



Canadian Association of Black Lawyers (CABL)
20 Toronto Street
Toronto ON M5C 2B8

April 23, 2019

Re: The Wortley Report on Street Checks in Nova Scotia

We support the work of the African Nova Scotian Decade for People of African Descent (DPAD) Coalition and in partnership share their concerns.

We live in a constitutional democracy wherein police derive their power and legal authority from people. The police must operate within the legal parameters set out in the Constitution, including the *Charter of Rights and Freedoms*, legislation and the common law. Street checks are harmful.

Street checks cause undue stress, fear, anxiety and trauma on Black people and African Nova Scotian Communities. This practice is racially discriminatory, and a form of racial profiling against African Nova Scotians that contributes to their over representation in the criminal justice system. This is but one example of systemic (and sometimes individual) anti-Black racism which has plagued Nova Scotia since the time of slavery and segregation – through the jailing of Viola Desmond – and racial profiling of Kirk Johnson – and beyond.

As stated by the Honourable Justice Michael Tulloch from the Ontario Court of Appeal, "Crime prevention is essential to the maintenance of public safety, and the police must have proper tools in order to undertake this work. However, the public's trust in police is the bedrock on which police legitimacy is built: without it, police lose authority and the ability to do their jobs. This is the lens through which any analysis of street checks and carding must be done."

Recently, the Honourable Mark Furey, Minister of Justice and Attorney General for Nova Scotia, has taken the first step in placing a moratorium on street checks.

We look forward to continued discussions leading to a total ban on street checks in Nova Scotia.