

# KNOW YOUR RIGHTS & RESPONSIBILITIES

**A Guide For Canadian Muslims**

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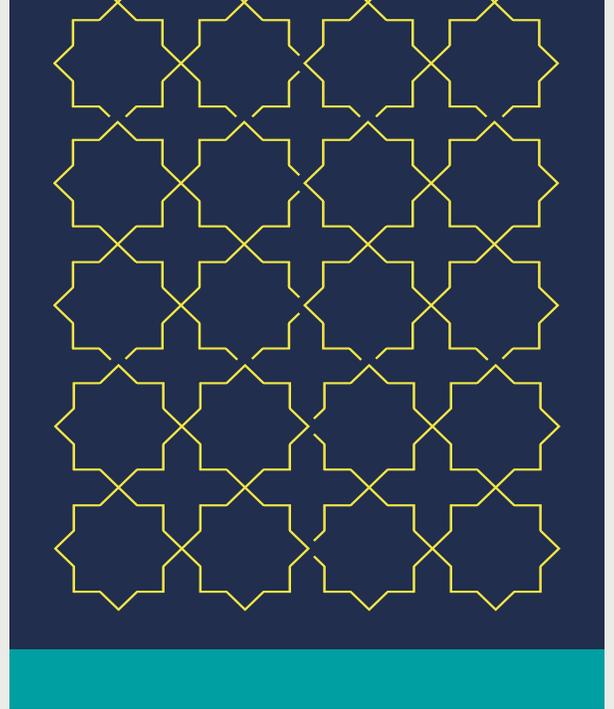


**NATIONAL  
COUNCIL  
OF CANADIAN  
MUSLIMS**

Your Voice. Your Future.

**CONSEIL  
NATIONAL  
DES MUSULMANS  
CANADIENS**

Votre voix. Votre avenir.



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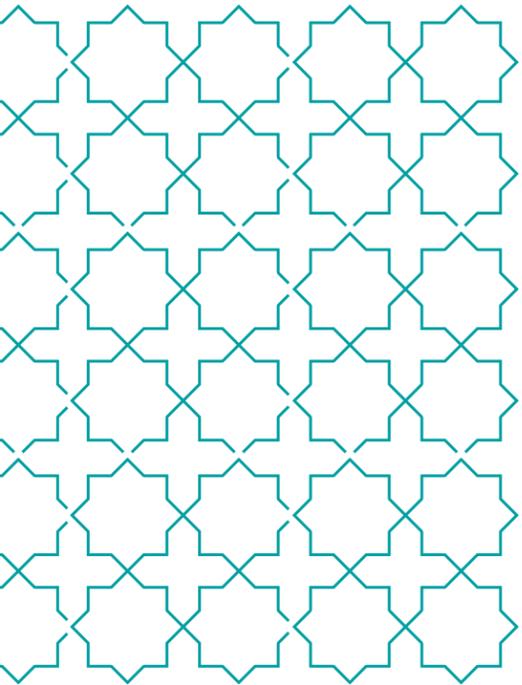
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## About this guide

Federal and provincial human rights codes guarantee your rights in the areas of employment, the provision of goods and services and accommodations. This means that your human rights are guaranteed where you work, where you live, where you go to school, and where you shop or access government or commercial services.

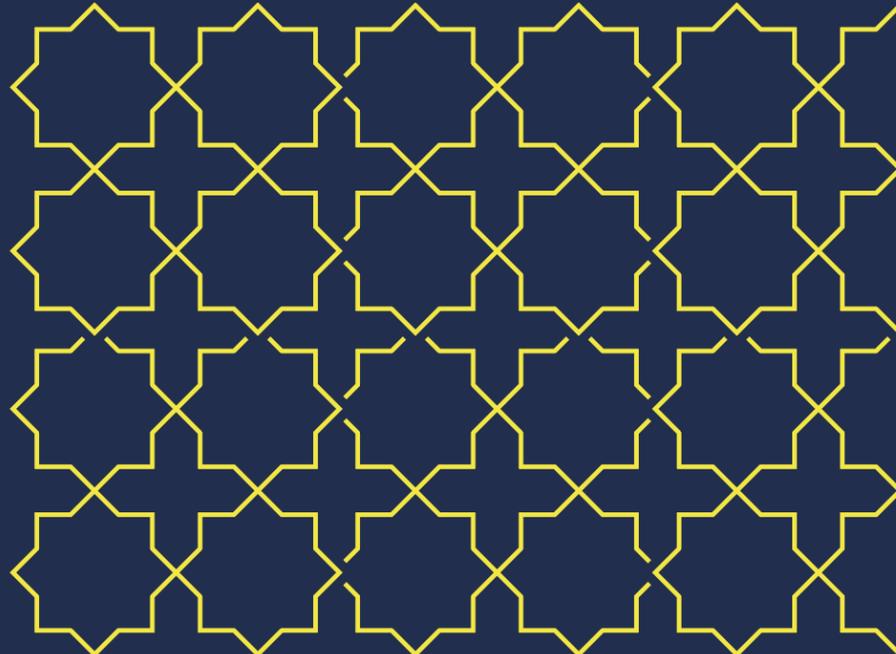
Knowing your rights and responsibilities is an important step in making sure that you and those around you are being treated fairly under the law. This guide is intended to empower you to advocate for yourself as an individual. Keep it in your handbag, briefcase or backpack or download the NCCM app on your smart phone – you may need it when you least expect it.

**Canadian Human Rights Legislation ensures equal opportunity and makes it illegal to discriminate against an individual because of their:**

- ▶ Religion
- ▶ National or ethnic origin
- ▶ Skin colour
- ▶ Age
- ▶ Sex
- ▶ Sexual orientation
- ▶ Gender identity or expression
- ▶ Marital status
- ▶ Family status
- ▶ Genetic characteristics
- ▶ Disability
- ▶ Conviction for an offence for which a pardon has been granted or in respect of which a record suspension has been ordered
- ▶ In some provinces or territories, such as in Ontario, an individual cannot be discriminated against because of citizenship status and ancestry

### DISCLAIMER

The information found in this guide is not legal advice. It is not a substitute for legal advice and is not intended to replace legal advice from a qualified lawyer. Consult a lawyer if you are seeking legal advice about a particular case.



**This guide will help you gain an **understanding** of your **rights** in key areas, **strategies** for asserting your rights, and **suggestions** for what you can do if your rights are violated.**

## Key terms in Human Rights

### Discrimination

Discrimination is defined as unequal treatment. It can occur directly or indirectly. *Direct and indirect discrimination* are both against the law.

*Direct discrimination* is an action or a decision that directly targets a person because of their membership in a protected group (e.g., religion, race, disability, etc.).<sup>1</sup> An example of direct discrimination is if a store you shop at has a rule that says, “No Muslims allowed.”

*Indirect discrimination* occurs where a neutral policy or rule has the unintended effect on an individual based on their membership in a protected group. An example of indirect discrimination is a rule that says, “No headwear in the workplace.” Although this rule is neutral and applies to everybody, it will have a uniquely negative impact on some members of minority religions (e.g. Muslim women who wear a hijab, Sikh men and women who wear a turban, or Jewish men who wear a kippah).

### Religious Accommodation

Typically, religious accommodations are made by an employer or an educational institution to remove barriers and provide access to a benefit that might otherwise not be available to an individual as a result of a neutral policy. For example, an employer that has a workplace rule banning headdresses at work might have to consider an exception for an employee who wears a hijab, turban or kippah.

If you make a request for an accommodation to your employer or educational institution based on your religious practice, they have a duty to accommodate. However, they have the right to reject requests for accommodations if the accommodation imposes undue hardship on the company or institution in terms of cost, health and/or safety. Keep in mind that accommodations are decided on a case-by-case basis and that any request for accommodations must be genuinely considered.

## HOW TO USE THIS GUIDE

The rights addressed in this guide are based on federal and provincial human rights codes, legislation and best practices suggested by civil rights and community organizations. Among other things, knowledge of your rights can be a valuable tool when you are interacting with:

- ▶ Employers
- ▶ Educational institutions
- ▶ Healthcare providers
- ▶ Government and commercial services
- ▶ Recreational services
- ▶ Law enforcement
- ▶ Immigration and customs
- ▶ Child and family services

This guide will help you gain an understanding of your rights in these areas, strategies for asserting your rights, and suggestions for what you can do if your rights are violated.

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<sup>1</sup> What is Discrimination, Canadian Human Rights Commission. <https://www.chrc-ccdp.gc.ca/eng/content/what-discrimination-1>

## DOCUMENTING AN INCIDENT

Throughout this guide, we stress the importance of saving evidence and documenting what happened, when it happened and who was involved. In our experience, accurate and detailed information is a powerful tool in taking action against harassment, discrimination, hate crimes, and violations of rights. Here are some tips for documenting incidents:

### 1. Write it down

- ▶ Tell your story. Write down what happened as soon as possible after the incident.
- ▶ Make sure you record what happened in the order that it happened and focus on the facts of the incident
- ▶ Try to note the exact words used if the incident was verbal
- ▶ Include the relevant dates, times, names, titles, and badge numbers. See the sample Incident Log at the back of this guide.
- ▶ Whenever possible, make requests and complaints in writing and keep copies

### 2. Save evidence

- ▶ Save correspondence such as letters, emails, copies of forms, and voicemails
- ▶ Save any other written materials given to you such as warrants, court orders, and informational pamphlets
- ▶ Take photos, videos, or screenshots if applicable
- ▶ Note the presence of witnesses and, if possible, get their names and contact details

### 3. Log correspondence

- ▶ Make a note of your case or file number where given
- ▶ Keep a detailed log of any related meetings, emails, and phone calls. Include dates, times, names, titles, and badge numbers. See the sample Correspondence Log at the back of this guide.

## REPORTING A VIOLATION

If you have experienced harassment, discrimination, a hate crime, or a violation of your rights, you can make the choice to report it. Reporting can be empowering but it can also be difficult. NCCM is here to guide and support you through the process and help you explore your options. To find out more about your options for reporting a hate crime, see page 25 .

Keep in mind that you can report to NCCM at any time but if you want to take action, you should report the incident as soon as possible. NCCM recommends reporting within 30 days after the date of the incident. Contact us at 1-866-524-0004, [info@nccm.ca](mailto:info@nccm.ca), or visit [www.nccm.ca](http://www.nccm.ca) and fill out an Incident Report Form.

## YOUR MENTAL HEALTH

Experiencing or witnessing harassment, discrimination or a crime can take a toll on your mental health. You may experience emotional or psychological trauma which can affect your everyday life. Talk to someone about your experience and make sure you are okay and have the supports you need. Seek counselling or medical attention if you feel anxiety, depression or other symptoms of distress after the incident. Contact NCCM if you need help finding support in your community.

## DISCLAIMER

The information found in this guide is not legal advice. It is not a substitute for legal advice and is not intended to replace legal advice from a qualified lawyer. Consult a lawyer if you are seeking legal advice about a particular case.

# 01.



## KNOW YOUR RIGHTS AS AN EMPLOYEE

**You have the right to a non-discriminatory workplace environment and your employer has a duty to address discriminatory practices and behaviours. It is important to note that you have this right to a non-discriminatory workplace regardless of your citizenship status.**

**Some areas where direct and indirect discrimination in employment may take place include:**

- ▶ Application forms
- ▶ Job interviews
- ▶ Hiring decisions
- ▶ Promotions
- ▶ Discipline and dismissal (fired or laid off from your job)
- ▶ Dress codes
- ▶ Religious leave
- ▶ Workplace harassment and bullying
- ▶ Break policies
- ▶ Flexible scheduling
- ▶ Employment benefits
- ▶ Equal pay

### REQUESTING RELIGIOUS ACCOMMODATIONS

If appropriate religious accommodations are not made, it can result in a discriminatory workplace environment. Sometimes, creating a non-discriminatory workplace means that you have to take the initiative to request the accommodations you need for your religious practice. While not all requests are successful, you have the right to make requests for religious accommodations and your employer has a duty to consider your request.

**Here are some examples of what you can request accommodations for:**

- ▶ Prayer time
- ▶ Prayer space
- ▶ Space for storing a prayer mat
- ▶ Time to perform washing/ablution (wudu)
- ▶ Friday congregational prayer (Jum'ah)
- ▶ Time to open or break your fast (suhoor, iftar)
- ▶ Time off for religious holidays or pilgrimage (hajj)
- ▶ Dress code (e.g. hijab, beard)
- ▶ Exemptions from handling certain goods (e.g. pork, alcohol)

**For more detailed information and examples** see *My Rights at Work: Religious Accommodation in the Workplace* available at [www.nccm.ca/publications](http://www.nccm.ca/publications)

**Tips on how to request religious accommodation:**

- ▶ Make a clear request in person or in writing and explain why you need what you are asking for. Make sure you get a business card or write down the name and contact information of the person you met as soon as possible after the conversation occurred.
- ▶ Take notes and keep a written record of any related correspondence. See the sample communication log at the back of this guide.

- ▶ Give your employer reasonable time to consider your request. Ask your employer how much time they require to assess requests for accommodations at work, time off, rescheduling etc. Do not expect to be accommodated immediately after you make your request.
- ▶ Do not wait until the last minute to request accommodation. For example, give your employer reasonable lead time before Eid when asking for time off.
- ▶ Be flexible, realistic and cooperative when making your request. Do not expect to be granted the "perfect" accommodation. If you are unsure if the accommodation your employer is offering is reasonable, contact NCCM.
- ▶ Be part of the solution and offer suggestions for appropriate accommodations
- ▶ Ask to receive the employer's decision in writing
- ▶ Follow these tips even when you are making a request for a change to existing accommodations (for example, if you need to change your prayer time according to daylight savings)

You may need to provide your employer with appropriate information about Islamic religious observances. You may wish to provide them with a copy of *An Employer's Guide to Islamic Religious Practices* available at [www.nccm.ca](http://www.nccm.ca). Contact NCCM if you are unsure about the accommodations you are seeking.

**Here are some options for what you can do if you think you have been discriminated against or your rights have been violated at work:**

- ▶ Try your best to remain calm and respectful in all circumstances
- ▶ Document the discrimination. See page 5 for important information on how to document effectively.
- ▶ Inform the offending party that you believe their actions are discriminatory
- ▶ Contact your union or employee association if there is one at your workplace
- ▶ Report the discriminatory action in writing to company management

- ▶ If your employer has refused to grant you religious accommodation you can ask to review their decision and see if you can suggest alternatives
- ▶ If your employer has an internal human rights and anti-discrimination policy, you may have the right to file a complaint under the policy
- ▶ DO NOT sign any documents or resign without a lawyer's advice. Doing so limits your options to seek redress and for NCCM and others to assist you.
- ▶ Ask for third-party mediation
- ▶ Contact a lawyer to discuss your case. If you cannot afford a lawyer, you may be eligible for legal aid. Contact the legal aid office of your province or territory. See the list at the back of this guide.
- ▶ Contact your provincial or territorial human rights office. In some provinces, you may be eligible for human rights legal services and representation. See the list at the back of this guide.
- ▶ Contact NCCM at 1-866-524-0004, [info@nccm.ca](mailto:info@nccm.ca), or visit [www.nccm.ca](http://www.nccm.ca) and fill out an Incident Report Form.

**For more information** see *My Rights at Work: Religious Accommodation in the Workplace* by NCCM.

<sup>2</sup> Canada Labour Code, Justice Laws Website. <http://laws-lois.justice.gc.ca/eng/acts/L-2/FullText.html>

# 02.



## KNOW YOUR RIGHTS AS A STUDENT

Whether in high school, university or college, you have the right to an education free from harassment and discrimination by fellow students, teachers, staff and board officials. You also have the right to maintain your identity as a Canadian Muslim.<sup>3</sup>

Here are some key rights and responsibilities of which you should be aware:

- ▶ You have the right to inform others about your religion
- ▶ You have the right to pass out literature or speak to others about Islam, or express political views, as long as it is not done in a disruptive manner
- ▶ You have the right to wear religious clothing
- ▶ You also have the right to wear clothing with a religious message, as long as other clothes with messages are allowed by your school or institution
- ▶ You have the right to form an extra-curricular Muslim student group. You have the right to book event spaces on campus as a student group.
- ▶ You have the right to organize student-led prayers on campus, as long as the service is not disruptive to the function of the school and does not present a health or safety hazard

- ▶ You have the right to be excused from class discussion or activities that you find religiously objectionable
- ▶ You have the right to request religious accommodations to attend Friday prayer and observe religious holidays, even during examination periods. You must inform the school in advance of the accommodation you are seeking. See page 8 for tips on making a request for religious accommodations.
- ▶ You have the right to wear a niqab at school, including during examinations. Most schools will need to verify your identity before or during an exam. You should speak with your teacher or instructor ahead of time if you wear a niqab and require accommodations for verifying your identity. You can ask that your identity be verified in private by an invigilator of the same gender. See page 8 for tips on making a request for religious accommodations.

**NOTE:** You may need to provide your educational institution with information about religious observances. You may wish to provide them with a copy of An Educator’s Guide to Islamic Religious Practices by NCCM.

### What you need to know about campus police and security services:

Generally, the role of campus police and security services is to create a safe and secure environment for all students, staff, faculty and visitors. But what campus police or security services can and cannot do varies from campus to campus. Most post-secondary institutions will have a “police policy” or “security services policy” that outlines their approach to policing on campus.

<sup>3</sup> Ontario Human Rights Commission →

### Here is some general information about campus police and security:

**Campus police** have the same powers as your local police force within the boundaries of the campus (with some exceptions). They are designated “special constables” or “peace officers” of the police force. For tips on what to do in an encounter with campus police, see page 10.

**Campus security services** are private security services that are licensed by your provincial or territorial government and hired by your institution. They generally have less power than campus police in terms of investigating crimes but they can make “citizens arrests”, conduct limited searches upon arrest, carry batons and handcuffs and remove trespassers.<sup>4</sup>

### If you think you have been discriminated against or your rights have been violated at school or on campus:

- ▶ Try your best to remain calm and respectful in all circumstances
- ▶ Document the discrimination. See page 5 for important information on how to document effectively.
- ▶ **If you are a high school student, you can talk to your:**
  - Guidance counsellor
  - Administrators (vice-principal or principal)
  - Provincial youth advocate
  - School board superintendent

- ▶ **If you are a university or college student, you can:**
  - Access student advocacy services at your student union
  - Talk to the dean or associate dean of your faculty
  - Consult the human rights or equity office on your campus
  - Talk to a member of student government
  - Contact the campus ombudsperson
- ▶ To file a complaint against a private security guard, contact the governing or licensing authority for private security services in your province or territory
- ▶ Contact your provincial or territorial human rights office. See the list at the back of this guide.
- ▶ Contact a lawyer to discuss your case. Most post-secondary student unions can provide access to free legal advice.
- ▶ Contact NCCM at 1-866-524-0004, info@nccm.ca, or visit www.nccm.ca and fill out an Incident Report Form

<sup>4</sup> Security Guards, Justice for Children and Youth, <http://jfcy.org/en/rights/security-guards/>

# 03.



## KNOW YOUR RIGHTS AS A PATIENT

**As a patient accessing services in one of Canada's provincial healthcare systems, you are entitled to receive safe and proper care, free of discrimination. You can play an important role in your own healthcare by providing accurate information, accessing healthcare responsibly and being an active participant in decisions about your health.**

**When accessing healthcare services, you have the right to:**<sup>5</sup>

- ▶ Give or refuse consent for any procedure for any reason. If you refuse a procedure, it is advisable that you explain your reasons to your healthcare provider in detail so that they can come up with appropriate alternatives.
- ▶ Have a medical professional clearly explain health problems and treatments to you
- ▶ Participate in healthcare decisions
- ▶ Ask questions and express concerns
- ▶ Request a second opinion (within reason)
- ▶ Be assured that personal information is confidential
- ▶ Access your medical records. There are some cases in which physicians can deny access.<sup>6</sup>
- ▶ Transfer your health records to another medical professional (you may be charged a fee)

- ▶ Request an interpreter where available
- ▶ Request to see a physician or nurse of the same gender. Your request will only be accommodated if such a person is available.
- ▶ Access patient relations processes to resolve disputes or file complaints

**If you feel that you have been discriminated against in the receipt of healthcare services:**

- ▶ Try your best to remain calm and respectful in all circumstances
- ▶ Where possible, raise your concerns with those involved right away
- ▶ Document the discrimination. See page e5 for important information on how to document effectively.
- ▶ Ask for a copy of your medical records
- ▶ Contact the patient relations/advocacy office of the facility or organization (where available)
- ▶ Ask about the patient relations process of the facility or organization
- ▶ File a complaint with the facility or organization that is providing the service to you (home care, community care service, long-term care, hospital or clinic)
- ▶ File a complaint with the relevant college of physicians if your complaint involves a physician
- ▶ File a complaint the relevant college of nurses if your complaint involves a nurse
- ▶ File a complaint with your provincial or territorial Ombudsman
- ▶ Contact your provincial or territorial human rights office. See the list at the back of this guide.
- ▶ Contact a lawyer. If you cannot afford a lawyer, you may be eligible for legal aid. Contact the legal aid office of your province or territory. See the list at the back of this guide.
- ▶ Contact NCCM at 1-866-524-0004, info@nccm.ca, or visit [www.nccm.ca](http://www.nccm.ca) and fill out an Incident Report Form

<sup>5</sup> What are my rights as a patient, Settlement[.]org. <https://settlement.org/ontario/health/patients-rights-and-responsibilities/rights-and-responsibilities-of-patients/what-are-my-rights-as-a-patient/>

<sup>6</sup> This process applies to most provinces. See: Medical Records, The College of Physicians and Surgeons of Ontario. <https://www.cpso.on.ca/Policies-Publications/Policy/Medical-Records>

# 04.



## KNOW YOUR RIGHTS AS A CONSUMER OF GOODS AND SERVICES

**Government offices and businesses such as retail stores, restaurants, fitness centres and banks have a duty to provide goods and services free from discrimination.**

**Here is some information to keep in mind:**

- ▶ You have the right to be given equal and fair treatment by government staff, store clerks, restaurants servers, managers or any other employee of a business establishment or government service
- ▶ You cannot be refused goods or services because of your race, national or ethnic origin, language, skin colour, religion, sex, age, mental or physical disability, sexual orientation, gender identity or expression
- ▶ You cannot be asked to remove your hijab or other religious head covering when accessing government or commercial services or purchasing goods. (Note that laws and policies in relation to the niqab and accommodation may be different in different parts of the country).

- ▶ You cannot be asked to remove your niqab when accessing most government or commercial services or purchasing goods. You may be asked to reveal your face in transactions where identification is required such as taking a photograph for your driver's licence, replacing your bank card or making a large cash withdrawal. In these cases, you can ask to be taken to a private space with a person of the same gender. (Note that laws and policies in relation to the niqab and accommodation may be different in different parts of the country).
- ▶ A business cannot seek information about your race, creed, skin colour, nationality, ancestry, place of origin, sex or geographical location for the purpose of engaging in a discriminatory business practice.<sup>7</sup>

**NOTE:** You may need to provide your educational institution with information about religious observances. You may wish to provide them with a copy of An Educator's Guide to Islamic Religious Practices by NCCM.

**If you believe you have been discriminated against:**

- ▶ Try your best to remain calm and respectful in all circumstances
- ▶ Where possible, raise your concerns with those involved right away
- ▶ Ask to speak with a supervisor
- ▶ Document the discrimination and how they responded to your complaint. See page 5 for important information on how to document effectively.
- ▶ Take photos or video if possible
- ▶ File a complaint with the head office of the company or organization
- ▶ Contact your federal or provincial human rights office. See the list at the back of this guide.

<sup>7</sup> Discriminatory Business Practices Act, R.S.O,1990, c. D. 12, Ontario. <https://www.ontario.ca/laws/statute/90d12>

- ▶ Contact a lawyer
- ▶ Contact NCCM at 1-866-524-0004, info@nccm.ca, or visit [www.nccm.ca](http://www.nccm.ca) and fill out an Incident Report Form

**NOTE:** If you are having trouble accessing banking services or have had trouble conducting business, you may be on the Consolidated Special Economic Measures Act Sanctions List.

The list is available at [www.international.gc.ca](http://www.international.gc.ca). If you believe you have been named on this list in error, or if you are frequently mistaken for someone on this list, you can apply to the Minister of Foreign Affairs for delisting or for a certificate of mistaken identity.<sup>8</sup> Information provided to the Minister may be shared with the RCMP.

<sup>8</sup> Listed Persons, Government of Canada. [http://www.international.gc.ca/world-monde/international\\_relations-relations\\_internationales/sanctions/listed\\_persons-personnes\\_inscrites.aspx?lang=eng](http://www.international.gc.ca/world-monde/international_relations-relations_internationales/sanctions/listed_persons-personnes_inscrites.aspx?lang=eng)

# 05.



## KNOW YOUR RIGHTS IF CONTACTED BY CSIS OR RCMP

**The primary function of CSIS (Canadian Security Intelligence Service) is to investigate activities that the agency believes are threats to the security of Canada, and to report these threats to the Government of Canada.**

CSIS can also take measures to reduce threats to national security and share intelligence with other government agencies. While CSIS agents do not have the same powers as the police, they work closely with local police and RCMP (Royal Canadian Mountain Police) officers.

Canadian Muslims have a civic duty, like everyone, to contribute positively to public safety. Canadian Muslims also have a right, like everyone, to expect that civil liberties will be respected in the activities of national security officials. One of the ways CSIS operates is by recruiting human sources (informants) to monitor certain groups and communities including Muslims.

CSIS uses a variety of means and incentives to acquire human sources, including offers of financial compensation and interfering with or expediting immigration applications. You are under **no obligation** to agree to be a human source if asked to do so by a

CSIS agent. You are under **no obligation** to speak with CSIS.

### If you are visited by CSIS or RCMP:

- ▶ Try your best to remain calm and respectful in all circumstances
- ▶ Remember to ask any investigator who visits you for their business card. If you are unable to do so, record the name, contact information and agency of the officer.
- ▶ Document the interaction and what occurred. See page e5 for important information on how to document effectively.
- ▶ **When a CSIS agent asks you questions:**
  - **You have no obligation to talk to CSIS or RCMP**, even if you are not a Canadian citizen (unless you are a foreign national who has been asked by an immigration officer to speak with a CSIS agent)<sup>9</sup>
  - **Never lie** to CSIS or RCMP, or any other law enforcement officer (including Canada Border Services agents or others). You may be charged with obstruction of justice.
  - If you fear misunderstanding, it is better to refuse to answer questions. Refusing to answer questions cannot be held against you, nor does it imply that you have something to hide.
  - NCCM strongly recommends that you always have a lawyer present when answering any questions. Arrange for a lawyer to contact the agent on your behalf.
- ▶ **Searching your home, office, or electronic devices:**
  - You do not have to permit CSIS or RCMP representatives to enter your home or office. They must possess a search warrant in order to enter your property.
  - If they say they have a warrant, you have the right to see it before allowing them to

<sup>9</sup> Immigration and Refugee Protection Act, Justice Laws Website. <http://laws-lois.justice.gc.ca/eng/acts/I-2.5/index.html>

enter. Make sure that the information on the warrant is correct and complete, including details like the date, issuer and reason.

- Even if they have a warrant, **you are under no obligation to answer questions**
- CSIS cannot take your cellphone or computer, unless it has obtained a warrant to do so

▶ **Arrests or detention:**

- You **cannot** be arrested or detained by a CSIS agent
- You **can** be arrested and detained by an RCMP officer. You have the right to remain silent and not answer questions. You can ask to speak to a lawyer.

▶ **CSIS interference in your daily life:**

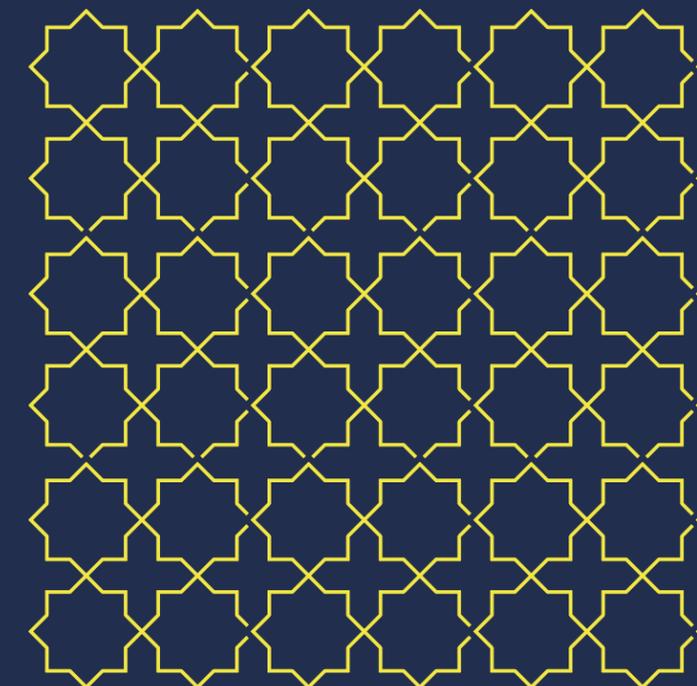
- Under new powers conferred to it in 2015, CSIS can take actions for "threat reduction". This can include spreading disinformation about you, interfering with your online presence, interfering with your local and international travel plans, amongst other actions.
- CSIS agents **cannot** kill or cause bodily harm, violate your sexual integrity, or interfere with the course of justice
- If you suspect that you might be wrongfully targeted by CSIS threat reduction activities, contact a lawyer

**If your rights have been violated:**

- File a complaint with the Director of CSIS. If you do not hear back from the Director within 30 days or are unsatisfied with their response, you can file a complaint with the Security Intelligence Review Committee (SIRC).
- Contact a lawyer
- Contact NCCM at 1-866-524-0004, info@nccm.ca, or visit www.nccm.ca and fill out an Incident Report Form

Canadian Muslims have a **civic duty**, like everyone, to contribute positively to public safety.

Canadian Muslims also have a right, like everyone, to expect that **civil liberties will be respected** in the activities of national security officials.



# 06.



## KNOW YOUR RIGHTS IF STOPPED BY POLICE

In Canada, there are three different types of public-sector police forces: national (RCMP), provincial and municipal. The general function of all levels of police is to prevent and investigate crime, maintain order and enforce the law.

You can be stopped by the police if:

- ▶ They suspect that you have committed a crime
- ▶ They see you committing a crime
- ▶ You are driving

### KEY TERMS<sup>10</sup>

**Detained:** When an individual is detained by the police, it means that the police have given them reason to believe that they are obligated to stay and cannot leave. It does not mean that they are charged with a crime.

**Arrested:** When an individual is arrested by the police, it means that they are in police custody because they have been charged with a criminal offence.

### If you are stopped by police:

- ▶ It is advisable to remain calm and respectful in all circumstances and cooperate with police.
- ▶ Never lie to the police. You may be charged with obstruction of justice or interfering with police investigation.
  - You can refuse to talk to police and answer their questions unless you are operating a vehicle, under investigation for a crime or suspected of committing another type of offence.
  - If you are stopped for a “street check” while walking, you are not obligated to speak to the police or show your identification.
  - If stopped while driving, you must show your driver’s licence, vehicle registration and insurance. Keep your hands where they can be seen and do not exit your vehicle unless instructed to do so.
  - If you are under investigation, you must give your name, birth date and address, or show your identification, but you do not have to say any more<sup>11</sup>
- ▶ After the interaction, you will be free to leave, unless you have been detained or arrested. Ask the officer clearly “am I free to leave?” and wait for the officer’s response. If the officer says you are free to leave, you can simply walk away.
- ▶ Try to remember and document everything that happens.
- ▶ You can also ask for the names and badge numbers of officers involved.

### If you are being detained or arrested:

- ▶ Do not resist arrest. Officers have the right to use as much force as necessary.<sup>12</sup> Resisting arrest could lead to injury and you may be charged with additional offences.
- ▶ You have the right to remain silent. Anything you say to police, including ordinary conversation, may be used as evidence against you in court.

<sup>10</sup> What are my rights if I’m detained or arrested, Steps to Justice. <https://stepstojustice.ca/questions/criminal-law/what-are-my-rights-if-im-detained-or-arrested>

<sup>11</sup> Concordia Student Union, Legal Information Clinic. <https://www.csu.qc.ca/services/lic/>

<sup>12</sup> Protection of Persons Adminstrating the Law, Justice Laws Website. <http://laws-lois.justice.gc.ca/eng/acts/C-46/page-4.html#h-6>

- ▶ It is advisable not to answer questions from police until you have spoken with a lawyer. Say “I want to speak to a lawyer” and remain silent beyond this. If police continue to question you, you do not need to answer. Just ask again to speak to a lawyer.
- ▶ You have the right to know why you have been arrested or detained
- ▶ You have the immediate right to inform your family
- ▶ You have the right to speak privately to a lawyer without delay, even if you cannot afford it
- ▶ If you have been detained, police have limited powers to search you. They can do a “pat down” search of the exterior of your body (they are not entitled to search your pockets) if they have reasonable grounds to believe you pose a safety risk to them, yourself, or the public. Being detained involves being held because officers have reasonable suspicion to hold you. Detention can turn into arrest if officers have reasonable cause.
- ▶ If you have been arrested, the police can search you and your clothing if you have given them consent, or if they have reasonable grounds to believe that evidence will be found
- ▶ You **do not** have to provide police with passwords for your electronic devices
- ▶ A strip search is **not** routine procedure. If police ask you to agree to a strip search, you should tell them you want to speak to a lawyer right away. You can only be strip-searched in private and by officers of the same sex.<sup>13</sup>

### If police visit your home:

- ▶ The police are allowed to come to your home and talk to you, but you are not required to answer their questions
- ▶ If police ask permission to enter your home you can refuse unless they have a warrant to enter your home to arrest someone, permission from you or other adults who live in your home, or there are urgent circumstances. Urgent circumstances can include hot pursuit of a suspect that led them to your home, or they believe a crime is being or about to be committed in your home.
- ▶ The power to enter your home is not the same as the power to search your home, however police may confiscate illegal substances or evidence related to a crime that they see in your home.<sup>14</sup>
- ▶ If police ask permission to search you, your belongings or your home, you can refuse unless they have a search warrant. Refusing to be searched does not imply that you have something to hide.

- ▶ If police have a search warrant, they must show you a copy of it. Make sure that the information on the warrant is correct, such as address, date, times specified, and name or signature of a judge.
- ▶ You **do not** have to provide police with passwords for your electronic devices
- ▶ If police enter your home without permission, **do not** try to stop them. Ask for the names and badge numbers of the officers involved and contact a lawyer right away.

### If police officers violate your rights or if you have been mistreated:

- ▶ You can report a police officer who is abusive, swears at you or violates your rights
- ▶ Document the incident. Write down the officer’s name, badge number and any other identifying information. See page for important information on how to document effectively.
- ▶ Write down the names and contact information of any witnesses
- ▶ Taking photos and videos of the police is legal, as long as it does not disrupt police work. The police are not allowed to take your phone/recording device, nor can you be forced to delete any image or video on your device.<sup>15</sup>
- ▶ File a complaint with the relevant police review board
- ▶ Contact your provincial or territorial human rights office. See the list at the back of this guide.
- ▶ Contact a lawyer. If you cannot afford a lawyer, you may be eligible for legal aid. Contact the legal aid office of your province or territory. See the list at the back of this guide.
- ▶ Contact NCCM to file a report as soon after the event as possible at 1-866-524-0004, info@nccm.ca or visit [www.nccm.ca](http://www.nccm.ca) and fill out an Incident Report Form

<sup>13</sup> When can the police search me, Community Legal Education Ontario. <https://www.cleo.on.ca/en/publications/polpower/when-can-police-search-me>

<sup>14</sup> Can the police enter and search your home, Legalline. <https://www.legalline.ca/legal-answers/can-the-police-enter-and-search-your-home/>

<sup>15</sup> Constitution Act, Justice Laws Website. <http://laws-lois.justice.gc.ca/eng/Const/page-15.html>

# 07.



## KNOW YOUR RIGHTS WHEN TRAVELLING

When travelling outside Canada, you may consider registering with the local Canadian embassy so that they know where you are in the event you require assistance. You may also wish to consult with Government of Canada's travel website for travel advice and advisories.

When travelling within Canada or when crossing the Canadian border, you may come into contact with security personnel, members of the Canadian Border Services Agency (CBSA), as well as transportation (airline, bus, train) staff.

You are entitled to courteous, respectful and non-stigmatizing treatment by all staff, security personnel, and government agents that you come across during your travels. Below we provide information on your rights in some common travel scenarios.

### If you are selected for an additional physical search by airport security:

- ▶ You can request that the search be conducted in a private area. If conducted in private, two officers of the same gender as the passenger must be present.

- ▶ You may request that screening officers wear gloves
- ▶ You have the right to request a physical search or "pat down" instead of a Millimetre-wave body scan. If you choose the body scan, images are deleted immediately after examination.<sup>16</sup>
- ▶ Children and youth (under 18) selected for an additional physical search can be accompanied by a parent/guardian or family member
- ▶ If you are selected for a body cavity or strip search, you have the right to consult with a lawyer before the search

### If you are selected for a customs search when entering Canada:

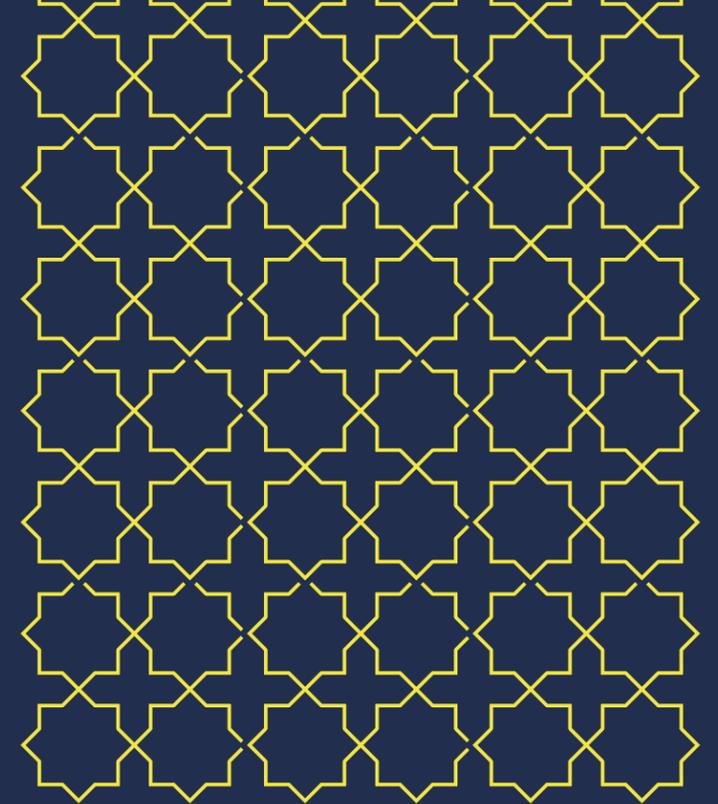
- ▶ Canadian Border Service agents have the power to search you and your belongings without reason
- ▶ You may also be asked to provide the passwords for your electronic devices. You have the right to decline providing your passwords but your devices may be confiscated as a result.
- ▶ If your possessions are damaged in the process of a search, ask to speak to a supervisor while you are still at the port of entry. Document the damage by noting the names and titles of the officers involved and taking photos of the damage. See the sample log at the back of this guide. You may be eligible for compensation for the damaged goods.

### If you are detained or arrested at the border by the Canadian Border Services Agency (CBSA):<sup>17</sup>

- ▶ You can be detained or arrested by a CBSA officer if you are a permanent resident or foreign national
- ▶ You have the right to speak to a lawyer. You may also designate a friend or a member of an organization to represent you.
- ▶ You have the right to be assisted by an interpreter
- ▶ You have the right to contact the embassy or consulate of the country where you hold citizenship
- ▶ If you do not wish to contact your country of citizenship, you can ask that the office of the United Nations High Commissioner for Refugees in Canada be informed of your detention

<sup>16</sup> Your Privacy at airports and borders, Office of the Privacy Commissioner of Canada. <https://www.priv.gc.ca/en/privacy-topics/public-safety-and-law-enforcement/your-privacy-at-airports-and-borders/>

<sup>17</sup> Information for people detained under the Immigration and Refugee protection Act, Canadian Border Services Agency. <https://www.cbsa-asfc.gc.ca/publications/pub/bsf5012-eng.pdf>



You are entitled to **courteous, respectful and non-stigmatizing treatment** by all staff, security personnel, and government agents that you come across during your travels.

**NOTE:** The Canadian federal government's Passenger Protect Program (PPP) was created to address security threats. The program allows the Minister of Public Safety to list individuals who are suspected of activities that would threaten transportation security or are suspected of planning to commit certain terrorism offences. This list has been known as the Specified Persons List, the No-fly List, and/or the Watch List.

### If you have been listed on the No-fly List (Specified Persons list):

- ▶ You may experience difficulties during travel at airports or Canadian borders
- ▶ You may be denied transportation. If you are denied, you will receive a written direction when attempting to obtain a boarding pass. Keep a copy of the written direction.
- ▶ You may apply to the Passenger Protect Inquiries Office (PPIO) to be removed from the list within 60 days after the day on which you were denied transportation. The application and information about how to have your name removed can be found at on the Public Safety Act website.<sup>18</sup>
- ▶ If you are not satisfied with the outcome of your PPIO application, contact NCCM.
- ▶ If you have not received a written direction but have consistently experienced travel delays, been blocked from checking in online or been denied boarding, contact the customer service department of the airline to determine if any steps can be taken prior to your arrival at the airport.

### If you believe you have been treated in a discriminatory manner when travelling:

- ▶ Try your best to remain calm and respectful in all circumstances
- ▶ Ask for the names and identification numbers of all persons involved in the incident
- ▶ Document the incident. See page for important information on how to document effectively.
- ▶ Write down a statement of facts immediately or as soon as possible after the incident. Be sure to include travel details such as your date of travel,

port of entry, flight number and the name of the airline. As time passes it is normal for people to forget important details so the sooner the facts can be documented the better.

- ▶ Speak to a supervisor to file a complaint. Ask for a file number for your complaint so that you can follow up.
- ▶ Ask witnesses to give you their names and contact information
- ▶ File a complaint with the [Canadian Air Transport Security Authority \(CATSA\)](#)<sup>19</sup> and the [Canadian Transportation Agency](#)<sup>20</sup> if your complaint is against airport security or airline personnel.
- ▶ File a complaint with the [Canada Border Services Agency \(CBSA\)](#)<sup>21</sup> if your complaint is against a CBSA agent
- ▶ Contact the Canadian Human Rights Commission (CHRC). See the back of this guide for contact information.
- ▶ Contact a lawyer. If you cannot afford a lawyer, you may be eligible for legal aid. Contact the legal aid office of your province or territory. See the list at the back of this guide.
- ▶ Contact NCCM to file a report as soon after the event as possible at 1-866-524-0004, info@nccm.ca or visit [www.nccm.ca](http://www.nccm.ca) and fill out an Incident Report Form. If you are leaving the country, contact NCCM before your departure and be prepared to provide as many details as possible.

<sup>18</sup> Recourse for Listed People, Public Safety Canada, <https://www.publicsafety.gc.ca/cnt/ntnl-scr/cntr-trrrsm/pssngr-prtct/rcnsdrtn-en.aspx>

<sup>19</sup> Questions, Comments, Complaints, Canadian Air Transport Security Authority, <https://www.catsa-acsta.gc.ca/en/form/questions-comments-complaints>

<sup>20</sup> Air Travel complaints form: flights to, from, or within Canada, Canadian Transportation Agency, <https://services.otc-cta.gc.ca/air-travel-complaints>

<sup>21</sup> Compliments, Comments and Complaints, Canada Border Services Agency, <https://www.cbsa-asfc.gc.ca/contact/com-eng.html>

# 08.



## KNOW YOUR RIGHTS TO OBTAIN AND RETAIN A PASSPORT

**Canadian citizens who meet the eligibility requirements can apply for a passport, however passports can be refused on certain grounds.**

Although passports are held by individuals, they are the property of the state and can be revoked or cancelled by the Minister of Immigration, Refugees and Citizenship or the Minister of Public Safety and Emergency Preparedness.

### A passport may be refused to a person:<sup>22</sup>

- ▶ Who is not a Canadian citizen
- ▶ Who provides false information during the passport application process
- ▶ Who fails to provide a duly-completed application, or the required or requested information and materials
- ▶ Who is charged in Canada with an indictable offence, or a similar offence abroad
- ▶ Who is imprisoned or otherwise forbidden to leave Canada or, being abroad, is imprisoned or otherwise forbidden to leave that country
- ▶ Who is subject to conditions imposed by a court that have the effect of preventing possession of a passport

- ▶ Who has been convicted of a passport offence under the Criminal Code or an equivalent offence abroad
- ▶ Who owes money to the Crown related to repatriation to Canada or other consular financial assistance
- ▶ Who holds a passport that has not expired or been revoked
- ▶ When reasonable grounds exist to believe that the refusal is necessary to prevent the commission of an indictable offence, terrorism or for national security purposes

### A passport may be revoked for any of the above-mentioned reasons as well as if someone:

- ▶ Uses the passport to assist in committing an indictable offence in Canada or a similar offence abroad
- ▶ Permits another person to use the passport
- ▶ Has obtained the passport by means of false or misleading information
- ▶ Has ceased to be a Canadian citizen

### A passport may be cancelled for any of the above-mentioned reasons as well as if:

- ▶ There are reasonable grounds to suspect the cancellation is necessary to prevent the commission of a terrorism offence, or for the national security of Canada or a foreign country or state. When a passport is cancelled, law enforcement and border control partners are notified of the cancellation and the passport can no longer be used for travel

<sup>22</sup> Refusal, revocation, cancellation and suspension of Canadian passports, Government of Canada. <https://www.canada.ca/en/immigration-refugees-citizenship/services/canadian-passports/security/refusal-revocation.html>

### If your passport is under consideration for refusal or revocation:

- ▶ You will be notified in a letter from the Minister of Citizenship and Immigration or the Minister of Public Safety
- ▶ You will be provided with a summary of the information in support of the possible refusal or revocation of the passport and given an opportunity to submit any information in response
- ▶ You will then be advised in writing of the decision and of the reason for the decision
- ▶ The decision to refuse or revoke a passport may include a period of time, not exceeding 10 years, during which no passport shall be issued

### If your passport has been refused, revoked or cancelled:

- ▶ You may challenge the decision by filing an application for judicial review before the Federal Court of Canada within 30 days of the date of the decision<sup>23</sup>
- ▶ It is advisable to consult a lawyer before you file an application
- ▶ In special circumstances, a limited-validity travel document may be issued to an individual who is subject to an investigation or a period of refusal of passport services. The grounds for the request must be urgent, compelling and compassionate.
- ▶ Contact NCCM at 1-866-524-0004, info@nccm.ca or visit [www.nccm.ca](http://www.nccm.ca) and fill out an Incident Report Form if you feel that your passport has been refused, revoked or cancelled on discriminatory grounds

<sup>22</sup> Information in this section draws on the Citizenship Act and the Government of Canada website. It also reflects the 2018 amendments to the Citizenship Act. See Loss of Citizenship, Justice Laws Website/<http://laws-lois.justice.gc.ca/eng/acts/C-29/page-4.html>; Bill C6 Receives Royal Assent, Government of Canada, [https://www.canada.ca/en/immigration-refugees-citizenship/news/2017/06/bill\\_c-6\\_receivesroyalassent0.html](https://www.canada.ca/en/immigration-refugees-citizenship/news/2017/06/bill_c-6_receivesroyalassent0.html)

# 09.



## KNOW YOUR RIGHTS TO CITIZENSHIP

In certain situations, Canadian citizenship or permanent resident status may be revoked under the *Citizenship Act*.

### Here is some information about revocation of Canadian citizenship or permanent resident status:<sup>23</sup>

- ▶ Your status may be revoked if you lied in the citizenship process. This includes obtaining, retaining, renouncing or resuming citizenship by false representation, fraud or knowingly concealing material circumstances.
- ▶ If you are a Canadian citizen, you will revert to permanent resident status
- ▶ If you are a permanent resident, you will revert to foreign national status
- ▶ If the false representation, fraud or concealing of material circumstances were related to grounds of security, human or international rights violations, or organized criminality, the Federal Court may declare you inadmissible and issue an order for your removal from Canada<sup>24</sup>

### If your citizenship status is being considered for revocation:<sup>25</sup>

- ▶ You will receive a *Notice of Intent to Revoke Citizenship* or a *Notice of Intent to Seek a Declaration of the Federal Court* from the Minister of Citizenship and Immigration Canada. You may not renounce your Canadian citizenship at this time.
- ▶ You have the right to receive this notice before a decision is made on your status

- ▶ The notice must provide the specific grounds and reasons, including reference to evidence upon which the Minister is relying to make the decision
- ▶ You have the right to write to the Minister about any information you would like them to consider when reviewing your case. You must send your letter within the given time limit. Your letter should be in the required format outlined in the Notice.
- ▶ Consult an immigration lawyer before you respond to the Notice
- ▶ The Minister will then decide if they will seek a Declaration of Court
- ▶ You have the right to request that your case be heard by the Minister instead of the Court. Such a request should also be made within 60 days after the day on which the notice was sent to you.
- ▶ During the revocation process, you remain entitled to all rights and privileges of Canadian citizenship or permanent residency
- ▶ When a decision is made, you will receive a final *Notice of Decision*

### If your citizenship has been revoked:

- ▶ Contact a lawyer
- ▶ If your citizenship is revoked, the rights and privileges of Canadian citizenship will no longer apply to you
- ▶ You may challenge the decision by filing an application for judicial review before the Federal Court of Canada. Consult a lawyer before you file an application.
- ▶ You must wait 10 years from the date of revocation before applying for citizenship. In some cases, you may be permanently barred from applying for Canadian citizenship.
- ▶ Contact NCCM at 1-866-524-0004, info@nccm.ca or visit [www.nccm.ca](http://www.nccm.ca) and fill out an Incident Report Form if you feel that your citizenship has been revoked on discriminatory grounds

<sup>23</sup> Information in this section draws on the Citizenship Act and the Government of Canada website. It also reflects the 2018 amendments to the Citizenship Act. See Loss of Citizenship, Justice Laws Website/<http://laws-lois.justice.gc.ca/eng/acts/C-29/page-4.html>; Bill C6 Receives Royal Assent, Government of Canada, [https://www.canada.ca/en/immigration-refugees-citizenship/news/2017/06/bill\\_c-6\\_receivesroyalassent0.html](https://www.canada.ca/en/immigration-refugees-citizenship/news/2017/06/bill_c-6_receivesroyalassent0.html)

<sup>24</sup> Loss of Citizenship (continued), Justice Laws Website/<http://laws-lois.justice.gc.ca/eng/acts/C-29/page-4.html>

<sup>25</sup> Canadian Criminal Code, Section 718.2

# 10.



## KNOW YOUR RIGHTS WHEN FACED WITH ANTI-MUSLIM HATE

### What is a hate crime?

Hate crimes are criminal offences committed against a person or property that are based upon the victim's race, national or ethnic origin, language, colour, religion, sex, age, mental or physical disability, sexual orientation, gender identity or expression or any other similar factor.

**Hate speech** is the incitement of hatred against an identifiable group through public statements or advocating or promoting genocide.

### Why you should report a hate crime?

Reporting hate crimes is an important step in stopping hate from escalating, preventing others from being victimized, and sending a message to perpetrators that such actions have consequences. You can report an incident to your local police and to community organizations like NCCM.

**Reporting to the police** can be beneficial because they can investigate the incident and lay charges against the perpetrator where appropriate. It also makes them aware of hate crimes in your area and you can

ask them to take appropriate action. This can include asking police to put resources in place to make you and your community safer. While it is the duty of police to investigate hate crimes that are reported to them, it is important for you to take initiative, advocate on your own behalf and regularly follow up on your case. Contact NCCM for support.

**Reporting to a community organization** like NCCM can give you access to personal support and important information about your options. It also helps community organizations to keep track and raise awareness about the nature and scale of the problem. These statistics can be used to help protect vulnerable groups.

### If you believe that you have been the victim of a hate crime:

- ▶ Try your best to remain as calm as you can and find a safer space.
- ▶ Document the incident and save evidence. Write down **exactly** what was said and/or done by the offender in the order that it happened as soon as possible. See page for important information on how to document effectively.
- ▶ Report the crime to the police. Ask that the incident be treated as a hate crime. Make a note of the name of the officer with whom you have been speaking and ask for a case or file number.
- ▶ Contact NCCM at 1-866-524-0004, [info@nccm.ca](mailto:info@nccm.ca) or complete an Incident Report Form at [www.nccm.ca](http://www.nccm.ca), even if you believe it is a minor incident
- ▶ Stay on top of the situation. Follow up with police investigators. If you feel that your case has not been handled appropriately, contact NCCM.
- ▶ Mobilize community support. Contact your local community organization or mosque and explore options for actions to be taken.
- ▶ Act quickly. Each incident must be dealt with when it happens, not when convenient.
- ▶ When the incident is resolved, advise the people and organizations originally contacted

**NOTE:** If you are being bullied or harassed or have been called a racial or Islamophobic slur and you are unsure if it is a hate crime, contact NCCM at 1-866-524-0004, [info@nccm.ca](mailto:info@nccm.ca) or visit [www.nccm.ca](http://www.nccm.ca) and fill out an Incident Report Form.

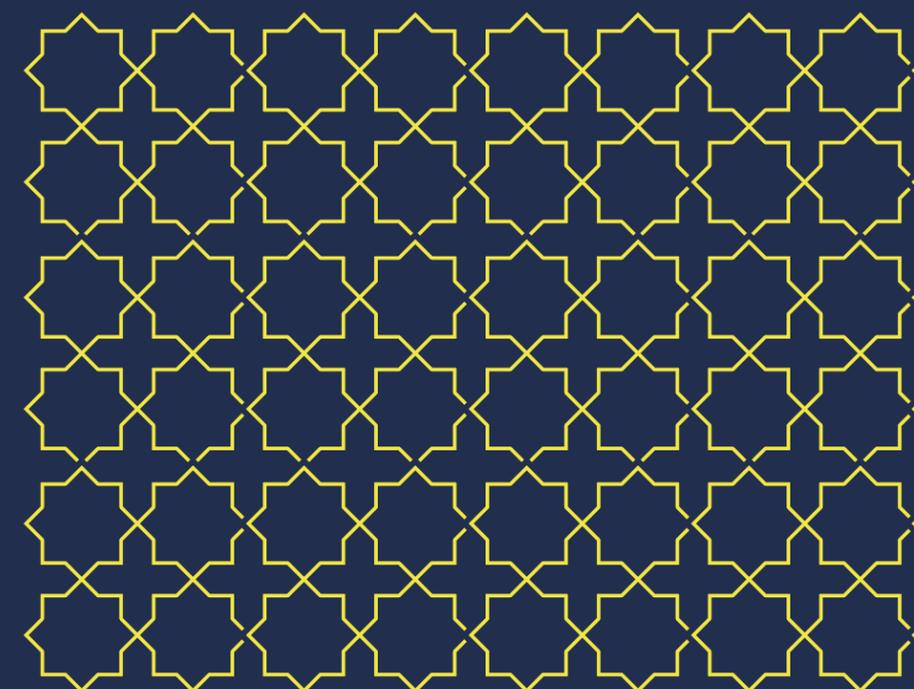
<sup>26</sup> Canadian Criminal Code, Section 718.2

<sup>27</sup> Canadian Criminal Code, Section 318

## Why you should report a hate crime?

Reporting hate crimes is an important step in stopping hate from escalating, preventing others from being victimized, and sending a message to perpetrators that such actions have consequences.

You should report the incident to your local police and to NCCM.



# Bystander Intervention

**Witnessing harassment, bullying, discrimination or a crime is not easy. It is often difficult to know what to do in the moment, but as a bystander you are in a unique position to get help, intervene, record or provide information.**

## 6 D's of bystander intervention:

- 1. Discover**  
Stay calm, try to figure out what is going on and assess your safety and the safety of others around you
- 2. Distract**  
Try to distract the person who is perpetrating the violence or harassment
- 3. Direct**  
Be direct and ask the victim if they need help. Show them that they are not alone. Be direct with the perpetrator and tell them that what they're doing is not okay
- 4. Delegate**  
Get help. Try to gather a few people around you to intervene in the situation and/or call security or 911 if you feel your or someone else's safety is threatened.
- 5. Document**  
If you feel that it is safe, take photos or video footage of the incident. Keep in mind that you also have the right to record the police as long as it does not disrupt police activities that are in progress.
- 6. Delay**  
Wait until the situation has wound down or the perpetrator has left and then provide support to the victim.

## After the incident:

- ▶ Offer support. Ask the victim if you can call someone for them. Consider giving the victim your contact information in case they decide to pursue legal action and need witnesses.
- ▶ Write down what happened as soon as possible after the incident.
- ▶ Ask the victim if they want to report the incident.
- ▶ Contact NCCM at 1-866-524-0004, info@nccm.ca or visit [www.nccm.ca](http://www.nccm.ca) and fill out an Incident Report Form

## What to say to the perpetrator

### Engage their good side:

Appeal to their sense of community by asking "Has this person done any harm to you personally" or "Would you like it if someone abused you or your family in this way?"

### Speak only from your own perspective:

Too often people start speaking for the person who is being attacked. This stops the victim from speaking up themselves. Focus on saying why YOU think what the perpetrator is doing is wrong. For instance, if a person is being abused for wearing a hijab, don't say that the victim wears the hijab because of her religion. Instead, speak about how people have the freedom to choose how they dress.

# 11.



## KNOW YOUR RIGHTS IF CONTACTED BY A CHILD PROTECTION AGENCY

**Child protection agencies may contact you or take your children if there are allegations of abuse, neglect, abandonment or if there is a court order.**

An agency representative will only visit your home if they have received a complaint.

### Here is some information to keep in mind:<sup>28</sup>

- ▶ It is important to seek legal advice immediately. If you cannot afford a lawyer, contact your local legal aid office (see the list at the back of this guide).
- ▶ **Do not** sign any documents without speaking with a lawyer
- ▶ Ask for an interpreter if you are having difficulty understanding the representative
- ▶ You have the right to be informed of why you are under investigation or why your child has been removed
- ▶ Anything you say to the agency worker **can** be used against you later in court

### If your child is being removed:

- ▶ Contact a lawyer **immediately**. If you cannot afford a lawyer, you may be eligible for legal aid. Contact the legal aid office of your province or territory. See the list at the back of this guide.
- ▶ Ask the child protection agency for their report or court documents explaining why they are removing your child

- ▶ Ask the agency for a letter that explains what you need to do to have your child returned to you
- ▶ You can ask that your child be placed with your relatives or friends
- ▶ You can ask for visits with your child
- ▶ You can ask that your child continue adhering to religious observances while in care, including observing dietary restrictions and religious clothing, as long as the agency determines that this does not conflict with the "best interest" of the child
- ▶ You can ask for a mediator or alternative dispute resolution service to help you work out an out-of-court agreement
- ▶ If your case goes to court, it must be heard within 5 days of your child being removed
- ▶ Your file will remain open until you get a letter from the agency telling you that your file has been closed

### If you feel that you have been mistreated by a child protection agency:

- ▶ Ask to speak with your caseworker's supervisor
- ▶ File a complaint with the agency
- ▶ File a complaint with your provincial or territorial ministry or office of child and youth services, or the relevant review board
- ▶ Contact your provincial or territorial human rights office. See the list at the back of this guide.
- ▶ Contact a lawyer. If you cannot afford a lawyer you may be eligible for legal aid. Contact the legal aid office of your province or territory. See the list at the back of this guide.
- ▶ Contact NCCM at 1-866-524-0004, info@nccm.ca or visit [www.nccm.ca](http://www.nccm.ca) and fill out an Incident Report Form

<sup>28</sup> Information in this section draws from Community Legal Education Ontario and Legal Aid Ontario. See: Children's Aid: Information for Parents, CLEO, <https://www.cleo.on.ca/en/publications/cas-en>; Contact us, Legal Aid, <https://www.legalaid.on.ca/en/publications/brochures/Family-child-protection-brochure-EN.pdf?t=1522627200080>

# 12.



## KNOW YOUR RESPONSIBILITIES

**Your rights and freedoms as a Canadian citizen come with a set of civic responsibilities. Taking these responsibilities seriously allows us to strive towards a peaceful, just and democratic society. All Canadian citizens are responsible for:<sup>29</sup>**

### **Obeying the law and respecting the rights and freedoms of others**

One of Canada's founding principles is the rule of law. Individuals and governments are regulated by laws and not by arbitrary actions. No person or group is above the law.

### **Taking responsibility for yourself and your household**

This can include getting a job, taking care of your household and working hard to maintain and improve your abilities.

### **Serving on a jury**

Our justice system depends on impartial juries made up of citizens. When called to do so, you are legally required to serve on a jury.

### **Voting in elections**

You have a responsibility to vote in federal, provincial or territorial and local elections. Only Canadian citizens can vote (permanent and temporary residents cannot vote).

### **Helping others in the community**

Millions of volunteers freely donate their time to help others in need. You can volunteer your time at your child's school, a local food bank or other charity.

### **Protecting and enjoying our heritage and environment**

Every citizen has a role to play in avoiding waste and pollution while protecting Canada's natural, cultural and architectural heritage for future generations.

### **GET INVOLVED LOCALLY**

**Connecting with your local community is a great way to build and nurture a more meaningful understanding of different cultures and religions and be an active participant in helping to shape a more inclusive and just Canadian society.**

Here are some suggestions on how you can get involved:

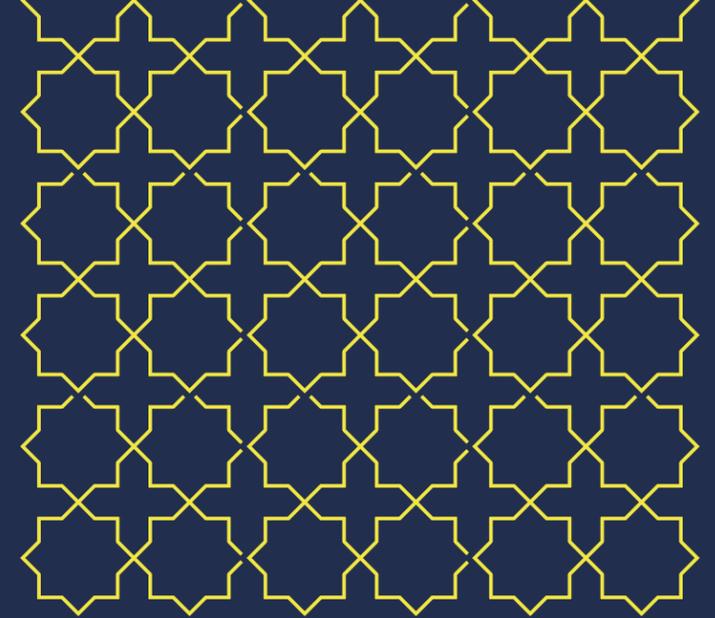
#### **Get to know your neighbourhood:**

- ▶ Introduce yourself to your neighbours of all backgrounds
- ▶ Get involved with your local library
- ▶ Join your child's school council
- ▶ Attend school board meetings
- ▶ Put together an Eid or Hajj display at a local school or library

#### **Vote in all municipal, provincial and federal elections:**

- ▶ Learn about the different candidates, their positions on issues that are important to you, and their qualifications
- ▶ Learn more about the different provincial and federal political parties, their history, platforms and historical positions on various issues
- ▶ Cast an informed vote based on where the candidates and political parties stand on multiple issues

<sup>29</sup> Discover Canada - Rights and Responsibilities of Citizenship, Citizenship Canada. [www.canada.ca/en/immigration-refugees-citizenship/corporate/publications-manuals/discover-canada/read-online/rights-responsibilities-citizenship.html](http://www.canada.ca/en/immigration-refugees-citizenship/corporate/publications-manuals/discover-canada/read-online/rights-responsibilities-citizenship.html).



**Connecting with your local community is a great way to **build and nurture** a more meaningful understanding of different cultures and religions and be an active participant in helping to shape a more **inclusive and just** Canadian society.**

## Get involved in local political matters and social issues:

- ▶ Attend city council meetings
- ▶ Submit an opinion piece to your local newspaper or blog about an issue of local importance
- ▶ Organize public events such as blood drives and health fairs in your mosque or community centre
- ▶ Invite local and national officials (federal and provincial politicians, police chief, mayor, city counsellors) for townhalls about community issues at your mosque or community centre
- ▶ Organize and encourage youth in your community to get involved
- ▶ Keep a lookout for calls for volunteers at local food banks and community organizations
- ▶ Volunteer with NCCM
- ▶ Invite NCCM to speak at an event or for a “Know Your Rights & Responsibilities” workshop. Contact us at 1-866-524-0004, info@nccm.ca, or visit www.nccm.ca.

# MAKE YOUR VOICE HEARD

**As a member of Canadian society, you have the right and the responsibility to make your voice heard about issues that affect you and your community.**

**You can participate by contacting your government representatives, and local and national media outlets.**

## Tips for communicating with your government representatives:

- ▶ A well-written letter (via email or post) is the most effective means of communication with a member of government. It also creates a written record that can be useful when following up with your government representative.
- ▶ Think locally. Find out who the municipal, provincial and federal representatives are in your riding. As one of their constituents, your voice matters and your vote counts.
- ▶ State your purpose for writing in the first paragraph. If the letter pertains to a specific piece of legislation, identify it accordingly e.g. House bill C-\_\_, Senate bill S-\_\_
- ▶ Be courteous, to the point, and use examples to support your position.
- ▶ Address only one issue in the letter. Try to keep the letter shorter than one page.
- ▶ Close by requesting action that you want taken: a vote for or against a bill, or change in general policy.

- ▶ To find e-mail addresses for individual MPs or Senators, consult [www.parl.gc.ca](http://www.parl.gc.ca).
- ▶ To find contact information for your city councillor or Member of Provincial Parliament (MPP), consult your local, provincial or municipal website.

## Tips for contacting the media:

Ensure that you have the journalist’s contact name, numbers and other contact information for follow up to send notes of appreciation or critique if warranted. Be clear about why you are contacting and them and be prepared to provide relevant and useful information.

## Guidelines for writing a letter to the editor:

- ▶ Be authoritative, accurate, concise and focused
- ▶ Address your letter to the outlet’s opinion editor
- ▶ Check with the paper for their word count guidelines or online letter submission guidelines
- ▶ State the purpose of the letter in 25 words or less. The total length of a letter will vary so check with the publication. Most letters are under 150 words.
- ▶ React quickly to news coverage, whether positive or negative. If possible, send the letter to the editor on the same day as the coverage.
- ▶ Pick one main topic and resist the temptation to include other issues
- ▶ Have someone else review the letter as well to help catch any grammar, spelling, problematic logic or other errors
- ▶ Be passionate, or even controversial, but avoid personal attacks and defamation (these can result in legal action being taken against you)
- ▶ Give background information on the issue or misconception. Cite impartial and objective sources.
- ▶ Offer a reasonable and fair solution
- ▶ Be sure to thank the editors for positive articles as well as criticize negative ones

## You can send mail postage-free to:

### A Federal Member of Parliament (MP)

[Name of Member of Parliament]  
House of Commons  
Ottawa, Ontario  
Canada  
K1A 0A6

### To a Senator

[Name of Senator]  
The Senate of Canada  
Ottawa, ON  
Canada  
K1A 0A4

# RESOURCES

## Human Rights Organizations

### Canadian Human Rights Commission

www.chrc-ccdp.gc.ca/eng  
info.com@chrc-ccdp.gc.ca  
1-888-214-1090

### Alberta Human Rights Commission

www.albertahumanrights.ab.ca  
humanrights@gov.ab.ca

Northern Regional Office,  
Confidential Inquiry Line  
1-780-427-7661

Southern Regional Office,  
Confidential Inquiry Line  
1-403-297-6571

### British Columbia Human Rights Tribunal

www.bchrt.bc.ca  
BCHumanRightsTribunal@gov.bc.ca  
1-888-440-8844

### B.C. Human Rights Clinic

www.bchrc.net  
infobchrc@clasbc.net  
1-855-685-6222

### Manitoba Human Rights Commission

www.manitobahumanrights.ca  
hrc@gov.mb.ca  
1-888-884-8681

### New Brunswick Human Rights Commission

www.gnb.ca  
hrc.cdp@gnb.ca  
1-506-453-2301

### Newfoundland & Labrador Human Rights Commission

www.thinkhumanrights.ca  
humanrights@gov.nl.ca  
1-800-563-5808

### Northwest Territories Human Rights Commission

www.nwthumanrights.ca  
info@nwthumanrights.ca  
1-888-669-5575

### Nova Scotia Human Rights Commission

www.humanrights.novascotia.ca  
hrcinquiries@novascotia.ca  
1-877-269-7699

### Nunavut Human Rights Tribunal

www.nhrt.ca  
nunavuthumanrights@gov.nu.ca  
1-866-413-6478

### Ontario Human Rights Commission

www.ohrc.on.ca  
info@ohrc.on.ca  
1-800-387-9080

### Human Rights Tribunal of Ontario

www.sjto.gov.on.ca  
hrto.tdpo@ontario.ca  
1-866-598-0322

### Ontario Human Rights Legal Support Centre

www.hrlsc.on.ca  
1-866-625-5179

### Prince Edward Island Human Rights Commission

www.gov.pe.ca/humanrights  
contact@peihumanrights.ca  
1-800-237-5031

### Commission de Droits de la Personne et des Droits de la Jeunesse (Quebec)

www.cdpcj.qc.ca  
information@cdpcj.qc.ca  
1-800-361-6477

### Saskatchewan Human Rights Commission

www.saskatchewanhumanrights.ca  
shrc@gov.sk.ca  
1-800-667-9249

### Yukon Human Rights Commission

www.yukonhumanrights.ca  
info@yukonhumanrights.ca  
1-800-661-0535

## Legal Aid Offices

### British Columbia Legal Services Society

1-866-577-2525

### Alberta Legal Aid

1-866-845-3425

### Legal Aid Saskatchewan

1-800-667-3764

### Legal Aid Manitoba

1-800-261-2960

### Legal Aid Ontario

1-800-668-8258

### Legal Aid Quebec/Commission Des Services Juridiques

1-514-873-3562

### Newfoundland & Labrador Legal Aid Commission

1-800-563-9911

### Legal Aid Nova Scotia

1-877-777-6583

### New Brunswick Legal Aid Services Commission

1-506-444-2776

### Prince Edward Island Legal Aid

1-902-368-6043

### Yukon Legal Services Society

1-800-661-0408 x 5210

### Legal Services Board of Nunavut

1-866-240-4006 (Cambridge Bay):  
1-800-606-9400 (Rankin Inlet),  
1-866-202-5593 (Iqaluit)

### Northwest Territories Legal Aid Commission

1-844-835-8050

## Government Offices

### Prime Minister's Office

613-992-4211

### House of Commons

613-992-4793

### The Senate

613-995-1900

## Media Outlets

### National Television Channels:

CBC (Canadian Broadcasting Corporation)  
416-205-3700 // 416-205-6688

RDI (Réseau de l'information)  
514-597-6000 // 514-597-6013

CTV  
416-332-5000 // 416-291-5337

TVA  
514-790-0461 // 514-598-2893

Global  
800-387-8001 // 416-446-5447

### National Newspapers and Magazines:

Globe & Mail  
416-585-5225 // 416-585-5085

National Post  
416-445-6641 // 416-442-2212

La Presse  
514-285-7070 // 514-285-4816

Maclean's  
888-622-5326 // 416-596-7730

You can also contact your local media television, radio and news outlets.

## HOW CAN I HELP NCCM?

NCCM is open to individuals and organizations that support our work.

### You can help us achieve our goals by:

- ▶ Signing up for our e-mail list at [www.nccm.ca](http://www.nccm.ca) or by emailing [info@nccm.ca](mailto:info@nccm.ca)
- ▶ Responding to calls for action in our emails
- ▶ Donating generously so that we can continue our work to advocate for and empower Canadians. Call 1.866.524.0004 or go to [www.nccm.ca/take-action/donate](http://www.nccm.ca/take-action/donate) for more information.

### Take action. Your activism strengthens our community. Volunteer with NCCM.

#### NOTE:

Your donations are zakat eligible under the category of fisabilillah (to give in the way of God). This eligibility has been confirmed by the Canadian Council of Imams & other prominent scholars.

## ACKNOWLEDGEMENT

We recognize that the NCCM's work takes place on the traditional territories and ancestral lands of indigenous peoples occupied by Canada, and our head office is located on the traditional lands of the Algonquin peoples. As we work to challenge the discrimination Canadian Muslims face, we recognize that our work is interconnected with indigenous struggles, past and present, in many ways.

This guide was made possible with the generous support of the Law Foundation of Ontario and NCCM donors. Many NCCM supporters, advisors and allies were consulted to ensure that the information included in this guide was helpful and accurate. We would like to express our sincere gratitude to all those involved for the generosity with which they gave their time and shared their expertise.

# SAMPLE INCIDENT LOG

Use this log to record details of incidents involving harassment, discrimination or hate crimes.

<b>Your Name</b>	
<b>Date and time of incident</b>	
<b>Location of incident</b>	
<b>Names of individuals/organization involved</b>	
<b>What is their position at the organization? Titles and/or badge numbers</b>	
<b>Who do they work for? Name of organization and department</b>	
<b>What happened? Describe in detail</b>	
<b>Names and contact information of any witnesses</b>	
<b>Do you have any photos/videos or other evidence?</b>	

# SAMPLE CORRESPONDENCE LOG

Use this log to keep track of communication about requests for religious accommodations, harassment, discrimination, or complaints including phone calls, emails, mail and/or conversations in person

<b>Your Name</b>	
<b>Date and time of communication</b>	
<b>Type of communication (email, mail, phone, in-person)</b>	
<b>Who is the communication from? Names of individuals</b>	
<b>Who do they work for? Name of organization and department</b>	
<b>What is their position at the organization?</b>	
<b>What was the communication about?</b>	
<b>Did you save a copy?</b>	



**NATIONAL  
COUNCIL  
OF CANADIAN  
MUSLIMS**

Your Voice. Your Future.

**CONSEIL  
NATIONAL  
DES MUSULMANS  
CANADIENS**

Votre voix. Votre avenir.

The National Council of Canadian Muslims (NCCM) is an independent, non-partisan and non-profit organization that protects Canadian human rights and civil liberties, challenges discrimination and Islamophobia, builds mutual understanding, and advocates for the public concerns of Canadian Muslims.

Built from within the Canadian Muslim community, the NCCM is a leading voice for Muslim civic engagement and the promotion of human rights.

**[www.nccm.ca](http://www.nccm.ca)**

P.O. Box 13219, Ottawa, ON, K2K 1X4

Toll free: 1-866-524-0004

Head Office: 613-254-9704

E-mail: [info@nccm.ca](mailto:info@nccm.ca)

 @NCCMuslms

 @NCCM

 @NCCM\_community