

# Cultural Competence 101: Meeting Professional and Ethical Standards in Policing

Civilian Oversight Conference: Perspectives From the Inside Out  
Canadian Association for Civilian Oversight of Law Enforcement

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# Who is Robert Wright?

- A RSW Private Practitioner
  - direct practice and forensics
- Former MH Counsellor, Washington State Penn.
- Member ATSA
- Expert in PCA
- Former member NSBS Racial Equity Committee



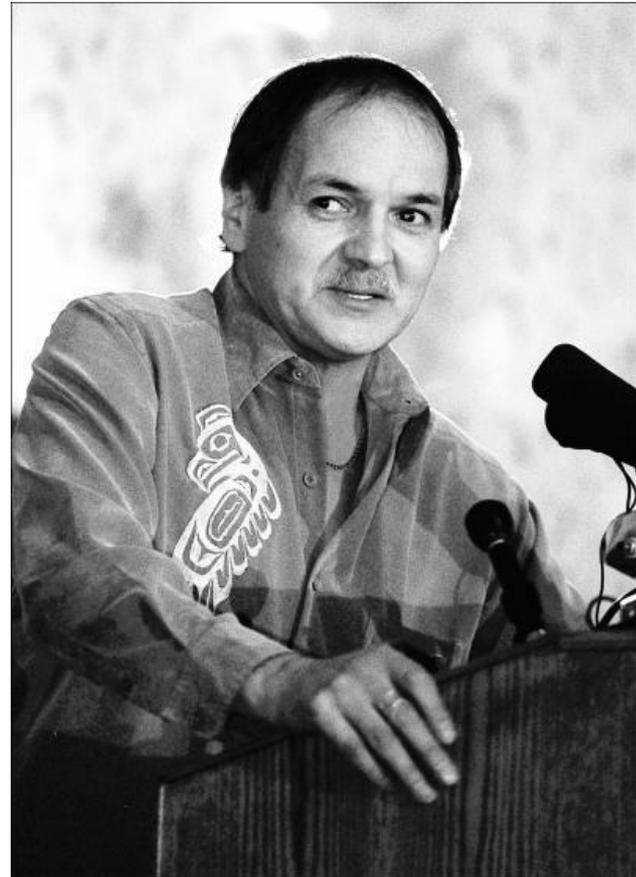
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# Ubiquity of Cultural Competence

- In Health Care – NS Cultural Competence Guidelines in Primary Health
- In Education – Race Relations Officers, Cultural Education Curricula
- In Public Service – Cultural Competence as a Performance Measure of MCP Civil Servants

# Context for CC: Racism in Criminal Justice System - 1989

- Marshall Inquiry (Royal Commission) established clearly - racism and discrimination exist in the criminal justice system
- Makes 82 recommendations aimed at reforming systems



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# Context for CC: OCI 2013 report

- Summer 2011 Canadian Human Rights Commission discussed mental health needs of African Canadians in federal corrections
- OCI studies the matter and highlights Black Inmate Experience in its 2013 report

## **A Case Study of Diversity in Corrections: The Black Inmate Experience in Federal Penitentiaries**

In the 2011-12 Annual Report, the Office committed to a review of the experiences and outcomes of Black inmates in federal custody. A case study was completed over a 4-month period (November 2012 – February 2013) which included a literature review, data analysis and qualitative interviews with Black Inmate Committees, Black inmates, CSC personnel, Audmax (an organization currently on contract with CSC to provide ethno-cultural services in the Ontario region) and community volunteers. Site visits were also conducted in institutions in the Ontario, Quebec and Atlantic region, recognizing that the majority of federally sentenced Black inmates (86%) are incarcerated in these regions.

The Chair of the Black Inmate Committee at each institution was contacted informing them of the case study and requesting their participation and assistance in consulting with members of

the Committee to identify issues to bring forward as part of the case study. Notices were also posted on all ranges informing all Black inmates of the study and the opportunity to voluntarily participate. The Chair of the Black Inmate Committee was interviewed at each institution. Voluntary interviews were also conducted with interested Black inmates in one of three ways: individually, in small groups (2-3 participants) or in larger focus groups (15-20 participants). In total, 73 Black inmates (30 women and 43 men), were interviewed. Interviews were also conducted with 24 CSC personnel representing a variety of positions (e.g. Wardens, Correctional Officers, Program Managers), 2 community volunteers and Audmax. In addition, the OCI contracted with the Afrikan Canadian Prisoner Advocacy Coalition (ACPAC) to provide a literature review, expertise and analysis of Black Canadians in conflict with the law<sup>7</sup>.

# Context for CC: Formal recognition of racial indignity of police encounters



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## Black men fleeing the police is reasonable, Massachusetts court rules



**KENYA  
DOWNS**

Digital  
reporter/producer.

BY KENYA DOWNS *September 22, 2016 at 1:10 PM EDT*

*A Massachusetts court rules that a history of racial bias in police searches makes it reasonable for black men to flee. Photo by Matthew Palmer/Getty Images*

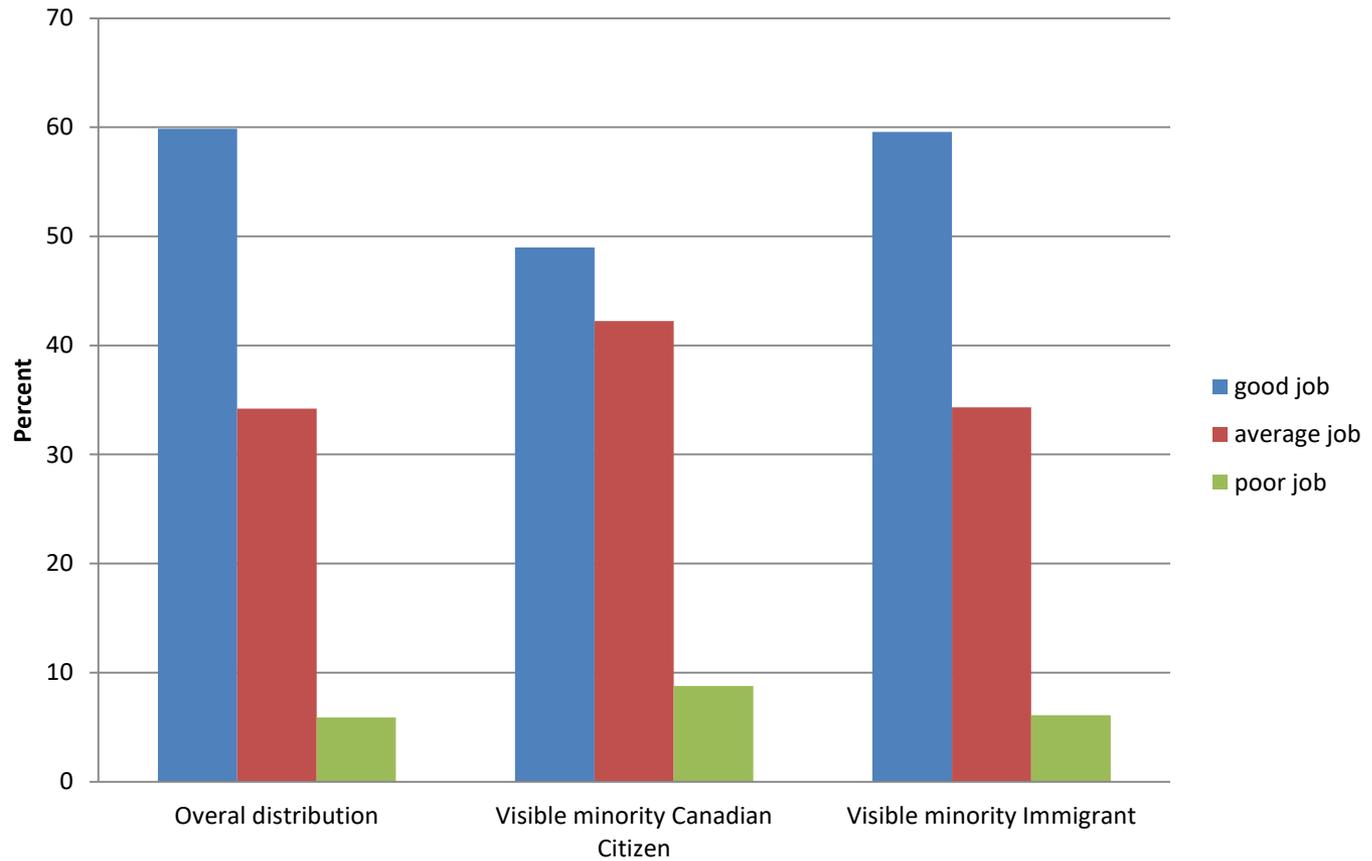
When black men flee to avoid an encounter with police, they're not being suspicious. That's according to a [recent ruling](#) by the Massachusetts Supreme Judicial Court. As

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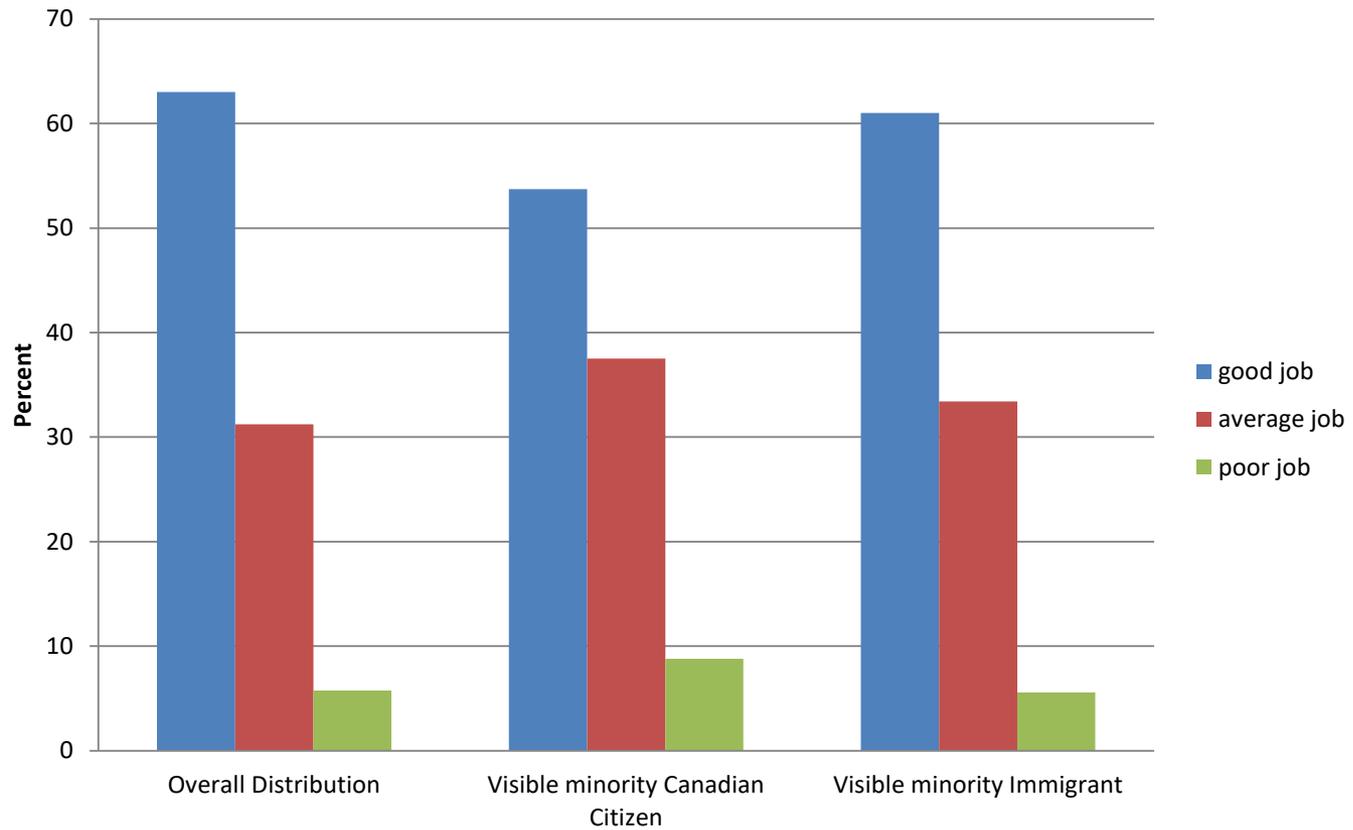
# Cultural Competence in Policing – Why?

- Three central roles of policing:
  - Crime Control
  - Order Maintenance
  - Public Service
- Three major tools of policing
  - Preventative Patrol
  - Hot Spot Policing
  - Predictive Policing

## Police Force Effectiveness: Enforcing the Law



## Police Force Effectiveness: Ensuring Safety of Area Citizens



# Culturally Competent Police: Why?

- As Racialized, Aboriginal, and Immigrant Canadians gain increasing space in society, police need skill to competently serve and police diverse populations in a way that does not contribute to the systemic racism suffered by racialized Canadians.
- Cultural competence is being “read into standards of professionalism”
- The reasonable person is cognizant of the racial dynamics in the local community, and, as a member of the Canadian community, is supportive of the principles of equality (R.v.S. (R.D.), [1997] 3 S.C.R. 484-1997-09-26, Supreme Court of Canada

# Cultural Competence: Definition

- Cultural competence refers to an ability to interact effectively with people of different cultures. Cultural competence comprises five essential capacities. We must:
  - A. understand our own cultural positions and how they differ from and are similar to others
  - B. understand the social and cultural reality in which we live and work and in which our clients live and work
  - C. cultivate appropriate attitudes towards cultural difference
  - D. be able to generate and interpret a wide variety of verbal and non-verbal responses
  - E. understand structural oppression and demonstrate awareness and commitment to social justice

# A) Nichols' Model for Understanding Cultural Difference

Philosophical Perspective on Cultural Difference. Edwin Nichols (cf. work of Jung)

Different world cultures developed out of differing physical environments.

These world views have differing constructs:

- Axiology (values)
- Epistemology (way of knowing)
- Logic (principles of reason)
- Process (practice of reason)

# THE PHILOSOPHICAL ASPECTS OF CULTURAL DIFFERENCE

DEVELOPED BY EDWIN J. NICHOLS, PH.D.

| ETHNIC GROUPS<br>ETHNIC<br>WORLDVIEW                          | AXIOLOGY                                                                                      | EPISTEMOLOGY                                                                                      |                                                                                        |                                                                                   | LOGIC                                                                                                                                                                | PROCESS                                                                                                         |
|---------------------------------------------------------------|-----------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------|
|                                                               |                                                                                               | APPLIED                                                                                           | PEDAGOGY                                                                               | METHODOLOGY                                                                       |                                                                                                                                                                      |                                                                                                                 |
| <b>EUROPEAN<br/>EURO-AMERICAN</b>                             | <b>Member-Object</b><br>The highest value lies in the object or the acquisition of the object | <b>One knows through Counting and Measuring</b>                                                   | <b>Parts to Whole</b>                                                                  | <b>Linear and Sequential</b><br><i>-Assembly line-</i>                            | <b>Dichotomous</b><br><i>Either/Or</i><br><i>-Newtonian theory-</i>                                                                                                  | All sets are repeatable and reproducible<br><i>-Technology-</i>                                                 |
| <b>AFRICAN<br/>AFRICAN<br/>AMERICAN<br/>LATINO/A<br/>ARAB</b> | <b>Member-Member</b><br>The highest value lies in the relationships between persons           | <b>One knows through Symbolic Imagery and Rhythm (function)</b><br><i>-Gladwell <u>Blink</u>-</i> | <b>Whole Holistic Thinking</b><br><i>-The BIG picture-</i>                             | <b>Critical Path analysis</b><br><i>-Cut to the chase-</i>                        | <b>Diunital</b><br><i>Union of opposites</i><br><b>Difrasismo</b><br><i>-Aztec thought-</i><br><b>The In Between</b><br><i>Ibn 'Arabi</i><br><i>-Quantum theory-</i> | All sets are interrelated through human and spiritual networks<br><i>-Black church-</i>                         |
| <b>ASIAN<br/>ASIAN AMERICAN<br/>POLYNESIAN</b>                | <b>Member-Group</b><br>The highest value lies in the cohesiveness of the group                | <b>One knows through Transcendental Striving</b><br><i>-Tree the forest-</i>                      | <b>Whole and parts are seen simultaneously</b><br><i>-To read a Chinese word-</i>      | <b>Cyclical and Repetitive</b><br><i>-Stroke order in writing a Chinese word-</i> | <b>Nyaya</b><br><i>-The objective world is conceived independent of thought and mind-</i><br><i>-Chaos theory-</i>                                                   | All sets are independently interrelated in the harmony of the universe<br><i>-Keiretsu-</i>                     |
| <b>NATIVE AMERICAN</b>                                        | <b>Member-Great Spirit</b><br>The highest value lies in oneness with the Great Spirit         | <b>One knows through Reflection and Spiritual Receptivity</b><br><i>-Purification rites-</i>      | <b>Whole is seen in cyclic movement</b><br><i>-Seasons-</i><br><i>-Medicine Wheel-</i> | <b>Environmentally experiential reflection</b><br><i>-Rites of Passage-</i>       | <b>Great Mystery</b><br><i>-A set of 4 and a set of 3 form the whole-</i><br><i>-Super string theory-</i>                                                            | All sets are interrelated through the elements, plant, animal, and spiritual networks<br><i>-White Buffalo-</i> |

## B) Social, Cultural and Historical Context

North American Diversity is fraught with complicated and tragic history

- **Enslavement of Africans, Genocide of First Nations, Global strife resulting in trans-global immigration etc.**

A local knowledge of how our racist history is a living legacy is necessary: Africville, Cornwallis.

(Aylward talks of the need for this knowledge to aid in our ability to “spot issues” of race)

## C) Appropriate Attitudes

Cultural competence requires that practitioners actually *value* diversity, not just tolerate it. In a nation that acknowledges multiple founding peoples, that was built up on the foundation of ethnic/immigrant labour and whose future depends on immigration any other attitude should reasonably be seen as unacceptable. (cf. “reasonable person” RvS)

# D) Communicating Across Cultures

Cross cultural communication is a complex study in cultural hermeneutics. In sociology: the context of a person's world view is necessary for the proper understanding and interpretation of behaviour and rhetoric (c.f. Voyvodic, pp. 16, 17)

Before meaningless, unnatural, non-human or immature behaviour and corresponding values are attributed to people of another culture, it is better to begin by doubting the adequacy of one's own judgment and knowledge

- **Elmar Holenstein**

## Elmar Holenstein Paraphrased

Before you conclude that I  
am crazy you should consider  
the possibility that you are  
stupid!

# E) Understand Structural Oppression

Serving as an advocate of Justice in the context of working in the justice system is complex and full of conflict.

What have you done/do you do that demonstrates generally that you understand structural oppression and are therefore accessible to and identified as an ally to racialized, Aboriginal, immigrant and otherwise marginalized individuals?

Does your language in explaining perceived racism demonstrate this commitment?

# Cultural Competence: How?

- Pre service training
- Conduct organizational assessment of Cultural Competence
- Develop organizational plan to increase Cultural Competence including social justice activities
- Employ and support culturally competent practitioners as agents of change
- Make available systematic coaching/consulting
- Provide and support continuing education in Cultural Competence

# Cultural Competence: How Not

- Do not place the responsibility for cultural competence solely on the shoulders of “diverse” staff – particularly when these persons are among the most junior persons on staff.
- Do not confuse cultural celebrations for cultural competence training.

# Q&A

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# Resources

- Voyvodic, Rose (2006). Lawyers Meet The Social Context: Understanding Cultural Competence. The Canadian Bar Review, v. 84, 563-591.
- R.v.S. (R.D.), [1997] 3 S.C.R. 484-1997-09-26, Supreme Court of Canada
- R. v. FRASER, [2011] N.S.J. No. 400 2011 NSCA 70
- Aylward, Carol A. (1999). Canadian Critical Race Theory. Halifax: Fernwood.

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