



IDEAS

INTEGRATED DIVERSITY AND EQUALITY ANALYSIS SCREEN

Developed by the Federal-Provincial-Territorial Working Group on Diversity, Equality and Justice

Introduction

Canada's commitment to equality is evident in the *Canadian Charter of Rights and Freedoms*, the *Canadian Human Rights Act*, provincial human rights legislation, and international conventions. To translate this firm commitment into reality requires the recognition of and respect for the diversity among Canadians and our different historical, cultural, economic and social circumstances. In practice, there is a need to be prepared to question assumptions, and to assess the possible effects of a proposed course of action on various groups in society.

This approach to the development of policy, legislation and programs was further advanced when federal, provincial and territorial Ministers Responsible for Justice requested in 1996 that all justice proposals presented to them for approval should routinely incorporate diversity and equality considerations. In response, the Deputy Ministers established the Federal-Provincial-Territorial Working Group on Diversity, Equality and Justice, giving it the task of developing an instrument that would aid in the assessment of justice-related policies and initiatives in light of the diversity of Canadian society.

A review of justice-related reports, research and recommendations provided a basis for identifying groups that have experienced particular disadvantages when involved in justice processes. This led to the development of a list of diverse groups for which the instrument would be used. By 1997, the design of the Integrated Diversity and Equality Analysis Screen (IDEAS) was complete, and had been approved by the Deputy Ministers. To provide further assistance to users of IDEAS, the Working Group collaborated with the Canadian Centre for Justice Statistics of Statistics Canada to offer some essential background data for as many of the groups as possible. This background information became the ten profiles which are a part of this IDEAS package. (The profiles are also available separately from Statistics Canada.)

How to Use IDEAS and Profiles

The instrument begins with a question regarding the status and purpose of the initiative under review. Ideally, this review should be done at the beginning of a project, so that diversity considerations can become an integral part of the initiative. As you apply the IDEAS instrument, the question of potential impact may require familiarization with some of the diverse groups. The profiles offer an introduction, providing a basic statistical snapshot of ten of the individual groups. From there, it will be necessary to seek more specific and specialized information.

When using IDEAS and the profiles, you should keep in mind certain challenges and precautions. This will help to ensure that the instrument will fulfil the fundamental goals for which it was designed — to protect the rights of all Canadians and to promote the benefits of diversity in Canadian society.

- The profiles are not exhaustive either in terms of the groups included or in the information provided on those groups. The descriptions reflect one perspective, based on available quantitative information from various Statistics Canada sources, notably the Census and the General Social Survey. Consequently, the profiles offer only a starting point that the user can enrich by consulting other research and information sources. Community consultations, public inquiries and other avenues can provide additional information and allow for the perspectives of specific individuals and communities.
- Many people self-identify as being part of several diverse groups. The profiles, however, are intended as overviews, and cannot describe all possible interrelationships. For instance, an individual with disabilities may face barriers that relate to low income, gender, and age. The shared and diverging interests across groups and the differences existing within groups are beyond the purview of the profiles, but should be considered nevertheless by the users of IDEAS.

- IDEAS extends diversity analysis to incorporate consideration of the concerns of Aboriginal persons along with those of other diverse groups, in order to ensure that a proposed initiative will not compound problems they may already encounter with the justice system. It is important to recognize, however, the unique history, legal relationships and political status of Aboriginal peoples in Canada.

The issues faced by diverse groups are dynamic. Even the list of affected groups could change. For these reasons, IDEAS and the profiles could appear to provide information which is too static, or contribute to an impression of giving greater weight to some experiences over others. This tool should be treated as a living and evolving one, where the basic questions have to be posed whatever the emerging issue or group. Equality remains the persistent value.

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Purpose

Diversity analysis flows from the rights accorded to vulnerable groups under both the Charter and the various human rights codes.

This screening instrument is intended to support recognition of those rights by providing a way to assess the impact policy initiatives could have on groups that frequently experience disadvantage in their dealings with the justice system, whether as parties to proceedings, as witnesses, as victims or as members of the public. Based on key guiding principles, it uses a few focusing questions to elicit information which might otherwise not come to the attention of decision makers.

Diversity analysis does not attempt to determine whether an initiative should proceed; rather, it provides information on the possible impacts of the initiative on diverse groups. In some cases, alternatives may be suggested to modify the impact on a particular group or groups. Decision makers can then assess the initiative in light of the analysis and decide whether the initiative should proceed or be modified.

Guiding Principles

1. Diversity analysis involves an assessment of the substantive equality of the outcomes a proposed initiative would produce for diverse groups; it is not accomplished by ascertaining that the initiative would treat everyone the same.
2. Diversity analysis is most effective if applied early, and it should be continued throughout the policy-development process.

The Instrument

To apply the diversity and equality screening instrument, the following questions should be addressed:

- | 1. STATUS | 2. IMPACTS |
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| What is the initiative; what is its purpose; what stage is it at; what research or consultation has been done; what is the target date for completion? | <ol style="list-style-type: none"> a) What are the likely impacts (whether intended or unintended) of the initiative on individuals involved with the justice system, or on the public at large? b) What are the foreseeable specific impacts of the initiative on members of any of the following groups? <ul style="list-style-type: none"> Women * Seniors* Racial and ethnocultural minorities* Refugees Persons with disabilities* Persons with literacy problems* Social assistance recipients and the poor* Religious groups* Gays, lesbians and bisexual persons Transgendered persons <p>*Please see the Canadian Centre for Justice Statistics Profile Series. Click Here
Please direct all inquiries about the profiles to Statistics Canada.</p> |
| | <ol style="list-style-type: none"> c) What are the foreseeable specific impacts on individuals who belong to more than one of these groups? |

3. MODIFICATIONS

- a) How could the initiative be modified to reduce or eliminate any identified negative impacts, or to create or accentuate positive ones?
- b) Would these modifications affect the ability of the initiative to achieve its purpose? Would they be likely to have impacts on other groups?

4. FURTHER RESEARCH

Given what has been learned in the analysis undertaken to this point, what, if any, additional research or consultation is desirable/essential to better appreciate the impacts of the proposal on diverse groups?

The Report to Decision Makers

When a formal analysis has been completed, any expected impacts of the initiative should be identified, along with suggested ways to ameliorate negative impacts or to accentuate positive ones.

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The Working Group welcomes the use of IDEAS or modified versions of it to suit analysis in your field. Please acknowledge the Federal-Provincial-Territorial Working Group on Diversity, Equality and Justice as the source.