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Perceptions of Black peoples' experiences with the Criminal Justice System: Focus groups 2025/26

Findings Report

Prepared for the Department of Justice Canada

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This public opinion research report presents the results of a qualitative research study conducted by EKOS Research Associates Inc. on behalf of the Department of Justice Canada. The study was conducted with Black, other racialized and white Canadians in 17 online focus groups in late January and early February 2026.

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SUMMARY

A. INTRODUCTION

The Department of Justice Canada (JUS) conducts the National Justice Survey (NJS) – an annual public opinion research survey – to explore Canadians’ perceptions and knowledge of justice-related issues, which is used to inform policy development, public engagement, and communications on these important issues. A companion qualitative research project was added to complement the quantitative evidence for the same purposes.

Establishing Canada’s Black Justice Strategy (the Strategy) is the federal government’s response to the anti-Black racism and systemic discrimination that has led to the overrepresentation of Black people as accused or offenders in the Criminal Justice System (CJS), and as victims and survivors of crime.

There is a paucity of information collected directly from Black people on how they view the CJS and, in particular, in a manner that assesses any differences in views between sub-population groups of Black people in Canada. The 2025/26 NJS qualitative research component contributes to address this gap by collecting detailed information on Black people’s experiences and views of the CJS, including as members of sub-population groups of Black people in Canada, their confidence in the fairness and accessibility of the CJS, and factors that could affect those perceptions.

The focus groups help to contextualize the NJS survey findings by exploring the perceptions and knowledge of these factors that affect focus group members’ confidence in the fairness and accessibility of the CJS, and the factors that have led to the overrepresentation of Black people in the CJS. Findings from this work will support policy development, communications strategies and products, and further research projects that support the goals of the Strategy.

B. METHODOLOGY

A total of 17 online focus groups were conducted, which included participants from all regions of the country. The source for recruitment of the focus group participants was our randomly recruited Probit panel. Panel members 18 years of age or older were sent an email invitation, with a description of the research and asked to complete a short online survey in order to indicate their interest in participating. The research team subsequently selected a subset, based

on the objective of having a diversity of participants in each group (age, gender and education of the participant), as well as sufficient numbers of Black participants.

Of the 17 groups, 11 were held with Black people, three were held with other racialized people, and three were held with white people. Among the 11 groups carried out with Black people, four were convened with those who were born or raised from a young age in Canada, and four were convened with those who immigrated to Canada as adults. Two groups conducted with residents living in Nova Scotia and one with residents of the Toronto area included a mix of those born or raised in Canada versus coming to Canada as an adult.

Discussions took place between January 21 and February 16, 2026. Of the 151 individuals recruited, 119 individuals participated in the discussions (77 were Black, 22 white, and 20 from other racialized groups). Between six and nine participants attended each session. Thirteen of the groups were conducted in English (six with residents of the East, three with residents of the West, two among residents living in Nova Scotia, and two with residents of the Toronto area), and four were conducted in French largely with residents of Quebec, but also including a few Franco-Ontarians (two with Black participants, one with white participants and one with a participant from another racialized group). The discussions lasted one hour and 45 minutes and participants received an incentive of \$140. The recruitment script and online screening survey can be found in Appendix A, while the discussion guide is in Appendix B. Audio recordings, researchers' notes, and transcripts from the focus groups formed the basis for the analysis and reporting of results.

C. KEY FINDINGS

Key findings from the qualitative discussions are below. Additional details and quotes are provided in the Findings section.

Black people's perceptions of fairness in the CJS

The CJS was largely described by Black participants from all sub-population groups as being unfair. Those who immigrated to Canada as adults more often described the system as fair, or better than the systems of certain other countries, but that it is not practiced fairly by individuals within it. Most participants from other racialized groups described the system as mostly fair with the same rules and procedures for everyone. These participants also felt that some individuals within the CJS provide biased treatment, which obstructs the experience of Black people and prevents them from being treated fairly. White participants had mixed views about the fairness of the CJS but mostly felt that the system was designed to be fair, though

was not fair in practice. A few agreed that the CJS is likely not fair for Black people, and that treatment for those who look different is likely to be different.

Without the provision of a pre-set definition, fairness was described by most participants as equal treatment and outcomes, regardless of race, gender, or class. A few said that consistent treatment and transparent rules would help to mitigate systemic biases, while a few Black participants emphasized the need for equitable treatment that accounts for current and past disadvantages. Participants from other racialized groups also talked about equal treatment and opportunities, without profiling based on race or socioeconomic status. Equal and standardized treatment and outcomes based on facts and not identity were also emphasized among white participants.

As the front-line actors in the CJS, police officers' treatment of Black people was often described by Black, other racialized and white participants as influencing perceptions of a lack of fairness. Most Black participants described examples of unfair treatment such as being the target of greater suspicion and more aggressive confrontations. Some Black participants felt that Black men and youth in particular, along with those in poorer communities, have to work harder and be more cautious in everyday situations to avoid being perceived as dangerous. A few participants from other racialized groups and white participants also felt that Black people are racially profiled and subject to more negative interactions with police. Both Black and white participants also pointed to stereotyping of Black people based on socioeconomic status and neighbourhoods with higher representation of Black residents.

Participants were told that results from the NJS indicated that some Black people view the CJS as fair, while others see it as unfair. They were subsequently asked to discuss what would explain this variation in perception. Differing views regarding fairness was attributed to several factors, including having direct experience with the police, over-policing of the neighbourhood, socioeconomic status, social capital and connections, education and employment, and the role of media in strengthening stereotypes.

Accessibility of the CJS for Black people

Most participants across all groups, regardless of their racial identities described accessibility as the existence of documented laws and a rules-based CJS or the visual infrastructure – such as the court buildings – being accessible to Black people. Others understood accessibility as the ability to navigate the system effectively, including access to legal representation, financial resources, information about one's rights, and trust in institutions. The courts or legal

representation were often cited by participants as the most influential factors, while legal aid was also noted by some as helpful but limited.

Similar themes persisted when discussing the reasons for a lack of accessibility of the CJS. Some Black participants expressed that the system can appear to be accessible going through the CJS as a non-Black person. Systemic racism was mentioned by many as negatively influencing accessibility, along with administrators of the system withholding service or information, whether intentional or not. A few Black participants said that Black victims of crime can be denied access to the CJS through decisions by police officers not to pursue an investigation, resulting in fewer Black victims reporting crime and reduced trust in the system.

Socioeconomic factors were widely identified by all groups as affecting accessibility, including being unable to hire experienced lawyers, afford bail, or take time off work. A few participants from other racialized groups felt that the CJS was originally designed predominantly by white people, which may leave Black people at a disadvantage. All groups of participants felt that greater Black representation within the CJS would help improve diversity, and along with appropriate training, would improve trust.

Overrepresentation of Black people

Most Black participants agreed that Black people are overrepresented in the CJS (as accused and victims). Participants from other racialized groups and white participants were more divided in their knowledge or views about whether Black people are overrepresented, though most participants felt that systemic racism contributes to this overrepresentation. Participants from other racialized groups and white participants also pointed to socioeconomic factors, saying that Black people are often profiled and targeted by police in lower income neighbourhoods.

Changes in awareness and understanding of anti-Black racism

Most Black participants perceived that public awareness and understanding of the existence and impacts of anti-Black racism had increased compared to past decades, particularly among younger or more educated groups, or due to greater diversity in communities. Others felt that progress has been inconsistent or even regressed due to political polarization. Very few Black participants felt that there have been actual changes in how Black people are seen and treated and some noted that “polite” anti-Black racism persists in Canada. Some felt that increased media attention and understanding is fleeting and superficial.

Participants from other racialized groups also had mixed views, often expressing that attention to anti-Black racism is superficial and fleeting. A few went further, noting a resurgence in racist sentiments driven by recent polarization and shifting public priorities. White participants generally felt that awareness and understanding had increased, often citing world events and social media. Some noted greater community, school, and workplace diversity as promoting greater tolerance and discussions of inequality. Nonetheless, many white participants said that despite advances, continued inequality, increasing political polarization, and general backlash persist.

Role of governments

In about two-thirds of the discussions, participants discussed the role governments should play at the federal, provincial/territorial, or local level in increasing awareness and understanding of anti-Black racism and discrimination and ensuring equal treatment of Black people under the law. Black participants suggested the need for greater efforts at increasing equal treatment and fairness in the CJS. Efforts designed to increase awareness, and equality of treatment in other public institutions and in the broader public more generally were also emphasized. Others talked about initiatives designed to increase opportunities for Black people through education, and structural changes designed to be sustainable over time. All participant groups (Black, other racialized groups, and white) emphasized the need to address overrepresentation of Black people in the CJS and improve education to dispel stereotypes and bias. Increasing representation of Black people working in the CJS was also suggested by Black, other racialized groups and white participants.

D. NOTE TO READERS

As per section 10.2.3 of the Standards for the Conduct of Government of Canada Public Opinion Research—Qualitative Research, “Qualitative research is designed to reveal a rich range of opinions and interpretations rather than to measure what percentage of the target population holds a given opinion. These results must not be used to estimate the numeric proportion or number of individuals in the population who hold a particular opinion because they are not statistically projectable.”¹ In order to avoid portraying these results as generalizable to the population, terms such as “a few,” “some,” and “most,” rather than specific percentages, are

¹ Public Services and Procurement Canada. [Standards for the Conduct of Government of Canada Public Opinion Research - Qualitative Research](#). Last updated: Spring 2019.

used to broadly indicate views. To ensure a common understanding of the terms used in the analysis, the following guidelines were used in analyzing and reporting on participant results:

“A few participants” = at least two people but fewer than 25%

“Some participants” = 25% to 49%

“Many participants” = 50% to 75%

“Most participants” = over 75%

It should also be understood that the information provided by participants is subjective in nature and based on their own recollections and perceptions. The screening questionnaire and script can be found in Appendix A, and the discussion guide can be found in Appendix B.

E. POLITICAL NEUTRALITY CERTIFICATION

I hereby certify as Senior Officer of EKOS Research Associates Inc. that the deliverables fully comply with the Government of Canada political neutrality requirements outlined in the Policy on Communications and Federal Identity and the Directive on the Management of Communications. Specifically, the deliverables do not include information on electoral voting intentions, political party preferences, standings with the electorate, or ratings of the performance of a political party or its leaders.

Signed by:



Susan Galley (Vice President)

DETAILED FINDINGS

A. PERCEPTIONS OF THE FAIRNESS OF THE CJS TOWARD BLACK PEOPLE

Since the focus groups were designed to complement the findings from the 2025/26 NJS, participants in the discussions were first told that some Black people responding to the survey reported the CJS as being fair, while others reported it as not being fair. To understand the variation in survey responses, the first discussion question asked whether they thought that the CJS (including police, the court system, and the prison system) is fair (or not) toward Black people.

The analysis of the group findings focused primarily on differences between the experiences and views of Black participants versus those of participants from other racialized groups and white participants. However, efforts were also made to note any key differences in the experiences and views of Black people who were born or raised in Canada versus those of Black people who immigrated to Canada as adults. Similarly, efforts were made to look for key differences based on geographic region.

Views on fairness of the CJS to Black people

Black participants

Across the groups with Black participants, the CJS was overwhelmingly described as being unfair toward Black people. The group discussions where views seemed most strident were with residents of Toronto, Ontario and Nova Scotia (primarily Halifax). Among the four groups with participants who immigrated as adults, three were divided in their views about whether the system is fair or not (one in the east, one in the west, and one in Quebec). The exception was the group of Black immigrants living in Toronto, who were more uniformly of the view that the system is unfair.

“On a systemic basis, it's fairer than on a personal basis. When it's on an individual basis, it tends to be less fair.” *(Immigrated as adult, Toronto)*

“I think that it's beyond biased. It's traditionally set up for people who look like me to fail.” *(Nova Scotia)*

In discussions with those who immigrated as adults, some said that the system was designed to be fair but not practiced fairly by some individuals within the system. A few made reference to

the police, and a few referred to the courts as applying justice unfairly. A few also said that the system as a whole leaves too much room for discretionary treatment within the CJS. Some participants who immigrated as adults said that the Canadian system is better (or fairer) than the systems in their country of origin or when compared generally with other countries. A few also said that while treatment of Black people is not fair, it is “better than it was” referring to 30 to 50 years ago. One participant in particular said that awareness of anti-Black racism and discrimination has been increasing.

“I think the laws in Canada, they're fair, but there is a bias towards Black people the way they are carried out.” (*Immigrated as adult, East*)

“My experiences here are kind of biased compared to what I'm used to back home. Everything feels like it's a bit more structured and a bit more organized.” (*Immigrated, West*)

Participants from other racialized groups

Views on the fairness of the CJS were divided among participants from other racialized groups. Many said they believe the system to be largely fair, with the same rules and procedures intended for everyone. Most based their perceptions on their own relatively positive experiences with the CJS in Canada. A few participants from other racialized groups who came to Canada as adults felt the system in Canada was fair when compared with other countries.

“There is nothing in the judicial or penal system in Canada that says that it would be different if a white person had committed the same crime.” (*Quebec, translated*)

“I have no reason to say it's not fair because I haven't experienced, nor have I heard of a specific case where Black people were treated unfairly in terms of having the laws applied differently.” (*Toronto*)

However, some noted that judgements and treatment are not applied fairly in some instances within the CJS and there are individuals working within the system who may deliver biased treatment. Some said they may not have witnessed unfair treatment themselves but have seen or heard of examples of different treatment or mistreatment of Black people in the media. A few pointed out that if someone has not experienced the unfairness themselves, it may be hard to believe that treatment of Black people by those working in the CJS is not applied consistently or fairly.

“Despite the fact that the law is written to be impartial, there are systematic inequalities that exist due to our individual circumstances.” (*Quebec, translated*)

“I would have to agree and say, through no experience but I feel it's unfair because of what I hear on social media and what you see on the TV and news.” (*Toronto*)

White participants

White participants expressed mixed views and a general uncertainty about the fairness of the CJS for Black people. Most said that the system is designed and generally implemented fairly but said that they lack experience on which to judge the fairness of the system for Black people.

"I have limited knowledge of our justice system, but I would say in general, Canada treats all people with fairness and dignity." (*West*)

"I wouldn't say unfair, but I think there are injustices that are not 100% fair." (*Quebec, translated*)

Nonetheless, most understand or strongly suspect that the system is not fair in practice and is not the lived experience of Black people who encounter the system. A few agreed that the CJS is likely not fair for Black people, and that treatment for those who look different is likely to be different.

"Historically, there's been a lot of injustice and unequal access and treatment. And, I don't think that we've come to a place as a country or society that I could comfortably say that people of racialized backgrounds are treated fair or equally." (*East*)

"I think that Black people may get longer sentences, harsher convictions, and maybe more quick to be blamed and perceived as guilty when they may or may not be." (*West*)

Examples of lack of fairness

Once participants said whether they think the CJS is fair or not fair to Black people, they were asked to provide examples of why they felt this is the case. Following are the main themes of example provided to explain or support their position.

Black participants

The Police

The police were most often the focus of examples and stories provided by Black participants. A central theme was the degree or intensity of attention paid to Black people by police. This was particularly the case among residents of the two biggest cities: Toronto and Montreal. Participants pointed to frequent traffic stops as well as street encounters. They described police officers – particularly white officers – as exhibiting greater suspicion and distrust of Black people, more intensive monitoring and interactions, and more aggressive confrontations.

"If you want to drive in Montreal as a Black person, you must always have your phone ready to record, ready to film, because if you don't have proof, it will be your word against that of the police." (*Immigrated as adult, Quebec, translated*)

“When you walk into a store, you're surveilled more closely than other people just because you're Black.” *(Immigrated as adult, Toronto)*

“I think the police, when they encounter Black people, they come with a preconceived notion of how that interaction is going to happen. And because of that, they already come with some type of attitude.” *(Born/Raised in Canada, West)*

Some Black participants said Black people have to work harder and be more cautious in everyday situations in order to be treated with less suspicion. These participants felt that, as a result of the attention paid by police, Black people have to be on guard, conduct themselves in a manner that avoids suspicion or confrontation, and need to have evidence to protect themselves in interactions with police.

“I tell my kids the fact you're Black, the burden of proof is on you. You have to work harder, you have to show I'm a good person.” *(Immigrated as adult, East)*

“We have to go above and beyond what other people don't need to do. When one of us commits a mistake, then that mistake is painted across our entire demographic.” *(Born/raised in Canada, East)*

A few said this also depended on the community in which someone lives and that many had come to expect a different level of scrutiny and aggressive style in some areas compared with other areas, even 20 kilometres away. They perceived that harsher and more unfair treatment experiences occur more often in all or mostly Black communities or neighbourhoods.

“Where the police go to some neighbourhood to protect the inhabitants, but they go to other places to harass the people who live there. That is not fairness.” *(Immigrated as adult, Toronto)*

“If you go to Jane and Finch, which is majority Black people compared [to] if you go to Oakville, it's not going to be the same policing and stereotyping.” *(Born/raised in Canada, East)*

Participants in several of the discussions also talked about different levels of scrutiny for Black men and youth compared with what Black women and older people can expect. As a result, some parents talked about the need to “coach” young Black boys about how to behave in public and in encounters with police to mitigate suspicion and de-escalate confrontations.

“The policing system isn't fair especially to Black males. Females stand a little bit of chance. If we do the least thing, we get charged. But when we get victimized, no one is charged. If we get charged, we are not treated fairly.” *(Immigrated as adult, West)*

“I think the system as a whole is unfair starting with the police and how they treat Black people, invisible minorities. They're actually targeting our youth.” *(Nova Scotia)*

Stereotypes

Some participants said negative stereotypes about Black people influence the perceptions among the CJS and the broader public, contributing to unfair treatment. In roughly half of the discussions, participants said Black people are perceived as “inferior” or “bad.” This was linked to greater suspicion and the perception that Black people are treated as “guilty until proven innocent.” Examples included greater scrutiny among Black people compared with others at traffic stops, , while shopping, or simply walking down the street, requiring the need to prove that one had not “done something wrong.”

“I’ve seen many cases where the crime was the same, but the punishment was more severe because they looked like me. It had a lot to do with the gentrification, because if the police are in a certain area and in that population area is mostly Black people, who are they going to arrest?” (*Nova Scotia*)

Some participants—often older individuals or parents—spoke of clothing and hairstyles (e.g., wearing dreads) also attracting suspicions tied to negative Black stereotypes, and that police make judgments based on identity and not behaviour as a result.

“My mom always forbade me to dress a certain way, grow my hair a certain way, just to avoid being profiled. You can’t give them any reason for suspicion. But, we’re still Black and it’ll come up in any way, shape or form.” (*Born/raised in Canada, East*)

Media were frequently described in the discussions as contributing to negative stereotypes, including by identifying a Black perpetrator.

“In the newspapers, in the media, something happens to a Black person, we hear about it, so it affects the perception of the whole population.” (*Immigrated as adult, Quebec, translated*)

“There are also media that play a big role. When a Black young man does something, we talk about it a lot more, and we say that it’s a Black young man.” (*Born/Raised in Canada, Quebec, translated*)

Socioeconomic bias

Some participants said that part of the unfair treatment is driven by increased suspicion and judgements based on economic class, arguing that those who are less affluent or less educated are subject to greater scrutiny and confrontation by police and may receive harsher sentences in court.

“I think it’s designed to protect a certain class of people, protect their wealth, protect their power. And then when you layer on racism and biases in that system, then the impact is more disproportionate against Black people.” (*East*)

Participants highlighted lower than average levels of education and household income among Black people relative to the general population because of systemic discrimination. The underrepresentation of Black people in the education system (e.g., teachers and teacher's aids) was noted to result in early streaming of Black people to lower quality education and poorer outcomes in education, employment, and housing.

"We have to look at the social determinants of health and where that situates us. Our reality is that we've always not had equal opportunity. We were in segregated schools. We were in segregated communities, and we've not been an equal partner in Canada." (*Nova Scotia*)

"A lot of that is predicated on just having the financial backing to be able to access legal representation. A lot of that has to do with classicism." (*Born/Raised in Canada, West*)

Overrepresentation in the CJS

Many participants raised the overrepresentation of Black people in the CJS, particularly in encounters with and arrests made by the police, but also in the courts. As previously described, this was raised as a different level of suspicion, but also as a set of rules and outcomes for Black people compared with white people.

"If, for example, Blacks constitute, just give a figure, let's say 5% of the population, but then they constitute, let's say, 20%, 30%, 40% of people who have had confrontation with the police, then how justified is that?" (*Immigrated as adult, Toronto*)

"Once anyone gets into the system, it's hard for you to get out of the system. If eventually you get out of the system, there's this stigmatization of the society, no support, no mental health support whatsoever, no economic support, and it forces Black youth back into whatever they were exposed to right from a young age." (*Nova Scotia*)

Underrepresentation among staff working in the CJS

Participants often linked the underrepresentation of Black people among police officers and court personnel to unfairness in the CJS. A few framed this as racist views and systemic discrimination, and others as a lack of understanding. A few noted that the lack of representation of Black people among police, lawyers, legal aid programs, judges, and even juries causes stress and discomfort for Black people, who may feel treated as "other," and can result in heightened difficulties in communication and defensive posturing, further contributing to unfair treatment.

"In the court system overall, there's just not that relatability where you see people that look like you or people, you know, that you can relate to. There's definitely a lot of preconceived negative assumptions that could be improved." (*Born/Raised in Canada, West*)

“We also need a representation of Black people as models, in the police, in justice, everywhere to value the Black people who succeed in society.” (*Immigrated as adult, Quebec, translated*)

In several of the discussions, this lack of representation was raised in terms of a lack of understanding or fairness. One example that was mentioned was that a Black person speaking in a loud voice may be judged by a “mostly white system” as aggressive or combative behaviour even when it is not.

“I came to Canada as a foreign student. Within five months of my coming to Canada, I was charged with assault for speaking too loudly to somebody and they were afraid.” (*Immigrated as adult, West*)

“There [are] a few Black people in the system. When you have somebody of your colour, [they] wouldn't just judge you, they'll try to understand you before they react without first finding out what's happening.” (*Immigrated as adult, Toronto*)

Systemic racism and discrimination

A few participants described the CJS as designed to be biased to keep Black people at a disadvantage.

“White supremacy baked into the system, the history of anti-Blackness baked into the structure of Canada. Some people say not only structurally [but] deliberately created to ensure that Black folk are disadvantaged by the criminal justice system.” (*Nova Scotia*)

“The laws have been written by whites for whites. The system is designed to wash their hands of any sort of wrongdoing much easier than it is for Black folks and other folks of colour.” (*Born/Raised in Canada, West*)

Participants from other racialized groups

Similar to Black participants, a few participants from other racialized groups noted treatment by police and racial profiling when discussing CJS fairness toward Black people. They said that police often have to exercise judgement when interacting with individuals and this can lead to profiling. Those who are Black, along with those in certain neighbourhoods or deemed to be poor, are more likely to encounter police interactions. A few said that by profiling, police are trying to find people who are breaking the rules to charge them with a crime.

“The profiling, like they're fishing for people to break the rules that they think would.” (*Toronto*)

“If the person is wearing a nice suit compared with the person in the street or not wearing nice clothes, I feel that the person in the suit is going to have a more fair discussion.” (*Toronto*)

White participants

As with Black participants and those from other racialized groups, white participants associated unfairness more with police than courts, citing racial profiling, harsher judgements, and a negative tone during interactions. They also noted that experience and socioeconomic status influence different perceptions of fairness, and that smaller, less diverse communities are more likely to treat Black individuals as “other.” Likewise, a few participants said that police target some neighbourhoods differently based on socioeconomic status.

"If we live in an environment that has great racial diversity, then a group of Black youths walking toward us on the sidewalk is not going to raise any red flags." (*West*)

"Socioeconomically wealthy and you're living in a good neighbourhood? The cops tend not to hang around those places." (*East*)

What is meant by fairness

Following the discussion about whether the CJS is fair to Black people and why this is or is not the case, participants were asked what they were using by which to judge “fairness.”

Black participants

Fairness was described by most Black participants as equal treatment and outcomes for everyone, regardless of race, gender, or class. Some elaborated that this involves the consistent application of rules and consequences, essentially that “justice should be blind” by treating everyone the same way, without any systemic biases. This was also expressed in relation to the overrepresentation of Black people in the system, saying that fairness means equal rates of police interactions, arrests, charges, and sentences for the same crime, regardless of one’s identity.

"If it's the same crime, it should be the same sentence right across the board. There shouldn't be any difference." (*Born/raised in Canada, East*)

"Fairness means equality in treatment, no matter who the person is, it should be the same law guiding everybody, the same punishment for everybody, the same treatment for everybody." (*Nova Scotia*)

A few said that fairness means equitable sentences for crimes with similar risk or harm, rather than differential treatment between “white-collar” crime and “street crime.” A few emphasized clear and transparent rules and fact-based decisions.

“There shouldn't be discrepancy in years or in punishments. We shouldn't be receiving harsher punishments for lesser crimes while people receive lesser punishments for even like harsher crimes.” *(Born/raised in Canada, East)*

A few participants said that treatment and outcomes should be equitable by acknowledging that systemic bias does exist given historical disadvantages for Black people due to racism and institutional discrimination. This was a small minority of participants, whereas most argued that treatment should be “the same,” or “blind”, where there would be no systemic biases.

“The history of Black folk here has been one of structural inequality that needs to be taken into consideration. Equality before the law, but also equity representing the historical disadvantage built into the system.” *(Nova Scotia)*

Several participants described fairness in terms of presumed innocence until proven guilty, saying that some use the reverse lens when viewing Black people (i.e., with increased suspicion). A few said that Black people need to work harder to be viewed as innocent. In several of the discussions, participants described fairness as respectful treatment, without shaming or demeaning anyone due to race.

“In the law you're innocent until proven guilty, but as a Black person you're guilty until proven innocent.” *(Immigrated as adult, East)*

“Fairness would be that I'm not embarrassed when I walk into a store and I can see somebody following me from the corner of my eye. Removing that layer of shame, embarrassment, disappointment at the colour of my skin because of what happens to people who have skin like mine.” *(Born/Raised in Canada, West)*

A few participants added that the expectation of fairness would increase with adequate representation of Black people working within the CJS, including among police and members of the courts.

“How much do those [white] judges understand about the Black experience? Everyone wants to be treated with respect and dignity.” *(Nova Scotia)*

Participants from other racialized groups

Participants from other racialized groups defined fairness as equal treatment, judgements, and opportunities without racial or socioeconomic profiling. This included equal access to information and resources, not influenced by the ability to afford a lawyer, along with the presumption of innocence and respectful treatment. A few noted the CJS may appear fair to those who have not experienced its inequities.

“What comes to me is really to say, to be treated in a just and fair way. No matter our race, our sex, our orientation.” *(Quebec, translated)*

“When two people do the same thing both of them should be stopped or let go. Both of them should have access to the same types of resources to be able to defend themselves or navigate through the system.” *(Toronto)*

White participants

As with Black participants, fairness was described as consistent treatment and outcomes, based on facts rather than identity or race. Participants emphasized standardized, transparent, and rules-based decisions though a few noted that perspectives of fairness can differ and people of any colour may perceive the system as unfair.

“For example, for a crime, it has the same sentence, the same procedure, and the people who are going to be judged will have the same vision.” *(Quebec, translated)*

Factors influencing perceptions of fairness

When asked why some survey participants have different views about the fairness of the system, several factors from the earlier discussions were echoed by Black participants. This included:

- Having personal experience with the police or courts.

“If you've had no experience, no negative experience, with anyone involved in the justice system, then you would have as a Black person no reason to distrust, mistrust, or even think about the injustice of a system.” *(Nova Scotia)*
- Fairness may vary depending on the community or province, with some areas that have higher proportions of Black residents experiencing greater police presence and scrutiny.

“If you have a higher concentration of Black people in a place, chances are they will get more negative treatment than they would like in a place like Saskatchewan.” *(Immigrated as adult, West)*
- Socioeconomic status could influence treatment by CJS staff and affordability may be a barrier to high quality legal representation.

“The richest people will have the best lawyers. They know the whole system, and they will get out of trouble so easily.” *(Immigrated, Quebec, translated)*
- Education shapes the ability to obtain and understand information about the system and how to navigate it.

“If you have the means to kind of hire a lawyer or to have access to legal services, you will be able to present your case eloquently, forcefully, you will see the legal system as fair and accessible.” *(East)*

- Age, gender, and appearance of an individual (i.e., clothing, hair style) are factors. Black men and boys are viewed with greater suspicion and treated differently, as are those who wear clothing and hairstyles that make them stand out or adhere to negative Black stereotypes.

“The treatment I would see towards Black youth in comparison to the white youth was, the difference was night and day. Black youth were always treated like they're adults. The white youth always treated as children.” *(Nova Scotia)*

B. ACCESSIBILITY OF THE CJS FOR BLACK PEOPLE

Degree of perceived accessibility

Black participants

Black participants had mixed views on CJS accessibility. Some defined it as accessible through policing, courts, or prisons, while adult immigrants mentioned that the CJS was more accessible than in their birth country. Some Black participants focused primarily on access to lawyers or opportunities for employment in law as having a strong impact on accessibility. A few Black participants pointed to a CJS that is accessible to Black people through punishment rather than protection and justice.

Reasons for accessibility

Black participants

Some Black participants felt that the CJS in Canada is accessible to all Canadians. The presence of physical court buildings and the visual infrastructure involved in the CJS was cited by some Black participants as evidence of accessibility. Some pointed to documented laws and a rules-based system in Canada that, when applied fairly, contribute to an accessible CJS. Further, a few participants cited the right to be protected as a victim with access to police and courts for defence against crime.

“The first thing that comes to my mind is that if I am in trouble, I can call the police and I know that they'll handle the situation appropriately.” *(Born/Raised in Canada, West)*

“Regarding accessibility, for me, justice is accessible. Being Black, I can go to the police station, I can file a complaint.” *(Immigrated as adult, Quebec, translated)*

Some participants said legal representation helps ensure accessibility for Black people. A few Black participants noted that the system can be equally accessible if one can afford a good lawyer, while legal aid improves access for those who cannot afford to pay.

“If you've got money you're going to be able to access a lawyer and manoeuvre and navigate through the legal system a little better than somebody that has no resources.” *(Born/Raised in Canada, West)*

“The mechanisms are still there; the legal aid is there for it to be.” *(Immigrated as adult, Quebec, translated)*

A few participants noted that every individual has a responsibility to know their rights and seek legal representation and information to improve accessibility. These few participants felt that everyone must educate themselves on the CJS to be able to navigate the system and access supports, whether as a victim or an accused.

“As long as you're able to read, to do things for yourself, you do your own research, then it is more than accessible.” (*Immigrated as adult, West*)

“If you're coming into the country for the first time, there's a lot of information that you're given [such as] Welcome to Canada. You should actually read that thoroughly.” (*Immigrated as adult, West*)

“For us Black people, it's become a reflex to be aware, to know who to turn to ... that we are more and more tooled, hence my perception of better accessibility.” (*Born/Raised in Canada, Quebec, translated*)

Participants from other racialized groups

A few participants from other racialized groups said that the CJS was designed to be applied equally and is generally accessible to Black people, though accessibility also depends on finding information, understanding the system, having access to legal representation, and language translation when applicable.

“Theoretically, it is accessible to everyone. The system is neutral. It is the same system for everyone.” (*Quebec, translated*)

“The first thing that comes to mind for me from an accessibility perspective would be, do I have access to legal representation. In theory, you should have that because the Charter grants that by default.” (*Toronto*)

White participants

A few white participants perceived the CJS to be accessible to Black people when applied fairly, though some outlined differences in accessibility due to factors discussed in the following section.

“I don't think it's accessible or inaccessible in itself, it's not the colour that makes it accessible or not, it can be inaccessible or accessible for a white person, too.” (*Quebec, translated*)

Reasons for inaccessibility

Black participants

Some Black participants said the CJS appears to be accessible only to non-Black individuals and while designed to be accessible, is not experienced as such by Black people. Systemic racism was cited as the main barrier along with socio-economic factors, such as not being able to afford a lawyer to strengthen advocacy or afford bail. Some speculated that legal aid, while accessible, might not offer the same quality of representation, and that accessibility can also be hindered by employment precarity (e.g., time off work to attend court), access to counselling, or language barriers.

“From the onset, you have a group that's marginalized who doesn't get to make a certain income, so they end up not getting good representation.” (*Immigrated as adult, East*)

“There are more racialized people in the poorest layers of society. It's more difficult to have fair access because the less expensive lawyers have more clients to take care of.” (*Born/Raised in Canada, Quebec, translated*)

A few participants said that a lack of information on rights and options reduces CJS accessibility. A few noted the CJS can be intentionally inaccessible for Black people, with police and lawyers withholding information, or providing inaccurate information. Even when individuals try to seek information themselves, finding factual information can be difficult, especially for those who immigrated as adults.

“Part of accessibility is knowledge. For a lot of us, we come from communities and cultures that are very oral. You know it by what you're told.” (*Immigrated as adult, East*)

“The public defense will pressure them or guide them to take a deal, not telling them the whole ins and outs behind of what they're actually getting.” (*Nova Scotia*)

A few participants noted that as victims of crime, Black people may face limited access to the CJS. Police may decide not to lay charges when a Black person reports a crime, effectively making the CJS inaccessible to Black victims and discouraging reporting future crimes. A few participants also noted that the police response to Black perpetrators may be excessively harsh, reducing the likelihood that a Black victim may report a crime. A few participants generally mentioned “fear” as a barrier, noting that Black people rarely have positive outcomes in the CJS and are therefore reluctant to report a crime or mount a defence in court.

“Besides the financial situation and they don't know where to go, I think it's a fear. They have it in their head, oh, I'm Black and I can't fight it.” (*Immigrated as adult, East*)

“If I have an issue, am I comfortable contacting the authority and expected to be treated like the average person? Personally, no, I don't think so.” (*Born/Raised in Canada, West*)

A few suggested that having more police and lawyers who are Black would help accessibility. Having Black representation among CJS administrators would help build a familiarity of Black people and that more Black people working as police, lawyers, and judges can help eliminate bias and allow an informed understanding through relevant lived experience and, thereby, providing greater access by Black people to the system.

"If we had more lawyers in the legal aid that are like us, Black lawyers that are there to help, they probably would be more concerned about the outcome and explain more, somebody who can relate more to a person like themselves." (*Nova Scotia*)

"There is the cultural barrier and representativeness, which is due to the lack of diversity in the system." (*Immigrated as adult, Quebec, translated*)

Participants from other racialized groups

Some participants from other racialized groups said that the CJS was originally designed predominantly by white people, which contributes to Black people's lack of access and trust in the system. A few stated that compared to white people who have higher "risk tolerance" and confidence, Black people may face financial challenges and less legal representation. Moreover, a few participants from other racialized groups said that language barriers for Black people who are newcomers can also limit access to information.

"If you're a white person, family history in Canada your risk tolerance to going to use the court system is much higher because you would feel much more confident going into it." (*Toronto*)

"There are a lot of barriers that make sure that Black people, racialized people, have less access to the system." (*Quebec, translated*)

"If you have language barriers then it might be harder. I don't know how much effort they put into translating stuff or have, like, multiple translators available." (*Toronto*)

White participants

White participants recognized the challenges to accessibility of the CJS for Black people, primarily due to socioeconomic status and the impact on obtaining a skilled lawyer. A few said the lack of social connections can negatively affect someone having access to the CJS. A lack of trust of the system by Black people due to their own or others' experiences, and influenced by broader media (e.g., television or social media) were also raised. A lack of knowledge of the system, which is complicated and difficult to navigate without support, even for those considered advantaged, was noted by a few.

"If working two jobs to make ends meet, where are you going to get time and money to pay for a good lawyer [and] a public defender may not get you the representation you need." (*East*)

"It's a social club. You have personal connections that make the conversations go much easier in court." (*East*)

"I know people who don't talk to people of authority because they don't trust them and that would make it inaccessible to them." (*West*)

A few white participants said the lack of diversity and EDI training among police, lawyers, and judges contributes to a lack of accessibility. These participants also emphasized the need for more representation of Black police and lawyers within the CJS.

"A Black police officer would handle a situation or make a better connection with a Black person." (*West*)

C. OVERREPRESENTATION OF BLACK PEOPLE

Perceptions of overrepresentation

Overrepresentation in the CJS was described to participants as a situation where a group of people who share a particular characteristic or identity are involved in the CJS (such as being arrested, held in jail, or sentenced) more often than one would expect, based on how many people from that group are in the general population.

Black participants

Most Black participants agreed that Black people are overrepresented in the CJS, both as accused and victims. Some Black participants felt that Black people are arrested and convicted of crimes at disproportionately higher rates than white people. Participants mentioned overrepresentation of Black people in police encounters, charges laid, sentences handed down, and incarceration. The cyclical nature of the system was noted by some Black participants. In other words, once caught into the system, it is difficult to have fair treatment moving forward.

“From the moment the police officer starts their interaction to the time they are convicted there's a bias that's brought forward [that] carries through throughout the whole process.”
(*Born/Raised in Canada, West*)

“If the police are in a certain area and in that population area is mostly Black people, who are they going to arrest?” (*Nova Scotia*)

“People are broke. Some can't get a job because they've been incarcerated so it leads to crime. It comes down to environment and economic circumstances.” (*Toronto*)

Participants from other racialized groups

Participants from other racialized groups were somewhat divided in their views on overrepresentation of Black people in the CJS. A few felt that this was either true or untrue, and others felt they needed more information to interpret it, noting that it could be misleading without context. These participants said that they wanted to understand factors, such as the proportion of the population, whether Black people also have a higher percent of victimization, recidivism, what type of crimes (e.g., violent versus nonviolent), and socioeconomic background.

“For me, the better question is, did these people commit those crimes? Is it a justified charge? It can be misleading to say that Black people are overrepresented” (*Toronto*)

"The statistics are very clear [about], the disproportionate overrepresentation of Black people on both sides as victims and as people who are prosecuted and incarcerated."
(Toronto)

White participants

Some white participants felt that overrepresentation of Black people in the CJS primarily occurs due to systemic racism and socioeconomic factors. These participants felt that Black people are often profiled and targeted by police officers, resulting in more arrests. A few outlined that Black people may be less likely to be able to hire an experienced lawyer, afford bail, or receive a fair judgement, resulting in higher incarceration rates.

"I think it's just systemic racism. Black communities are over-policed compared to white communities [which] leads to higher rates of incarceration." (East)

Some white participants in Quebec focused on socioeconomic factors that contribute to overrepresentation, rather than racism. These participants indicated that Black people are overrepresented due to having lower income and living in poorer areas in Montreal that are more susceptible to crime.

"There are a lot of young people who are attracted to small crime because they are in a single-parent family, poor, and it's not necessarily easy at school. There is obviously the economic factor, there is the geographical factor" (Quebec, translated)

"Overrepresentation is especially in the big cities or in disadvantaged neighbourhoods. We're mainly talking about the economic context, education." (Quebec, translated)

A few white participants in Western Canada noted that there is vast overrepresentation of Indigenous people in the CJS but had not perceived that there was an overrepresentation of Black people, particularly not so as victims.

"I haven't even thought of other nationalities really having overrepresentation because it is so predominantly Indigenous in my part of the world." (West)

"I'm actually quite shocked because I would have expected them to be maybe underrepresented as a victim." (West)

Drivers of overrepresentation of Black people in the CJS

Black participants

Most Black participants felt that the overrepresentation of Black people in the CJS was due to stereotypes and biases that lead a Black person to be treated differently. Further, some felt

that Black people are overrepresented because they are not equipped with the knowledge to navigate the system.

“Historically, systemic racism has led to a vicious cycle that kept people of colour in the lower socioeconomic ranks.” (*Immigrated as adult, Toronto*)

“The justice system discriminates against poverty. And if more Black people are ending up in situations where they don't have access to money and to resources, then the justice system is not going to work for them.” (*East*) “It's accessible but when you have to get certain information there you have to take a lot of time just to access that information.” (*Immigrated as adult, Toronto*)

A few Black participants said that overrepresentation could be due to a disproportionate amount of Black people committing crimes. These participants primarily attributed this to socioeconomic factors, such as low income and educational opportunities, single parents or parents absent due to working multiple jobs, and the glorification of crime. These factors also lead to further profiling of Black people by police, and more targeted policing in Black neighbourhoods. Furthermore, there is an overrepresentation of Black people as victims of crime, adding to the overall incidence of Black people involved in the CJS.

“Some of the kids are smart, but they're not able to go to school for whatever reason, finances, they live alone, parents, broken homes. Those are the ones that would end up in crime.” (*Immigrated as adult, East*)

“The fact that we are ghettoized, we are put in places [where] there is no infrastructure, there is no resource.” (*Born/Raised in Canada, Quebec, translated*)

A few Black participants who immigrated as adults felt that cultural differences can influence overrepresentation. These participants said that when Black people use an outspoken communication style it is negatively received by many working in the CJS and results in harsher treatment for Black people. EDI training for those involved in administering the CJS was suggested by a few.

“They're not taught how to deal with a Black person” (*Immigrated as adult, East*)

“It might seem like we're being intimidating or we're angry so the punishment or the treatment we get seems a bit excessive or harsher than others.” (*Immigrated as adult, West*)

Participants from other racialized groups

A few participants from other racialized groups said that socioeconomic factors including childhood poverty, community crime, and increased policing of Black neighbourhoods contribute to Black overrepresentation in the CJS. Overrepresentation as victims, limited legal

representation, and recidivism (from insufficient rehabilitation, skills training, and decision-making) further drives overrepresentation.

“The level of accessibility you have to the justice system really depends more on how much money you have. I don't think the lawyers care what color your skin is as long as you have the money to pay for their services.” *(Toronto)*

“Maybe the system itself did not help them enough when they're in prison. Maybe they did not teach them the right skill. If they come up to the same neighbourhood they're going to do the same thing over and over again.” *(Toronto)*

A few participants from other racialized groups noted systemic racism as a primary factor in the overrepresentation of Black people in the CJS. Intertwined with the targeting of Black neighbourhoods by police, Black people are overrepresented because they are arrested and prosecuted at higher rates due to the bias of those administering the system.

“There's a disproportionately large population of Black people who are serving time and a disproportionate number of Black people are killed by the police, because of institutional racism.” *(Toronto)*

White participants

Most white participants highlighted historic racism, socioeconomic factors, and a lack of social connections as key barriers. They noted a lack of understanding of the CJS, inadequate explanations of options, and limited legal representation that encourages plea deals results in higher conviction rates and recidivism.

“A higher percentage proportionately of the Black population are in lower income areas, have less access to education and get segregated to communities [with] a higher crime rate.” *(East)*

Changing views following the discussion

Most Black participants said that thinking about overrepresentation during the discussion did not change their views about the fairness of the CJS. Further, some said that their views were reinforced by the fact that Black people are overrepresented in the CJS.

“It doesn't change my views at all. Thinking about it probably made me think it's even worse, because all these other people brought up stuff I wasn't even thinking about.” *(Immigrated as adult, Toronto)*

While a few participants from other racialized groups said they continue to think the CJS is fair, a few other participants reported that their views on the fairness of the CJS changed. They felt

that the discussion led to more awareness of systemic racism and how it affects Black people in the CJS, as well as having the financial means to be supported within the CJS.

"I think I'm in the same spot I've not changed. I think it's reasonably fair and there could be improvement." *(Toronto)*

"I feel like the Black community does not have that support system and resources at hand that maybe an equivalent white family or just generally anyone with a higher socioeconomic status may have. My mind has changed and I feel like there are definitely more elements of unfairness which I wasn't expecting." *(Toronto)*

Some white participants stated they developed a better understanding of how Black people experience the CJS over the course of the discussion and that the system may be less fair than they believed. A few stated that they may be naïve as to the level of racism and the impact on Black people's interactions in the CJS. While the system may have been designed to be "blind," it may not be implemented that way.

"I think I had started off by saying that I was very hopeful that it was quite fair but knowing that I was maybe naïve to think that." *(East)*

D. CHANGES IN PUBLIC AWARENESS AND UNDERSTANDING OF ANTI-BLACK RACISM

Participants were asked whether they felt that awareness and perceptions about the existence of anti-Black racism and systemic discrimination are changing. They were also asked their opinions on the impact of events that received worldwide attention, focused on treatment, fairness, and accessibility for Black people.

Perceptions of trends in awareness and perception

Black participants

With some variation in degree of optimism or pessimism, most Black participants largely agreed that there were some gains in public awareness and understanding. For a few Black participants, the increase in public awareness was described as positive relative to the past (e.g., better than previously), or to other countries (e.g., compared with the U.S.). Some described increased awareness within some segments, such as among younger generations, or among more educated segments, such as white collar-professionals.

“In certain circles, yeah. Mostly in certain professional circles because of maybe equity, diversity, inclusion and in schools because kids are also being taught.” *(Immigrated as adult, East)*

“I think things have improved from where they were 30 years ago. But is it just a plateau and nothing further is improving.” *(Born/Raised in Canada, Toronto)*

Some attributed increased awareness to major events like George Floyd’s murder, greater diversity in communities (e.g., in public schools, workplaces); Equity/Equality, Diversity and Inclusion (EDI) initiatives; and social media, although with mixed views about whether the impact has been positive or negative.

“(George Floyd) had a huge impact at the time. There was a general awakening that these issues exist, and some of the ramifications from actions that are perpetrated on people.” *(Born/Raised in Canada, Toronto)*

Degree of change in awareness and reasons for lack of progress

Advancements were almost unanimously described by Black participants as modest or minor gains. A few Black participants did not believe there has been any positive change, describing any increases as purely “lip service.”

“I think there's a lot of talk about it but it's not necessarily changing anything. It's deeply rooted.” *(Immigrated as adult, East)*

Black participants expressed frustration that awareness has not progressed steadily, initial increases having faded due to lack of sustained focus, with progress described as “two steps forward and one step back.” One attributed this to a lack of high-profile Black voices advocating publicly.

“These major events bring things back to the forefront for a fleeting period. You have to have a process and an end goal in mind and say this is where we want to be and how have you come so.” *(Born/Raised in Canada, Toronto)*

“The Canadian justice system does just enough to temper people's angers to the point where it goes away or it's forgotten.” *(Born/Raised in Canada, Toronto)*

“I don't think it's changing as quickly as it needs to. There needs to be a lot more just support for some of that EDI framework so that people can continue to learn how we all fit together into the world.” *(Born/Raised in Canada, Toronto)*

A few Black participants said that anti-Black racism has become a lower priority amid economic struggles, noting public backlash from a polarized political landscape, anti-immigration views, and skepticism around EDI initiatives. A few cited “not enough public outrage” and that Black equality in society is “fair enough,” reflecting a perceived “compassion fatigue.” A few participants said that attention and EDI efforts were “too forced” and superficial.

“The pendulum has started to swing back in the other direction. I felt hopeful for a while that things were really starting to change and improve, but I think we've lost some of that momentum.” *(Born/Raised in Canada, Toronto)*

“It's no longer a priority. Other issues have taken more precedence (food insecurity, unemployment, immigration).” *(East)*

Lack of “real” impact from increased awareness

Some Black participants noted awareness has increased, but “polite” or “Canadian” racism persists, and the extent of anti-Black sentiment in Canada is still underestimated. They noted that insufficient public attention and sporadic, slow, and not sustained approaches have not led

to meaningful change and a few argued that structural reforms are needed beyond increasing public awareness to improve fairness and access for Black people.

“It’s just been done under a lot of guise and fake friendliness now, so it hasn’t changed a bit. There’s just a lot of deception about it, being friendly with you, but there’s a lot of undertone; racial segregation in there. We can feel it.” *(Nova Scotia)*

“People went back to exactly where they were before. They don’t want to hear about it, they’re tired of it, and they always find that we complain too much. Because of the rise of the right-wing everywhere right now.” *(Born/Raised in Canada, Quebec, translated)*

A few participants also noted that increased awareness has come with the negative consequence of some members of the public saying that “they don’t see colour,” or including Black under the umbrella label of Black, Indigenous, or Persons of Colour (BIPOC). These participants argued that this serves to diminish or erase the depth of historical inequity and wrongs that Black people have experienced for many generations.

“Now you will hear, ‘I don’t see colour’. There is so much that many of us have to overcome to get to where we are now. And by making blanket statements and saying I don’t see colour, [it] erases that.” *(Born/Raised in Canada, West)*

“It’s also getting diluted. Because now I’m considered BIPOC.” *(Nova Scotia)*

Impact of events garnering worldwide attention

Some Black participants perceived that awareness increased after George Floyd and Black Lives Matter (BLM), but the attention, while significant at the time, was fleeting and superficial, and to some, lacking sincerity.

“I just think that it’s no longer in fashion, to be openly seen, to be pursuing an anti-Black agenda. A lot of what happened with that whole movement of an awareness and awakening to Black, anti-Black racism and a desire to take action was disingenuous to begin with.” *(East)*

“[George Floyd] raised the perception, and it forced people to grant concessions. We had a spate of EDI but that was always going to be cosmetic, not structural. Now [we have] compassion fatigue. They believe that time has passed, we no longer need to address these issues and the issues continue.” *(Nova Scotia)*

While George Floyd and BLM were raised in several discussions as having a positive – although fleeting – impact on awareness, several discussions also raised the negative impacts on awareness and perceived advancements resulting from the Trump administration in the U.S., including the treatment of Black people by Immigration and Customs Enforcement (ICE) agents in Minneapolis and other cities.

“With the Trump situation now, we've taken so many steps back from what we have achieved, I think it's getting worse.” (*Born/raised in Canada, East*)

As noted previously, traditional and social media were raised in several discussions as playing a positive role in increasing awareness (e.g., coverage of George Floyd and BLM). These were, however, also often noted as contributing significantly to negative stereotypes about Black people that is a barrier to progress.

“I really do believe it's social media. When you learn something from a certain age, and then it's been talked about regularly it continues upward until someone tells you, oh, it's wrong.” (*East*)

Participants from other racialized groups

Racialized participants were nearly unanimous in noting increased awareness, citing global news coverage, social media, diversity, education or workplace initiatives, and greater understanding among younger generations. However, some felt that attention is often superficial and fleeting, particularly when fuelled by events in the news.

“There is more awareness about bias, in the fact that even if our system wants to be neutral, it still harms certain groups.” (*Quebec, translated*)

“I think to a certain extent, there has been more awareness through various movements. But in terms of what the justice system and what the Canadian state in general has done, it's perhaps more superficial than anything more concrete.” (*Toronto*)

A few also noted a resurgence of racist sentiments and incidents driven by increased polarization and more vocal right-wing voices and shifting public priorities linked to increased economic struggles and expressed concern that backlash seen in the U.S. could occur in Canada.

“What’s happening on the other side of the border, it makes us think a lot about the condition, the way we treat our communities, our minorities, in particular, Blacks.” (*Quebec, translated*)

“People are becoming more aware of this, but there's a growing group of people who are coming out the other side, they're just openly racist I find.” (*Toronto*)

White participants

White participants generally viewed awareness of anti-Black racism as increasing, citing world events such as the killing of George Floyd, Black Lives Matter, and the attention generated by recent negative events in the U.S. as well as on social media. Some noted greater community,

school, and workplace diversity as promoting greater tolerance and discussions of inequality. Increased EDI initiatives were also raised by a few as having a positive impact.

"I do think that we're becoming a bit more cognizant of what's going on as a society. We certainly know more than we did 50 years ago." (*West*)

"I think that yes, it's changing, because I wasn't aware of it until I had a lot more friends with a lot of diversity." (*Quebec, translated*)

Many white participants said that despite advances made, continued inequality, increasing political polarization, and general backlash persist. A few participants also noted a reduction in active attention to the issue. These participants felt that people are becoming "desensitized" to issues such as anti-Black racism, reducing attention and progress in this area.

"I think people are starting to care less and less. We're getting desensitized to everybody's point of view." (*West*)

"This [Black Lives Matter] had an impact to raise awareness, but it also has an impact of radicalization in another point of view." (*Quebec, translated*)

E. ROLE OF GOVERNMENTS

In the final section, participants were asked about government roles to increase awareness of anti-Black racism and discrimination and ensure equal treatment of Black people under the law. This topic was covered in about half of the groups held with Black participants, each of the three discussions with white participants, and two of the three discussions with participants from other racialized groups. Most agreed that governments have a strong responsibility to address these issues.

Black participants

Black participants suggested a range of roles for governments in increasing awareness, focusing more on ensuring equal treatment, not only under the law but also in society. These fell into four main areas:

- Changes within the CJS itself to ensure equal treatment;
- Changes to public institutions – largely in the health and education sectors – to increase awareness, ensure equal treatment, and increase capacity among Black people;
- Improving awareness and understanding of anti-Black racism within the broader public; and,
- Increasing opportunities for Black people.

Increasing equal treatment and fairness in the CJS

Reforms within the CJS were a central theme discussed in efforts to reduce anti-Black racism and promote more equal treatment. These include structural and procedural changes to address inequity:

- Expand representation of Black people among police, court staff, and in the prison systems, particularly among decision-makers and those in visible roles;
- Increase training for CJS personnel at all levels regarding anti-Black bias, as well as the history of racism and systemic discrimination in social institutions to ensure equitable and respectful treatment;
- Eliminate hyper-monitoring and racial profiling by police;
- Ensure more equal sentences across comparable types of offences;
- Expand access to legal representation and support programs for both the accused and victims navigating the system;
- Increase the availability of information about rights, legal procedures, and navigating the court system; and,

- Strengthen oversight and accountability within the system to monitor progress in addressing equity and fairness over the long term.

Increase awareness and equal treatment in other public institutions

Several discussions focussed on educating youth about anti-Black racism and systemic discrimination, fostering positive dialogue about diversity, and addressing inequalities. Participants also emphasized training educators on anti-Black racism and increasing Black representation among educators and policy makers.

“That’s why I am in education, because it is the key. If you change the little minds, and you do it well enough, then coming up, things should be a little bit different.” (*Immigrated as adult, East*)

While more of the focus was on changes within the education system, some participants also talked about the need for training of public servants within the healthcare sector, where anti-Black racism and discrimination was also noted. This included better understanding about historical racism, systemic bias, and inequitable opportunities for Black people. Similarly, a few raised the need for greater representation of Black people working with the public in the health sector.

“An educator could only teach from their lived experience. If 80% of the educators are white, they’re going to continue with a bias.” (*Immigrated as adult, East*)

Efforts to increase public awareness

In several of the discussions, participants suggested the need for public information campaigns to promote awareness and mitigate stereotypes (i.e., information and messaging to address anti-Black biases and the resulting inequities and unfair treatment).

“Many Canadians don’t even know the historic meaning and significance of Black Canadians who played a part in the development of this country.” (*Nova Scotia*)

“Education is the key. That’s the only way we’re going to get rid of all the stereotypes that they have and see us differently, paint us in a different light.” (*Born/raised in Canada, East*)

Increasing opportunities for Black people

A few discussions highlighted increasing opportunities for Black people and communities through youth messaging, addressing inequalities, rights education, and self-advocacy along with investments in education, healthcare (including mental health), housing, infrastructure, economic opportunities, and recreation programs, particularly for Black youth.

"I think that Black organizations, whether it be welcome centers, resource centers ... have to take the initiative to educate their communities how to be treated fairly." (*Immigrated as adult, Toronto*)

"Someone I know recently received a scholarship for being a Black student in architecture, and I just kind of think things like that, giving those kinds of opportunities to students is a way for them to like show that they're being supported." (*Born/Raised in Canada, Toronto*)

Some participants also suggested Black home-ownership programs and preferred status for Black businesses in terms of consideration for government contracts.

"I always think about home ownership or other economic incentives. Things such as Black home ownership credits or tax benefits, things that can be done at the federal level." (*Born/Raised in Canada, Toronto*)

"It's really difficult for businesses operated by people of colour to get a foothold. Those projects should be, the people servicing those contracts should be, representative of the communities that they're building for." (*Born/Raised in Canada, Toronto*)

Another suggestion was investment in Black-led community organizations that tackle inequality and increase opportunities for Black people, and/or enrich Black communities.

"Government should be a link between these Black organizations and government to come up with an educational program on how to change attitudes at the grassroots level." (*Immigrated as adult, West*)

"When the Black community has made its advances it's because they've had grassroots organizations rooted in the people." (*Nova Scotia*)

Another key point raised by participants was to re-invest in EDI in public facing roles and among senior decision-makers in government organizations as well as those partnering with government to increase the visibility and representation of Black people in government or policy-making roles. Tied to this was the suggestion to invest in EDI programs that provide funding and networking opportunities related to employment for Black people.

"Equity, diversity, and inclusion is really important. And the fact that it's kind of gone away, and it isn't as at the forefront anymore is unfortunate." (*Born/Raised in Canada, Toronto*)

"The government could create opportunities for people of colour to have visible roles within [the educational system, the health system, the justice system]." (*Born/Raised in Canada, Toronto*)

Guiding principles

A number of key principles were highlighted over the course of the discussions. Participants emphasized that the aim of these efforts should be to elevate the image and contributions of Black people, while expanding their opportunities to succeed and to advocate for themselves. These principles include that:

- Efforts put in place be sustainable (i.e., planned and funded for a number of years, with medium- and long-term goals) to ensure a stable and lasting impact;
- Efforts are designed to address root causes and make fundamental and structural changes, rather than relying on superficial “quick fix” solutions;
- Wherever possible, initiatives and programs be led by Black-led organizations and groups, particularly grassroot community-based organizations, and that all efforts be developed in consultation with Black people; and,
- Efforts include built-in accountability mechanism, with measurable outcomes, and regular monitoring of progress.

Participants from other racialized groups

A few participants from other racialized groups emphasized public education to dispel anti-Black stereotypes, especially targeting youth in schools. A few suggested that government involvement in enhanced training for justice system personnel would support those navigating the CJS and increase accessibility to the CJS for Black people.

“I think one is the education system. If it starts early enough, the awareness, the dialogue starts at an early age, it's just easier for the society to imbibe that message.” *(Toronto)*

“One of the points that came up was having the time, money or resources is important for people to access justice. Providing those supports is the responsibility of the government and making sure that information is out there for people to be able to access these supports.” *(Toronto)*

A few participants from other racialized groups said that the government has a financial role to support education, initiatives, and awareness. Others said that media has a larger role to play in terms of the impact on awareness in the population, which has an impact on those involved in administering the CJS. A couple of participants from other racialized groups said the government should not be involved or heavy handed in anti-Black awareness initiatives but allow individual responsibility to build awareness.

“The people who make up the government, whether it's the judges or the lawmakers, are impacted by what they see in the media and what they see in the system.” *(Quebec, translated)*

"I think that the least we can do that we can have the involvement of the government and trust the individuals. We left education, we left the health system, the prison system to the government instead of making the individuals more responsible." *(Quebec, translated)*

White participants

Some white participants felt system reform was needed to reduce overrepresentation of Black people and address equality in the CJS. A few emphasized the government's responsibility to increase Black representation in the CJS, particularly among police and the courts to educate the public about anti-Black bias and inequality.

"It should be the government's job to help improve that social cohesion by giving those groups a voice and making sure that everyone in the society is kind of aware of those issues that they might be experiencing that the rest are not." *(East)*

Some participants expressed concern, however, about the potential for public backlash against government efforts to reduce anti-Black bias, such as those experienced in EDI efforts, sometimes described as reverse discrimination. Some participants felt that government should have a more limited role and that it should fall to NGOs to do this work. Several also said that any role should be at the municipal or community level rather than national or provincial level.

"Maybe the government can set the tone, and the NGOs can take it from there to maybe do more hands-on work." *(West)*

"Sometimes I have the impression that it has the opposite effect." *(Quebec, translated)*

APPENDICES

A. RECRUITMENT SCRIPT (ONLINE AND TELEPHONE)

ENGBLACK (For Black participants)

Department of Justice Online Group Discussions - EKOS | Discussions de groupe en ligne du ministère de la Justice - EKOS

(La version française du message suit)

Dear member of the Probit research panel,

EKOS Research Inc is conducting a series of online, one hour and 45-minute group discussions with Black people to explore their views of and experiences with the Criminal Justice System in Canada. The study is being conducted for the Department of Justice in support of Canada's Black Justice Strategy, designed to address anti-Black racism and systemic discrimination. This strategy includes policies, programs and communications that are making efforts to ensure that Black people have access to equal treatment before and under the law in Canada.

These discussions will take place online in a secure environment (e.g., password-protected) between January 21 and February 5, 2026. There will be no observers present, only the moderator and participants. Each discussion will be held with six to eight Black people living in Canada, led by a Black moderator.

We are offering an honorarium of \$140; participation is completely voluntary. You can stop participating in the study at any time, for any reason. You do not have to answer any questions you do not want to. If you decide to stop participating, and wish us to do so, we will remove any input you provided to the discussions.

The discussion will be structured as a guided conversation; everyone will be asked to provide opinions for at least some questions, although no one will be "put on the spot". Because we are looking for participants' thoughts and views, the questions do not have right or wrong answers.

Your personal information will not be provided to any third party. As this study involves small group discussions, the privacy and confidentiality of the research participants cannot be guaranteed with respect to the other research participants in the discussion and the online nature of the research. However, you will only be referred to by your first name for the discussions. No other personal information will be shared with participants by the research team.

Anonymous excerpts or quotes from the discussion may be included in the final report to illustrate the findings, but they will not be linked to an individual participant. The research is being administered according to the requirements of the *Privacy Act*, *Personal Information Protection and Electronic Documents Act* and *Access to Information Act*. To view our privacy policy, click [here](#).

To participate in the discussion group, you will need access to a mobile phone, a computer or tablet connected to the internet, with both audio and video capability, such as speakers and webcam. We will ask you to make sure your audio and video equipment are working well before the day of the discussion group. We will also provide a Canadian call-in number for anyone without audio on their computer/tablet, but please be advised that it is not a toll-free number.

Sessions will be audio (not video) recorded to generate a transcript of the discussion using a secure AI system, with no reference to names of participants. This anonymized transcript will be provided to the study sponsor. Only the EKOS research team will have access to the recording, which will be destroyed upon completion of the study. The study results will be available six months after the completion of the data collection for the study, which can be accessed through Library and Archives Canada at <https://www.bac-lac.gc.ca/eng/porr/Pages/porr.aspx>. We will also sent research participants a link to the report once it has been posted.

In order to express your interest, please complete this 3-minute survey, where you can get details on date and time and indicate your interest and availability to participate.

[START THE SURVEY TO REGISTER YOUR INTEREST]

If the link does not work for you, please copy the following one into your browser:

[LINK]

If you have any questions, contact EKOS Research Inc: 1-800-388-2873 or focusgroups@ekos.com. You can also complete these questions by calling the same 1-800 number, if this better meets your needs. This research is also registered with the Research Verification Service maintained by the Canadian Research Insights Council and can be verified at <https://canadianresearchinsightscouncil.ca/rvs/home/> by entering project code 20251215-EK715.

Thank you in advance for your participation.

Probit Inc. and EKOS Research Associates Inc.

ENGRACIAL (For racialized participants)

Department of Justice Online Group Discussions - EKOS | Discussions de groupe en ligne du ministère de la Justice - EKOS

(La version française du message suit)

Dear member of the Probit research panel,

EKOS Research Inc is conducting a series of online, one hour and 45-minute group discussions with racialized people to explore their views of and experiences with the Criminal Justice System in Canada. The study is being conducted for the Department of Justice in support of Canada's Black Justice Strategy, designed to address anti-racism and systemic discrimination. This strategy includes policies, programs and communications that are making efforts to ensure that Black and racialized people have access to equal treatment before and under the law in Canada.

These discussions will take place online in a secure environment (e.g., password-protected) between January 26 and February 5, 2026. There will be no observers present, only the moderator and participants. Each discussion will be held with six to eight racialized people living in Canada, led by a racialized moderator.

We are offering an honorarium of \$140; participation is completely voluntary. You can stop participating in the study at any time, for any reason. You do not have to answer any questions you do not want to. If you decide to stop participating, and wish us to do so, we will remove any input you provided to the discussions.

The discussion will be structured as a guided conversation; everyone will be asked to provide opinions for at least some questions, although no one will be "put on the spot". Because we are looking for participants' thoughts and views, the questions do not have right or wrong answers.

Your personal information will not be provided to any third party. As this study involves small group discussions, the privacy and confidentiality of the research participants cannot be guaranteed with respect to the other research participants in the discussion and the online nature of the research. However, you will only be referred to by your first name for the discussions. No other personal information will be shared with participants by the research team.

Anonymous excerpts or quotes from the discussion may be included in the final report to illustrate the findings, but they will not be linked to an individual participant. The research is being administered according to the requirements of the *Privacy Act*, *Personal Information Protection and Electronic Documents Act* and *Access to Information Act*. To view our privacy policy, [click here](#).

To participate in the discussion group, you will need access to a mobile phone, a computer or tablet connected to the internet, with both audio and video capability, such as speakers and webcam. We will ask you to make sure your audio and video equipment are working well before the day of the discussion group. We will also provide a Canadian call-in number for anyone without audio on their computer/tablet, but please be advised that it is not a toll-free number.

Sessions will be audio (not video) recorded to generate a transcript of the discussion using a secure AI system, with no reference to names of participants. This anonymized transcript will be provided to the study sponsor. Only the EKOS research team will have access to the recording, which will be destroyed upon completion of the study. The study results will be available six months after the completion of the data collection for the study, which can be accessed through Library and Archives Canada at <https://www.bac-lac.gc.ca/eng/porr/Pages/porr.aspx>. We will also sent research participants a link to the report once it has been posted.

In order to express your interest, please complete this 3-minute survey, where you can get details on date and time and indicate your interest and availability to participate.

[START THE SURVEY TO REGISTER YOUR INTEREST]

If the link does not work for you, please copy the following one into your browser:

[LINK]

If you have any questions, contact EKOS Research Inc: 1-800-388-2873 or focusgroups@ekos.com. You can also complete these questions by calling the same 1-800 number, if this better meets your needs. This research is also registered with the Research Verification Service maintained by the Canadian Research Insights Council and can be verified at <https://canadianresearchinsightscouncil.ca/rvs/home/> by entering project code 20251215-EK715.

Thank you in advance for your participation.

Probit Inc. and EKOS Research Associates Inc.

ENGWHITE (For white participants)

Department of Justice Online Group Discussions - EKOS | Discussions de groupe en ligne du ministère de la Justice - EKOS

(La version française du message suit)

Dear member of the Probit research panel,

EKOS Research Inc is conducting a series of online, one hour and 45-minute group discussions to explore their views of and experiences with the Criminal Justice System in Canada. The study is being conducted for the Department of Justice in support of Canada's Black Justice Strategy, designed to address anti-racism and systemic discrimination. This strategy includes policies, programs and communications that are making efforts to ensure that Black and racialized people have access to equal treatment before and under the law in Canada. It is important to obtain the perspectives of all Canadian residents including Black, racialized and white people.

These discussions will take place online in a secure environment (e.g., password-protected) between January 26 and February 5, 2026. There will be no observers present, only the moderator and participants. Each discussion will be held with six to eight residents of Canada.

We are offering an honorarium of \$140; participation is completely voluntary. You can stop participating in the study at any time, for any reason. You do not have to answer any questions you do not want to. If you decide to stop participating, and wish us to do so, we will remove any input you provided to the discussions.

The discussion will be structured as a guided conversation; everyone will be asked to provide opinions for at least some questions, although no one will be "put on the spot". Because we are looking for participants' thoughts and views, the questions do not have right or wrong answers.

Your personal information will not be provided to any third party. As this study involves small group discussions, the privacy and confidentiality of the research participants cannot be guaranteed with respect to the other research participants in the discussion and the online nature of the research. However, you will only be referred to by your first name for the discussions. No other personal information will be shared with participants by the research team.

Anonymous excerpts or quotes from the discussion may be included in the final report to illustrate the findings, but they will not be linked to an individual participant. The research is being administered according to the requirements of the *Privacy Act*, *Personal Information Protection and Electronic Documents Act* and *Access to Information Act*. To view our privacy policy, [click here](#).

To participate in the discussion group, you will need access to a mobile phone, a computer or tablet connected to the internet, with both audio and video capability, such as speakers and webcam. We will ask you to make sure your audio and video equipment are working well before the day of the discussion group. We will also provide a Canadian call-in number for anyone without audio on their computer/tablet, but please be advised that it is not a toll-free number.

Sessions will be audio (not video) recorded to generate a transcript of the discussion using a secure AI system, with no reference to names of participants. This anonymized transcript will be provided to the study sponsor. Only the EKOS research team will have access to the

recording, which will be destroyed upon completion of the study. The study results will be available six months after the completion of the data collection for the study, which can be accessed through Library and Archives Canada at <https://www.bac-lac.gc.ca/eng/porr/Pages/porr.aspx>. We will also sent research participants a link to the report once it has been posted.

In order to express your interest, please complete this 3-minute survey, where you can get details on date and time and indicate your interest and availability to participate.
[START THE SURVEY TO REGISTER YOUR INTEREST]

If the link does not work for you, please copy the following one into your browser:
[LINK]

If you have any questions, contact EKOS Research Inc: 1-800-388-2873 or focusgroups@ekos.com. You can also complete these questions by calling the same 1-800 number, if this better meets your needs. This research is also registered with the Research Verification Service maintained by the Canadian Research Insights Council and can be verified at <https://canadianresearchinsightscouncil.ca/rvs/home/> by entering project code 20251215-EK715.

Thank you in advance for your participation.

Probit Inc. and EKOS Research Associates Inc.

WINTRO

Thank you for visiting the online registration site for the online focus groups, each with six to eight <[Black participants]Black participants, led by a Black moderator.[Racialized participants]racialized participants, led by a racialized moderator.[White participants]participants.[ELSE]participants.> The study is sponsored the Department of Justice in support of Canada's Black Justice Strategy and conducted by EKOS Research Associates Inc in partnership with the Parriag Group. These 1 hour and 45-minute discussions will explore the views and experiences of <[Black participants]Black people[Racialized participants]racialized people[White participants]Black, racialized, and white people[ELSE]Black, racialized, and white people> with regard to the Criminal Justice System in Canada. Participants will be given \$140 for attending the discussion.

Groups will be held between January 21 and February 5. Only first names will be used in order to protect privacy as much as possible.

Once you have registered, you will receive an email confirmation right away. If you are selected, you will receive a telephone call in early January to confirm specific questions and provide more detail. You will also receive an email reminder with the link to the secure video conference meeting a day or two before the session.

Please note that your responses to this survey are confidential. Your personal information will not be provided to any third party. As this study involves small group discussions, the privacy and confidentiality of the research participants cannot be guaranteed with respect to the other research participants in the discussion and the online nature of the research, although only first names will be used and only audio (not video) recordings will be taken.

The study results will be available six months after the completion of the data collection for the study, which can be accessed through Library and Archives Canada at <https://www.bac-lac.gc.ca/eng/porr/Pages/porr.aspx>. The findings will be generalized, however, and your identity will not be part of the reports.

You can also complete these questions by calling the same 1-800 number, if this better meets your needs.

ETHN [1,11]

Which of the following do you identify as?

Select all that apply

[Black participants]

Black African 1

[Black participants]

Black Caribbean 2

[Black participants]

Black Indigenous 3

[Black participants]

Black Latin 4

[Black participants]

Black North American 5

Latino/Latina/Latinx (e.g., non-white Latin American descent) 7

Middle Eastern or North African/Middle Eastern or North African descent (e.g., Afghan, Iranian, Lebanese, Egyptian, Algerian, Saudi Arabian, Turkish,

Iraqi, Yemeni, Jordanian) 8

East Asian/East Asian descent (e.g., Chinese, Japanese, Korean) 9

Southeast Asian/Southeast Asian descent (e.g., Filipino, Vietnamese, Cambodian, Laotian, Thai) 10

[Racialized/White participants]

Black (African, Caribbean, Indigenous, Latin, North American) 11

White (e.g., European/European descent) 6

Prefer to self-identify as: 77

None of the above 98

Prefer not to say 99

QBORN

Were you born in Canada?

Yes	1
No	2
Don't know	98
Prefer not to say	99

BRNAGE

How old were you when you came to Canada?

Less than 18 years old:	77
18 to 24	2
25 to 34	3
35 or older	4
Prefer not to say	99

WRLDRG

What part of the world did you immigrate from?

Africa	1
Asia	2
Caribbean	3
Europe	4
Latin America	5
Middle East	6
North America (USA or Mexico)	7
Oceania (Australia, New Zealand, islands in Pacific Ocean)	8
Prefer not to say	99

QAGE

Which of the following age groups do you belong to?

Under 18	1
18-24 years	2
25-29 years	3
30-34 years	4
35-44 years	5
45-54 years	6
55-59 years	7
60-64 years	8
65-69 years	9
70 years or older	10
Prefer not to say	99

QSEX

Is your gender...

Man	1
Woman	2
Gender diverse	3
Prefer to self-describe:	77
Prefer not to say	99

Q2

Are you or is any member of your household or immediate family employed in:

Q2A

Government of Canada

Yes	1
No	2

Q2B

An advertising agency

Yes	1
No	2

Q2C

A market research company

Yes	1
No	2

Q2D

The media (Print, Radio, TV, Internet)

Yes	1
No	2

PREQ3

How would you describe your level of awareness of the role of the following areas in the criminal justice system?

Q3A

Police

Not at all aware 1	1
2	2
Moderately aware 3	3
4	4
Very aware 5	5

Prefer not to say	99
-------------------	----

Q3B

Courts

Not at all aware 1	1
--------------------	---

2	2
---	---

Moderately aware 3	3
--------------------	---

4	4
---	---

Very aware 5	5
--------------	---

Prefer not to say	99
-------------------	----

Q3C

Corrections

Not at all aware 1	1
--------------------	---

2	2
---	---

Moderately aware 3	3
--------------------	---

4	4
---	---

Very aware 5	5
--------------	---

Prefer not to say	99
-------------------	----

PREQ4

How confident are you that the Canadian criminal justice system is...

Q4A

Fair to all people

Not at all confident 1	1
------------------------	---

2	2
---	---

Moderately confident 3	3
------------------------	---

4	4
---	---

Very confident 5	5
------------------	---

Prefer not to say	99
-------------------	----

Q4B

Accessible to all people

Not at all confident 1	1
------------------------	---

2	2
---	---

Moderately confident 3	3
------------------------	---

4	4
---	---

Very confident 5	5
------------------	---

Prefer not to say	99
-------------------	----

QPROV

In which province or territory do you live?

British Columbia	1
Alberta	2
Saskatchewan	3
Manitoba	4
Ontario	5
Quebec	6
New Brunswick	7
Nova Scotia	8
Prince Edward Island	9
Newfoundland & Labrador	10
Yukon	11
Northwest Territories	12
Nunavut	13
Outside of Canada	99

QRURAL

Would you describe your household as being in...

An urban/inner city environment	1
A suburban environment	2
A rural or isolated environment	3
Prefer not to say	99

QEDUC

What is the highest level of formal education that you have completed?

Grade 8 or less	1
Some high school	2
High School diploma or equivalent	3
Registered Apprenticeship or other trades certificate or diploma	4
College, CEGEP or other non-university certificate or diploma	5
University certificate or diploma below bachelor's level	6
Bachelor's degree	7
Post graduate degree above bachelor's level	8
No response	99

Q5

Participants in these discussions will be asked to voice their opinions and thoughts in the discussion. How comfortable are you in voicing your opinions in English in a group? Are you...

Very comfortable	1
Comfortable	2
Fairly comfortable	3
Not very comfortable	4
Very uncomfortable	5

Q5B

Is there anything that you would need assistance with, that we could provide in order for you to participate such as a different method of communication or having materials available to you in a different format?

Yes (please specify)	1
No	2

Q5C

Have you ever attended a focus group or one on one discussion in person or online for which you have received a sum of money?

Yes	1
No	2

Q5D

How long ago did you last attend one of these discussions?

Please specify # of months or years :	77
Months	1
Years	2
Never	999

CALCQ5D

Within last 6 months, thank and terminate	1
Continue	99

Q5E

Have you attended 5 or more of these discussions in the past 5 years?

Yes	1
No	2

QINFO

Would you be interested in participating in one of these online discussions?

- | | |
|---------------------------------|---|
| Yes | 1 |
| No | 2 |
| It depends on the date and time | 3 |

QLANG

Would you prefer to participate in English or in French?

- | | |
|---------|---|
| English | 1 |
| French | 2 |

QFOCUS

Would you be able to participate in an hour and 45-minute discussion that takes place on a weekday (Monday through Thursday) in the evening at some point between January 15 and 29? If you are selected, we would contact you again early in January to ask you about your availability on specific dates and times.

- | | |
|--------|---|
| Yes | 1 |
| No | 2 |
| Unsure | 3 |

QCONSENT

At the start of the discussion, you will be given some added details about the purpose and kinds of questions you will be going through. To participate in the discussion group, you will need access to a mobile phone, a computer or tablet connected to the internet, with both audio and video capability, such as speakers and webcam. We will ask you to make sure your audio and video equipment are working well before the day of the discussion group. We will also provide a Canadian call-in number for anyone without audio on their computer/tablet, but please be advised that it is not a toll-free number.

These online discussions will take place in a secure environment (e.g., password protected discussion). All personal identities will be protected. You will only be referred to by your first name. No other personal information will be shared with participants by the research team. Anonymous excerpts or quotes from the discussion may be included in the final aggregate report to illustrate the findings, but they will not be linked to an individual participant.

Your participation in the focus group is completely voluntary. You can stop participating in the study at any time, for any reason. You do not have to answer any questions you do not want to. If you decide to stop participating, and wish us to do so, we will remove all input you provided in the discussion.

If you are selected to participate in one of the discussions, we will call you to confirm by telephone and provide a few more details about the discussion, as well as answer any questions you may have. We will then send you an email reminder the day before the discussions,

including the login instructions as well as the password protected link for the discussion. We **MUST** first have the confirmation telephone call completed or we will not be able to send you these details for you to participate in the discussion.

If you want to contact us about this group, please call EKOS Research Inc, at 1-800-388-2873 or email focusgroups@ekos.com. You may also verify this research with the Research Verification Service operated by the Canadian Research Insights Council (CRIC) at <https://canadianresearchinsightscouncil.ca/rvs/home/> by entering project code 20251215-EK715.

Sessions will be audio recorded to generate a transcript of the discussion using a secure AI system, with no reference to names of participants. This anonymized transcript will be provided to the study sponsor. Only the EKOS research team will have access to the recording, which will be destroyed at the end of the study. EKOS Research Associates Inc. is committed to maintaining the security and privacy of the information we collect from the public, and we protect your personal information through appropriate physical, organizational and technological measures. For more information about our privacy practices, please read our Privacy Policy. For questions regarding access to personal information held by EKOS, the accuracy of this personal information, or complaints related to EKOS' privacy practices, please contact our Privacy Officer at pobox@ekos.com.

Now that you have all of the details about what is involved in the group, that sessions will be audio recorded, and what is being done to protect everyone's privacy and personal information, are you comfortable with participating in the discussion?

Yes	1
No	2

QTELE

If you are selected to participate in one of the discussions, we will contact you by telephone in a week or so to see if you are still interested and available for a specific date and time. Once selected and invited to participate in one of the discussions we give you a reminder telephone call and send an email to remind you and provide the link to the discussion a day or two prior to your group discussion.

What is the best telephone number to reach you?

Telephone number:	1
-------------------	---

QEMAIL

<[Have source email]Is _____ the best email address at which to send you an invitation to the discussion, with the secure link and 1-800 number?[ELSE]What is the best email address at which to send you an invitation to the discussion, with the secure link and 1-800 number?>

[Have source email]

Yes 1

<[Have source email]No, please provide alternate email :[ELSE]Email address :> 77

PFNAME

Please provide your first and last names. Only your first name will be used in the discussion.

FNAME

First name:

1 1

LNAME

Last name:

1 1

ECONFIRM

Confirmation of registration for group discussion | Confirmation d'inscription à la discussion de groupe

(La version française du message suit)

Dear [first name] [last name],

This is to confirm that you are registered for consideration to attend a discussion taking place during a weekday evening between January 21 and February 5, 2026. The discussion will be in <[QLANG = 1]English[ELSE]French>.

Thank you for expressing your interest. If you are selected to participate in one of the discussions, we will call you to ask about your interest and availability to attend a specific session on a specific date and time, and provide a few more details about the discussion, as well as answer any questions you may have. We will then send you an email reminder the day before the discussions, including the login instructions as well as the password protected link for the discussion. We **MUST** first have the confirmation telephone call completed or we will not be able to send you these details for you to participate in the discussion.

If you want to contact us about this group, please call EKOS Research Inc, at 1-800-388-2873 or email focusgroups@ekos.com. You may also verify this research with the Research Verification Service operated by the Canadian Research Insights Council (CRIC) at <https://canadianresearchinsightscouncil.ca/rvs/home/> by entering project code 20251215-

EK715.

Sessions will be audio (not video) recorded for research purposes only. EKOS Research Associates Inc. is committed to maintaining the security and privacy of the information we collect from the public, and we protect your personal information through appropriate physical, organizational and technological measures. For more information about our privacy practices, please read our Privacy Policy. For questions regarding access to personal information held by EKOS, the accuracy of this personal information, or complaints related to EKOS' privacy practices, please contact our Privacy Officer at pobox@ekos.com.

Thank you for your registration.
Susan Galley
Project Manager
EKOS Research Associates, Inc.
www.ekos.com

THNK

If you have any questions, please let us know by calling us toll-free at 1-800-388-2873 or by sending an e-mail to focusgroups@ekos.com. Thank you for your cooperation and time.

QFIL

Unfortunately, based on your responses you are in a group that is already completed. Thank you for taking the time to assist us in our data collection.

THNK2

Thank you for your cooperation! Based on the information you have provided, unfortunately you are not eligible to participate in this survey.

B. DISCUSSION GUIDE

1. INTRODUCTION (5-7 MINUTES)

- I represent EKOS Research (reminder to only use first name of moderator and participants). These focus groups are being conducted for the Department of Justice to better understand the views and experiences of Black people within the Criminal Justice System in Canada.
- It's important to note that we do not work for the Government of Canada, although we are currently under contract to the Government for this study.
- The findings from this research will be used to help those who create policies and programs that support Canada's Black Justice Strategy. This strategy is designed to address anti-Black racism and systemic discrimination in the criminal justice system, making efforts to ensure that Black people have equal treatment before and under the law in Canada.
- This group is part of a series of focus groups taking place online across the country. This session and many other sessions are specific to Black people 18 or older who <insert born/raise in Canada vs immigrated to Canada as adults>. Other sessions are being conducted with white people or other racialized people.
- This session will last about an hour and 45 minutes, and we'll just quickly go over the format and "ground rules":
 - ◇ There are no observers and no video recording of the session, however, the discussion is being **audio recorded** so I can listen to what everyone is saying and not worry too much about taking notes. These recordings will not be shared outside of the research team. They will be destroyed at the conclusion of the study.
 - ◇ We will only be using first names to protect confidentiality, and ask that no one take screen shots or record the discussion.
 - ◇ A transcript will be generated by a secure, Canadian AI system that will not have access to the name of individuals. This anonymized transcript will be provided to the study sponsor.
 - ◇ There are no right or wrong answers here and no need for any specific expertise. We're looking to draw from lived experience.
 - ◇ Your participation is voluntary. We want to make this discussion forum a safe space so that you can freely contribute your thoughts and experience. If at any point you prefer not to answer or feel uncomfortable in the discussion, you are free to withdraw. If you do decide to do so, record of your responses would not be included in

the analysis, however, you would still be provided with the incentive for participation.

- ◇ We ask that you speak one at a time and be respectful of one another's opinions.
- ◇ It's okay to disagree with other participants. Please speak up even if you think you're the only one who feels a certain way. Everyone has different experiences and different points of view.
- As facilitator, I will raise some points for discussion, keep an eye on the time, and make sure everyone has a chance to participate.

2. INTRODUCTIONS (3 MINUTES)

1. Let's start by going around the group. Please introduce yourself by sharing a few key details (e.g., where were you born, what region do you live in now).

3. PERCEPTIONS & CONFIDENCE IN CJS (45 MIN – HIGHEST PRIORITY)

For this discussion, we will explore your views about Canada's Criminal Justice System.

2. In our recent survey, some Black people reported that the criminal justice system is **fair** and some Black people reported that it is **not fair**.
 - a. Do you think the criminal justice system, whether the police, the court system or the prison system) is it fair or not fair to Black people?
 - b. What does fairness mean to you in this context? (What are you thinking about?)
 - c. How would you explain this finding?
Prompt:
 - i. Some Black people might report that the system is fair because the Charter guarantees equality for all...
 - ii. Some Black people might report that the system is not fair because they may have experienced or heard of instances of racial profiling, or are aware of overrepresentation of Black people as victims/survivors and accused/offenders?

3. In our recent survey, some Black people reported that the criminal justice system is **accessible** and some Black people reported that it is **inaccessible**.
- Do you think that the system, whether policing, the courts or prisons, are accessible to Black people?
 - What does accessibility mean to you in this context? (What are you thinking about?)
 - Why might some Black people report that the system is accessible even as there are instances of, for example, (raise examples from the discussion, as well as not being able to access services for victims or diversion programs)?
 - Why might some Black people report that the system is inaccessible even as there are instances of, for example, (raise examples from the discussion, as well as heightened police presence in some communities)?

4. OVERREPRESENTATION OF BLACK PEOPLE (30 MINUTES)

[If not already raised] **Overrepresentation** in the criminal justice system refers to a situation where a group of people who share a particular characteristic or identity are involved in the CJS (such as being arrested, held in jail, or sentenced) **more often than you'd expect**, based on how many people from that group are in the general population.

4. Why do you think overrepresentation of Black people exists in the CJS amongst accused/offenders and victims/survivors?
- What are some factors that drive this?
If needed prompts could include: historical racism, remaining systemic discrimination in social institutions (e.g., education, health, employment, housing)
5. Does thinking about the overrepresentation of Black people as accused/offenders and victims/survivors within the CJS change your views of the fairness of the criminal justice system?

5. TRENDS & ROLES (15 MINUTES – LOWEST PRIORITY)

In this last section we want to explore trends over time, as well as the role of different groups and guiding principles in supporting the efforts of Canada Black Justice Strategy to address anti-Black racism and discrimination and ensure equal access to Justice in Canada.

6. First, let's talk about **trends** and important events in the world. Do you think that public awareness and perceptions about the existence of anti-Black racism and systemic discrimination are changing?

- a. How much of an impact do events focused on treatment, fairness and accessibility for Black people that receive worldwide attention have (e.g., fleeting/lasting)? In what way?
- 7. In your opinion, what role should **governments** at the local, provincial/territorial, or federal level be playing in increasing awareness and understanding of anti-Black racism and discrimination, and ensuring equal treatment and access for Black people under the law?
 - a. What would be most helpful and why?

6. WRAP UP (2 MINUTES)

- 8. Is there anything that we haven't talked about or that you would like to add before we go?

THANK YOU