

# 'Countless instances' of anti-Black racism in Ontario Public Service, lawyers allege | CBC News

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## 45 lawyers send letter to Ministry of the Attorney General requesting immediate action

[Taylor Simmons](#) · CBC News · Posted: Jun 23, 2020 5:24 PM ET | Last Updated: June 23, 2020



The lawyers are part of the Ontario Public Service — a group of about 60,000 public servants working in the province's ministries, agencies and Crown corporations. (Richard Agecutay/CBC)

Forty-five lawyers working in the civil law division of the Ministry of the Attorney General are speaking out against what they describe as

"countless instances" of anti-Black and anti-Indigenous racism on the job.

The lawyers sent a letter — obtained by CBC News — to the secretary of the cabinet, Steven Davidson, who oversees the Ontario Public Service (OPS).

The letter, sent on June 12, outlines several incidents in which the lawyers say racialized employees faced discrimination or harassment.

"These experiences have a damaging impact professionally, physically and mentally," the letter says.

"This is a systemic issue that goes beyond any single manager and persists despite best efforts made by other individual managers," it continues.

"We ask you for immediate action."

The lawyers are part a group of about 60,000 public servants working in the government of Ontario's ministries, agencies and Crown corporations.

The letter says recent incidents of racism "remind us of the countless instances of discrimination and harassment that racialized counsel and other racialized employees in the Ontario Public Service ... have experienced and continue to experience in the course of their employment."

Their letter goes on to allege that racialized lawyers with the OPS deal with degrading comments from colleagues, clients and the bench, including being told they're not as qualified to do their job as their white counterparts.

The lawyers also say they've received insufficient support from employers when they make a complaint.

"Recounting these experiences requires racialized individuals to relive degrading, dehumanizing and traumatic incidents," the letter says.

"Despite being difficult to recount, these experiences continue to be shared by racialized employees in order to effect change."

## **'We thank our employees for their bravery'**

In an email to CBC Toronto, a spokesperson for the Ministry of the Attorney General said the ministry is fully committed to addressing systemic racism, advancing inclusion and achieving equity in their workplace.

"This includes the elimination of all forms of discrimination and challenging the deep rooted racism, including anti-Black and anti-Indigenous racism, that continues to operate at all levels and in all sectors of society," Brian Gray wrote.

"We thank our employees for their bravery and leadership in sharing their feedback and perspective, we hear them and take this matter seriously."

He added senior leaders have met with racialized staff in order to develop more responsive approaches to inequity and racism.

"While we are working to advance change and progress, we know that there is more that we can do and are committed to continued action."

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Hentrose Nelson, left, and Jean-Marie Dixon, centre, leave Osgoode Hall Courthouse following a media conference. The pair filed a statement of claim against the province and two unions alleging years of discrimination that cost them career opportunities and caused health problems. (John Lesavage/CBC)

Still, the letter calls out the ministry for its lack of action so far.

In March 2019, two Ontario government employees launched a \$26-million lawsuit against the Ministry of the Attorney General, the Ontario Public Service and two unions over claims they were harassed and discriminated against because they are Black women.

Both women alleged that years of anti-Black racism caused them emotional distress, deteriorating health and lost opportunities for career advancement.

CBC Toronto requested an update on the case but the ministry couldn't immediately respond. Gray, the ministry spokesperson, referred to a reduction in courthouse staff as the reason for the delay in locating the file.

## **'Immediate action'**

Lawyer Osborne Barnwell says when he initially saw the letter from the lawyers, he was flabbergasted. He's run a private practice in Toronto for the past 27 years, and says he's had public service employees come to him with incidents of anti-Black racism.

"It's systemic. It is consistent. It is constant in terms of humiliating, denigrating Black employees," he said.

"I applaud these lawyers for stepping out ... They're quite brave to finally find a voice to speak about what's going on."

Seeing the letter, he says his hopes surged for real change taking place, not just in the provincial public service, but against systemic, anti-Black racism in general.

"Having been kicked around the courts ... I am no longer fearful of the kind of consequences that, in the past, I expected to come flooding down on me from a white judge when you raised anti-Black racism," he said.

"There is a movement afoot and all of us need to take part."

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Osborne Barnwell also does pro bono work and advocates for the Black community to fight against anti-Black racism. (Submitted by Osborne Barnwell)

The lawyers' letter lists a number of proposals to address harassment and discrimination in the public service immediately.

Among other requests, it asks for clear expectations on appropriate conduct in the workplace, ongoing diversity and inclusion training, as well as a new role – an expert in discrimination and harassment – to provide advice to managers and to support employees.

In a direct request to Davidson, the letter says: "While we are prepared to work with you in any way that is required, we are asking you, as the head of the OPS, to acknowledge and confront anti-Black, anti-Indigenous and other forms of racism in the OPS."