



Windsor Law Independent Review on Anti-Black Racism

Terms of Reference

Background

Issues of anti-Black racism (ABR) have become particularly manifest in the online environment put in place during the COVID-19 pandemic. In the fall of 2020, Windsor Law conducted a consultation to determine the issues over which there is concern in the Windsor Law community. In order to assist the Windsor Law community to heal and move forward, Windsor Law has commissioned an Independent Review to provide recommendations.

A stakeholder consultation was conducted between November 23, 2020 and December 4, 2020. It was led by Dr. Laverne Jacobs, Associate Dean (Research and Graduate Studies) and Ms. Nashara Peart, University of Windsor alumna, and member of the Windsor Law Anti-Black Racism Committee (“the consultation leaders”). During that time, the consultation leaders interviewed directly affected stakeholders or stakeholder student groups and administered a survey to students, faculty and staff.

Those who participated in the consultation were asked three questions:

1. what they thought the scope and terms of reference of the review should be (including what issues the reviewer should consider). This tied into a discussion about the issues that the individual was witnessing or experiencing and that are problematic;
2. who the independent reviewer should be - this tied into a discussion about the professional and other characteristics that the individual that was important in a reviewer; and
3. to whom the independent reviewer will report.

The consultation leaders met with 15 interviewees and received 41 survey responses.¹

Anti-Black racism was dominant in the responses received.

From the responses, the consultation leaders determined that many felt that Anti-Black racism in the law school needs to be examined as a systemic issue and that, among other things, Anti-Black Racism should be examined in intersection with other identity dimensions such as homophobia, sanism, etc.

¹ One additional stakeholder interview was conducted in January to accommodate an individual who was unable to have their comments registered in the survey.



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Windsor Law's Independent Review aims to develop recommendations for the building of greater trust and a stronger Windsor Law community. It does not aim to point fingers, attack individuals or groups, etc.

The Independent Reviewer will:

Examine specific issues affecting students, faculty and staff that have been identified through Windsor Law's stakeholder consultation as relating to anti-Black racism, including in its intersectional forms.

The Independent Reviewer will provide advice and recommendations for improvement. This includes offering recommendations for systemic change in order to ensure a safe environment at Windsor Law for those who have been negatively affected and traumatized. The Independent Review will contain a short-term and long-term. For the short-term, a report will be provided by June 30, 2021. The long-term report will be provided by December 31, 2021.

SHORT TERM (June 2021)

The reviewer will provide advice and recommendations on:

- addressing cyber-bullying (including issues of intra-Black community cyber-bullying)
- threats of violence and responses
- the non-academic complaint process-improving the impact of the process on Black and racialized students; as Windsor Law brings it back within the law school from the central university (the draft process has been created)
- the structure of BLSA (including its role in correcting institutional issues and the pressures put on the BLSA presidents and executive)

LONG TERM (December 2021)

The reviewer will provide advice and recommendations on:

ABR in the law school as a systemic issue

- as it affects students, personally and through structures in the law school such as:
 - the provision of student services,
 - A2J course as a traumatizing space and space where Black students teach others about their experiences with ABR
 - the admissions process, "culture of whiteness",



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- the Student Law Society

In conducting the review, Independent Reviewer should:

- relate student, faculty and staff experiences at the law school anonymously (or otherwise as requested by those interviewed and to the extent that their requests can be respected)
- ensure that Black-identifying students, racialized students and students of intersectional identity are not further traumatized by the process of the review, and in particular from discussing their experiences and/or from the recommendations proposed as a result of the review;
- seek to understand the ways in which the Faculty of Law and the central University are designed to work together and to determine if there is a better way for the central University to support the Faculty of Law in terms of resources etc.
- avoid commenting publicly in the media etc. about the ongoing review.

We recognize, in commissioning this review, that it is not possible to address all issues that have arisen including issues of anti-Semitism and reconciling the relationship between Indigenous and Black students.