and private sector institutions, and academics

24. The Human Rights Commissioner would like to hear from Indigenous governments, public and private sector institutions, and academics about their experiences with and/or research related to hate during the pandemic (January 2020 – present).
25. There will be **three ways** to participate:
- a. **Sign up to make an oral presentation** to the Commissioner at an online session in early 2022 designated for these groups. These sessions will be hosted through Zoom (an online meeting platform) with the option to join by telephone.
 - b. **Prepare a written submission** and provide it to BCOHRC by March 31, 2022.
 - c. **Prepare a video submission** and provide it to BCOHRC by March 31, 2022.
26. For details about how to provide written submissions and video submissions to the Commissioner, see [section on making submissions here](#).
27. Limited financial support is available to enable Indigenous governments to participate. For details about financial support, see [section on financial support here](#).

28. The Commissioner will keep these presentations and submissions confidential unless Indigenous governments, public and private sector institutions, and academics provide consent to the Commissioner to post them on the Inquiry website and/or to refer to them in the Commissioner's Inquiry final report. However, the Commissioner will identify the Indigenous governments, public and private sector institutions, and academics whose presentations and submissions she relies on in her Inquiry final report, and on the Inquiry website.

How can "formers" or disengaged perpetrators of hate participate?

29. In order to gain a deeper understanding of hate incidents, the Human Rights Commissioner wants to hear from "formers" or disengaged perpetrators of hate. A former is "a person who, at one time, subscribed to, promoted, or perpetrated violence in the name of a particular extremist ideology, who has publicly or privately denounced the violence in which they were once involved, and who actively seek to grow beyond their past as a former."¹

30. There are three ways formers can participate:

- a. **Sign up to make an online oral presentation to the Commissioner** at a session in early 2022 designated for "formers" and disengaged perpetrators of hate. This session will be hosted through Zoom (an online meeting platform) with the option to join by telephone.
- b. **Prepare a written submission** and provide it to BCOHRC by March 31, 2022.
- c. **Prepare a video submission** and provide it to BCOHRC by March 31, 2022.

31. For details about how to provide video submission to the Commissioner, see [section on making submissions here](#).

32. The Commissioner will keep these presentations and submissions confidential unless "formers" or disengaged perpetrators of hate provide consent to the Commissioner to post them on the Inquiry website and/or to refer to them in the Commissioner's Inquiry final report. However, the Commissioner will identify the "formers" or disengaged perpetrators of hate whose presentations and submissions she relies on in her Inquiry final report, and on the Inquiry website.

Procedures for oral presentations and roundtable participation ("Inquiry sessions")

33. This section applies to online oral presentations and roundtable participation sessions.

¹ Brad Galloway, Life After Hate 2021

34. The Commissioner will preside over the Inquiry sessions and will be assisted by Inquiry counsel and other BCOHRC staff.
35. The Inquiry sessions will be conducted informally to improve the ability of Inquiry participants to share their experiences with the Commissioner.
36. The formal rules of evidence do not apply to the Inquiry sessions. Inquiry participants will not be required to provide their evidence/information under oath or affirmation.
37. Oral presentations and roundtables may include questions from the Commissioner and Inquiry counsel. Questioning will be done in a manner that will enable participants to share their experiences safely.
38. BCOHRC will ensure emotional support people are available at Inquiry sessions (in a breakout room) to support participants as required.
39. Inquiry sessions will only be open to presenters, and BCOHRC staff. They will not be open to the public or media. BCOHRC will record the Inquiry sessions. BCOHRC will post these recordings to the Inquiry website only if Inquiry participants consent. BCOHRC may livestream online sessions if participants consent.
40. Where Inquiry participants do not consent to their presentations being posted to the Inquiry website, BCOHRC will keep their submissions confidential. Only those BCOHRC staff authorized by the Commissioner will have access to confidential information. However, the Commissioner will identify the Inquiry participants whose presentations and submissions she relies on in her Inquiry final report and on the Inquiry website.
41. If interest in participating in Inquiry sessions exceeds the time set aside for these sessions, some people and organizations may be invited to make written and/or video submissions.

How to provide written and video submissions and artistic expressions to the Commissioner

42. Video and written submissions and artistic expressions can be sent to BCOHRC by uploading them at [this link](#). To upload a new file to the link:
 - a. Navigate to the link (click the link to access it).
 - b. Click **Upload files** (the button on the right-hand side of the screen).
 - c. Drag files or folders from your computer into the window or click **Choose files +** and select as many files as you'd like from the computer file browser.
 - d. Click **Add** or **Open** once you have selected a file. The upload should then begin automatically.

e. Once a small checkmark (✓) appears next to the name of the file you're uploading, the upload is complete. You can now close the tab/window or otherwise navigate away from Sync.

43. Alternately, submissions can be emailed to inquiry@bchumanrights.ca or mailed to BCOHRC at 536-999 Canada Place, Vancouver, BC V6C 3E1.

44. Uploaded files will only be shared with the Inquiry team. The platform BCOHRC is using to enable uploads is Sync. Sync is an alternative to Dropbox meets federal and provincial data privacy standards, including by storing data in Canada and using end-to-end encryption. For questions or concerns about information and privacy during this inquiry, contact inquiry@bchumanrights.ca or Mark Milotay, BCOHRC's Chief Information Officer: 400-1019 Wharf Street, Victoria BC • 778-698-9125 • mark.milotay@rcybc.ca

Financial support

45. Providing financial support to organizations to enable their participation in the Inquiry is consistent with BCOHRC's **guiding principles**.

46. BCOHRC generally does not anticipate that organizations will be represented by lawyers in making their submissions.

47. BCOHRC has limited funding available. Funding will be available to support organizations to prepare oral presentations, written submissions and/or video submissions that are relevant to the Inquiry. Funding will be available until the closing of written and video submissions in spring 2022 or until the financial support budget is used up, whichever is sooner.

48. A portion of the available funding will be allocated to support Indigenous organizations and Indigenous governments to participate.

49. BCOHRC will provide funding to organizations to support preparation of the following:

- a. oral presentations - \$250
- b. video submissions - \$250
- c. written submissions - \$250

50. The maximum amount of funding BCOHRC will provide to any organization to prepare an oral presentation, written submission and/or video submission is \$500.

51. Funding will only be provided to organizations that request financial support. To request financial support, send an email to inquiry@bchumanrights.ca and include the following information:

- d. Name and address of the organization
- e. Describe who your organization represents, serves, or works with
- f. Describe in 2-3 sentences why your submission will be relevant to the Inquiry
- g. Specify whether the request is for funding to make an oral presentation, written submission and/or video submission

52. Only organizations are eligible for financial support from BCOHRC. Individuals are not eligible for financial support under this guideline.

53. Funding will be provided by honorarium (cheque) and only after the oral presentation, written submission and/or video submission is received by the Commissioner.