

Equity Analysis and Feedback from Gender Equity Diversity Inclusion

Equity Analysis

Background:

Administration was asked to review current municipal bylaws related to public safety, through Equity Analysis, and identify existing gaps with respect to street harassment. This is an analytical tool that helps understand system inequalities and how diverse people experience various policies and programs. This document includes key findings based on the application of Equity Analysis on six public safety bylaws.

Key Findings:

1. ***Pan handling Bylaw 3M99:***
 - a. Panhandling is a form of street harassment. Panhandling bylaw partially addresses street harassment as it does not consider all aspects of street harassment such as cat calling.
2. ***Street Bylaw 20M88:***
 - a. Does not address street harassment concerns in its entirety. The public safety aspect of this bylaw addresses issues around weapons and other unsafe equipment. There are other sections which deal with unauthorized soliciting or sales on a street or roadway which some may consider harassment especially when pedestrians are pursued.
 - b. Some sections of the bylaw can address some behaviours such as '*A person shall not throw an object of any description over or upon any portion of a street*'. A successful charge was obtained when a person was observed throwing items at a vulnerable person on the street from their balcony. This action was considered harassment and was dealt with using this section of the Street Bylaw.
3. ***Parks and Pathways Bylaw 11M2019:***
 - a. Partially addresses street harassment. It may not consider all aspects of street harassment, however it addresses the safety and welfare of Calgarians using parks and works towards ensuring there is no inappropriate activity which is inconsistent with the purpose of park, unreasonably disturbs the use or enjoyment of the park or is likely to cause injury to any person using the park.
 - b. This bylaw is restricted only to certain locations that are defined as a park or natural area in the bylaw.
4. ***Municipal Complex Bylaw 38M2012:***
 - a. Similar to the Parks and Pathway Bylaw, this bylaw restricts street harassment to specific locations (i.e. Municipal Complex Property).
5. ***Calgary Transit Bylaw 4M81:***
 - a. Similar to the Municipal Complex Bylaw and the Parks and Pathway Bylaw, this bylaw restricts street harassment to transit property and infrastructure only. An act of street harassment taking place outside a Transit vehicle or Transit property would not be addressed under this bylaw.
6. ***Public Behaviour Bylaw 54M2006:***
 - a. Administration recommends that the Public Behaviour Bylaw be amended to address street harassment as it applies at every 'public place' in the City of Calgary.

Equity Analysis Plus Tool:

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A. What ASSUMPTIONS are we making?

Current Approach	Learnings and/or Future Strategies
<ul style="list-style-type: none"> Acceptable behaviour is based on societal norms. Bylaws are intentionally broad to minimize leaving any person/group behind. The bylaw will be consistently applied and enforced. People know the bylaw exists and have knowledge of it. The bylaw will change behaviour. People know how to report an incident. Complainants understand they have a role in enforcing the bylaw (i.e. attending court or giving a statement). Bylaws protect citizens and make people feel safe. People who carry some form of weapon are always criminals. 	<ul style="list-style-type: none"> Collect credible data to inform assumptions. Educate public on bylaw to increase their knowledge (plain language). Provide Equity Analysis training to community peace officers. Identify strategies to connect offenders to resources.

B. Who could be left BEHIND?

Current Approach	Learnings and/or Future Strategies
<ul style="list-style-type: none"> Lack of accessibility (visual, language) to understanding the bylaw OR how the rules apply in different spaces (public vs. private) and what is reasonable behaviour. Individuals experiencing vulnerabilities. Lack of access to digital technology (digital equity). 	<ul style="list-style-type: none"> Communicate (in a variety of languages, on a variety of platforms (signage, media ads in other languages/papers). Address challenges with access to technology with Digital equity program which is underway. Educate (develop sessions for newcomers).

C. Who did we CONNECT/COLLABORATE with?

Current Approach	Learnings and/or Future Strategies
<ul style="list-style-type: none"> Administration works with municipal prosecutors, Calgary Police Service, Citizen Oversight Committee and Citizen Advisory Committee to draft amendments to the bylaw which are then proposed to Council. Administration doesn't collaborate with individuals experiencing vulnerabilities and who receive tickets. Administration collaborates with municipal prosecutors. 	<ul style="list-style-type: none"> Consult through inclusive group of stakeholders to ensure diverse opinions (community partners and internal City stakeholders). Identify strategies to connect offenders with resources. Examine expanding responsibilities and engagement of citizen oversight committee to include equity analysis.

D. What DATA did we look at?

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Current Approach	Learnings and/or Future Strategies
<ul style="list-style-type: none"> Inconsistent collection of demographic data (on victim and offender) and inability to report via disaggregated data. Inconsistent anecdotal (qualitative) reporting and trends available. Victims are not reporting certain types of offences and incidents. Limited data available on non-ticketed interactions (education or warnings given). 	<ul style="list-style-type: none"> Collect offender and victim demographics Work with enforcement partners to share anecdotal/intelligence information. Develop questions for 311 operators to ask if complainant has been harassed when reporting. Improve Customer Service Request reporting and searching capabilities. Collect consistent and regular data on non-ticketed offences.

E. How are we ensuring EQUALITY of outcomes? How are we EVALUATING?

Current Approach	Learnings and/or Future Strategies
<ul style="list-style-type: none"> We are not collecting the right type of data to be able to review our bylaw through an equality lens and therefore unable to evaluate the impact of those bylaws. Peace officers assess the situation (with individuals experiencing vulnerabilities, youth, repeat offenders) and use discretion to fine, educate or warn. Inability to track recidivism rates from data. Reliance on officer experience versus quantitative data. Inconsistent ability to report and monitor based on data being collected. 	<ul style="list-style-type: none"> Train community peace officers on using equity and not equality. Evaluate existing and new bylaw through the equity analysis lens and use enhanced data. Utilize alternative justice program other than issuing fines. Investigate whether consistent compulsory questions should be asked at 311 (and other intake avenues) across all public safety behaviour bylaw. Improve qualitative and quantitative data. Review data to understand performance of bylaw and reviewing data collection methodology.

Feedback from Gender Equity Diversity Inclusion

Council directed Administration to engage with Calgarians and the Social Wellbeing Advisory Committee on the topic of street harassment and its resulting impacts on quality of life. Below is the feedback we received from Gender Equity Diversity and Inclusion which is a subcommittee of the Social Wellbeing Advisory Committee.

Date	What we heard	What we did
Meeting 1 (April)	<ul style="list-style-type: none"> Consider a tighter, useful, and focused definition of street harassment, in line with current academic and activist practices. Change the title of the report from 'Gender Based Violence' as it is misleading. Frame how this work intersects with harassment experienced not just based on 	<ul style="list-style-type: none"> Engage Calgarians to understand their perspective on defining street harassment. Change title to "Addressing Street Harassment in Calgary". Engage intersectional participants.

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	<p>gender identity, but other factors, such as race, religion etc.</p> <ul style="list-style-type: none"> • Look for or source data about the problem in Calgary and enable a data-informed response. • Consider representative survey, which would help provide a baseline and definition for the issue. • Defining street harassment and collecting data should occur before pursuing any other response. 	<ul style="list-style-type: none"> • Conduct a statistically representative telephonic market research on addressing street harassment.
	<ul style="list-style-type: none"> • Include and address the legal side of the issue. • Review Canadian municipalities of best existing bylaws/ordinances. 	<ul style="list-style-type: none"> • Draft a constitutionally defensible bylaw. • Conduct municipal scan of Canadian municipalities with population over 100,000 to understand best practices.
	<ul style="list-style-type: none"> • Work with other levels of government on this issue through public education (and/or a public education campaign). • Leveraging youth could further its success (it may be helpful to connect with the Wise Guyz program at Centre for Sexuality). 	<ul style="list-style-type: none"> • Report recommends working in collaboration with businesses, community partners and other business units. • Engage and conduct one on one interview with Centre for Sexuality and other diverse organizations supporting victims of street harassment.
<p>Meeting 2 (May)</p>	<p>Administration asked for Gender Equity Diversity and Inclusion's feedback on the barriers and mitigations for the engagement with Calgarians.</p> <ol style="list-style-type: none"> 1. Who do we speak with to learn more about street harassment? 2. Are there any additional limitations we didn't consider? 3. What challenges do you see for us only connecting with agencies/service providers? <p>Gender Equity Diversity and Inclusion suggested:</p> <ul style="list-style-type: none"> • Taking a targeted approach with agency engagement positions the work from a systems perspective versus an individual perspective. • In-depth one on one interview with victims is not advisable because of the expertise required and its invasiveness. • Use a survey instead of in-person/virtual engagement. • Ask agencies engaged to distribute the survey to their clients within the programs, instead of having just agencies speak on their behalf. 	<ul style="list-style-type: none"> • Use targeted approach with agencies to talk about systemic concerns. • Create additional survey that the agencies can share with their clients to get firsthand information from the victims.

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	<p>Administration asked what Gender Equity Diversity and Inclusion thinks about an action-based approach versus an impact-based approach for the engagement for street harassment?</p> <p>Gender Equity Diversity and Inclusion suggested:</p> <ul style="list-style-type: none"> • It supports the approach of engagement around action. • Provide options for action when engaging participants. • Participants need to understand what is possible/feasible, particularly if participants are unfamiliar with City processes or issue responses. • Need to define 'street' before engagement begins. 	<p>Focus options and actions based on environmental scan of other municipalities and current state.</p> <p>Gather feedback on:</p> <ul style="list-style-type: none"> - Working definition as used in the Notice of Motion - Current gaps in addressing street harassment - Potential Actions for the municipality to consider <ul style="list-style-type: none"> • Present options for actions in the survey.
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