

Damages awarded following police handcuffing of six-year-old girl in 2016

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The Ontario Human Rights Tribunal has ordered Peel Police to pay \$35,000 in damages due to the handcuffing of a Black six-year-old girl back in September of 2016.

On September 30, 2016, staff members at the young girl's Peel District School Board elementary school board called Peel Police in assistance of police presence due to "violent behaviour" from the young girl.

Two white Peel police officers attended the school where they bound the six-year-old by not only her wrists, but her ankles as well after the girl tried to get away from the officers. She was held in these restraints on her stomach for 28 minutes. It wasn't the first-time police were called by staff members of the school regarding the young girl.

Her family and members of the community were outraged by her treatment and pursued a civil lawsuit against Peel Police.

"While the officers had a legitimate duty to maintain the safety of the applicant, others and themselves in the circumstances where the applicant's behaviour were challenging and might have created a safety risk, this did not give them licence to treat the applicant in a way that they would not have treated a White six-year-old child in the same circumstances," said Tribunal Adjudicator Brenda Bowlby in a statement last February, where the tribunal found race to be a factor in the use of force by Peel officers.

Bowlby stated that the treatment of the young girl was shocking and punitive and found that the girl suffered severe trauma and has now shown fear of police.

The six-year-old also endured bullying and humiliation as well as shame from her friends.

"The applicant has suffered implicit harm in experiencing anti-Black racism at a very tender age," said Bowlby in a statement. "That the applicant would experience anti-Black racism at such a young age is alarming; it is clear that, because of this incident, she became aware that as a Black person, she may be subject to different treatment than a white child. The full impact of this is unknown but it is now part of the applicant's lived experience and will affect her into the future."

In addition to the amount ordered by the police force, the tribunal has also ordered Peel police to revise training and to develop a protocol response when responding to schools.

Peel Regional Police and the Board have also signed a Memorandum of Understanding (MOU) back in October to develop solutions to "identify and eliminate systemic racism in policing, promote transparency and accountability, and enhance Black, other racialized and Indigenous communities' trust in policing throughout Peel Region."

"As police leaders, we must go beyond verbal affirmations. I, along with a consortium of the willing, are making bold and meaningful changes," said Peel Police Chief Nishan Duraipappah in October. "We understand that the willingness to step out, implement changes, to drive out systemic racism without fear of failure is required and expected."

The family's identity has been protected under a publication ban, but the mother of the girl has stated in a previous news release, "I am happy this rather lengthy and difficult chapter is finally over. I can now focus on what lies ahead, which is making my daughter whole."

She added, "This decision gives my community hope where we often feel there's no recourse."