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Canada's  
BLACK JUSTICE
 Strategy

Jaku  *Konbit*

Canada 

Table of Contents

Executive Summary	3
Introduction	4
About Jaku Konbit	4
Jaku Konbit’s Engagement Methodology	6
Analyzing the data	9
General Findings	10
Validating the Five Pillars of the CBJs Framework	12
Social Determinants of Justice	12
Policing	13
Courts and Legislation	13
Corrections	14
Victims and survivors of crime	15
Immigration consequences for non-citizens convicted of a crime (deportation)	15
Data collection	16
Recommendations	17
Conclusion	18

Executive Summary

The overrepresentation of Black Canadians in the criminal justice system is a long-standing and troubling fact of Canada's legal system. There are many contributing factors, and abundant research already exists on the matter.¹ Anti-Black racism leads to the legal system perpetuating and sustaining a system of inequality across Canadian society.

In 2021, the Government of Canada announced that the Minister of Justice would work to develop, in consultation and cooperation with provinces, territories and Black Canadians, a Black Canadians Justice Strategy (CBJS). The Strategy is to provide the federal government with responses to address anti-Black racism and tackle the systemic discrimination that has led to the overrepresentation of Black people in the criminal justice system, including as victims of crime. The Strategy will aim to help ensure that Black people have access to equal treatment and equal protection before the law in Canada.

Between August and October 2023, Jaku Konbit, in partnership with a coalition of Black-focused organizations across Canada, were invited by the Department of Justice to lead engagement sessions with Black Canadians with the intent of assembling a comprehensive collection of data and firsthand experiences, illuminating the anti-Black racism within the criminal justice system.

Black youth and adults raised pressing concerns about being racially profiled, not being believed when reporting being a victim of crime, over-surveillance and experiencing harsher sentences than non-Black offenders. It was evident of the psychological toll the justice system can have and the complex traumas that emerge from being subject to persistent and widespread anti-Black racism. They also offered hope for a better future and willingness to work with the justice system to find solutions.

This report summarizes discussions held during the engagement sessions and surveys with Black communities.

¹ <https://ccla.org/wp-content/uploads/2021/08/CCLA-Anti-Black-racism-criminal-justice-system.pdf>

Introduction

As presently constructed, Canada's justice system does not provide Black Canadians with equal treatment and equal protection before the law. As a result, Black Canadians have and continue to have disproportionately negative treatment when encountering elements of the justice system. There is an urgent need to address the situation as it worsens.

The CBJIS will also help respond to the United Nations' International Decade for People of African Descent (2015-2024) call to action, which recognizes the barriers experienced by Black people, including in the criminal justice system, and urges reform and modernization of justice systems worldwide.

In September and October 2023, Jaku Konbit, in partnership with a coalition of Black-focused organizations across the nation, were invited by the Department of Justice to lead engagement sessions with Black Canadians with the intent of assembling a comprehensive collection of data and firsthand experiences, illuminating the persisting anti-Black racism and systemic discrimination within the criminal justice system. Jaku Konbit engaged Black community members in Ottawa and the Gatineau-Aylmer parts of Quebec in the national capital region, as well as Black residents from Eastern Ontario rural communities. Considering the diversity of Black communities, online surveys and in-person engagement sessions were in English, French and various languages of Black ethnic groups (Somali and Amharic). Leveraging the strong community relations that Jaku Konbit has nurtured over its 23 years of existence, we were able to reach 170 participants representing Black youth, Black adults, and Black legal professionals: lawyers, police officers, correctional services workers, including those working with Black youth, Black social workers including mental health practitioners, and Black community-led and serving organizations.

During the sessions, participants described their interactions with the different elements of the justice system. They discussed frustrations with the lack of progress despite an abundance of data and efforts by Black communities to improve relationships with police. Participants described the physical and mental toll on their well-being due to interactions with a systemically anti-Black criminal justice system. They also shared their ideas on improvements in the criminal justice system. They urged the facilitators to ensure the Department of Justice understood the urgency of the matter, as the injustice contributes to the erosion of trust between Black communities and the Government of Canada.

About Jaku Konbit

Jaku Konbit is a registered non-profit community-based organization that has served our national capital community since 2000. Jaku Konbit's mission is to support individuals and families of African and Caribbean descent and other equity-deserving individuals through community partnership and programming that results in successful economic and civic participation in Canadian society. Our approach stems from Afrocentric and cultural paradigms that draw from our dynamic history to deliver programs that foster strength and resilience in individuals and families.



Jaku Konbit offers a variety of programs and services aimed at empowering Black youth and facilitating their entry into the workforce. These initiatives provide young individuals the necessary skills and resources to thrive professionally. We are also dedicated to providing programming for adults and elders and the broader community so they can thrive in the community.

We are known for our long-standing commitment to delivering programs that cater to the well-being of individuals with African and Caribbean heritage while also being inclusive of Ottawa's culturally diverse community. Every year, Jaku Konbit reaches individuals within the Black community in Ottawa and the surrounding area. In 2022, our programs and initiatives served over 3,000 individuals and families in the community. The programs and services annually support and guide 150 young individuals in pursuing successful employment and career development.



Jaku Konbit's Engagement Methodology

Census data (2021) indicates that Ottawa-Gatineau has the third largest Black population in the country, behind only Montreal and Toronto. At least 114,230 people in the region identify as Black, representing 7.8% of Ottawa-Gatineau.² Although nearly half of the province's Black population was born in Canada, Black immigrants in Ontario come from 150 different countries. About 50% were born in the Caribbean, with Jamaica (33.9%) as the leading source country. Jamaican was also the most frequently reported origin of those born in Canada. Nigeria, Trinidad and Tobago, Somalia, Ghana, and Ethiopia were the five other most commonly reported countries for Black immigrants.³

On average, the Black population is younger than the total population in Canada. In 2021, the median age for the Black population was 30.2 years. Over 25% of the Black population is under 15 years old, while they represent 16.5% of the total population. At the other end of the age spectrum, 7.4% of the Black population is 65 years and over, less than the national average.⁴ Given this diversity, Jaku Konbit took a multi-pronged approach to ensure we captured as many perspectives as possible.

Jaku Konbit's communication and outreach included:

- a press release in Canada's official languages;
- branded posters and graphical renditions of various electronic and printed sizes;
- social media outreach (Twitter, Facebook, Instagram and LinkedIn);
- direct email via Mail Chimp to a custom-cultivated 600-plus-address mailing list, and
- direct phone calls as well as follow-up phone calls as necessary.

To include those who hold various family and societal duties, Jaku Konbit endeavoured to engage the community in person and virtually. For example, Friday afternoons, Saturdays and Sundays were viewed as days with few participants depending on their faith. Similarly, having a space for prayers was also necessary. Participants and hosts/facilitators received financial compensation.

We sent invitations to a 125-person sample size along the following categories:

- 25 Black youth who were victims or had some form of interaction with the criminal justice system or someone who has interacted with police;
- 20 Black adults who have some interactions with the justice system;
- 20 Black police officers who work within the correctional services;
- 20 Black lawyers who work within the justice space;
- 25 Professional service providers (social workers, correctional workers) who work with youth and families dealing with the justice system; and,
- 15 agencies and community partners who provide support to youth and families.

² <https://www150.statcan.gc.ca/n1/pub/89-657-x/89-657-x2019002-eng.htm>

³ <https://www.cbc.ca/news/canada/ottawa/ottawa-census-2021-population-black-arab-bipoc-1.6630200>

⁴ https://www.statcan.gc.ca/en/dai/smr08/2023/smr08_270

Additionally, Jaku Konbit identified national capital region community-based organizations – agencies and community partners to participate in our community consultation processes. They include:

- 1) Youth Services Bureau
- 2) BGC Ottawa - Boys and Girls Club - Ottawa Community Youth Diversion Program
- 3) African Canadian Association of Ottawa
- 4) Pinecrest Queensway Health Community Centre
- 5) Children Aid Society of Ottawa
- 6) Muslim Family Service of Ottawa
- 7) Le Regroupement Ethnoculturel des Parents Francophones de l'Ontario est un organisme
- 8) Africa Development Network (Francophone)
- 9) North-South Development Roots and Culture Canada
- 10) Somali Centre for Family Services
- 11) Somerset West Health Community Centre
- 12) BIA Media /ABEPOG - Association of Black Entrepreneurs of Ottawa-Gatineau
- 13) Justice for Abdirahman
- 14) Correctional Officers
- 15) John Howard Society
- 16) Youturn Youth Support Service
- 17) Black Professional Network
- 18) Youth Evolution Mentoring
- 19) AfriCanadian Searchers
- 20) Suradway Parents' Association of Ottawa
- 21) The Therapeutic Guide
- 22) Jamaican Ottawa Association
- 23) Umoja Black Community Engagement Program - Carleton University

We used three engagement modes:

- Online survey;
- Roundtables: Jaku Konbit developed customized discussion questions for focus groups (15 - 20 persons in each group);
- Key Informant Interviews: The host organizations and Jaku Konbit conducted follow-up interviews with up to 10 people in person or on the phone.

We led sessions in person and online. Individuals unable to attend a group session could complete the online survey. Our engagement in the Ottawa-Gatineau region reached 100 participants through:

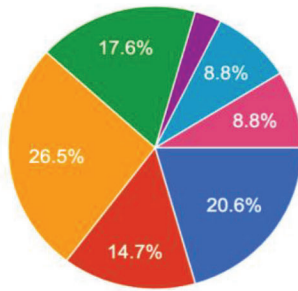
- 5 in-person group sessions
- 1 virtual/online group session
- Completion of 34 online surveys
- Interviews with 8 community organizations



The following graphs pertain to demographic data for participants who completed the online survey only.

For the purpose of this survey which category below best describes you? Note: Criminal Justice System (CJS)

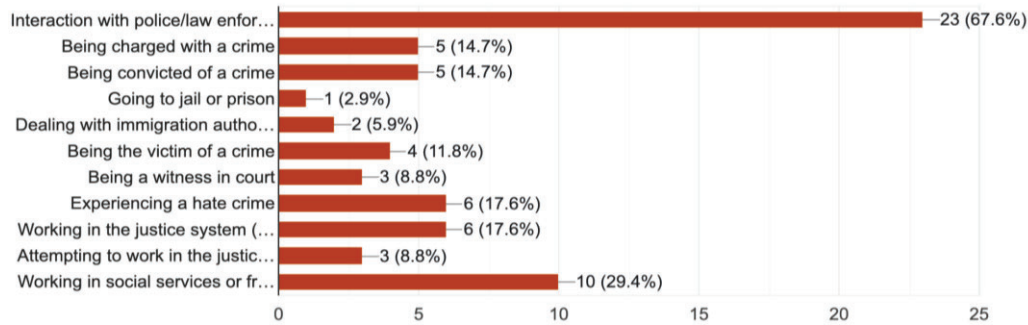
34 responses



- 1) Black Youth 16 years or older who have had relevant interactions with CJS
- 2) Black family members/friends of Black individuals with relevant interactions with the CJS
- 3) Black adults who have had relevant interactions with the CJS
- 4) Black police officers who work within the CJS
- 5) Black lawyers who work within the CJS
- 6) Professional Service Providers (social workers, etc.)
- Student who are involved in Black Student Organizations

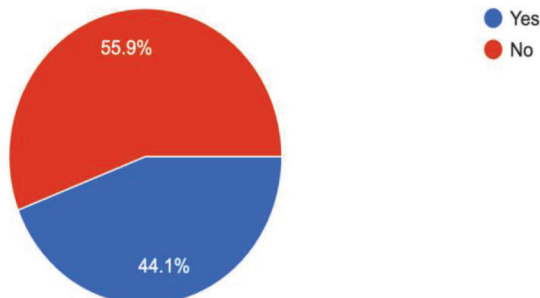
Have you or a loved one had contact with the justice system in any of these ways (select all that apply) :

34 responses



Have you or someone you know been a victim of crime or a witness to a crime?

34 responses



Analyzing the data

Following each engagement session, facilitators and interviewers prepared a report submitted to the Jaku Konbit Research Team. The reports included responses to the engagement questions provided in Canada's Black Criminal Justice Strategy (CBJS) Framework and information about the session (e.g., number of participants, language, observations, etc.). Online surveys were completed and compiled using Google Forms. We used open-ended questions to allow participants to express how they truly felt. Facilitators documented responses to ensure accuracy in representing the participants' views.

The Research Team identified how Black communities in the Ottawa-Gatineau region perceive Canada's justice system, their assumptions and concerns about their treatment when interacting with the system, and their ideas for how to address systemic barriers and improve the delivery of justice services and programs. We reviewed existing research to help ascertain how the ideas and suggestions from the participants may apply to reforms and fixes to Canada's justice system. For the CBJS Framework's pillars (Social Determinants of Justice, Policing, Courts and Legislation, Corrections, Reintegration and Re-entry), a recurring theme was the apparent lack of respect for Black communities from members of the justice system and that a history of colonialism, racial biases, power dynamics were contributing to over-policing and excessive use of force, over-criminalization and over-incarceration of Black Canadians.



General Findings

According to the 2020 General Social Survey on Social Identity, one in five Black and Indigenous people have little or no confidence in the police, double the proportion among those who were neither Indigenous nor a visible minority.⁵ Based on the engagement sessions conducted, a lack of confidence exists not only when interacting with the police but also when interacting with the courts, corrections officers and other agents of the justice system. Here is what we heard when participants were asked to describe their experiences or those of their family members when interacting with the justice system:

- “Personally, I have dealt with racial profiling. For instance, I was driving a nice rental vehicle and was pulled over, and when I asked the officer what I had been pulled over for, it was for no apparent reason, and he let me go.”
- Being wrongly convicted and imprisoned for crimes they did not commit due to faulty evidence, coerced confessions, or inadequate legal representation.
- Cases in which victims of crime were treated insensitively or blamed for the crimes committed against them, discouraging them from reporting or participating in the legal process.
- Failure to provide sufficient rehabilitation and support services to incarcerated individuals hinders their chances of successful reintegration into society upon release.
- “Police harassing me because of the colour of my skin even though I'm not doing anything wrong.”
- “Me or my family getting harassed by police due to the fact I live in low-income housing.”
- “Most, if not all, our interactions with the police were negative”. The police humiliate us for no reason. The police hate us. Police are always rude and judgmental. My family and I were arrested for jaywalking.
- Being pulled over for riding on the sidewalk. “I fear for my life when dealing with the police.”
- “Wrongfully searched, they placed stuff in my car, dragged me out of my house in the winter for no reason, and being chased by the police dogs.”
- They are always just around the neighbourhood, so they are being spoken to for no reason and feeling harassed as they abuse their power.
- “I have been a victim of excessive use of force by police.”

When asked, “How have your experiences shaped your opinion of the justice system?” numerous participants described an erosion of trust towards the justice system.

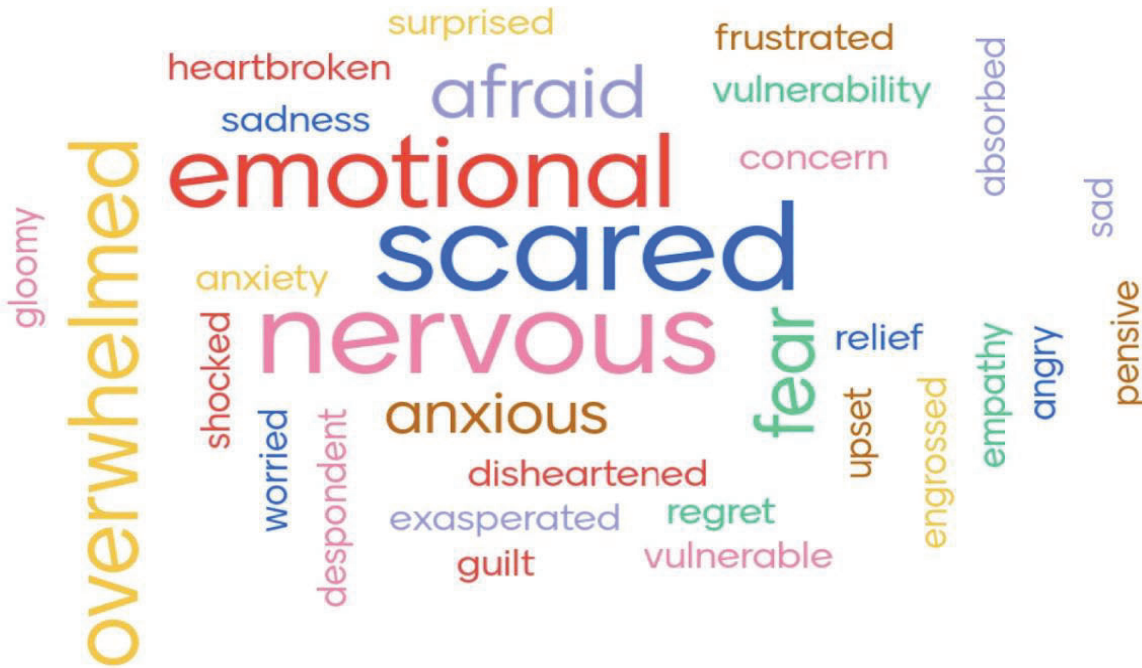
- “There is a lot of discrimination and injustice when it comes to Black people in the justice system.”
- “I have very little faith in the system's responsiveness to the needs of black victims and its ability to be fair and just to accused black people.”
- “I don't have a lot of faith in the criminal justice system due to the lack of punishment for crimes.”
- “The system is racist. Most of the people in the system are white. White people don't understand

⁵ <https://www150.statcan.gc.ca/n1/pub/85-002-x/2022001/article/00003-eng.htm>

our culture and where we live, so they can't relate. They must listen to young people. We have great ideas as well."

Participants highlighted the lack of intercultural competence among justice system actors as a primary barrier to Black Canadians' access to justice. They also noted the disregard for socio-economic disparities and social determinants of justice when interacting with the system. Black youth and adults emphasized the importance of anti-racism training, intercultural communication, and other educational initiatives for police, judges, and probation officers to address biases within the justice system. Additionally, some participants mentioned that preconceived notions about Black youth as threats hindered career opportunities in law enforcement, especially for Black and Muslim individuals.

Summary of emotional feelings experienced by Black Canadians when interacting with the justice system.



Validating the Five Pillars of the CBJs Framework

Despite the abundance of recommendations, a comprehensive understanding of how Black Canadians experience the justice system is absent due in part to a lack of disaggregated data and the underrepresentation of Black individuals as lawyers, judges and legal policymakers.

Jaku Konbit sought to capture directly from Black individuals their perspectives on existing recommendations under the five pillars to address the overrepresentation of Black people in the criminal justice system, including as victims of crime, and other solutions to improve the experiences of Black Canadians with the justice system. When asked if they supported the recommendations in the Framework, the vast majority responded positively. However, they questioned the government's commitment to change, as many of the recommendations, as well as the issue itself, are decades old. Others stressed that a systems approach is needed: improving policing does not happen without also addressing social determinants of justice.

For all five pillars, participants were asked to vote on how effective they perceived the Framework's recommendations might be for addressing anti-Black racism in the justice system. Participants were then asked to provide recommendations for consideration. Those recommendations are summarized below.

Social Determinants of Justice

91.2% of respondents believe the Framework's recommendations will help reduce the involvement of Black people in the justice system.

- Many participants shared deeply personal experiences about their own experiences and those of family members grappling with mental health issues and frequent interactions with the police. They spoke of the challenges in getting early access to mental health services and how police, as opposed to health professionals, are often called when they experience episodes of mental health crises.
- Participants recommended that members of the justice system should routinely take mental health training to recognize better and manage interactions with Black individuals experiencing negative mental health.
- Investments should be made to hire more Black mental health support workers who are trained in Afro-centric approaches to mental health and well-being. Increased Black representation would aid in facilitating communication, language interpretation, and introducing cultural understanding when interacting with the justice system.
- The persistence of anti-Black racism in the education system leads to more Black children in child welfare services and police often being called into schools for incidents involving Black students.
- Participants described that they have observed two distinct types of teachers: those who lower their expectations for Black students and those who adopt rigid approaches.

- Anti-racism training and consequences for not applying anti-racism approaches should be mandatory in all schools starting from kindergarten and up.

Policing

85.3% of respondents think the Framework's recommendations will help to reduce negative interactions between Black people and police.

- Police services should adopt anti-racist best practices from other police services (if they exist).
- The organizational culture of policing needs to be improved. It is systemically anti-Black, and unless that changes, no reforms will work.
- Police officers should have intercultural competence.
- Increased accountability with consequential punishments to reduce incidents of police violence towards Black communities.
- Address recruitment and retention barriers for Black police officers.
- Root out the underlying factors that nurture and sustain anti-Black biases in police procedures and behaviours.
- Reallocating police funding to invest in community-based violence prevention programs, such as youth mentoring and restorative justice initiatives.
- Developing and expanding crisis intervention teams that include mental health professionals to respond to mental health-related calls.
- More representation of the Black community in senior management positions within the police system.
- Integrating anti-racism and cultural competency training into the police officer training curriculum is a crucial step in addressing racial disparities in law enforcement. This training can help officers interact with diverse communities more effectively. However, the effectiveness of such training may also depend on the quality, duration, and ongoing reinforcement of the curriculum, as well as broader systemic changes within law enforcement agencies.
- Establishing policing teams that build relationships with residents and local organizations.
- Implementing clear standards and consequences for racist behaviour by police officers.

Courts and Legislation

85.3% of respondents think the Framework's recommendations will help to reduce the over-incarceration of Black people.

“My white lawyer wanted me to say I was guilty of a crime I didn't commit. My case kept getting put off for no reason. No one in authority looks like us, and my lawyer seems to be working against my best interest. All, if not most, of the jurors are always white. So much for having a jury of your peers.”

- Increase funding for legal aid services and, in particular, Black legal aid service providers.
- Address existing service delivery gaps in legal aid to ensure service delivery organizations do not underfund services that meet the needs of Black individuals.

- Expand the scope of eligible legal services offered to Black individuals requiring access to legal aid programs.
- Amend criminal justice legislation to ensure Black inmates have access to Black culturally relevant and safe programming while incarcerated and upon release and reintegration into the community.
- Set commitments, with target dates and measurable actions, to address the underrepresentation of Black judges, Black crown attorneys, and others working in the court system.
- Co-develop legal policies and services with Black academics, Black legal professionals and Black communities.
- Create external review and oversight bodies to ensure anti-racism analysis is applied to the development and drafting of all criminal and civil justice legislation.
- Ensure judges, crown attorneys, and others working in the court system take anti-racism and anti-bias training every 2 years.
- Expand the use of and funding for the Impact of Race and Culture Assessments for Black individuals to help judges better understand the impacts of systemic racism on the accused's life when making sentencing decisions.
- Increase the availability of conditional sentence orders (house arrest).
- Implement restorative justice programs and alternatives to incarceration for Black youth and adult offenders.
- Undertake research in sentencing to identify trends and differences between the use of conditional sentencing for Black accused versus white accused for the same crime.
- Similar to the *Gladue* principle, judges should have to consider the impacts of systemic racism on the lives of Black persons and recognize this during sentencing.
- Expand the application of the *Youth Criminal Justice Act* (YCJA) to youth aged 12 - 24.

Corrections

88.2% of respondents think the Framework's recommendations will help reduce the over-representation of Black people in correctional institutions and anti-Black racism in correctional settings.

- Address barriers to bail and release opportunities for Black accused individuals.
- Mental health support and a better transition upon release for those in the justice system is critical. Transitioning from the YCJA to the adult justice system when they turn 18 is difficult.
- “We see this [anti-Black racism] every day. They [corrections officers] take a long time to get our family members' visits approved, and all the people in power are white, way more white staff than Black staff.”
- “I think that it is more important to work with young black males and encourage them to focus on their skills and abilities when they are young for them not to get caught up in the justice system. They need to understand the historical and political nature of racism.” Reintegration and Re-entry

88.2% of respondents agreed that the Framework's recommendations would help Black inmates successfully reintegrate into society.

- Prepare Black offenders for successful community reentry by ensuring those eligible for parole have regular access to education (high school, college and university), life skills development, mentorship, mental health and other counselling services (e.g., financial literacy, anger management, spirituality, etc.)
- Address anti-Black racism and other systemic barriers in parole and release phases of the criminal justice system and lead to Black offenders receiving early release less often than other offenders.

Victims and survivors of crime

During the engagement sessions, we were told that when Black individuals report being a victim of crimes, they were less likely to be believed when reporting the incident to the police. Others told us that despite increased police presence in their neighbourhoods, they still felt unsafe.

- Black victims and witnesses are often treated like the accused or convicted rather than someone who has been harmed.
- Historical and contemporary instances of police brutality and racial profiling have eroded trust between the Black community and law enforcement. This lack of trust deters Black individuals from reporting crimes, cooperating as witnesses, or seeking help from the criminal justice system.
- Several Black youths described being disregarded when they interacted with police. Many described how preconceived racial biases and stereotypes were behind negative interactions.
- Not knowing where to turn for assistance: Black seniors, recent immigrants and refugees may be unaware of how to access victim services or not meet the eligibility criteria.
- Due to systemic inequalities, socioeconomic factors intertwined with race can further marginalize Black victims and witnesses. Limited access to legal representation or legal assistance and a lack of resources for navigating the legal system hinder their ability to seek justice.
- Anti-Black bias can manifest in policing practices, arrest rates, charging decisions, plea bargains, sentencing, and interactions with law enforcement and other justice system stakeholders.
- Black individuals often experience discrimination based on multiple intersecting identities, such as sexual orientation. These compounded forms of discrimination exacerbate their challenges within the criminal justice system.

Immigration consequences for non-citizens convicted of a crime (deportation)

Canada's *Immigration and Refugee Protection Act, SC 2001, c 27* renders foreign nationals and permanent residents inadmissible and subject to a removal order under certain criminal convictions. Anti-Black racism within the criminal justice system has led to the overrepresentation of Black individuals in the criminal justice system. As a result, the removal of racialized foreign nations and permanent residents is often higher amongst Black individuals compared to other racialized individuals.

During the engagements with community members, we were told:

- Often, Black offenders and in particular Black youth, are deported to Caribbean and African countries despite having never lived there and having minimal ties other than their parents being born there or having left there as a child.
- Consider amendments to Canada's immigration and refugee laws that would make it easier for Black immigrants and refugees to remain in Canada even if they have been convicted of a crime as long as there is a history of community leadership and involvement.
- Reducing the number of offences that lead to removal/deportation would be an effective way to address the disproportionate anti-Blackness in law enforcement and sentencing that contributes to higher removal rates for Black individuals.

Data collection

Participants supported expanding data collection on the experiences of Black individuals with the justice system. 79.4% of survey respondents expressed concerns about the potential misuse of data due to historical over-surveillance of Black communities. This concern is justified, given the persistent issue of overrepresentation of Black people as victims and accused individuals with no substantial action to address its root causes. Participants also emphasized the need for performance audits and evaluations of legal service providers to measure efforts in reducing anti-Black racism and assess the effectiveness of actions post-CBJS release.

It is worth noting that the funding and timelines provided for conducting the community engagement sessions to inform the CBJS were woefully inadequate, which hindered the comprehensive execution of these data collection efforts. Jaku Konbit, and others, raised our concerns and expressed frustrations with having less than 70 days to undertake this important work. Moreover, the low level of funding provided to do the work meant that the research and engagement teams were significantly constrained, and the extent of community outreach limited. Put simply, it served as a reminder of how little respect and attention is given to Black issues.

As a community, we are all too familiar with being an afterthought and being underfunded compared to other groups racialized and non-racialized even when we experience similar issues. This is another example of anti-Black racism and the way it permeates organizational culture and structures resulting in well-intentioned individuals, including Black individuals in positions of influence, being hindered from doing what is right. Looking towards the future, it is imperative that the CBJS invest significant funding and dedicate appropriate resources and time for the recommendations to be successfully and efficiently implemented. If not, we fear that a strategy aimed at dismantling anti-Black racism may actually perpetuate it.

Recommendations

Participants supported the recommendations in the CBJs Framework. A recurring theme was the need to address the erosion of trust between Black communities and justice system actors. Participants noted that Black police officers, lawyers, judges, and corrections officers can also perpetuate anti-Black racism as they work and operate in anti-Black systems. Without a nurturing environment, good-faith acts cannot yield systemic change. Anti-Black racism is systemic; it is in the rules, procedures, processes and culture of the justice system. Its removal relies on pluralistic approaches, and it has to be supported by genuine changes in culture. It demands accountability with adequate penalization, as well as co-designing and co-leading alongside Black communities and professionals. The following recommendations are based on the collective responses from participants and information gathered during interviews.

We recommend that the Department of Justice, through the Implementation Plan of Canada's Black Justice Strategy (CBJS), should:

- Establish and fund a Black Community Justice Advisory Council with responsibility for providing strategic advice for restoring trust and respect between Black communities and the justice system
- Provide funding to support the embedding of anti-racism training into the professional development curriculums of police officers, lawyers, judges, corrections officers, legal policy development, legal services delivery and all other occupations in the justice system.
- Establish accountability with consequential actions and transparency to ensure change within the justice system is progressing and responding to the needs of Black communities. When there remains a lack of progress, the individual(s) responsible should be penalized through performance pay, career advancement or another form of accountability measure. When there is ongoing evidence of anti-Black racism, the perpetrator should be removed from the justice system entirely.
- Commit to taking immediate action on existing recommendations for addressing anti-Black racism in the justice system. New recommendations proposed by the CBJS should include timelines for implementation.
- Collect and Use Race-based Disaggregated Data and ensure Black communities and Black legal service providers are fully included in the collection, analysis and dissemination of the data.
- Invest in social determinants of justice by addressing health, education, housing, socio-economic and other needs of Black communities.
- Nothing for us, without us. Co-design and co-develop with Black communities innovative and responsive, Black-centric legal solutions and justice reforms to address systemic barriers and other factors that have contributed to the overrepresentation of Black people as victims and accused in the justice system.

Conclusion

The engagement sessions across the Ottawa-Gatineau region have uncovered many promising ideas for addressing anti-Black racism in Canada's justice system and have validated existing recommendations for improving access to justice for Black individuals.

Participants mentioned that many of the Framework's recommendations are not new and should already be implemented. They acknowledged how diverse Black communities have tried for decades to foster better relationships with police. Participants highlighted the importance of addressing socio-economic challenges experienced by Black communities, including access to housing, lower employment opportunities, limited access to healthcare and other social determinants of justice. Investing in alternative justice measures, including restorative justice, could help reduce the overrepresentation of Black people as accused and incarcerated persons. It was also suggested to consider innovative approaches to justice, including expanding the *Youth Criminal Justice Act* to the age of 24.

Racial bias, assumptions about trustworthiness, and discriminatory mindsets are all eroding the confidence of Black communities in the justice system. In the absence of trust, Black communities will continue to perceive the justice system as a tool for the oppression and exclusion of Black communities. Accountability with consequential actions is necessary to bring about systemic change in the justice system.

Ottawa-Gatineau's Black communities are worried that data collection could be used to criminalize Black communities rather than improve access to justice. There is also a concern that delays in collecting data will be used as an excuse for inaction. There is an urgent need to fix the wrongs of a justice system that far too often harms rather than protects Black people.

Jaku Konbit is honoured to have had the opportunity to facilitate engagement with Black communities in the national capital region. These engagements have yielded invaluable insights. Now is the time for the Department of Justice to act on these testimonies. Black communities are determined and ready to see positive change. More importantly, they are expecting inclusion in the process. Nothing for us, without us.