

The Fairness Prism: Evaluating the Impact of Policy Decisions on Social Inequality

What is the Fairness Prism?

The Fairness Prism is an evaluative tool whereby any and every major government policy, legislation, project or undertaking is studied in relation to its impact on social inequality. This encompasses considerations not only of wealth, but a more holistic consideration of well-being and inclusion in society.

The core question behind the Fairness Prism is, “Will this action move us towards greater social equality?” We believe all government policy should operate in pursuit of this goal. At the very least, government decisions must not exacerbate current levels of inequality; rather, we believe good policy seeks a fairer distribution of wealth and social capital and that this is in the best interest of all constituents.

This tool provides a series of questions to be considered in evaluating the potential impact of any government decision. It encourages proactive planning and engagement throughout the development of policy, legislation, and programs, as well as inviting meaningful consultation during the proposal and evaluative stages.

Feedback and contributions are welcome. Please contact [us] at [email] should you have questions, comments, or wish to collaborate further.

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Applying an Intersectional Lens to Policy Development and Evaluation

Recognizing intersecting systems of oppression and privilege

Intersectionality is a concept coined by legal scholar and activist, Kimberlé Crenshaw. It was first introduced in 1989 through her work, Demarginalizing the Intersection of Race and Sex: A Black Feminist Critique of Antidiscrimination Doctrine, Feminist Theory and Antiracist Politics.

Crenshaw's work as it is applied today, analyzes the ways in which oppressive institutions—including racism, sexism, homophobia, transphobia, ableism, xenophobia and classism—are interconnected and overlapping. Hence, they must be examined and tackled in relation to each other...

...Intersectionality recognizes the unique experiences faced by those who are subject to multiple layers of oppression and is used to highlight the different ways systems of power affect them.

The Most Vulnerable, Citizens for Public Justice

If we are to put Canada on track to reduce social inequality, it is imperative that every Ministry and government department, every elected representative, and every Senator have a basic understanding of the breadth and depth of poverty in Canada, as well as the intersecting systems of discrimination and oppression that either privilege or oppress specific populations.

Questions for policy development and evaluation:

- Who are the stakeholders in this policy/project?
 - Who stands to benefit the most?
 - Who stands to face the greatest risk or loss?
 - Who is left out?
- What are the power dynamics amongst various stakeholder groups themselves and with those implementing and evaluating this policy/program?
 - Will this policy/program promote a more equitable distribution of wealth, social capital, and/or power?

- Is there a mechanism by which those with less power are protected and/or empowered in relation to those with greater power?
 - What data is needed to assess these power dynamics?
- How might other existing policies/programs affect the implementation, uptake, and/or impact of this policy/program?
- What data is needed to assess the uptake and impact among different groups?

Complying with Existing Human-Rights Obligations and Frameworks

Canada has existing obligations to domestic and international human rights conventions and legislation which serve as useful frameworks by which to evaluate proposed policies and programs.

Listed below are examples of conventions and legislation with which consistency should be ensured at all stages of policy/program development, implementation, and evaluation. Please note that this is not a comprehensive list.

- Charter of Rights and Freedoms
- Canada Accessibility Act
- Indigenous Treaties and Land Claims
- Canada's Right to Housing Legislation
- Jordan's Principle
- International Convention on Economic and Social Rights
- Sustainable Development Goals
- UN Declaration on the Rights of Indigenous Peoples

Equitable policy development, implementation, and evaluation

The following are suggested questions and considerations to be incorporated through the development, implementation, and evaluation stages of any proposed government policy or program.

Consultation and Drafting

- Intersectional analysis of power and privilege: Who benefits? Who is left out? Who is placed at a disadvantage? What data is needed to conduct this analysis?
- Free, prior, informed consent of Indigenous peoples
- Meaningful consultation with stakeholders on proposed policy/program objectives, implementation, uptake, and evaluation, particularly with those who have relevant lived experience and those at greatest risk of ongoing or increased social inequality
- Sufficient funding, time, and compensation for lived experience consultations and advisory committees
- Concurrent consultation with members of civil society and those with professional and/or academic expertise
- Prioritization of the interests of those most disadvantaged and a more equitable distribution of wealth, power, social capital, etc.
- Compliance with existing human rights conventions and legislation
- Clear targets and timelines set, including goals related to reducing social inequality

Implementing policy recommendations and legislation

- Consider who is notified and invited regarding hearings, committee meetings, etc.
- Avoid using omnibus bills to push through legislation. Allow time and funding for meaningful feedback from stakeholders, civil society, elected representatives, and Senators.
- Ensure that strategies have been embedded in the policy/program to ensure or increase uptake by typically disadvantaged populations. Ensure there is a way to track and report on this data.
- Ensure that strategies have been embedded in the policy/program to inform, educate, and equip those implementing the policy/program; those accessing or being affected by the policy/program; and those monitoring or evaluating the policy/program.

Monitoring and Evaluation

- Ensure accountability mechanisms have been embedded in the policy/program that promote transparency; the collection of relevant, disaggregated data on the uptake and impact of the policy/program; ongoing consultation with stakeholders, particularly those who are typically disadvantaged; and public reporting.
- Ensure the policy/program identifies, monitors, and reports publicly on specific targets and timelines, including goals related to reducing social inequality.

- Engage in a continuous feedback loop with stakeholders, particularly those who are typically disadvantaged, as well as members of government and the civil service, and members of civil society.

(This is a “sampler” only of what a Fairness Impact Study (Fairness Prism) might entail. It was developed for the Religious Social Action Coalition of Newfoundland and Labrador (RSACNL) by the Citizens for Public Justice (CPJ), Ottawa, ON. The RSAC is most grateful to the CPJ for this helpful “sampler” document. Marion Pardy (Very Rev. Dr.), Coordinator, RSACNL (August 2020)