

Written Submission to the BC Office of
Human Rights Commissioner

Removing barriers to reporting hate crimes

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Steven Ngo, J.D., M.G.C.

Vietnamese Professionals Association
of BC, Chair of Advocacy Committee

Member of Law Society of BC and Law
Society of Alberta

Introduction – Vietnamese Professionals Association of BC (VPABC)

Vietnamese Professionals Association of BC¹

- The Vietnamese Professionals Association of BC is an organization that represents the interests of professionals and students who are of Vietnamese heritage in Greater Vancouver and British Columbia.
- Our mission is to create a welcoming and strong positive supportive environment that fosters growth and connections between Vietnamese professionals, students, and those interested in the Vietnamese community in Greater Vancouver and British Columbia.
- Learn more: <http://vpabc.ca>

Introduction – Steven Ngo

Steven Ngo

- Recipient of the 2022 BC Medal of Good Citizenship³
- Chair of Advocacy Committee, Vietnamese Professionals Association of BC and Vice President, Federation of Asian Canadian Lawyers BC
- Featured alumnus of the Peter A. Allard School of Law at UBC²
- Member of the Law Society of British Columbia and the Law Society of Alberta
- Learn more: <http://linkedin.com/in/ngosteven>

Executive Summary

- **Purpose:** To make reporting hate crimes as accessible as possible
- **Recommendations:**
 - a. Implement an hate crime reporting system online in English and multiple languages
 - b. Provide instructions on how to report hate crimes in English and multiple languages
 - c. Promote the hate crime reporting system through media releases, press conferences and online / print advertising in English and multiple languages to build awareness and rebuild trust with the community

The Surge of Hate Crimes

- Many of us have witnessed the surge in hate-motivated crimes since the start of pandemic.⁴
- Hate crimes affect our friends, our neighbours and our community.

My Story

- I was the target of a hate-motivated attack in April 2021 where two Caucasian males shouted a racial slur and threw trash at me before speeding off.
- When I tried to report my hate crime to the Vancouver Police Department, I faced with multiple challenges.
- I waited on the phone for more than 30 minutes and when I went online, there were reporting forms only in traditional and simplified Chinese.
- This story has been captured in over 30 national and international media outlets and in multiple languages (English, French, Cantonese, Mandarin, Vietnamese, Japanese, Punjabi and Tagalog)⁵

The Narrative from Government and Police

- The prevailing narrative from the government and police is to encourage residents to report hate crimes.
 - “Hate crimes are likely to be among the most underreported offences in the province. If you are the victim or a witness of a racist or hate incident, you can take action.”⁶
 - “Over the past year, Richmond RCMP has also engaged a number of initiatives aimed at promoting inclusion and tolerance while encouraging victims of hate motivated incidents to speak out.”⁷

The Reality Faced by Victims

- Yet when victims actually try to report these hate crimes, they are unable to and are faced with systemic barriers that deter reporting.
 - For instance, Victoria Police Department reported wait times of 50+ hours on their non-emergency line.⁸ Would you wait 50 hours to report a hate crime?
- **Hate crimes are underreported, because there are systemic barriers in place.**

Data Drives Decision-Making

- **Data drives decision-making** by politicians⁹ and police chiefs¹⁰, and can even affect funding.¹¹
 - When residents feel that they are unable to report hate crimes, this results in a negative spiral effect and further perpetuates the under-reporting of hate crimes.
- Systemic barriers in place result in internalized racism within our community who are discouraged from speaking up.
- While the surge in hate crimes can be attributed to a variety of sociological factors that are beyond our control, what is in our control are the systems in place to help victims report hate crimes to the police (if they choose to).

What does the research say?

Responding to hate crime: Escalating problems, continued failings (Chakraborti, N. (2018) *Criminology & Criminal Justice* 2018)¹²

- The process of reporting can exacerbate existing concerns on part of the victim.
- Although some victims could take a degree of comfort from sharing experiences with friends or family members, the overwhelming majority across all strands of victims and types of incident would have welcomed the opportunity to tell the police or another appropriate 'authority' figure if the barriers to reporting did not feel so insurmountable.
- Without uniform data on hate crime, we are left with a limited understanding of the distribution and dynamics of hate crime in Canada.

What does the research say?

Chinese Canadians' experiences of the dual pandemics of COVID-19 and racism: implications for identity, negative emotion, and anti-racism incident reporting (Lou, N. M., Noels, K. A., Kurl, S., Zhang, Y. S. D., & Young-Leslie, H. (2021). *Canadian Psychology/Psychologie canadienne*.)¹³

- Under-reporting racism 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
- Given the prominence of discrimination and racial harassment during the pandemic, researchers and government should become more proactive in identifying strategies to address racism, such as greater inclusion and representation in media to reduce perpetual foreigner objectification, normalization of reporting racial harassment, and **making reporting more accessible are essential to alleviate the effects of this crisis.**

What does the research say?

Policing hate crime in a Multicultural society observations from Canada (Perry, B. (2010) *International Journal of Law, Crime and Justice* 38)¹⁴

- Typically, only 15-20% of such victimizations are ever reported to police largely because the victims anticipate either lack of concern, or some form of secondary victimization (hostility, further abuse, or inaction).
- This disempowers victims. They perceive themselves to be without legal redress. Without uniform data on hate crime, we are left with a limited understanding of the distribution and dynamics of hate crime in Canada.

What is status quo?

- Hate crime victims can only report by calling a non-emergency line.
- Issues:
 - Phone lines not staffed at all times. Depending on the day, phone lines are closed as early as 5pm (Richmond).¹⁵
 - Callers are forced to wait on hold for unreasonably long periods of time.
 - Victoria has reported that non-emergency callers are facing over 50-hour waits (Global News).¹⁶
 - There is a lack of language support on the non-emergency lines. Police websites explicitly indicate that services are provided in English or French only.¹⁵

What is status quo?

- Only Vancouver, Ottawa and Montreal offer option to report hate crimes online.¹⁷
 - Vancouver is the only city in Canada that allows victims to report hate crimes in 14 languages.
- All other jurisdictions require victims to call a non-emergency phone line.
 - Police resources are stretched and hate crime victims cannot reach the help that they need.
 - Calling 9-1-1 should be reserved only for emergency incidents. “E-Comm itself has posted on social media warning the public they may have to wait on hold.”¹⁸
- **Barriers to reporting will continue to result in underreporting of hate crimes.**

Why is language important?

- Language is a barrier to reporting hate crimes.
- For those who are not fluent in English, calling the police is intimidating and discourages individuals from calling the police in the first place.
- The implementation of an online hate crime reporting system can affect the lives of millions of visible minorities across Canada.
 - In BC, 1.3 million people are visible minorities (30%; Census 2016)¹⁹
 - In Canada, 7.6 million people are visible minorities (22%; Census 2016)²⁰
- Online hate crime reporting allows victims to compose their thoughts in writing and have a translator (i.e. family member) by their side when the police call at a later date.

What is the impact on our society?

- The lack of any response within all levels of government has resulted in internalized racism.
- The narrative on the ground is that hate crimes are now a way of life.
- Graffiti continues to be prolific, especially in areas where racialized minority populations are high²¹



What are our recommendations?

Make reporting hate crimes as accessible as possible

1. Implement an hate crime reporting system online in English and multiple languages
 - a. This is already in place in [Vancouver](#), [Ottawa](#) and [Montreal](#), so it is possible.
 - b. Pilot projects have launched in North Vancouver and Coquitlam, but this needs to be available in all cities across BC and Canada.
2. Provide instructions on how to report hate crimes in English and multiple languages.
3. Promote hate crime reporting system through media releases, press conferences and paid advertising in English and multiple languages to build awareness.

What are views from policy groups?

Recommendation from ACCT Foundation (September 2021)²²

- “Reporting services be accessible, culturally appropriate and available in multiple languages, with dedicated support provided for victims of hate crimes after reporting, and that the process include victim impact statements”

Recommendation from National Forum on Anti-Asian Racism hosted by UBC)²³

- “We need to address barriers to reporting and prosecuting hate crimes and use alternatives to the criminal justice system to report and respond to racism”.

Does this align with government mandate?

Mandate Letter to Minister Farnworth from Premier John Horgan ([November 26, 2020](#))²⁴

- Increase support for initiatives that are proven to prevent and reduce crime and increase the use of restorative justice programs
- 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 crime units within local police forces

Does this align with government mandate?

Roadmap for a Renewed U.S.-Canada Partnership (Prime Minister Justin Trudeau and President Joe Biden - February 23, 2021)²⁵

- The two leaders expressed their shared determination to implement more effective, equitable, and inclusive approaches to community safety, criminal justice, and law enforcement.
- They will direct their agencies to focus on modernizing approaches to community safety and addressing issues of systemic racism and discrimination, including through meaningful engagement with civil society and community leaders.
- This work will also consider innovative approaches to implementing institutional and community-based prevention, intervention, and diversion initiatives”

Contact

Thank you

- **Steven Ngo**, J.D., M.G.C.
 - Email: stevenngo@gmail.com
 - LinkedIn: <https://linkedin.com/in/ngosteven/>
 - Website: <http://fixpolicereporting.ca>

With assistance from:

- **Kevin Li**, Bachelor of Arts, Political Science (UBC), Policy Analyst
- **Vivian Nguyen**, Bachelor of International Economics (UBC), Policy Analyst
- **Vietnamese Professionals Association of BC**
 - Email: advocacy@vpabc.ca
 - Website: <https://vpabc.ca>

Appendix

Research

- Analysis of Hate Crime Reporting in BC:
<https://docs.google.com/spreadsheets/d/1HHLZLBzRqz4aJQCsi6WqNMvwNrGlv-Gu8CLAzibfHdl/edit#gid=992213033>
- Summary of Academic Research:
<https://docs.google.com/document/d/1kLqUkcppdzdwokmqIDCUgP3JerlrQtfgFMqBlvQLCKU/edit>

Online Hate Crime Reporting

- Vancouver Police Department:
<https://vpd.ca/report-a-crime/>
- Ottawa Police Department:
<https://www.ottawapolice.ca/en/safety-and-crime-prevention/hate-motivated-incidents.aspx>
- Montreal Police Department:
<https://spvm.qc.ca/en/Fiches/Details/Hate-Crimes-and-Hate-Incidents>

Endnotes

1. Vietnamese Professionals Association of BC: <http://vpabc.ca>
2. History Project (Peter A. Allard School of Law):
<https://historyproject.allard.ubc.ca/law-history-project/profile/steven-ngo>
3. 2022 BC Medal of Good Citizenship Recipients:
<https://www2.gov.bc.ca/gov/content/governments/celebrating-british-columbia/honours-and-awards/medal-good-citizenship/latest-recipients/recipients#ngo>
4. Stats Canada: <https://www150.statcan.gc.ca/n1/pub/85-002-x/2022001/article/00005-eng.htm>
5. Fix Police Reporting (Media Mentions): <http://fixpolicereporting.ca>
6. Province of BC:
<https://www2.gov.bc.ca/gov/content/governments/multiculturalism-anti-racism/anti-racism/report-hate-crime>
7. Statement from RCMP Richmond:
<https://bc-cb.rcmp-grc.gc.ca/ViewPage.action?siteNodeId=2122&languageId=1&contentId=69048>
8. Times Colonist:
<https://www.timescolonist.com/local-news/vicpd-says-some-callers-waiting-more-than-50-hours-for-police-response-4691028>
9. Remarks from Premier Horgan: <https://globalnews.ca/news/7647135/horgan-bc-presser-feb-18/>
10. Vancouver police launch task force to address spike in hate crime:
<https://www.cbc.ca/news/canada/british-columbia/vpd-hate-crimes-still-on-rise-1.5653564>
11. Province restores \$5.7M in requested funding to Vancouver police, overriding city's budget decision:
<https://www.cbc.ca/news/canada/british-columbia/vpd-budget-override-1.6385427>
12. Chakraborti:
https://drive.google.com/file/d/1U3lk6_uBcwNwv25MWLkmiQE95lzpUo6/view?usp=sharing
13. Lou: <https://drive.google.com/file/d/1h5zneV5GMwe1A01zpHfuyU8pl2utR4YI/view?usp=sharing>
14. Perry: <https://drive.google.com/file/d/10eAxZk7pkI3Myw7gGK40rfZHUrom0Fy2/view?usp=sharing>
15. Richmond RCMP: <https://www.rcmp-grc.gc.ca/detach/en/d/251>

Endnotes

16. Global News: <https://globalnews.ca/news/8075109/victoria-police-non-emergency-wait-times/>

17. Online Hate Crime Reporting

- Vancouver Police Department: <https://vpd.ca/report-a-crime/>
- Ottawa: <https://www.ottawapolice.ca/en/safety-and-crime-prevention/hate-motivated-incidents.aspx>
- Montreal: <https://spvm.qc.ca/en/Fiches/Details/Hate-Crimes-and-Hate-Incidents>

18. CTV News:

<https://bc.ctvnews.ca/worst-case-scenario-of-new-b-c-911-system-means-someone-may-die-alone-listening-to-a-recording-union-1.5690003>

19. BC Stats Canada:

<https://www12.statcan.gc.ca/census-recensement/2016/dp-pd/prof/details/page.cfm?Lang=E&Geo1=PR&Code1=59&Geo2=PR&Code2=59&SearchText=British+Columbia&SearchType=Begins&SearchPR=01&B1=Visible%20minority&TABID=1&type=0>

20. Internal Research:

<https://docs.google.com/spreadsheets/d/1HHLZLBzRqz4aJQCsi6WqNMvWnrGlv-Gu8CLAzibfHdl/edit#gid=39440847>

21. Global News:

<https://globalnews.ca/video/8619926/chinatown-graffiti-vandals-rarely-caught-or-prosecuted/?fbclid=IwAR1bfjHxeMALxSUSStatz07f1fNzSnZ7Aieokv0mFQ2z4xplfTt3I9SKC-QE>

22. ACCT Foundation: https://drive.google.com/file/d/1w4jNiqeAcQ5Wxwz-rOn5jB1zfSqX_V0d/view

23. UBC National Forum: https://drive.google.com/file/d/1WJFopde73nxUTP8AKcTjfnC_E1r0eaXx/view

24. Mandate Letter from Premier John Horgan:

https://www2.gov.bc.ca/assets/gov/government/ministries-organizations/premier-cabinet/mlas/minister-letter/farnworth_mandate_2020.pdf

25. Press Release from White House:

<https://www.whitehouse.gov/briefing-room/statements-releases/2021/02/23/roadmap-for-a-renewed-u-s-canada-partnership/>