

**ANNUAL REVIEW**  
**201706-201805 of the CSU Legal**  
**Information Clinic**

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## 1. INTRODUCTION

### 1.1- Mandate of Service

The CSU Legal Information Clinic is a free service that provides legal information and referrals in both French and English to **undergraduate** Concordia Students with a paid staff of only 3 people (1 Fulltime Manager and 2 part-time Administrative Assistants) and up to 20 Clinic Volunteers. Volunteer law students are available 20 hours per week. In addition, the Clinic has developed a Legal Network consisting of lawyers and notaries. Members of the Legal Network are involved in a variety of ways from answering the Clinic Volunteers' questions to reducing their rates for legal consultations and fees.

#### **What areas of law are covered?**

We provide information about the following areas of law:

- ▶ **Immigration** → permanent resident applications, family sponsorships, visitors' visas, etc. Although the Clinic can research questions about student visas and student work permits, these areas of temporary immigration should also be referred to the International Students Office (ISO) on the third floor of the GM building (1550 de Maisonneuve West, room GM-330).
- ▶ **Discrimination** → based on different factors such as religion, ethnicity, disability or sexuality and in diverse settings such as employment and housing
- ▶ **Consumer Protection** → cell phone contracts, dry cleaner ruining clothes and other problems with a business
- ▶ Questions about **landlord-tenant** or **employment** law should be referred to the Housing and Job Bank on the second floor of the Hall building (1455 de Maisonneuve West, room H-260).
- ▶ Questions about **academics and students' rights at Concordia University, Commissioner of Oaths, or Concordia's code of conduct** should be referred to the CSU Advocacy on the second floor of the Hall building (1455 de Maisonneuve West, room H-222)
- ▶ We will also assist students in any other areas of law. Should they require the assistance of a lawyer or notary, we can refer them to the appropriate professional.

### 1.2- Terminology/definitions

- ▶ *Clinic* = CSU (Concordia Student Union) LIC (Legal Information Clinic)
- ▶ *Clinic Volunteers* = The law students who act as Clinic Volunteers
- ▶ *Student* = For the Clinic, we refer not to "Clients" but rather to "Students", as we do not want to give Concordia students the impression that they have a Client-Service relationship with the Legal Information Clinic. The Clinic is presently only available to undergraduate Concordia Students. However, we also receive graduate students who require our service.
- ▶ *Members of Legal Network*= The lawyers or notaries who are part of Clinic's Legal Network

### **1.3- Vision**

The Clinic is a place for Students facing legal difficulties to come for support and to be empowered by educating them about their legal rights and obligations, and assisting them to ensure that these rights are respected.

The Clinic strives to be a well-respected source of legal information in the areas of immigration, discrimination, and consumer protection law, among other fields of law and to provide well-targeted referrals.

The Staff and Clinic Volunteers will be clear and respectful in their explanations and interactions with the public. They will be knowledgeable about the resources available and organizations that exist. The Clinic will be a place that succeeds in creating a satisfying volunteer experience.

The Clinic will assist Students to address systemic issues and be active in community organizing through workshops, information sessions and other advocacy activities.

The Clinic will go beyond basic legal information services to assist in organizing for greater access to justice, and outreaching and collaborating with like-minded groups and individuals in the wider community.

## **2. CLINIC PERSONNEL**

### **2.1- Role of the Manager**

The Manager functions as the backbone of the Clinic, providing quality control, support and training for the Clinic Volunteers. The manager's mandate should be limited to reviewing the information being provided to Students by the Volunteers. However, where the Clinic Volunteers are unable to handle a particular inquiry, it may become necessary, as a last resort, for the Manager to assist them by meeting directly with the Student. Nevertheless, the Manager, notwithstanding his/her status as a lawyer, should not exceed the mandate of the Clinic, which is to provide legal information, and should not perform any of the same acts prohibited of the Clinic Volunteers.

### **2.2- Role of Administrative (Admin) Assistants**

The Administrative Assistants help the Manager in the daily running of the Clinic - selecting and training Clinic Volunteers, organizing the office, and other administrative tasks. The Admin Assistants organize the Clinic Volunteers' time by booking appointments. The Admin Assistants are often the first contact for Students when they book appointments in person, by phone or by email. The Admin Assistants are also in charge of communications with Clinic Volunteers through various CSU e-mail accounts.

### **2.3- Role of Clinic Volunteer Students**

The Manager supervises about 20 law students from any of the law schools in the Quebec province, and some from Ontario- McGill University, University of Montreal, University of Quebec at Montreal, Sherbrooke University, University of Ottawa, Laval University, and Queen's University- who will be volunteering their services and/or working for course credit. Both Clinic Volunteers and the Manager have to be bilingual as many resources are in French but the majority of Students will require explanations in

English. Clinic Volunteers are responsible for speaking with Students, gathering facts and providing legal information after checking with the Manager. They will also be involved in accompaniment of Students as needed and if requested.

### **3. PROHIBITED ACTS AND THE DIFFERENCE BETWEEN INFORMATION AND ADVICE**

#### **3.1- What is the difference between legal information and advice?**

**Legal Information:** Telling Students about their rights and obligations, explaining the state of the law or legal procedures in a given area and outlining the legal options that are available.

**Legal Advice:** Telling Students which option or course of action you think is best. This includes telling them what *you* would do as well as telling them what you think *they* should do. Basically, you are applying the law to the Student's specific situation.

**Clinic Volunteers always begin by stating that they are law students and, thus, can provide only legal information, but not legal advice.**

#### **3.2- Acts reserved exclusively for lawyers & potential liability**

The Quebec Bar is very strict in not allowing law students to give legal advice or recommendations, since this is the exclusive jurisdiction of members of the Quebec Bar.

Pursuant to the *Act respecting the Barreau du Québec, R.S.Q. c. B-1* (hereinafter referred to as the “**Bar Act**”), certain acts may only be performed by lawyers entered on the Roll of the Order of Advocates. Those acts include the following:

- giving legal advice or consultations on legal matters;
- preparing legal documents;
- pleading or acting before a Court of law; and
- making claims implying that judicial proceedings will be taken.

According to the **Bar Act**:

128. (1) The following acts, performed for others, shall be the exclusive prerogative of the practising advocate or solicitor:

- (a) to give legal advice and consultations on legal matters;
- (b) to prepare and draw up a notice, motion, proceeding or other similar document intended for use in a case before the courts;
- (c) to prepare and draw up an agreement, petition, by-law, resolution or other similar document relating to the constitution, organization, reorganization or winding-up of a legal person governed by federal or provincial laws respecting companies, or the amalgamation of several legal persons or the surrender of a charter.

Where such acts are performed by individuals that are not lawyers, such individuals may be found guilty of illegally practicing the profession of a lawyer, a statutory offence under the Bar Act. Being charged with illegally practicing the profession is a serious offence that would have important consequences for the Clinic and the Clinic Volunteers. Furthermore, though unlikely, a Student could decide to sue the Clinic and/or a Clinic Volunteer. It is therefore crucial not to cross the line from giving legal information to giving legal advice. It is of the utmost importance for the Clinic to avoid putting its Clinic Volunteers or staff in a position where they might be found guilty of such an offence.

It is also important to ensure that the Student fully understands that Clinic Volunteers are not allowed to give legal advice or to discuss what they would do in a given situation. Remember at all times, that it is the **Student's impression of whether Clinic Volunteers are providing legal advice or not that counts, and not their own impression.**

It is very important that each Student that comes into the Clinic is informed of and signs the Service Agreement. Make sure that they understand what it means and answer any questions they may have. Before signing the Service Agreement, the Student needs to acknowledge to have **fully read the document**, to expressly declare that he/she was **offered an explanation of each of the terms and conditions** of the document, and that he/she **fully understood** and **agreed** with said-terms and conditions.

#### **4. THE SERVICE AGREEMENT & CONFIDENTIALITY**

##### **4.1- The Service Agreement**

The CSU's LIC is an independent organization that provides free legal information to the Concordia student body. The Clinic Volunteers and Clinic Manager do not provide legal advice, they only provide information. By accepting this disclaimer the Student acknowledges that the services provided by the Clinic, including accompaniment, are for information purposes only and are not in any circumstance a substitute for the advice of a lawyer or a notary. To obtain advice or legal opinions on a particular situation, it is necessary to consult a lawyer or a notary. The Clinic or its personnel can not be held responsible in any way or form for the misuse or misinterpretation of any such information provided to the Student or third parties. The Legal Information Clinic is independent from Concordia University and the University cannot be held responsible for any actions of Clinic personnel.

##### **4.2- Confidentiality**

Students come to the LIC to seek assistance and expect that their problems will be kept confidential. In addition, in the Service Agreement, we make a commitment to confidentiality. Even if a person comes in claiming to be a friend who has been given permission to hear the information, without a Student's prior permission, Clinic Volunteers cannot provide any information. Also, Clinic Volunteers cannot speak with their friends and family or anyone else about the problems Clinic Volunteers research while at the Clinic or the information they may learn in accompanying Students.

There are a few rare exceptions, such as the obligation to inform the police if someone threatens another person or to report suspicions of child abuse. In such situations, Clinic Volunteers should always consult the Manager prior to divulging any information.

We have a very strict confidentiality mandate therefore we allow all Students 1 hour appointments alone with two volunteers in the office. If need be, we book follow up or second appointments with them, which sometimes go longer than the typical hour appointment.

## **5. FUNCTIONING OF CLINIC**

### **5.1- Individual Holistic Service-oriented Approach**

The initial concept of the Clinic has evolved from: a place where Students come with their information requests and, after a brief exchange with the Clinic Volunteers, they are simply referred to a legal information source or another organization; to one: where the student provides details and information to the Clinic Volunteers from a few minutes to an hour and where the Clinic Volunteers do research to provide a complete answer to the Student's questions and if professional legal help is needed the Student is referred to a legal representative to deal with the situation. In other words, presently the Clinic functions much more as a legal information service clinic, rather than just a legal information referral clinic.

### **5.2- Complete and Detailed Summary of all the Facts**

At the present Clinic, the Clinic Volunteers take the necessary time with the Students to make a full and complete review of all the facts underlying their legal information request. The fact collection is important because it is often difficult to know in advance, without knowing all the facts, what the real underlying legal issues are, as opposed to those only perceived by the Students, and consequently, what are the relevant legal questions which need to be asked.

Also, by requiring the Students to make a complete and detailed fact summary, the Clinic Volunteers are assisting the Students to organize better and structure their thoughts in a clear, consistent, coherent and credible manner, so as to better clarify the issues that have to be researched and handled.

Consequently, if the Clinic has to communicate with external parties or refer the Students to a legal representative, the fact summary will be an invaluable tool for the Students to communicate their situation easily and allow them to get the best value for their time/money if legal service fees are required.

### **5.3- Legal information Research and Follow-Up Interventions**

For these reasons, each initial Student visit will usually take between 45-60 minutes to complete, and depend on the complexity of the fact situation; some may require several visits. Also, each legal information request by a Student may need several interventions involving legal research and as well, further communications and meetings with the Student and/or other interveners.

The results of all legal research are carefully and clearly explained to the Student by the Clinic Volunteers, under the supervision of the Manager. Subsequent follow-up visits by Students usually last 30-45 minutes each, depending on the complexity of the Service file.

Clinic Volunteers are assigned to the Students that they initially meet with on their designated weekly shift to ensure more efficient follow-ups, to maintain a trust relationship with the same Clinic Volunteers, and to avoid possible miscommunication between rotating Clinic Volunteers working on the same file.

Therefore, a single Student Service file can involve a time commitment of at least several hours, depending upon its complexity and sufficient time allocated to ensure that quality and accuracy of information is valued over speed and expediency.



#### **5.4- Clinic's Accompaniment Service**

Clinic Volunteers who are interested and available are encouraged to accompany Students to appointments, meetings and hearings outside of the Clinic concerning their legal situation. The Clinic Volunteers are not to act as representatives, but rather as observers to provide moral support and if needed, facilitators of information previously communicated to the Clinic by the Student. Protocols have been created for the Clinic Volunteers on the Clinic's Accompaniment service and have been attached hereto.

#### **5.5- Outreach and Community Organizing Component**

As part of its mandate, the Clinic will assist Students to address systemic issues and be active in community organizing through workshops, information sessions and other advocacy activities.

The Clinic will go beyond basic legal information services to assist in organizing for greater access to justice and outreaching and collaborating with like-minded groups and individuals in the wider community.

#### **5.6- Legal Fees Fund**

The Legal Fees Fund is a fund that was created to assist Students with their legal fees and expenses. These files are usually related to human rights issues and are selected in consideration of the greater benefits that the file would have to the Concordia student body and community.

Through the support of the CSU Legal Fees Fund, the Clinic continues to maintain its focus on a more individual service-oriented approach, which can deal with systemic issues such as discrimination. Information concerning Legal Fees Fund files is strictly confidential due the nature and ongoing litigation of many of these files.

### **6. SPECIAL PROJECTS, CAMPAIGNS AND EVENTS OF PAST YEAR**

#### **6.1- Bike Rights Campaign**

The Clinic held their annual Bike Rights campaign during Fall Orientation in September 2017 with their new Bike Rights pamphlet which had been revised and updated. Hundreds of these pamphlets were distributed at various Orientation events, and were particularly popular during the biking season.

The Clinic additionally ran a successful Bike Rights Contest among students, who were encouraged to fill out a questionnaire about bike laws, bikers' rights, and the function of the Legal Information Clinic. A draw for gift certificates to a local bike shop was performed to incentivize participation in the questionnaire.

#### **6.2- Outreach, Tabling and Publicity**

The CSU Legal Information Clinic attended at least two tabling and outreach events during the 2017-2018 year. This includes the Community and Clubs Fairs at the SGW Campus during Fall and Winter Orientation periods, where representatives of the Clinic provided information and pamphlets to students regarding the services we provide. LIC flyers, literature on encounters with police, and Bike Rights informational cards were provided in CSU tote bags.

### **6.3- Campaign and Panel Against Bill 62: Islamophobia, Religious Neutrality, and Reasonable Accommodation**

On October 18<sup>th</sup>, 2017, Quebec’s National Assembly passed Bill 62, a “religious neutrality” law which prevented people wearing face coverings from accessing public services, including educational institutions. The Clinic took various actions to oppose this law which sanctioned racial, religious, and gender-based discrimination.

The Clinic assisted and advised the CSU in opposing Bill 62 by drafting a motion passed by the CSU denouncing Bill 62 and affirming the organization’s resolve to protect the civil rights of its Muslim students. Other facets to the campaign included a letter-writing drive, participation with other community groups in a legal challenge of Bill 62, media statements and a press communiques, all of which helped to sensitize the Concordia community and general public, and were covered by national news outlets such as Global News

Furthermore, on November 1<sup>st</sup>, 2017, the Clinic, CRARR and the MSA (Muslim Students’ Association) held a panel to discuss the provisions, applications, and effects of Bill 62 on Quebec society and the student body of Concordia. The event featured position statements from the CSU, McGill’s SSMU, the AVEQ (Association pour la voix etudiante du Quebec). Speeches were given from prominent members of the Muslim community and legal experts, those being Fatima Ahmed, a Niqabi-wearing Concordia student, Pearl Eliadis, a Charter legal expert, Idil Issa, a media analyst and Muslim, and Sameer Zuberi, member of the Canadian Muslim Lawyer’s Association. The event featured a question and answers period that allowed for audience participation. The event was attended by over 100 people, broadcasted live and drew widespread media attention.

### **6.4- Interfaith and Intergenerational Ceremony to Mark the 1<sup>st</sup> Anniversary of the Massacre at the Quebec City Mosque**

The Clinic co-organized the ceremony to mark the 1<sup>st</sup> anniversary of the Massacre at the Quebec City Mosque on January 29<sup>th</sup>, 2018. It sought to assemble diverse people to together remember and reflect on this tragic event, as well as foster cooperation and solidarity against hate in Quebec.

The event gathered speakers from various cultural and religious groups who called for greater tolerance, education, and communication between members of Quebec society. These included Vicki Boldo, an Elder of the Cree Nation, Chaplain Ellie Hummel, Rabbi Ellen Greenspan, Reverend Rosemary Lambie, Imam Salam Elmenyawawi, as well as Mr. Samer Mazjoub, President of the Canadian Muslim Forum, and Samer Zuberi, Spokesperson for the Canadian Muslim Lawyers Association. Speaker of City of Montreal Cathy Wong and Federal MP Marc Miller, as well as spokespeople from CRARR, CSU, SSMU, and AVEQ equally gave speeches. The Quebec government and city of Montreal was called upon to develop stronger policy against hate speech, hate crimes, and hate groups. The event also included refreshments and musical performances.

The event assembled over 100 people and was additionally broadcasted live on the CSU’s Facebook page and covered by various media outlets.

### **6.5- Campaign Against Sexual Violence on Campus**

During 2017-2018, the Clinic has been collaborating with SARC, CGA, CSU Advocacy and CRARR to analyze and improve sexual harassment and violence policies on campus, as well as provide more robust protection to survivors.

The Clinic has been striving to provide the best possible support to incoming students who are survivors of sexual violence. During 2017- 2018, the Clinic Volunteers were given specialized training on the issue and an extensive Needs Assessment Evaluation was completed at the Clinic in order to better accommodate survivors of sexual violence.

The Clinic co-organized with CRARR a two-day Campus Sexual Violence Seminar between March 13<sup>th</sup> and 15<sup>th</sup> 2018. The seminar explored how and why sexual violence is a civil rights issue – as a form of gender-based discrimination - in Concordia and other universities' campuses. Academics, experts, and survivors of sexual assault were invited to speak at the event and discuss policy changes needed to better protect and support survivors of campus sexual violence. Small group discussions sought to create concrete recommendations to be made to the school and government, notably how to implement Law 151 to achieve greater safety and accountability on university campuses.

The event assembled over 100 people and was additionally recorded and covered by various media outlets.

#### **6.6- Panel Discussion on International Traffic in Arms Regulations (ITAR)**

The Panel Discussion on ITAR was hosted on March 29<sup>th</sup>, 2018 by the Clinic and CRARR, and focused specifically on discriminatory hiring practices in the aerospace industry and ITAR. These restrictions are resultant of American prohibitions regarding the hiring of people originating from nations considered security risks, such as China, Iraq, Lebanon, Syria, Haiti and others, even if they are already Canadian citizens. Canadian firms may also be beholden to such regulations when they engage in contracts with the US, creating job inequity within the industry.

The panel sought to uncover the history and current policies of racial discrimination in these fields, and notably to highlight the university's role to inform those studying engineering and other aerospace fields of these barriers,

#### **6.7- Campaign to support international students whose Quebec-issued French proficiency is challenged by Quebec Ministry of Immigration, Diversity and Inclusion**

The Clinic continued its Campaign against the Quebec Government's Abusive Treatment of International Students in Programme d'expérience Québécoise (PEQ), where the Clinic sought to mobilize, support and protect international students who were being arbitrarily tested for their French proficiency, suspected of fraud and then denied the Certificate for Selection of Quebec (CSQ) needed for permanent residency in Canada.

Recently, many international students had seen their application for the Certification of Selection of Quebec (which paves the way for permanent residency in Canada) rejected because their knowledge of French was deemed incompatible for the level of proficiency stated in a certificate issued by a local school or school board in which they enrolled to study French. This policy change within Quebec's Ministry of Immigration, Diversity, and Inclusion (MIDI) could result in students being banned for five years for having provided a "false or misleading document." Students from the United States, China, the Middle East, and India have been especially targeted by this issue.

On May 30<sup>th</sup>, 2018, the Clinic organized an information session to specifically address these concerns, as well as recently changed immigration rules. The expert speaker was Me. David Chalk, a highly regarded immigration lawyer based in Montreal. He addressed how best to navigate immigration system, common mistakes and misconceptions, and answered specific student questions.

### **6.8- Graduate Student Association (GSA) Fee-levy**

Once again, the Clinic had been approached by numerous graduate students interested in extending Clinic services to the Graduate Student Association (GSA) as many of them often required our help. This would include empowering students in understanding and exercising their rights, assistance with legal information, handouts, referrals, accompaniment services, and one-on-one support for students in navigating situations involving immigration, discrimination, family, penal and consumer protection, among other fields of law.

There were several meetings between the CSU and the GSA executive in 2017-2018 in order to discuss a fee-levy for graduate students to have access to the service. However, no agreements could be reached before the end of the school year.

## **7. CASE MANAGEMENT AND STATISTICS**

### **7.1- Case Management System Problems**

As was mentioned in the Clinic's 2016-2017 Annual Report, the CSU's case management system named Penelope continues to be problematic in its limitations and usage. The new program was supposed to facilitate the collaboration between the CSU LIC, Advocacy and HOJO services in shared files. However, there are still major software problems limiting or blocking the access and sharing of student files between the CSU services, notably privacy concerns.

Furthermore, the new system was supposed to facilitate the tracking of information for research and reports. However, the Penelope software has been unable to provide some of the essential statistics necessary for the CSU LIC reports, such as a breakdown of the different fields of law (categorized as Presenting Issues by Penelope) treated by the Clinic and the number of affected service files.

Finally, the technical support provided to the CSU services by the Penelope developers had been frustratingly inadequate and inefficient. Oftentimes the CSU Services were left on its own to troubleshoot Penelope issues and figure things out by themselves. For instance, the Penelope user manual did not give enough indications or details of how to use the complicated program and so the Clinic was obliged to develop its own version to train its Clinic volunteers.

### **7.2- Number of Students Assisted by the Clinic (See Annex 2.1)**

The Clinic is closed for appointments during exam periods at the end of each academic semester since the Clinic depends upon law student volunteers who are not available during these time periods.

From **May 1st 2017 to April 30th 2018**, information extracted from Penelope shows that the **Total Number of new Students** who came to the Clinic for help was **215**, and the **Total Number of returning Students** who came to the Clinic for help was **145**, for a **Total Number of 365 students overall** who used our services.

### **7.3- Number of Service Files Treated by the Clinic (See Annex 2.1)**

Service files are opened for each legal information research requested by a Student on a specific issue. Therefore, a Student may open several Services Files with the Clinic depending if the Student may be dealing with multiple but distinct legal issues, or the Student has returned to the Clinic at different times with different legal issues.

Within a single Service File, there can often be numerous interventions and hours spent by the Clinic Volunteers depending upon its complexity, which are not reflected in the statistics.

Between **May 1<sup>st</sup> 2017 and April 30<sup>th</sup> 2018, 227 new Services Files were opened, and 140 Service Files were closed.** At the beginning of the year, 313 Service Files were already open, meaning that 400 continuing Service Files remained open at the end of the year.

While Clinic Volunteers may confirm with a student that a file can be closed, the Clinic Administrative Assistants take the opportunity at the end of the semester to contact students and ask whether they would like their case closed, or whether they require additional services from the Clinic. Many files are carried over from previous years, and some can likely be closed with the consent of the student.

#### **7.4- Issues and Areas of Law in Service Files**

Based on presenting issues entries logged in student files throughout the Summer, Fall, and Winter Semesters of 2017 and 2018, we can determine significant trends in the types of legal inquiries students request our volunteers conduct research on.

It should be noted that existing Penelope issues persisted into this year; as a result, these statistics had to be compiled manually, as extracted from the Penelope Presenting Issues Report. Moreover, either due to omissions when inputting file information or due to issues with the Penelope system, not all presenting issues are represented in these figures. 215 presenting issues were recovered, which does not account for the total files handled by the Clinic, particularly considering that a single file can be comprised of multiple presenting issues. A random sampling of physical (paper) student files were analyzed, showing that Clinic volunteers had worked on numerous files that did not appear on the Penelope Presenting Issues Report.

The recovered data nonetheless provides insight into the work of law student volunteers, as well as the legal quandaries of Concordia students.

The largest share of total presenting issues is occupied by Immigration and Citizenship Law, at 27%. These numbers, as well as observations during daily Clinic operations, indicate that international students are frequent users of the Clinic. The Clinic Manager ensures that volunteers are kept well-informed about changing immigration policies (as demonstrated by, for example, the MIDI campaign).

Criminal and Penal Law, Family Persons and Succession Law, and Obligations and Contractual Law were the three next most important categories, each around 10%.

#### **Presenting Issues Statistics:**

Family, Persons and Successions law

- 20 instances
- 9.3% of total presenting issues

Obligations and Contractual law

- 18 instances
- 8.4% of total presenting issues

Consumer Protection law

- 6 instances

- 2.8% of total presenting issues

Property law

- 15 instances
- 7.0% of total presenting issues

Criminal and Civil Penal law

- 24 instances
- 11.2% of total presenting issues

Discrimination and Human Rights law

- 11 instances
- 5.1% of total presenting issues

Sexual harassment or violence

- 9 instances
- 4.2% of total presenting issues

Respect of Reputation and Privacy law

- 8 instances
- 3.7% of total presenting issues

Labour law

- 9 instances
- 4.2% of total presenting issues

Public and Administrative law

- 12 instances
- 5.6% of total presenting issues

Immigration and Citizenship law

- 58 instances
- 27% of total presenting issues

Access to information law

- 2 instances
- 0.9% of total presenting issues

Business law

- 8 instances
- 3.7% of total presenting issues

Intellectual Property law

- 11 instances

- 5.1% of total presenting issues

Fiscal and Insolvency law

- 4 instances
- 1.9% of total presenting issues

**Total presenting issues: 215**

Within a single Service File, there can often be numerous interventions and hours spent by the Clinic Volunteers depending upon its complexity, which are not reflected in the statistics. For example, although Service Files involving Sexual harassment or violence or Discrimination and Human Rights might constitute a smaller percentage of all legal issues and area covered by the Clinic, they are often more time-consuming and resource intensive because of the complex and delicate nature of the issues.

**8. CONCLUSION**

The period 2017-2018 of the Clinic has managed to achieve its overall goals and objectives by providing legal information that is reliable, accurate and complete in a timely manner, by developing a reputation as an excellent source of information and referrals and creating a dynamic, inspiring, enjoyable workplace for Volunteers and staff, as is evidenced by the positive feedback from both Clinic Volunteers and Students.

However, as outlined hereinabove, challenges remain to increase the accessibility of its services, particularly to graduate students and to ensure that its staff and Clinic Volunteers have the necessary tools and training to properly deal with the complex issues brought before them. Sufficient human and financial resources must continue to be allocated and invested, especially regarding the Penelope case management issues mentioned hereinabove, in order to maintain the Clinic's vision as a place for Students facing legal difficulties to come for support and be empowered, as well as to actively participate in the community struggle for greater access to justice.

## ANNEX 1.1 SERVICE AGREEMENT



Name:  
Address:  
Telephone:  
E-mail :

## Service Agreement

### **DISCRIMINATORY, AGGRESSIVE OR INAPPROPRIATE LANGUAGE OR BEHAVIOUR**

The Concordia Student Union Legal Information Clinic (the LIC) seeks to create a safe space for Students, Volunteers and Staff. Therefore, any discriminatory, aggressive or inappropriate language or behaviour will not be tolerated at the Clinic or in the use of its services, including accompaniment. Should you engage in such behaviour, you will be asked to leave the Clinic. Anyone who persists in inappropriate conduct may be permanently prevented from utilizing its services.

### **CONFIDENTIALITY**

Unless required by the law all information received by the Clinic from the Student is processed and stored in complete confidentiality. The Clinic will not reveal information to anyone other than the Student without the Student's permission.

### **CSU LEGAL INFORMATION CLINIC /STUDENT ADVOCACY CENTER /OFF CAMPUS HOUSING AND JOB BANK PARTERSHIP**

With the present agreement, the Student consents to the Clinic possibly consulting or sharing his/her file information with the CSU Off Campus Housing and Job Bank (HOJO) or Student Advocacy Center (Advocacy) in order to better serve the Student.

### **RETENTION AND DESTRUCTION OF DOCUMENTS AND FILES**

The Clinic personnel will not take possession nor retain any paper documents, materials or copies provided by the Student. If Clinic personnel require paper copies, they will make their own copies and return the documents to the Student. Unless expressly requested by the Student, all Student paper files and copies saved by the Clinic will be shredded at the end of each school term (December, April, and August).

### **DISCLAIMER**

The Concordia Student Union's Legal information clinic is an independent organization that provides free legal information to the Concordia student body. The Clinic volunteers and Clinic Coordinator do not provide legal advice, they only provide information. By accepting this disclaimer you acknowledge that the services provided by the Clinic including accompaniment, are for information purposes only and are not in any circumstance a substitute for the advice of a lawyer or a notary. To obtain advice or legal opinions on a particular situation, it is necessary to consult a lawyer or a notary.

The Clinic or its personnel cannot be held responsible in any way or form for the misuse or interpretation of any such information provided to the student or third parties. The Legal Information clinic is independent from Concordia University and the University cannot be held responsible for any action of the Clinic personnel.

### **EVALUATION OF CLINIC SERVICES (Yes/No)**

I agree to participate in a short, anonymous survey to provide feedback about the services of the Clinic. My comments will be used to evaluate the Clinic services but my name will not be used in any evaluation reports or other materials.

By signing the present document, I acknowledge to have fully read this document, and I expressly declare that I was offered an explanation of each of the terms and conditions of the present document, and that I fully understand and agree with said-terms and conditions.

Signature : \_\_\_\_\_

Date : \_\_\_\_\_



## ANNEX 1.2 ACCOMPANIMENT PROTOCOL

### CLINIC ACCOMPANIMENT PROTOCOL

#### Where to?

A Volunteer may accompany a Student to any of a variety of places, including:

- ▶ Meeting with a lawyer
- ▶ To submit a complaint (eg. Small claims or Human Rights Commission)
- ▶ Interview with a government agency
- ▶ Attending a Court or administrative tribunal hearing

#### When?

An accompaniment may arise either when a Student initially comes to the Clinic to request it or, when the Student, having come for legal information, is informed about the option of accompaniment and becomes interested in the service. Ideally, the Volunteer that provided the Student with information will accompany the same Student. If this is not possible due to schedules and other commitments, other substitute Volunteers should be called upon to accompany the person.

#### What purpose?

The Volunteer-accompanier does not take the place of the lawyer and must never provide legal advice. The Volunteer-accompanier is there to provide moral support, assist in explaining the situation to other actors where appropriate, and be an observer to the interaction between the Student and the service-provider (lawyer, tribunal staff, etc.) to ensure the utmost accountability.

#### What do you do?


1. Review the information in the Intake form for the Student and discuss the file with the Volunteer who interviewed the Student, and if necessary, the Coordinator for further clarification.
2. Meet with the Student prior to the meeting or event to which you are going, review the facts summary, and remind the Student of your limited role as an observer (this may simply involve meeting on the steps outside or at a nearby metro station prior to the meeting/event).
3. Attend with the Student. Although your principal role is as an observer, depending upon the place and context, you may take a more active role in facilitating the communication of the Student's situation. For example, at a lawyer's office, it may be appropriate to intercede and ask questions about legal procedures, the role of different people in the process, etc., whereas in court you are not allowed to do so.
4. Debrief with the Student to see how the person is doing and whether the person understands everything that has happened. Clarify any confusion the Student may have (if you don't know the answers, tell the Student you will look into it and get back to them).
5. Fill out and update the relevant sections of the Student's Intake form with the information from the accompaniment.

ANNEX 2.1

NUMBER OF STUDENTS ASSISTED BY THE CLINIC 2017-2018

 <b>Concordia Student Union</b>		Concordia Student Union 1455 Boul de Maisonneuve O H725 Montreal Quebec Canada H3G1M8 (514)848-7474		<b>Unique Individuals Demographics Report</b> Printed by: D, Gabrielle Period: May-01-2017 to Apr-30-2018 Report By: New Clients Report On: New Clients Service: Legal Information Clinic (1027) Percentages: None Members: All	
		<b>New Clients</b>	<b>Existing Clients</b>	<b>New Clients</b> New Clients	<b>Total</b>
Existing Clients		290	0	290	
New Clients		0	215	215	
<b>Total</b>		<b>290</b>	<b>215</b>	<b>505</b>	

NUMBER OF SERVICE FILES TREATED BY THE CLINIC 2017-2018

 <b>Concordia Student Union</b>		Concordia Student Union 1455 Boul de Maisonneuve O H725 Montreal Quebec Canada H3G1M8 (514)848-7474		<b>Master Service Statistical Report</b> Printed D, Gabrielle by: Period: May-01-2017 to Apr-30-2018 Service: Legal Information Clinic (1027)			
		<b>Service</b>	<b>Open at Start</b>	<b>During Period</b> Added Closed		<b>Open at End</b>	<b>Unique Members</b>
Legal Information Clinic	313	227	140	400	0	0	0.00
<b>Totals</b>	<b>313</b>	<b>227</b>	<b>140</b>	<b>400</b>		<b>0</b>	<b>0.00</b>

### ANNEX 3.1 INTERVENTION AND PROMOTION OF THE CLINIC

Tabling at CSU Community and Clubs Fairs September 2017



## ANNEX 3.2 DEPORTATION OF SAUDI INTERNATIONAL STUDENTS

Genest, E. (2017, April 4). Concordia Unsure How to Deal with Deportation of Saudi Students. Retrieved from: <https://thelinknewspaper.ca/article/concordia-unsure-how-to-deal-with-deportation-of-saudi-students>

# Concordia Unsure How to Deal with Deportation of Saudi Students

University Working to Find Solution Concerning Removal of Saudi Students Attending Schools in Canada

NEWS by Elaine Genest — Published August 8, 2018 | Comment

Follow @egenest

The withdrawal of Saudi students studying in Canada was announced this week after Canada criticised the Kingdom of Saudi Arabia for human-rights abuses over Twitter.



Concordia University Spokesperson Mary-Jo Barr said Concordia plans on organizing information sessions next week to help Saudi students through the process. File Photo Brian Lapuz

It's not yet clear how or when the expulsion of Saudi student will take effect at Concordia, but in a statement the university said that those studying in Canada on [scholarships](#), grants or trainee programs funded by the Kingdom will be transferred to countries with similar education systems.

"We are actively working with different academic organizations to receive more clarity on the decision and to develop a timely approach," said university spokesperson Mary-Jo Barr to *The Link*.

Almost 400 students in Montreal and approximately 20,000 students in Canada will be affected by the regime according to the *The Gazette*. Concordia currently has 60 students studying on scholarship from the Saudi government.

"Concordia has many long-term friendships with academic institutions in Saudi Arabia and we have always welcomed Saudi students onto our campus" wrote Deputy Provost Anne Whitelaw and Dean of Graduate Studies Paula Wood-Adams in an email sent to Concordia's Saudi students.

Barr said the university plans on organizing information sessions next week to help Saudi students through the process.

The Concordia Student Union said they'll be looking to give support to Saudi student affected, by working closely with the dean of students' office, the international students' office and CSU's [legal](#) clinic.

"The [CSU] is advocating and lending its support to Saudi students facing incredible amounts of uncertainty with regards to their immigration status, stay, and their access to an education in Canada," the union wrote Wednesday. "We are here to help in any way we can."

In the meantime students can contact the CSU and the International Students Office for more information.





Verdicts for victims of racial and social profiling at hands of Montreal police | Montreal Gazette

Asmar said she was confused and shocked and refused to identify herself. She said the officers then grabbed her, dragged her to the police car, pushed her against the hood and handcuffed her. She was searched and placed in the police car.

The officers, constables Sébastien Champoux and Michael McIntyre, wrote her two tickets — a \$620 fine for misuse of municipal property (for putting her bag on the bench) and a \$420 fine for making too much noise (for yelling in pain while being handcuffed). Several months later, the city told Asmar she did not have to pay the \$1,040 in fines.

Asmar said she was the subject of racial profiling because she is dark-skinned. She is of Palestinian origin and was wearing a kaffiyeh (a Palestinian scarf) at the time. And she said the officers also engaged in social profiling because they appear to have mistook her for a homeless person since the area — on Ste-Catherine St. near Alwater — is frequented by many of the city's homeless.

CRARR executive director Fo Niemi said the types of tickets she received "are disproportionately issued to homeless people. In sum, to the officers, Asmar fit the profile of a homeless woman and was treated accordingly."

He said the case "bears the hallmarks of social profiling," which he defined as "profiling, mistreating and discriminating against people on the basis of their social condition, usually people who are economically disadvantaged and who are normally homeless."

The commission has cited cases of social profiling in the past, but Niemi said the fact that the commission found both racial and social profiling in the same case is significant because it "doubles the seriousness" of the discrimination.

In its decision, the Quebec Human Rights Commission said the city (which oversees the police department), Champoux and McIntyre should pay Asmar \$30,000 in moral damages. It said Asmar should also receive punitive damages — \$30,000 from the city, and \$2,500 from each of the officers.

In addition to the fines, the commission recommended a series of measures to prevent racial and social profiling.

Verdicts for victims of racial and social profiling at hands of Montreal police | Montreal Gazette

Among other things, the police department was told to "cease repressive methods against homeless people," while the city was asked to "systematically collect and publish data based on race and social status of individuals in police interactions."

A police department spokesperson said the force is studying the decision. The city did not respond to a Montreal Gazette request for comment.

[In a June brief presented to the city of Montreal](#)

[http://www.ccbd.qc.ca/Publications/Bilan\\_MH\\_profilage\\_racial\\_social.pdf](http://www.ccbd.qc.ca/Publications/Bilan_MH_profilage_racial_social.pdf), the commission complained the city and its police department do not take racial and social profiling seriously enough.

The commission said that when it deals with complaints regarding racial and social profiling, it is hampered by a "lack of cooperation" from the city and the police department that "can be interpreted as not listening to or respecting victims of profiling."

In 2014, the Quebec police ethics commission rejected a complaint concerning racial profiling but suspended Champoux and McIntyre without pay for one day (<http://sitovras.socij.qc.ca/ste/decisio.php?ID=CC5A5D00C7820066851A2091AD1F5F62&page=1>) for several other breaches of the ethics code, including the use of excessive force.

ariga@postmedia.com

Read More:

[Nayiri Mohamed: Communities join forces to battle prejudice and fear](#)  
<http://montrealgazette.com/news/local-news/west-island-gazette/nayiri-mohamed-communities-join-forces-to-battle-prejudice-and-fear>

Shingler, B. (2017, August 30). Former Concordia student celebrates “long-awaited victory” in ethnic profiling case. Retrieved from: CBC News

8/30/2017

Former Concordia student celebrates 'long-awaited victory' in ethnic profiling case - Montreal - CBC News

### Former Concordia student celebrates 'long-awaited victory' in ethnic profiling case

Police abused position of authority, arrested Amal Asmar without cause, Quebec Human Rights Commission says

By Benjamin Shingler, [CBC News](#) Posted: Aug 30, 2017 10:56 AM ET Last Updated: Aug 30, 2017 10:56 AM ET

Seven years after she claimed to be roughed up, handcuffed and detained in the back of a police cruiser, the City of Montreal and two of its police officers have been ordered to pay \$45,000 to a woman of Arab origin in compensation for ethnic and social profiling.

Amal Asmar, who now lives in Saskatchewan, said her long fight was worth it. The Quebec Human Rights Commission issued its decision Tuesday.

"I am very satisfied with this long-awaited victory that will restore not only my fundamental rights, but will also serve people of colour and socially disadvantaged people such as homeless people in Montreal," said Asmar, who now works as a maternal and infant health co-ordinator in a First Nations community.

The incident dates back to 2010 when Asmar, a student at Concordia at the time, was arrested by constables Sébastien Champoux and Michael McIntyre in downtown Montreal.

- [More details on the incident here](#)
- [Victims 'baffled' Montreal police still not tracking racial profiling complaints](#)

While on her way to a friend's house, she stopped to sit on a bench on Ste-Catherine Street outside Alexis-Nihon Plaza around 3 a.m. after a late night at the library studying for midterms.

A police cruiser pulled up beside her, and Asmar says she was aggressively questioned, then pushed up against the car and handcuffed. She was then searched and put in the back of the cruiser.

She received two fines for the incident: a \$620 ticket for making noise and a \$480 ticket for using municipal property — in this case, the bench — improperly.

The fines were later dropped by the city.

Asmar, who was wearing a kaffiyeh (a black-and-white scarf commonly worn in the Middle East) at the time, argued she was singled out for her ethnicity and mistaken for a homeless person, who are known to frequent the area near Atwater Metro.

### Officers abused authority, commission says

In its decision, the Quebec Human Rights Commission found that the two police officers "lacked respect and politeness," abused their position of authority and detained Asmar without just cause.

The commission said the City of Montreal and the officers should pay \$30,000 in moral damages. The city was also ordered to pay \$10,000 in punitive damages, while each officer was ordered to pay \$2,500.

It also recommended taking steps to avoid social and ethnic profiling in future.

8/30/2017

Former Concordia student celebrates 'long-awaited victory' in ethnic profiling case - Montreal - CBC News

The decision is non-binding and the city and officers have so far not paid the fines.

In an email, a spokesperson for Montreal police said the force will study the decision.

Quebec's Human Rights Tribunal, which is part of the Quebec Court, will likely be asked to rule on the matter, according to Fo Niemi, head of the Centre for Research Action on Race Relations.

In an interview, Niemi said it was the first time the commission has recognized that a person has been both a victim of racial profiling and social profiling.

The tribunal could impose fines of its own or order Montreal police to make other changes to address profiling, including releasing data tracking complaints, he said.

- [What's behind the lack of diversity in Quebec police forces?](#)

Niemi said it could take the tribunal up to a year to reach a decision.

Montreal police have been dogged by allegations of racial profiling for years. A 2010 report by the Quebec Human Rights Commission found that ethnic minorities in the province are subject to "police surveillance that is targeted and disproportionate."



(2017, August 29). City, SPVM officers ordered to pay \$45,000 in racial, social profiling case. Retrieved from: CTV News Montreal

8/30/2017

City, SPVM officers ordered to pay \$45,000 in racial, social profiling case | CTV Montreal News

## City, SPVM officers ordered to pay \$45,000 in racial, social profiling case

CTV Montreal

Published Tuesday, August 29, 2017 10:56PM EDT

The Quebec Human Rights and Youth Rights Commission has asked the City of Montreal and two police officers to pay a former Concordia student \$45,000 damages after she alleged she was illegally arrested and detained.

Amal Asmar said she was walking on Ste. Catherine St. after studying at the Concordia library late one night in 2010 when she sat down on a bench near Atwater while wearing a headscarf.

She said a police car pulled up in front of her and two officers began questioning her aggressively. She was then arrested and given more than \$1,000 in fines, one of which was for using city property other than its intended use.

### RELATED STORIES

[Student says \\$1000-fine for sitting on bench is ridiculous](#)

Amal sought help from the Centre for Research Action on Race Relations to file a complaint. After seven years, the city and police withdrew the fines, but the commission stated that Asmar was racially and socially profiled, awarding her the moral and punitive damages.

CRARR director Fo Niemi said the decision was precedent-setting since both social and racial profiling was acknowledged.

"She was sitting in the park... in an area where there's known to be a lot of homeless or street people that look Inuit or Aboriginal," he said. "The way she looked at the time, long frizzy hair, with a scarf, past midnight, she looked like the profile of a homeless woman."


The city and police were given until last Friday to pay but failed to do so. Niemi said the case will now go to the Human Rights Tribunal and could take another six months to resolve.



(2017, August 29). Montreal et deux policiers sommés de payer 45,000 \$ pour profilage ethnique et social

ANNOUÉ

Montréal et deux policiers sommés de payer 45 000 \$ pour profilage ethnique et social | ICI Radio-Canada.ca

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ACCUEIL | ARTS ET FAITS DIVERS

## Montréal et deux policiers sommés de payer 45 000 \$ pour profilage ethnique et social

PUBLIÉ LE MARDI 29 AOÛT 2017 À 15 H 12



Amal Asmar interviewée à CBC en 2010 (Photo: Radio-Canada/CBC)

La Commission des droits de la personne et de la jeunesse (CDPDJ) du Québec demande à la Ville de Montréal et à deux agents du Service de police de la Ville de Montréal (SPVM) de payer 45 000 \$ en dédommagement pour profilage ethnique et social à l'encontre d'Amal Asmar.

Les faits remontent à l'hiver 2010 quand Amal Asmar, alors étudiante à l'Université Concordia, quitte la bibliothèque au centre-ville de Montréal, tard la nuit.

Chiffée d'un foulard traditionnel (khalil), la jeune femme d'origine palestinienne s'assoit, vers 2 h 30, sur un banc situé près d'un endroit fréquenté par des itinérants, rue Sainte-Catherine. C'est là que deux policiers du SPVM, qui répondaient à un appel d'urgence, sont venus l'interpeller de façon abusive, selon elle.

« Ils [les policiers] m'ont dit que la façon que j'utilisais le banc est illégale. Ils sont sortis de leur voiture et ils ont commencé à me pousser. J'ai crié, parce que ça me faisait mal », raconte Amal Asmar.

Menotée et arrêtée, puis interrogée pendant 45 minutes, elle a aussi eu droit à deux constats d'infraction : un de 600 \$ pour utilisation indue du mobilier urbain et un autre de 400 \$ pour avoir crié.

Convaincue d'avoir été victime d'un profilage ethnique et social, Amal Asmar a porté plainte auprès de la Commission des droits de la personne et de la jeunesse. Sept ans plus tard, elle obtient gain de cause.

« Cela a été une longue bataille, remplie d'obstacles frustrants, mais je suis très satisfaite de cette victoire tant attendue qui rétablira non seulement mes droits fondamentaux, mais qui servira également les personnes de couleur et les personnes socialement défavorisées comme les sans-abri à Montréal. »

— Amal Asmar

La CDPDJ recommande en outre au SPVM et à la Ville de Montréal une série de mesures destinées à prévenir le profilage racial et social, et ce, en reformant leurs politiques et pratiques en la matière.

À revoir : [Policiers et profilage racial](#)

### Une décision saluée

Pour le Centre de recherche-action sur les relations raciales, il s'agit d'une première.

Son directeur, Fo Niemi, estime que la décision de la CDPDJ « ouvre la porte à la confirmation judiciaire des actions de discrimination intersectionnelle et de profilage social, qui n'a pas encore été faite par un tribunal au Québec ».

« C'est une décision sans précédent, dans le sens où c'est la première fois que la Commission des droits de la personne reconnaît dans un même cas qu'il y a du profilage racial et du profilage social. »

— Fo Niemi, directeur du Centre de recherche-action sur les relations raciales

Cette décision est d'autant plus importante aux yeux de Fo Niemi que « le profilage racial est reconnu devant les tribunaux comme un phénomène illégal et discriminatoire, alors que le profilage social n'a pas encore eu cette reconnaissance judiciaire ».

### ANNEXE 3.4 RACIAL AND SOCIAL PROFILING AND DISCRIMINATION AT CONCORDIA

**Quebec Human Rights Commission Tells Concordia and Security Firm to Pay \$33,000  
Commission Finds Woman Was Racially and Socially Profiled, Concordia to Challenge Findings**  
The Link, News by [Miriam Lafontaine](#) — Published October 24, 2017 | [Comment](#)



- The Quebec Human Rights Commission found that Chantal Lapointe was racially and socially profiled by Concordia University security agents in 2013.
- The university thinks otherwise. Photo Brian Lapuz

Concordia University and the Montreal division of the Commissionnaires security firm are being asked to pay a former student \$33,000 in damages for a racial and social profiling incident in 2013.

Commissionnaires is a security firm that trains Quebec security guards.

The Quebec Human Rights Commission case is being led by the Centre for Research-Action on Race Relations, who's representing Chantal Lapointe, a Haitian woman who says she was harassed by Concordia security guards while walking through the EV building one night in July 2013. She was not a student at the time.

"I want to give a wake up call to Concordia," Lapointe said. "I can't believe an academic institution like Concordia can have that mindset, I just can't believe it. It's unacceptable."

"\$33,000 is a very, very high and important amount of money," CRARR executive director Fo Niemi said. "Hopefully it'll serve as a deterrent so that institutions will not commit this kind of discrimination."

At the time, Lapointe was making her way to the Webster Library, where she frequently does work, when she was stopped at the glass doors just before the Guy-Concordia metro by a Concordia security guard. The guard asked her where she was going and demanded that Lapointe take out ID.

"Maybe they chose me because they're trying to humiliate me, that's the way I feel about it," she said.

Not understanding why she was being stopped or asked to identify herself, she asked why she was being stopped. The guard said that since she was on Concordia property, they had the right to ask for identification.

She wasn't able to provide any since she wasn't carrying ID at the time, but did show a bill she had as proof of address.

A security guard then started to take photos of her, which she says was a violation of her privacy. Soon two police officers were called over, and Lapointe was escorted out. They mentioned that if they saw her again in the metro, they would arrest her.

"I'm very used to the building," Lapointe said. "When they're sitting there, they don't bother them, they don't go to them and ask them to leave, so why did they focus on me?"

Lapointe believes she was harassed because of her race, and because the security guards and police believed she was homeless. Lapointe isn't homeless and has never been. At the time, Lapointe was carrying a number of bags, and says she sometimes get misidentified as being homeless.

“This is one of the reasons why we believe the commissioner ruled she had also been a victim of social profiling,” Niemi said.

She also suspects her past as an activist could have made her a target. In the 90s, she worked as a community organizer with CRARR, and has worked with single mothers and minority women with the Women’s Y.

“Maybe they chose me because they’re trying to humiliate me, that’s the way I feel about it,” she said.

The human rights Commission, following a complaint by CRARR, confirms that. In a report compiled by the security guard, Lapointe was described as a “black female homeless” and as “Mrs. Voodoo.” The security guard also said that Lapointe threatened to cast spells on them.

“Those are obviously the kind of stereotypes that we felt that led the Commission to conclude she was a victim of racial profiling,” said Niemi.



Photo Brian Lapuz

### **Concordia Disagrees**

Concordia University disagrees with the Commission’s findings and intends to challenge the decision at the Human Rights Tribunal, said their spokesperson, Mary-Jo Barr.

“Our security personnel are well versed on how to engage with students and the public in order to ensure the university is secure, respectful and welcoming at all times,” said Barr.

\$20,000 is being jointly demanded from Concordia University and Commissionnaires for moral damages. Another \$3,000 is being demanded from the Montreal division of the Commissionnaires for punitive damages, for unlawful and intentional interference with her rights, and another \$10,000 being demanded for Concordia University in punitive damages.

The policies of Concordia’s security at the time stated that guards have the right to demand ID to anyone on the premises, the Commission found. CRARR is now demanding that Concordia revamp the policies of Concordia’s security in six months time and submit it to the Commission.

Since carding could be used to target homeless people who often don’t carry ID, CRARR wants to see that part of the policy removed, though Niemi admits he’s unsure of whether the carding policy is still in place.

“We believe this is a really important case, especially for the rights of the homeless as well,” said Niemi, since security guards trained by the the Montreal division of the Commissionnaires also work in malls and other public areas in the city.

They also want to see the addition of a new policy that will put in place mechanisms to prevent acts of discrimination by Concordia’s security agents, and for all Concordia security guards to receive anti-discrimination training. They want a report of the progress sent to the Commission one year later.

Concordia University and the Montreal division of the Commissionnaires have until Friday to pay up. If it isn’t paid by then, the case will go to tribunal.

## **CJLO settlement reached with former employee**

The Concordian, The News by [Étienne Lajoie](#) October 24, 2017



*Complaint filed under the Canadian Labour Code closed, non-disclosure agreement signed Photo by Mackenzie Lad*

### **A settlement was reached between Ellen Smallwood—a former CJLO employee—and the university radio station last week, according to the Centre for Research-Action on Race Relations (CRARR).**

CRARR represented Smallwood, the station’s former director of promotions, fundraising and sponsorship, when she filed a labour complaint against her former employer last March. Smallwood claimed the station’s executive team created a hostile work environment for women and that she was fired without just cause.

In an email to *The Concordian*, CJLO station manager Michal Langiewicz wrote that the settlement was done “to the satisfaction of both parties.” According to CRARR executive director Fo Niemi, the final approval of the settlement by the Canadian Human Rights Commission is pending.

“The complaint filed with Human Resources and Social Development Canada under the Canada Labour Code has been closed as part of the settlement,” Niemi added.

Neither Langiewicz nor Niemi commented on the settlement, citing a non-disclosure agreement between the two parties.

Smallwood, worked at CJLO from January 2015 to November 2016. She told *The Concordian* in April that tensions began between her and the station’s executive board and management team in June 2016.

According to Smallwood, certain employees opposed putting up posters condemning sexism, racism and other forms of bigotry intended to promote the office as a safe space because they believed it interfered with their freedom of speech.

### **She told *The Concordian* that their refusal was an indirect form of oppression against minorities.**

She added that Langiewicz eventually decided to ask the station’s volunteers whether or not they approved of the poster via an online poll. Smallwood said Langiewicz refused to put the posters up, despite the staff voting overwhelmingly in favour of displaying them.

Another female employee, who remained anonymous, corroborated some of Smallwood’s claims regarding the work environment and tension created following the safe space poster debate.

While Smallwood did not name any particular board executive in her complaint, she described Langiewicz’s leadership as being “paternalistic and sexist.”

According to the former CJLO employee, she was told by another employee that she wasn’t fired in person or given advanced notice because she would have “cried like a baby.”

At the time, Langiewicz told *The Concordian* it was the first labour complaint CJLO had dealt with in 17 years. “We cannot comment on any details at this point for reasons of confidentiality, except to say that we are seriously disputing the allegations,” Langiewicz said at the time. **Niemi said the complaint was filed not only to correct past actions but to protect future employees from the same conditions Smallwood faced.**

### ANNEX 3.5 SEXUAL VIOLENCE AND DISCRIMINATION AT CONCORDIA

Lajoie, E. (2017, October 17). Student to take alleged harasser to Human Rights Commission. Retrieved from: <http://theconcordian.com/2017/10/student-to-take-alleged-harasser-to-human-rights-commision/>.



*CRARR and individual considering filing a civil rights complaint against Concordia*

**It's Monday April 18, 2016. Concordia student Maria\* checks her phone and sees a text message: "Hey Maria, my names [sic] Eric\*, I saw you on [Plenty of Fish], how's it going? (:"**

She asks the man where he got her number. He answers with a screenshot of what Maria realizes is a fake account with her name on the dating app. "This is fake. Someone has been stealing my info," she quickly replies.

A day earlier, according to documents obtained by The Concordian, a post appeared on the Concordia University subreddit—a forum dedicated to the university on Reddit—claiming Maria had been seen performing sexual acts in a university office.

Soon after the post was published, she was contacted by a student she had met a few months earlier. He informed her about the post and attempted to start a conversation. Maria told him she wasn't interested in talking.

Less than 24 hours later, a second post was made on the Concordia University subreddit, describing Maria as a "whore."

These interactions are included in a report written on April 22, 2016 by Concordia security investigator and preventionist Lyne Denis. The report documents weeks of alleged cyberbullying, online sexual harassment, intimidation and threats Maria faced from a fellow student.

The Center for Research-Action on Race Relations (CRARR) offered Maria legal support following the recommendation of the Concordia Student Union Legal Information Clinic. On Sept. 2, the centre's executive director, Fo Niemi, told The Concordian they would be filing a complaint against the alleged harasser to the Quebec Human Rights Commission.

In a press release sent out 19 days later, CRARR wrote that Maria was also "considering" filing a civil rights complaint against Concordia "for discrimination and failure to protect and support."

**Maria, a 21-year-old international student, first met her alleged harasser after posting a message on a Facebook page for new Concordia students.** "I made a post [to introduce myself] trying to make friends in the group," she said. She was 19 at the time. "We met up in person, and we became friends. We were on and off in that friendship."

The harassment began when Maria ran for an elected position in a student association in 2016. A few months into her campaign, she said abrasive messages were being posted about her on Yik Yak, a now-defunct social media app that allowed users to anonymously post messages viewable by users within a certain radius, such as on or around campus.

Maria said she would receive messages from the alleged harasser shortly after the posts were made on Yik Yak. This behaviour became a recurring pattern.



“He messages me with, ‘Oh, look what’s being said about you.’ ‘Oh, I’m so sorry that this is happening to you,’” Maria said, referring to any time a message about her was posted on Yik Yak.

A Reddit account with her full name and the words “TheWhore” was also created around that same time. “He would always be the first one to message me with links to that,” Maria said. “It was posted five minutes ago, and he already knew. He already saw it, and he already had the time to text me about it.”

In April 2016, Maria said she confronted the student when another Reddit thread about her was created. “I know it’s you,” she recalled telling him. “Just stop. I’m going to go the police. If there’s a paper trail, I want it to lead to you.”

Maria explained that, “within five minutes of that conversation online, [the thread] was deleted.” During the same month, she allegedly got calls from men on several occasions because her Facebook pictures and phone number had been associated with fake online accounts under her name.

**“I was walking to class, I would receive calls from strange men like, ‘Hey baby, I know you’re in the H building, just wait for me,’” Maria explained.** She said she also received rape threats “not from [the alleged harasser] but through the accounts he created,” yet she claimed little was done by the university to protect her.

A visit to Concordia’s security on April 22, 2016 was not the first step Maria took to address this ongoing issue. Two days prior, she went to the university’s Office of Rights and Responsibilities (ORR) to file a complaint for harassment, sexual harassment and threatening or violent conduct, according to CRARR’s Niemi.

The ORR’s annual reports indicate the office saw a steady increase in the number of reported infractions of the university’s Code of Rights and Responsibilities—which include cases and consultations handled by the office—between the 2012-13 and the 2015-16 academic years.



Graphic by Zeze Le Lin

In 2012-13, according to the office’s annual report, 59 harassment infractions and 16 sexual harassment infractions were reported to the office. Two years later, in 2014-15, 63 harassment infractions and 29 sexual harassment infractions were addressed by the ORR.

The academic year Maria filed her complaint with the ORR, 99 harassment infractions were reported, according to the annual report, as well as 33 sexual assault infractions.

Concordia’s Code of Rights and Responsibilities reads: “Formal complaints by students against other students shall be adjudicated by a hearing panel consisting only of students.” When a formal complaint is made, the secretary of the Hearing and Appeals Panel selects three graduate or undergraduate students from the Student Tribunal Pool, as well as one non-voting chair.

The Student Tribunal Pool is nominated by the Concordia Student Union (CSU) each year in June. A maximum of 15 undergraduate students are chosen by the student union, in addition to a maximum of 10 students selected by the Graduate Student Association (GSA), according to Concordia’s Policy on the Establishment of Tribunal Hearing Pools.

Every student hearing panel (SHP) also has a chair, whose role is “to preside over the proceedings, keep order and ensure fairness,” according to the Code of Rights and Responsibilities.

In November 2016, Niemi compiled an unofficial list of lawyers who have acted as student tribunal chairs, including Roanne C. Bratz, Emmanuelle Demers, Sandra Mastrogiuseppe and Angela Onesi. The Concordian confirmed the four to be acting chairs.

The chair for Maria's case was Vincent Lesage, whose appointment had been proposed by the then-university counsel, Bram Freedman, in 2002.

"They tend to be from big law firms," Niemi said. "And in dealing with sexual violence and harassment, we start to raise questions about whether these people are trained enough to deal with this issue."

University spokesperson Mary-Jo Barr explained that tribunal chairs were chosen "due to relevant experience" and because they agree to chair the tribunals on a volunteer basis. "They are trained by our tribunal office on all our processes and policies," she added.

Maria's SHP did not take place until October 2016, four months after her visit to the ORR. In April, the same month she visited the ORR and Concordia Security, Maria filed a report with the Montreal police's 20th precinct, near Concordia's downtown campus.

An employee from Concordia Security accompanied her to the precinct on April 25 at 10:30 a.m., according to the incident report filed by Concordia Security's Denis's incident report.

When asked if Concordia had a copy of that report, Barr said the university would "not comment on a specific case." "We can confirm that when a student brings to our attention a concern for their safety, with or without a police report, we look carefully at how we can support that student," Barr explained.

According to Maria, the university offered her very little support.

**"Pending the trial, at the beginning of April last year, [Concordia Security] offered to walk me to the metro [at] night, but that was it," Maria said, adding that her alleged harasser could still approach her on campus.**

Maria said she also received no follow-ups from the police regarding her report. "The Sexual Assault Resource Centre [SARC] offered to get me support, offered to be there for me, offered to email my professors asking for extensions, but that's it. There were no continuous follow-ups."

On April 20, Maria's alleged harasser received an email from the ORR informing him that the office wanted to schedule a meeting with him and Concordia Security "to discuss [...] concerns regarding his alleged behaviour involving another member of the university."

A meeting was set up between the alleged harasser, ORR and Concordia Security on May 5, 2016. In her report, Denis wrote that the individual said "he would be available at any time after his last final."

"The university accommodates him and his final schedule, but no accommodation was given to me," Maria said.

**On Oct. 25, 2016 at 1 p.m., Maria entered a room in Concordia's GM building for the hearing.**

Niemi and Maria later criticized the trial's procedure. Maria told The Concordian there was a power imbalance. "I was represented by two CSU student advocates. He was represented by two university advocates paid by the university," she said.

In addition, Maria had to sit at the same table as her alleged harasser. "If I wanted to go to the restroom, I would have to almost touch him because the room was very narrow, [and] he had his friends sitting outside, his witnesses, laughing. I could hear myself being called a whore," she recalled.

According to Barr, "any party or person who feels uncomfortable in the physical setting can bring this up and solutions can be sought." She added that survivors can be provided with information and support from the SARC coordinator throughout the process. According to the SHP decision, Maria's advocate said SARC coordinator Jennifer Drummond would act as a witness. However, Drummond did not testify at the trial because "she had a prior commitment," the SHP decision reads.

**During the hearing, the respondent claimed he gave Maria's phone number—which eventually ended up on fake online accounts—to an individual who used the alias William.**

The respondent said he met the individual through the online gaming platform Steam but had never met him in person throughout their five years of acquaintance.

Maria's advocates asked the SHP to expel the respondent, arguing that "if the respondent is not adequately sanctioned, the complainant will not be able to continue her studies at the university."

In response, the respondent's advocates argued that "the complainant's advocates failed to establish a direct link between the respondent and the charges contained herein." For that reason, they added, a sanction of expulsion "would be very severe."

After a deliberation, the SHP unanimously upheld charges of harassment and sexual harassment, and a majority of the panel upheld the "threatening or violent conduct charge."

In light of the decision, the SHP imposed a written reprimand and compensation for the cost associated with Maria's need to change her cellphone. However, Maria said this was not an issue, since phone companies have policies to replace phones for free in cases of harassment.

Maria said it was very stressful for her to inform her family about the harassment. "I come from a very conservative family [and] the culture is not very feminist," she explained. "Just the fact that I had to call my dad [and] having to explain to him, 'I'm being called a whore. I can't walk to campus without someone wanting to rape me.'" According to Niemi, Maria's alleged harasser has also threatened to sue her.

In its Sept. 21 press release, CRARR wrote that "common patterns of the university's failure to protect and support [students include] being kept in the dark about the aftermath once a decision is rendered, especially where personal safety is concerned."

In its conclusion, the tribunal decision read that the "majority of the SHP recommended that the present file be forwarded to the appropriate department(s) for its assessment and management."

Niemi said he doesn't know where the file was forwarded. In an email, Barr wrote that the file "could be forwarded to Security, the Office of Rights and Responsibility and/or the Dean of Students—all depending on the circumstances."

According to Niemi, Maria has been suspended from her program. Maria said she is not attending classes at the moment because her grades suffered too much throughout the ordeal. "In the middle of my finals, I was walking with security to the police department, spending five hours with them to write reports. How was I expected to do anything? Concordia was aware because I was going with [them] to do all these procedures," Maria said, adding that the university did not unenroll her from the classes she expected to be excused from. "Classes that were supposed to be dropped were not dropped," Maria said, and her GPA suffered as a result.

**According to Maria, she only knew about the support available to her on campus because she was involved in student politics.** "Had I just come to my class and then went home, I would not have even been aware of these bodies, and would have had effectively no support," she said.

Niemi said the Quebec Human Rights Commission "will investigate the harasser [and] gather all the evidence to eventually rule whether she has been a victim of harassment and discrimination." Despite the SHP's decision to uphold the charges of harassment and sexual harassment, Niemi said he and Maria are not satisfied. As the SHP decision acknowledges, the tribunal "does not have the authority to impose conditions restricting the respondent's movements on campus."

If the Human Rights Commission recommends damages, Niemi said CRARR "is looking at five figures."

Maria said she "wanted to make sure [her] experience had some good come out of it."

"I want to make sure that this person will not go out in the world and perpetuate those same actions to someone else."

*\*Names have been changed to ensure the individuals' privacy and protection.*



## Former Students to Take Concordia to Quebec Human Rights Commission Women Say University Failed Them, Mishandled Sexual Violence and Harassment Cases

The Link, News by [Kelsey Litwin](#) — Published October 16, 2017



Three former Concordia University students are going to the Quebec Human Rights Commission after they say the university mishandled their sexual violence and harassment cases between 2014 and 2016.

The women, who are going by the names Maria, Cathy, and Felicia, sought the help of the Centre for Research-Action on Race Relations to bring their separate cases to the Quebec Human Rights Commission. CRARR is also assisting Felicia in her case against Concordia at the Quebec Administrative Tribunal.

As of Monday, a combined \$120,000 in damages is being sought by two of the women. CRARR is awaiting the last bits of information from Maria before officially filing her complaint, according to Fo Niemi, the centre's executive director.

Niemi says that her complaint will be against her harasser, a student at the university. She is also considering filing a complaint against the university, he says, "for failure to support her and protect her from harassment based on her gender."

"When the problem arises, they try to sweep things under the carpet," says Niemi, explaining that the three cases are an example of the university's "process-oriented" approach to handling complaints.

"There is an organizational culture problem here at this university," Niemi says. "[Their policies] don't seem to go to the root of the problem, but look at it in a very superficial way."

He claims that their policies, including [the stand-alone sexual violence policy](#) and [recently amended Code of Rights and Responsibilities](#), serve as boxes to check off.

Melodie Sullivan, the university's senior legal counsel, argues that is not the case, and what CRARR sees is just the tip of the iceberg in terms of the number of sexual violence cases that are seen and handled by Concordia's Office of Rights and Responsibilities.

"The big piece that's underwater is the every day of processing these requests," says Sullivan.

In the 2015-2016 academic year, 420 university code infractions were reported to the ORR. Of those, [33 pertained to sexual harassment](#), five of which included allegations of sexual assault. The year before there were [29 reported infractions](#), four of which involved sexual assault allegations.

### Who Can I Turn To?

Since experiencing harassment at the university, all three women have stopped taking courses at Concordia.

Felicia, a former employee of Concordia's bookstore, says she was fired after telling her manager about being harassed by a coworker and asking not to be scheduled to work with him. That experience has left her unable enter the university without a friend or family member, she says. Last spring was her last semester at Concordia.

"I didn't have any support. I didn't know what to do anymore," she explains. "I was crying in school, I was crying in my classes—it was too much."

Her grades suffered as a result, necessitating that she apply for readmission to Concordia, she says. And because of her poor GPA, she is unable to transfer to another university.

“I feel like I’m the one being penalized. [...] Because [the university] didn’t want to impact his studies, they impacted mine instead.” – Maria

Cathy, [who was assaulted on campus by another student in 2015](#), felt that the decision reached by the student tribunal was a sign that the university did not want her there. They ruled that her harasser would receive 30 hours of community service.

“I remember her saying, ‘They don’t care,’” says James, a friend of hers, speaking on her behalf. “She really felt like they had taken away the thing she had worked for for so long.”

He says that since that decision was reached on May 20, 2016, she has stopped trying to go to school.

Maria, who was harassed by another student for a year and a half, says her GPA fell significantly while waiting for a hearing with the Office of Student Tribunals.

The panel found Maria’s harasser guilty, for which he received a letter of reprimand.

She wishes that she would have received extensions on her midterms, or credits for the classes that she had to miss in preparation for the hearing. She insists that she had two weeks notice to prepare a 300-page evidence package, despite university regulations that say a complainant must submit evidence 20 days before the hearing.

“I feel like I’m the one being penalized,” Maria says. “Because [the university] didn’t want to impact his studies, they impacted mine instead.”

Jennifer Drummond, coordinator of Concordia’s Sexual Assault Resource Centre, says the accommodations Maria sought could have been made.

The university’s [sexual violence policy](#) stipulates that the Sexual Assault Response Team, a group formed to help a student navigate a sexual violence complaint, can “contact and work with all relevant departments/units to address related internal issues for the survivor/victim.”

“We encourage people to come to SARC,” Drummond says. “That way, if that’s their first stop, I can coordinate services and support around that person.”

Lisa Ostiguy, Concordia’s deputy provost, emphasizes that the university encourages other on-campus resources to connect individuals with SARC so that Drummond can organize the response team. Those services can be counseling, health services, or security.

That way, Drummond says, they can minimize the number of times a survivor must disclose their story by ensuring they aren’t bounced around from service to service. Maria says that was not her experience.

“I did everything by the book,” she says. “I went on my own and I sought out all the resources the school supposedly has, and I was just ping-ponged back and forth.”

### **A Failing Grade**

Our Turn, an action plan developed by 14 Canadian university student unions, evaluated the schools on how survivor-centric their sexual violence policies are and posted their results on Wednesday. [Concordia received a score of D-](#), or 52 per cent. The just-above-failing grade landed them at the bottom of the list.

The detailed breakdown of the scoring explains that the universities were graded on whether the policies ensure that the complaint will be upheld, no matter if the respondent leaves the school, if online activity is included in the policy, and whether intersectional impacts on sexual violence are considered, among other elements.

Mary-Jo Barr, Concordia’s spokesperson, says there are inaccuracies in the document—Concordia lost six points for reportedly not having a stand-alone policy, which it does—and that they are in the process of following-up with the student groups involved in preparing it, because “it doesn’t reflect” the work that has been done at the university in the last three years.

*The Link* was unable to reach CSU executive Leyla Sutherland, who was involved in drafting the action plan, for comment.

*The Link encourages survivors of sexual violence seeking support to visit the Sexual Assault Resource Centre, located in H-645 at the downtown campus // 514-848-2424 ext. 3461 // sarc@concordia.ca.*

## Concordia's Systematic Sexual Violence Problem Three Former Students Expose the Flaws in Concordia's Sexual Violence Policies

The Link, News by [Kelsey Litwin](#) — Published November 7, 2017 | [Comment](#)



- GRAPHICS ZOË GELFANT @ZOEELFANTART.

It's been three years since Cathy was assaulted by her ex-boyfriend.

The assault, which caused Cathy to lose partial hearing in her left ear, took place at her Montreal apartment, and resulted in a criminal proceeding against her attacker. At the time, both Cathy and her ex-boyfriend were Concordia students.

Her attacker was found criminally guilty of the September 2014 attack, and had conditions placed onto him that included a restraining order. Six months later, in February 2015, he violated those conditions, assaulting Cathy once more. This time, on campus.

After a student hearing process—that's how Code of Rights and Responsibility complaints are handled at Concordia—which was drawn out for more than a year, he received 30 hours of community service, to be completed by the end of the Winter 2017 semester.

In the years since, her attacker has worked to complete his degree, while Cathy has since stopped going to school.

"She's terrified," said James, a friend of Cathy's, on her behalf. Because of the trauma she endured, she finds herself unable to talk about the experience without experiencing intense anxiety. That anxiety also makes it impossible for her to go into Concordia, he said.

"She's terrified," said James, a friend of Cathy's

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Maria was friends with her harasser before the trouble started—they had met on a Facebook group for new Concordia students in 2014. Eighty per cent of survivors know their harasser before the incident. Admittedly, the two had a rocky relationship, she said.

In April 2016, she began seeing posts about herself on social media—a Concordia subreddit and YikYak, an anonymous, location-based platform—but because she was running for a position within her student association, she thought the sexist slurs were related to her campaign, she said. But once the campaign was finished, the posts continued. Then, her phone number was leaked on a fake dating profile.

She said she started receiving phone calls from individuals saying they knew where she was on campus. Concordia's security brought her to the Sexual Assault Resource Centre.

Due to her familiarity with the university, she said she knew where to go and who to speak with to file her complaints, both with the Montreal police and with the Office of Rights and Responsibilities. Maria said she also alerted the Dean of Students office.

At her hearing, her harasser was found guilty of violent and threatening conduct. He received a letter of reprimand. The tribunal process, including putting together a 300 page evidence package, distracted her from her studies, resulting in poor grades. She is taking a year off school.

"And now I'm left with the academic scars of that [experience]," she said.

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Felicia was a part-time employee of Concordia's bookstore for two and a half years. In 2015, she began experiencing harassment—it was both physical and psychological, based on her sex and gender—at the hands of a co-worker. In November of that year, she decided to alert her manager, who cut Felicia's hours but still had her scheduled to work with her harasser.

When she approached her manager about the situation again, she was fired. She was given two reasons for her firing, one of which included personality differences.

She filed a complaint with the Office of Rights and Responsibilities, but it was transferred to Concordia Human Resources without her consent.

The stress of the experience caused her grades to drop, she said, which means she must now apply to Concordia for readmission. The low GPA, Felicia said, also prohibits her from applying to another university.

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The three women are in various stages of filing complaints against the university or their harassers with the Quebec Human Rights Commission.

At the moment, Cathy and Felicia are seeking a combined \$120,000 in damages. That includes the \$20,000 Felicia is seeking through her complaint with the Quebec Administration Tribunal. Maria is in the process of finalizing her complaint.



GRAPHICS ZOË GELFANT @ZOEELFANTART.

The Centre for Research-Action on Race Relations is assisting the women in bringing their cases forward. Since CRARR's inception in 1983, the nonprofit has evolved past its original mandate to "promote racial equality and combat racism in Canada," to now advocate for all human rights.

Fo Niemi, the executive director of CRARR, said these three cases are examples of Concordia's systematic flaws in dealing with sexual violence, which per the university's definition, includes both harassment and assault.

"They are a testimony to how the system is not working," Niemi said. "It might work for the university, it might work for the bureaucracy, but it doesn't work for these women, at the frontline or at the end of the process."

Part of the reason why the women are seeking so much money, Niemi explained, is to make a point.

"It's no longer about harassment but about [...] the university's duty, legal as well as social and ethical," he said in regards to Cathy's case.

Since 2014, Concordia has seen a total of 85 sexual harassment complaints. The 2016-2017 academic year saw the lowest, with 23 reported cases to the university.

In the same time frame, the Quebec Human Rights Commission saw 26 sexual harassment cases, almost three quarters of which were against women. During that time, they've had four cases of sexual harassment on university campuses filed—two in 2016 and two in 2017, between Jan. 1 and Sept. 30.

Cindy Viau, assistant to the executive director for the Groupe d'aide et d'information sur le harcèlement sexuel au travail du Québec, said one of the deterrents from advancing harassment complaints to a higher governmental level is the risk of revictimization.

"It's a long process, it's a hard process," Viau said. "They have to evaluate if they want to do all of that."

She continued to explain that it's hard to anticipate the outcome of a legal case, and due to how drawn out they can be, survivors sometimes decide to not bring their cases forward "because it's so difficult."

Additionally, she said, that unlike other legal proceedings, proof is hard to obtain, rendering the process even more challenging.

"Sexual harassment is generally done behind closed doors where there's nobody around," said Viau. "So what? Because it's happening behind closed doors, [these people] don't have access to the justice system? So there's something that needs to be adapted to that reality."

Despite the difficult process, Maria believes that coming forward with her story can pave the way for other survivors.

"I'm seeking for this to be heard," she said. Maria explained that while working in a government office this summer, she "heard lots of stories like mine, students at HEC, students at [Université de Montréal]."

One woman, Maria remembered, was hesitant to come forward because she had heard negative stories from others who had, and she was fearful of the consequences. But Maria said that in repeating her story over the summer, she became detached from it and felt like coming forward was the right thing to do.

"It happens quite a lot, and if we want any change to come out of this, we need to speak up," she said.

Maria wants to see changes made within Concordia itself. Specifically, she said there are flaws in the complaint and tribunal processes.

"I think in that first initial few months, between [filing the complaint in] April and [the tribunal in] October, I had no support, I had no security on campus," she said. "There were no terms between him and I."

She continued that she still felt as though her harasser could approach her on campus and continue to publish her whereabouts online. "I had no insurance," Maria said.

Similarly, she said that tribunal process was not set up to handle sexual violence cases—she said she had to sit next to her harasser during the hearing, which lasted six hours.

James, Cathy's friend, said she holds some of the same complaints. Though she was first offered the opportunity to testify via video, he said terms changed so that her presence was required, although she was able to leave after providing her testimony.

"One of the flaws [...] is in how the meeting was set up," reiterated Niemi. "Just the thought of being inside that room with your aggressor without a security guard is a serious deficiency."



GRAPHICS ZOË GELFANT @ZOEELFANTART.

Melodie Sullivan, Concordia's senior legal counsel, restated however that accommodations can be made, even up until the day of the hearing.

When presented with the alleged flaws that Maria, Cathy, and Felicia perceived during the process, Sullivan remained firm that had the women approached the university with their concerns, accommodations could have been made, including those pertaining to their studies.

“The feedback I’ve heard from people I’ve worked with, survivors that have come for support, is that it’s been really efficient, and even within a few days to a week, changes are made in their courses, exams have been moved, accommodations have been made quite quickly,” agreed Jennifer Drummond, coordinator of the SARC. The centre, she said, should be a survivor’s first stop.

But many of Cathy and Maria’s concerns stem from the last part of the process: the sanctions imposed on their harassers, community service and a letter of reprimand, respectively. Both women say that once the decisions were rendered, that was the last they heard of their cases from the university.

“It’s been a year and a half and there’s been no follow up,” said Maria.

The decision rendered read that “the majority of the [Student Hearing Panel] recommended that the present file be forwarded to the appropriate department(s) for its assessment and management.”

Maria said that after she received the decision, she went to check with campus security and the Dean of Students office, two departments that she assumed would be considered “appropriate” in this situation. She alleged that neither had been informed of her case.

When Cathy’s decision was reached, “there was no provision to keep her safe if she wanted to come back to campus,” said James of his friend. “And what’s to stop [her harasser] from doing it again?”

Niemi echoed the statement. “When the decision came down, it was complete silence. No follow-up. No outreach,” he said. “She was left entirely on her own.”

Sullivan explained that what these women experienced after their hearings was par for the course. When asked whether there was a procedure in place regarding notifying those who’ve filed complaints, of sanctions imposed, she said, “Not directly, no.”

“Anyone who’s fearful and still thinks that there’s any threat whatsoever should come on down [to the university] and go back to either [Drummond] or the Office of Rights and Responsibilities,” Sullivan continued. “If she has any reason to feel that either the sanctions are not being followed or if she has any concern for her safety, anything like that, she should absolutely speak to whoever she wishes.”

Niemi, however, calls the university’s passive follow-up a “serious systematic flaw.” In Cathy’s situation, he said, “Threatening and violent conduct [...] should have been a red flag for the university right away.”

Despite Maria, Cathy, and Felicia’s allegations, of which Concordia President Alan Shepard said he is unaware, he maintained that the university’s sexual violence policies are among the top in the country.

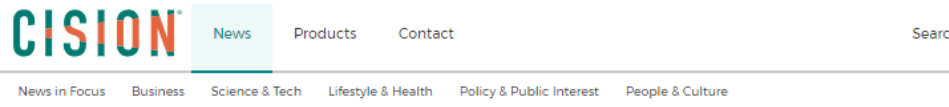
“I think we’ve had very progressive, open discussion about a super complicated, difficult topic. I’m proud of the way Concordia has handled it. I think the services we provide to people who have been assaulted are strong,” Shepard said, including the university’s preventative efforts, such as consent workshops. “In my view, Concordia’s made big steps forward.”

But those strides aren’t long enough for Maria.

“It angers me that here I am, taking the whole year off of school, and I’m the one being penalized and behind in my studies,” she said. “And he’s the one walking around with a letter of reprimand.”

## ANNEX 3.6 CAMPAIGN AND ACTIVITIES AGAINST BILL 62 AND ISLAMAPHOBIA

Press release circulated on Newswire. Retrieved from: <https://www.newswire.ca/news-releases/concordia-student-union-denounces-bill-62-and-discussion-panel-654182783.html>



# Concordia Student Union Denounces Bill 62 and Discussion Panel

NEWS PROVIDED BY  
**Concordia Student Union** →  
 Oct 30, 2017, 20:30 ET



MONTRÉAL, Oct. 30, 2017 /CNW/ - Concordia Student Union (CSU) will take all "necessary and proper" action to defend the constitutional rights of all students who are adversely affected by Bill 62, the law that was adopted by the Quebec National Assembly.

Bill 62, officially known as An Act to foster adherence to State religious neutrality and, in particular, to provide a framework for requests for accommodations on religious grounds in certain bodies, contains a provision that prohibits face coverings for all persons receiving or providing a public service. The provision is deemed to target mainly Muslim women who wear the niqab or the burqa.

The CSU, which represents more than 35,000 undergraduate students at Concordia University who come from different racial, ethno-cultural and religious backgrounds, and countries, considers Bill 62 to be contrary to the Canadian and Quebec Charter of Rights and Freedoms, and therefore unconstitutional. The CSU adopted a resolution condemning the law as being "a legislated barrier and deterrent for Muslim women's right to education, services and employment both at Concordia University and elsewhere."

"[Certain] provisions of Bill 62 target and disproportionately affect Muslim women in Quebec, who are Concordia students and CSU members, and that overall Bill 62, in its application, could produce exclusionary consequences for those that lead to further discrimination, Islamophobia, penalization and marginalization of these women," says the Resolution.

"Bill 62 is unacceptable and unconstitutional state-sanctioned discrimination against Muslim women and their families on the basis of gender and religion, amongst other grounds. It constitutes state-sanctioned violation of Muslim students at Concordia of their right to education as well as their right to employment and access to related services that are fundamental to their well-being, freedom and academic as well as professional endeavors," the Resolution also states.

"We support high quality, universally accessible postsecondary education as a fundamental human right for all, particularly women" said Omar Riaz, CSU General Coordinator. "By prohibiting women who, for personal religious reasons, wear the niqab, from receiving educational services, Bill 62 effectively bars these women from our university and deprives them of the educational and job opportunities to which they are entitled," he added.

"It is ironic that a piece of legislation that is supposed to protect gender equality, among other things, produces the effect of discriminating against women simply because of their choice of faith and clothing," noted Sarah Abou-Bakr, a Muslim student at Concordia.

The CSU will call on other student unions and community organizations to oppose Bill 62 through all legal, political and social means available. In its view, Bill 62 will effectively promote Islamophobia, because in reality, it is not only about the burka or the niqab, but ultimately, about Muslim women and their families who will pay the price of state-sanctioned prohibition and discrimination.

"This is very much like U.S. President Donald Trump's Muslim travel ban," added Riaz. "Once the State is allowed to arbitrarily and abusively legislate against the constitutional rights of one minority group, which group will be next?"

Finally the CSU, along with its Legal Information Clinic (LIC), the Muslim Students' Association of Concordia University (MSA Concordia) and the Center for Research-Action on Race Relations (CRARR) will be organizing a panel discussion regarding Bill 62 Wednesday November 1, 2017 at 18:30 Concordia, Hall Building, 1455 de Maisonneuve West, room H609





Concordia Student Union was live.

November 1, 2017 · 🌐



LIVE from Concordia University: Panel discussion Bill 62



Chris Kalafatidis and 23 others

10 Comments 11 Shares 1.9K Views



Concordia Student Union shared an event.



October 29, 2017 · 🌐

Join us for a discussion panel on Bill 62 and its impacts on various minority groups. We will explore ways and actions to strengthen fundamental human rights and freedoms, as protected by the Canadian and Quebec Charters of Rights and Freedoms.

## DISCUSSION PANEL: BILL 62

*Islamophobia, Religious Neutrality  
and Reasonable Accommodation*

**Date:** Wednesday, November 1, 2017

**Time:** 6:30pm to 8:30pm

**Location:** H609, Concordia, Hall Building, 1455 Maisonneuve W.



Concordia  
Student Union



WED, NOV 1, 2017

### Panel Discussion on Bill 62

Concordia University - Hall Building - Montreal

★ Interested



Chris, Kojo C and 2 friends were interested



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Parrillo, F. (2017, November 8) Concordia University students protest face-covering ban legislation. Retrieved from: <https://globalnews.ca/news/3850411/concordia-university-students-protest-face-covering-ban-legislation/>

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## Concordia University students protest face-covering ban legislation

By Felicia Parrillo  
Reporter, Global News

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Concordia University students at the Montreal Courthouse on Wednesday, November 8, 2017.  
Felicia Parrillo/Global News

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Concordia University students delivered almost 1,000 letters addressed to Quebec Justice Minister Stéphanie Vallée, at her Montreal office at the courthouse on Wednesday. The letters condemn the government for Bill 62, the legislation that bans face coverings.

“These letters are Concordia students’ voices, our voices to oppose this law,” said Concordia student Sarah Abou-Bakr. “We want the message to be delivered, to be clear, that [the law] is putting communities at risk.”

**READ MORE: Quebec minister says ‘person’s choice’ to hide face – but you can be refused services**

Bill 62 bans people from giving or receiving public services if their face is covered unless an exemption has been granted.

The legislation, which was tabled by Vallée in 2015, would block access to services, such as public transit, health services or classes at a public school or CEGEP.

“Since it was passed, the legislation has been widely condemned, with critics saying it targets Muslim women. The legislation is also facing a legal challenge.”

The National Council of Canadian Muslims, the Canadian Civil Liberties Association and Marie-Michèle Lacoste, a Quebec woman who converted to Islam in 2015, filed the challenge in Quebec Superior Court on Nov. 3.

**READ MORE: Quebec face-coverings ban leaves Muslims fearful: ‘Life will get harder’**

“As a Muslim woman, I know that even if I don’t wear a niqab, such a bill, or law that is unnecessary, is really putting my safety at risk,” said Abou-Bakr.

The letters, signed by Concordia students, denounce what they call the “racism, sexism, and Islamophobia, which will disproportionately affect Muslim women.”

**READ MORE: Quebec’s face-coverings law hit with legal challenge**

The students say they hope that their voices will bring change.


“I’m here on behalf of all the 35,000 students at Concordia, that are not content with the law, don’t agree with the law and want it to be scrapped in its entirety,” said Omar Riaz, the general co-ordinator of the Concordia Student Union.

Vallée has said the legislation doesn’t target any religious group and says most Quebecers agree with the principle behind the bill.

**READ MORE: More than 130 groups to gather for anti-racism rally in Montreal**

The Concordia Student Union is one of the 130 groups expected to participate in a demonstration against hate, racism and Bill 62, taking place Sunday in downtown Montreal.

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**This Is Worth 35 Minutes**

The 10-minute program is available on the Global News app and website. The video is for Canada.

**RELATED**

- Montreal bus driver could face sanctions for showing support to Bill 62 protesters
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- Quebec’s Bill 62 aims to impose religiously neutral public service



Concordia Student Union

November 8, 2017 · 🌐

...

For Immediate Release - Wednesday, November 8, 2017

Concordia students hand-deliver hundreds of letters addressed to Minister of Justice Stéphanie Vallée to denounce Bill 62.

Hundreds of letters signed by Concordia students were hand-delivered to Minister of Justice Stéphanie Vallée at her Montreal office in the Palais de Justice. Concordia students expressed their dismay at Bill 62, officially known as An Act to foster adherence to State religious neutrality and, in particular, to provide a framework for requests for accommodations on religious grounds in certain bodies.

The letters denounce the racism, sexism and islamophobia inherent in the bill, which will disproportionately affect Muslim women. Students condemned the legislation and highlighted the egregious violations of the right to religious freedoms within the bill's self-stated "religious neutrality". This action comes on the heels of a panel hosted by the Concordia Student Union last Wednesday to discuss the constitutionality of the bill, as well as a motion formally adopted by the CSU Council of Representatives which denounced the "state-sanctioned violation of Muslim students at Concordia of their right to education as well as their right to employment and access to related services that are fundamental to their well-being, freedom and academic as well as professional endeavors".

"By prohibiting women who, for personal religious reasons, wear the niqab, from receiving educational services, Bill 62 effectively bars these women from our university and deprives them of the educational and job opportunities to which they are entitled" said Omar Riaz, General Coordinator of the CSU.

"It is unacceptable that this law attempts to refine religious accommodation and could be interpreted to give employers the power to refuse time off to employees who wish to observe religious holidays," said Sarah Abou-Bakr, a Muslim student at Concordia and employee at the CSU Legal Information Clinic.

The Concordia Student Union invites all members and community groups to participate in the November 12th demonstration against hate and racism taking place in downtown Montreal and to stand united against Bill 62.





## Official CSU Statement



The Concordia Student Union (CSU) represents the rights, and interests of more than 35,000 students at Concordia University who come from different racial, ethnocultural and religious backgrounds, and countries, many of whom are Muslim women and men. The CSU strongly condemns and denounces Bill 62, passed by the Quebec government on October 18, 2017. Bill 62 is unacceptable and unconstitutional state-sanctioned discrimination against Muslim women and their families on the basis of gender and religion, amongst other grounds.

The CSU is opposed to any such law, regulation, policy and action, public or private, that has the effect of negating, diminishing, compromising and violating the fundamental rights and freedoms enshrined in international and domestic human rights instruments.

The CSU believes that provisions of Bill 62 target and disproportionately affect Muslim women in Quebec. Bill 62, in its application, produces exclusionary consequences for those that lead to further discrimination, Islamophobia, penalization and marginalization. Furthermore, several provisions of Bill 62 constitute a legislated barrier and deterrent for Muslim women's right to education, services and employment both at Concordia University and elsewhere.

We would like to assure all students and members that the CSU values and promotes the principles of equality, diversity, inclusion and an intersectional feminist and anti-oppression approach towards all its endeavors and actions. The CSU will partner with other student unions, community organizations and other stakeholders in Quebec and elsewhere, to undertake all necessary and proper democratic means to protect anyone affected by this bill, including Muslim students at Concordia.

1455 de Maisonneuve Blvd W., H-711  
Montreal, QC, H3G 1M8

### ANNEX 3.7 INTERFAITH AND INTERGENERATIONAL COMMEMORATION OF THE QUEBEC CITY MOSQUE SHOOTING

Barbier, E. (2018, January 30) CSU Commemorates First Anniversary of Quebec City Mosque Shooting. Retrieved from:

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## UPDATED: CSU Commemorates First Anniversary of Quebec City Mosque Shooting

University Event One of Several Vigils Held Across Montreal

NEWS by Eliba Barbier — Published January 30, 2015 | Comment

CSU Online Review



Imam Saadya Elmehdi (left) and other staff members of the mosque at the Quebec City Mosque Shooting, as Eliba Barbier, coordinator of the multi-faith Concordia center, lit a candle for each of them. Photo: Eliba Barbier

Sometimes shaking, sometimes low, the voices could barely break through the silence. Only the prayers calling for peace were able to pierce through.

*This article has been updated.*

One year after the shooting at the Islamic Cultural Centre of Quebec City, the Concordia Student Union organized an interfaith and intergenerational ceremony as part of their anti-racism campaign Monday night.

The ceremony gathered different faith leaders from Muslim, Jewish, Catholic, and interfaith establishments, as well as politicians and members of several Muslim associations from across Montreal. The CSU aimed to unite different backgrounds as the problem of extremism against religious sites.

All faith leaders at the vigil called out for people to learn about different religions and a will to teach others about a religion's culture and celebrations.

"[The Muslim communities] need as much as possible to create bridges and awareness about who we are because in many cases these attacks are fueled by ignorance," said Sameer Maqsood, president of the Canadian Muslim Forum.

The same ignorance has been a concern of the CSU according Ahmed Badr, the union's external affairs and mobilization coordinator. "We are doing our best to make [Concordia] a safer place," said Badr.

The CSU have been holding workshops on systemic racism and cybersecurity to ensure that students confronted with racism and discrimination feel safe in the university.

"You feel safe here [at Concordia] because people are represented and are aware," said Fahad Ali, a first year student. Ali felt empowered by the CSU's decision to condemn violence and extremism.

"It doesn't require dead bodies to keep building violence," said Jawarrah Mustaq, a first year student.

Mustaq described the ceremony as a great place to remember how visible minorities have to think about personal safety in a way other students do not.

Both Sameer Zubert, a former CSU executive, and Maqsood separately described the refusal by the provincial government to establish a day against Islamophobia as "a slap in the face."

Zubert used Canada's National Day of Remembrance and Action on Violence Against Women, a day that commemorates the anniversary of the Polytechnique massacre, as an example, hoping that there will one day be a memorial day for the Quebec City Mosque shooting.

#### **Vigils Held Across the City**

Vigils were also held in Notre-Dame De Grace, Saint-Basile, Marboul North, and in front of the Pie-IX Metro station on Monday.

At the Jean Talon Metro station, about 400 Montrealers gathered outside, some holding candles and signs, in remembrance of the lives lost in Quebec City last year.

"What's interesting is that the commemoration is not happening in a place, but within communities," said Ayman, an attendee of the vigil outside Pie-IX, who didn't want to give his full name for fear of harassment.

"It lets us talk directly to the people and isn't just addressing the media, or political world," he said. "Because it's through the people where we will transform Quebec society."

*With files from Vince Morillo and Sherman Greeney*

### ANNEX 3.8 CAMPAIGN AGAINST RACISM

#### **After Cancelling a Commission Into Systemic Racism, Community Organizations Launch Their Own Coalition of 40 Anti-Racist Groups, and Other Groups in Montreal Step in to Fight Institutional Racism**

The Link, News by [Marissa Ramnanan](#) & [Miriam Lafontaine](#) — Published March 6, 2018 |

After the provincial government backed out on their plan to host a commission into systemic racism last October, it opted instead for a one day forum “validating diversity and the fight against discrimination.” It was a watered down offer that only addressed discrimination in the workplace, in an attempt to find solutions for Quebec’s labour shortages.

It’s a move that’s left many in Quebec unsatisfied. Unwilling to settle for less, a coalition of more than 40 anti-racist groups across Quebec decided to launch their own independent commission into systemic racism without help of the government.

“We lost all hope and confidence in the government to follow concrete initiatives against systemic racism,” said Safa Chebbi, a member of the Table de concentration contre le racismisme systemique, the coalition leading the independent commission.

The coalition hopes systemic racism in Quebec can be better documented, so public knowledge on the issue can be broadened and solutions could be examined and put in place moving forward—in the same way that systemic violence in residential schools was analyzed through the Truth and Reconciliation Commission.

“We already know the answers, we already have the statistics of unequal employment,” said Mei Chiu from the Chinois Progressistes du Québec, one of the groups in the coalition. “We need to have a process in which we systematically document all forms of systemic racism, affecting all minority groups in Quebec.”



In March, over 1,000 people marched against hate, racism, and the rise of the far-right in downtown Montreal. Photo Brian Lapuz.

The TCRS is fully led by members of racialized communities, Chebbi said, and they want it to stay like that every step of the way. Any racialized person who wants to join in is free to do so, and since their consultations and research will depend heavily on volunteers and non-partisan organizations, they’re always looking for more people.

“The poverty rate of the Chinese-speaking population is much higher than the poverty rate for the general population of Quebec,” said Chiu. “In terms of access to employment, there’s a reason why we earn about \$8,000 less than the average Quebecer.”

To demonstrate their opposition to the Liberal provincial government, the coalition has agreed to not accept any financial aid from the government. “Politicians don’t take into account racialized people’s rights, interests or needs, which is why we don’t want to be affiliated with any political party,” Chiu said.

To properly gather and extensively plan the consultations independent of any political help, Chebbi expects the consultations to take two to three years. The dates of the consultations should be announced soon.

Chiu hopes the coalition will help in building a broader anti-racism movement in Quebec, as she feels one is really lacking.

With the 2017 mosque shooting in Sainte-Foy, Que., the passing of Bill 62 (the face-covering law that affects Muslim women who wear the burqa or niqab), the rise of far-right groups, and the pushback against holding a national day against Islamophobia, many say racism in Quebec is impossible to ignore.

“With everything that’s happening in recent years in Quebec, in Canada, and you can say even worldwide, we feel targeted,” said Racha Cheaib, who works at the Centre Communautaire Musulmane de Montréal in St. Michel.

Cheaib said that after the mosque shooting last year it’s impossible for them to not feel targeted. Their own community centre, also part of the coalition, has been vandalized repeatedly. For a period of time after the attack, they hired security personnel to guard the entrance of the building. In working with children, she said she often hears stories of racially-based bullying, and stories from others who’ve been spat on for how they look. As a Muslim, she said she’s tired of always having to defend their existence to others.

“As a Muslim woman, I’m either pegged as oppressed, or as someone who is a threat to the Canadian identity,” said Cheaib. “But I am Canadian, and have been Canadian for so long.”

“Why should we be ‘accommodated?’ That’s the wrong term to use,” she said. “You accommodate a guest, we’re not guests, that’s the point.”

“Why should we be ‘accommodated?’ That’s the wrong term to use. You accommodate a guest, we’re not guests, that’s the point.” – *Racha Cheaib*

### **Montreal’s Part**

The demand for consultations against racism and discrimination is especially high in Montreal. The Center for Research-Action on Race Relations, a Montreal civil rights group, recently launched a petition to hold a similar consultation in Montreal this February, and the Concordia Student Union will be hosting two public consultations on systemic racism in March.

If launched, CRARR’s consultation would address police brutality and racial profiling, the disproportionate criminalization of young men of colour, higher rates of unemployment and poverty for visible minorities, and rising Islamophobia.

It would also examine the lack of visible minorities in Montreal’s municipal politics and services. Only four visible minorities are currently part of Montreal’s city council, and Projet Montréal didn’t appoint any visible minorities to their executive committee after being elected. Within municipal services, 11 per cent of workers are visible minorities. Seven per cent work as police officers, and less than two per cent work as firefighters. In comparison, a of total of 26 per cent of Montrealers are visible minorities.

“Racial discrimination is still present in terms of fair access to jobs for Black and middle-eastern individuals, both French and English speaking. There also has been racial profiling, hate crimes directed at Black, Muslim, and Jewish individuals, and institutional accountability responses have lacked,” said Fo Niemi, executive director with CRARR.

“The consultation we’re asking for is not about discussing problems alone, but to as well find solutions, and establish an accountability framework for change.”

CRARR is working in collaboration with former Projet Montréal candidate Balarama Holness, a former Montreal Alouettes player and current McGill law student, to launch the public consultation. If the petition garners 15,000 signatures, the city will be obliged to follow through and activists hope it could begin an action plan to deal with systemic racial discrimination in Montreal.

“The new Plante administration, after its first 100 days, has both the opportunity and duty to chart a new, more inclusive and equitable course of Montreal—we are ready to help write the next chapter of the city,” Holness said.

Niemi told The Link he hopes to see improvements within Montreal’s police force, saying they’ll be pressured to begin another action plan on racial and social profiling. The Montreal police launched their own action plan on the issue from 2012 to 2014, but a report accessing the action plan a year later found that it had been ineffective.

It showed officers have a lack of sensitivity training, showing they only get one seminar once in their career tackling racial and social profiling. Some police officers interviewed through the report a year later said they decided to seek out their own sensitivity training to make up for this. The report also showed a lack of funding for programs meant to ease tensions between visible minorities and the police, and that the SPVM keeps no centralized database of the number of racial or social profiling complaints filed against them.



### What's Next for Concordia?

Consultations headed by the CSU will be held at the beginning of March, with one on March 7 at the Loyola campus, and one on March 9 at the downtown campus.

The CSU held its first consultation on the matter at the end of January, opening up a space for students to discuss their experiences with racism on campus. It made the CSU realise the urgent need for more of these discussions, said External Affairs and Mobilization Coordinator Ahmed Badr, and Arts and Science Councillor Aouatif Zebiri.



Courtesy of the Concordia Student Union.

Students who attended were encouraged to discuss their experiences with racism in or around campus. Zebiri found an alarming number of students spoke of experiencing racism from professors, and some said professors showed a serious lack of professionalism towards visible minorities. Many students also expressed frustration over the lack of diversity within the curriculum of certain courses.

Some noticed that courses on Indigenous history only featured readings from white scholars. Zebiri doesn't think white scholar's work on Indigenous issues should be barred from those classes, but says there's obviously a problem if only those authors dominate a courses' entire curriculum.

Zebiri also said the experience helped to open her eyes to issues that were previously just rumors. She now feels the CSU is more equipped to deal with the problem.

"At the CSU, we represent more than 35,000 students—a lot of whom come from minority groups—and we need to be able to help them and support them, and tackle these issues for them," said Zebiri.

Once they are done hearing from students, the CSU plans to start working on a campus action plan to address the problem.

"The curriculum is not diversified, and we have professors that are racist. I want to open up this conversation in the upcoming consultation, see what the student body thinks about it, gather more information, extract more potential issues, see how they want change to happen, note everything, give it to the executives, and start working on an action plan for the coming years to support students," Zebiri said.

"I want to give them a safe space where they can come forward with these issues, and to give them the power to ask for their rights."

Badr, Zebiri, and Academic and Advocacy Coordinator Asma Mushtaq hope to create a body to support students who are subjected to systemic racism, similar to the one that currently exists at McGill, Zebiri said. They also hope Concordia could develop a system similar to Université du Québec à Montréal, where students having class discussions about the details of the syllabus, including course readings, and are being able to potentially change parts of the syllabus.

Zebiri hopes future CSU executives will maintain these issues as a priority, and continue pushing for the action plan next year. On the provincial level, there's an equal concern the movement doesn't fizzle out.

"It's not a consultation for the sake of consultation. Just having a consultation and posting recommendations is not enough," said Rushdia Mehreen from the South Asian Women's Community Centre, another group that is a part of the provincial coalition.

"We have to go to the next step and actually implement these recommendations," said Mehreen. "We want to change this mindset society has, one step at a time."



ANNEX 3.9 QUEBEC GOVERNMENT'S ABUSIVE TREATMENT OF INTERNATIONAL STUDENTS IN PROGRAMME D'EXPÉRIENCE QUÉBÉCOISE (PEQ)

**Are you an international student who has applied for a Quebec Selection Certificate (CSQ) under the Program Experience Quebec (PEQ)?**

Immigration Quebec has been calling in applicants for surprise interviews to re-evaluate their French language skills. Also new rules have been proposed for immigrating to Quebec.



To learn what's going on, come to this legal information session:

Wed. May 30th, 18PM – 20h30PM  
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Speaker: Me. David Chalk Immigration lawyer & expert, former president of the Association of Quebec Immigration Lawyers.



### ANNEX 3.10 CAMPAIGN AGAINST CAMPUS SEXUAL VIOLENCE

#### CSU, CRARR to Host Sexual Violence Talks

#### Two-Day Panels and Discussions Seek Fixes to Campus Problem

The Link, News by [Elaine Genest](#) — Published March 12, 2018 |



The CSU and CRARR are teaming up on panels aimed at finding concrete, student-led solutions to sexual violence on campus. File Photo Nikolas Litzenberger

The Concordia Student Union and the Center for Research-Action on Race Relations are teaming up on panels aimed at finding concrete, student-led solutions to sexual violence on campus.

Organizers said the series, Taking Back Our Campuses, is for students who are unsure how to speak up about their experiences dealing with sexual misconduct.

“It can be for both students and allies who were dissatisfied, confused, unsure and very upset with the administration’s current approach for the whole situation,” said CSU Academic and Advocacy Coordinator Asma Mushtaq.

“We want to be more action oriented and we want to elevate the issue of campus sexual violence to a human rights level,” said CRARR Executive Director Fo Niemi.

The series will take place on March 13 and 14. The panels and discussions will host a diverse group of women with different age, social and professional backgrounds who will discuss issues tied with sexual violence on campus.

The first event on March 13 is a panel discussion that will tackle the troubles women face on campus and consider any legal actions they may take in order to find reliable solutions to problems tied to sexual violence.

The second event on March 14 is separated in two sections: a panel discussion followed by a collection of smaller group discussions.

Following the CSU’s student congress on campus sexual violence held in late-February, this event is meant for students to talk in depth about the issues that were brought up during the event.

CRARR is there to provide legal advice and other options to help women who have faced discrimination, and aren’t aware of the legal tools available to them.

The idea of the event is to come up with step by step actions to implement a new campus policy that will favour the safety of women on campus.

The CSU and CRARR encourage victims of sexual harassment to talk about their experience in a safe space. This will create a more inclusive space, where victims are free to speak about their experience without any complications.

“We don’t want to have some possible participants come in and disrupt and make the discussion unsafe for people” said Niemi.

He added that safety is not only physical but also psychological, and it is important for the speaker to feel safe in all forms.

The panel will include different perspectives such as intersectionality, international students who have faced cultural isolation, women with disabilities, and women who deal with mental health issues.

Niemi said this event is crucial in order to support the women who have been failed by the university to press charges and women who are too intimidated to do so.

“A lot of the women that come to us for help to take action is the fact of when they are discriminated or harassed or exposed to all forms of violence on campus. [...] They don’t get adequate support,” said Niemi.

The event will be held in the CSU Big Lounge on the 7th floor of the Hall Building from 6 p.m. to 9 p.m. on March 13 and 14. The session will be in English, however there will be accommodation for participants who want to contribute ideas in French.

Check out the [Facebook event](#) for more information about the panelists and group sessions.





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CRARR AND CONCORDIA STUDENT UNION CO-HOST SEMINAR ON CAMPUS SEXUAL VIOLENCE AS A CIVIL RIGHTS ISSUE



**Montreal, March 13, 2018** — Campus sexual violence as a civil rights issue will be the focus of a seminar co-sponsored by the Concordia Student Union (CSU) and CRARR tonight and tomorrow evening.

Framing campus sexual violence as a Charter rights and gender-based discrimination issue, the seminar will examine ways and means to ensure effective protection, support and accommodation for survivors of campus sexual violence, and to hold educational institutions liable under civil rights laws for failure to protect survivors.

Each evening will consist of a panel discussion. On Tuesday, March 13, from 6:00 pm to 8:30 pm, panelists who will discuss "Campus Sexual Violence: Issues and Challenges" include Marhilar Lopez (Liaison Officer, RQCALACS), Caitlin Salvino (Chair of the National Our Turn Committee, a group that recently conducted a survey of Canadian universities and their response to campus sexual violence), and Dayna Danger (Programming and Campaigns Coordinator, Centre for Gender Advocacy).

These panelists will discuss gender-based violence and systemic barriers faced by survivors in dealing with institutional policies and practices that can result in further violations of their civil rights. CSU Student Life Coordinator Leyla Sutherland will moderate the panel discussion.

On Wednesday, March 14, from 6:00 pm to 7:30 pm, the theme will be "Campus Sexual Violence and the Law." Panelists include Ava Williams (#LawNeedsFeminismBecause; Unfounded series, a survivor of sexual assault and law student from Ontario who is suing the police for violating her Charter rights), Prof. Colleen Sheppard (at McGill University's Faculty of Law and a leading authority on equality rights); Patricia Harewood (legal counsel, Collective Bargaining Branch, Public Service Alliance of Canada), and Julia Bellehumeur and Nazampal Jaswal (research assistants for a project on cyberbullying at the Department of Integrated Studies in Education, McGill University).

Dr. Myrna Lashley, Assistant Professor of psychiatry at McGill University and a consultant in mental health and cross-cultural policing, will moderate the panel discussion on discrimination, harassment, cyber-bullying and institutional liability for civil rights violations on campus.

The Wednesday evening's panel discussion will be followed by small group discussions on concrete recommendations for actions for survivors, their families and allies, and strategies to monitor educational institutions' implementation of Law 151. Adopted in December 2017, this law requires institutions to adopt a wide range of measures to combat campus sexual violence; it does not specifically address campus sexual violence as a civil rights issue.

Since 2012, CRARR has assisted and represented many victims of discrimination and harassment and survivors of campus sexual violence at Concordia University and its affiliates, before human rights commissions and the Quebec Labor Tribunal.

Open to the public, the seminar will take place at the CSU 7th floor Lounge, 1455 de Maisonneuve West, 7th floor, Montreal. There is no registration fee.

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Anhour, M. (2018, June 28). Concordia's sexual misconduct task force's issues its recommendations. Retrieved from: <http://theconcordian.com/2018/06/concordias-sexual-misconduct-task-forces-recommendations-include-education-training-communication/>

News

## Concordia's sexual misconduct task force's issues its recommendations

by Mia Anhoury June 28, 2018



**Concordia University released the report of its task force on sexual misconduct and sexual violence on June 26. Training sessions, a step-by-step guide for filing complaints, an online hub and the implementation of a standing committee on sexual misconduct and sexual violence were recommended as key steps to moving forward.**

Alan Shepard, Concordia University's president launched the task force in January 2018, in the wake of allegations of sexual misconduct and sexual violence in the creative writing department. Its mandate is to consult the Concordia community about problems with the university's policies and procedures concerning sexual misconduct and violence. To do so, the task force collected information and data through community conversations, surveys, and community members' feedback.

**To clarify Concordia's Policy on Sexual Violence, the report recommended a wider definition of sexual violence and specific examples to include power imbalances and coercion. It also added that the discouragement of relationships between students and employees should be better emphasized in the Code of Rights and Responsibilities and Consensual Romantic or Sexual Relationships Guidelines.**

A survey issued by the task force at the end of April was completed by over 1,500 community members, which was comprised of over 900 students and almost 600 faculty and staff members. **Their level of familiarity with the current policies and resources available at Concordia was significantly weak, with an average rating of 2.1 out of 5.** To address this lack of knowledge, the task force recommended that the university write a step-by-step guide for filing complaints. Lisa Ostiguy, the deputy provost and chairperson of the task force said they are "creating a mapping [of the processes]. If you experience this, here's where you could go, here's what they do, here's what will happen when you get there, and here are your options when you get there."

The step-by-step guide is expected to be complete by the fall semester. It will be a collaborative effort between all parties involved, such as the Sexual Assault Resource Centre (SARC), the Office of Rights and Responsibilities (ORR) and campus wellness and support services, among others. For instance, Jennifer Drummond, SARC's coordinator, is responsible for outlining the centre's processes and services in the guide.

**A significant take away from the survey is that members of the Concordia community don't know where to find help or how the processes used to file complaints work.** The task force suggested an online hub, which will likely be linked to the Concordia website, to serve as a potential solution to this issue. According to Ostiguy, it will create a place where any relevant information can be found. The hub will also be constantly updated by the task force and the soon-to-be-established standing committee on sexual misconduct and sexual violence.

The task force has also placed training and education of the Concordia community as its top priority. Due to Bill 151, training will be continuous and mandatory, as is required in all post-secondary institutions. According to the report, the training will take multiple formats, including online and in person, and will be "sensitive to intersectional concerns" as well.

**In the next two months, the task force will put together a standing committee mandated by Bill 151 to revise and implement the relevant policies and keep track of the university's progress.**

Graphic by Zixi Le Lin