



To / À

J. Gerald Savard
Harvey Goldberg
Eddie Taylor
Donna Balkan

From / De

P. Alwyn Child
Director
Compliance Section

Subject / Objet

Hate Messages

Exempted / Severed
Protégés / Prélevés
Under / En vertu de
23
Access to Information Act
Loi sur l'accès à l'information

Security Classification - Classification de sécurité
Our File - Notre référence
Your File - Votre référence
Date 28.03.95

J. Gerald Savard, Harvey Goldberg, Eddie Taylor, Donna Balkan and P. Alwyn Child met to review and discuss the Commission's position in dealing with the publication of hate messages.

J. Gerald Savard told those present that there was a sense that the Secretary General was not briefed in a systematic way on issues related to hate messages. He suggested that a Committee comprising of those present should be formed to review our approach from time to time to an issue that is of growing concern and interest to the Commission.

The Committee discussed a recent meeting with the National Capital Freenet at which the Commission was represented by J. Gerald Savard, P. Alwyn Child and Harvey Goldberg. A copy of a report from that meeting is attached.

It was agreed that the Compliance Manual will be reviewed to determine if it should be amended. A copy of the appropriate section is attached.

The Committee agreed to meet on March 31, 1995 at 2 p.m. in the small boardroom on the 22nd floor.

P. Alwyn Child

00251

①

Produced fab

8.8 HATE LINE MESSAGES
(amended 18.05.1994)

The handling of hate line messages requires careful attention as follows:

- The region or operating unit should purchase a device at an electronics store which allows for a connection directly from the telephone to the tape recorder.
- The officer should use new tapes and be able to testify that he/she unwrapped them.
- The officer should scratch his/her initials into the inner tape case or otherwise permanently mark it in a way which he/she can later identify.
- He/she should label the tapes with the dates of the recordings i.e.: Period October 1, 1993 - October 15, 1993.
- He/she should tape over a period of consecutive days. He/She should not under any circumstances, allow anyone to tape for him/her.
- He/she should begin each recording session with his/her name, the date, the time and what phone number has been dialled.
- Between tapings, the tapes must be kept in a locked compartment (desk drawer) to which only he/she has access. He/she must not give the key to anyone else nor should he/she release the tapes to anyone without first having received direction to do so by CHRC lawyers.
- The taped message should be transcribed by the person who taped the message. The transcript should begin with the words "this is a transcript of the message played on the (example) Heritage Front Hotline (514-973-6157) recorded at 2:10 p.m. on February 3, 1993." The message will then follow. After the transcript of the message, the text should read "This is an accurate transcript of the message" and the investigator should sign the transcript. The signature should appear on a line over a typed version of his/her name i.e.:

Josée Plamondon

- The officer should expect to be called as a witness.
- There is no rule as to how many consecutive days the taping must be carried out because the gravity of the message may change. One day it might refer callers to another number, on other days it might be more substantive.

While these measures might seem excessive, they are necessary in order to proceed, in this case, with an injunction or, in other cases, to tribunal. It is absolutely essential that the continuity of evidence and chain of custody be respected to the letter.

00253



Canadian Human Rights Commission

Commission canadienne des droits de la personne

MEMORANDUM NOTE DE SERVICE

J. Gerald Savard
Harvey Goldberg
Eddie Taylor
Donna Balkan
Michel Paré

P. Alwyn Child
Director
Compliance Section

Security Classification - Classification de sécurité

Our File - Notre référence

Your File - Votre référence

Date

28.04.95

From
L.

Subject
C jet

Hate Messages Committee

The Committee met on March 31, 1995 all members were present except J. Gerald Savard.

The Committee reviewed the relevant section of the compliance manual dealing with hate messages. It was agreed that it was O.K. except for the first seven words in the last paragraph. The Committee thought that those words should be replaced by "these measures". It was also agreed that the procedures would need to be amended when organizational changes were effected.

There was some discussion on how the Secretary General should be kept informed of hate propaganda.

Exempted / Severed
Protégés / Prélevés
Under / En vertu de
21, 23
Access to Information Act
Loi sur l'accès à l'information

P. Alwyn Child

Encl.

Legal Branch
Services Juridiques
APR 28 1995
CHRC / CCDP

4

00592