
Sector News Digest — November 5, 2019

This column is part of a new editorial feature in The Philanthropist – a bi-weekly digest of news items from, and about, Canada’s charitable and non-profit sectors. It will appear on both the website and in this email to our subscribers. You can subscribe for free [here](#). If you have tips or story ideas, please contact contributing editor John Lorinc, john@thephilanthropist.ca.

Food insecurity and race

New national research on food security shows that black families in Canada are twice as likely to struggle to afford nutritious food as white families. The study, *The Intersection of Race and Food Insecurity*, is the result of a collaboration between the Toronto-based non-profit [FoodShare](#) and the University of Toronto. It draws from Statistics Canada’s Canadian Community Health Survey (CCHS) to highlight the high rate of race-based food insecurity.

Prepared by Simran Dhunna and Valerie Tarasuk of the University of Toronto’s research program [PROOF](#), the study cites data collected from five surveys carried out between 2004 to 2014 and presented at the recent [Bring Food Home Regional Conference](#).

Of the 491,400 Canadians surveyed over the 10-year period, 10% of white households experienced food insecurity compared to 28.4% of black households.

“We need to fundamentally change how we understand and work to address issues like food insecurity in this country,” FoodShare Executive Director Paul Taylor, wrote in a recent essay in [Rabble](#). “There is no soup kitchen, food bank, community kitchen, or produce-buying club that is going to dismantle the systemic racism that sentences black people to food insecurity in Canada. We must acknowledge and tackle the racial discrimination in our education system, policing, labour, and housing markets, so that black Canadians have the same opportunities as white Canadians to survive and thrive.”

Taylor also noted that the study marked the first time that race-based disparities in household food insecurity have been intentionally examined using a population-representative national survey.

Charter healthcare ruling could impact charities

The Ontario Superior Court of Justice has [dismissed a hospital’s objection to a Charter of Rights and Freedoms challenge](#) that was brought forward after its medical staff refused to perform liver surgery on two men because of their alcoholism.

Toronto’s University Health Network (UHN) had argued that the Charter did not apply to it because it is a private entity.

“The Charter, [Justice Andras] Schreck ruled, may apply in cases where actions of a private entity are related to a specific governmental program or policy,” the [Toronto Star](#) reported. “This is especially true of cases involving hospitals,” Schreck said. “In these circumstances, it

is far from “plain and obvious” that the Charter does not apply.”

Debra Selkirk, the wife of one of the men, launched the challenge against UHN. The lawsuit challenged rules laid out by the Government of Ontario's non-profit organ and tissue donation agency, The Trillium Gift of Life Network, which oversees organ donations and transplants and regulates eligibility. Individuals with alcohol-induced liver damage are restricted unless they have been sober for six months or more. UHN cited these policies to deny Selkirk a transplant. Schreck ruled that the Charter may be applied to private institutions, like hospitals, if they deliver government programs such as healthcare.

Senate report doesn't go far enough: community foundation

The Ottawa Community Foundation is asking the Senate to consider recommending policy reforms to enable greater collaboration between charities and non-qualifying donees, as well as calling for further discussion about rules governing donor-advised funds.

Addressing the Special Senate Committee's [report](#) *Catalyst for Change: A Roadmap to a Stronger Charitable Sector*, released in June, the OCF outlined its asks in a [position paper](#), *Sector Modernization: Community Foundations and the Senate Report*, written by Director of Donor Engagement Fateema Sayani.

According to Sayani, the gap between charities' financial resources and “social deficits” should be a major impetus for change. “A coming social deficit gap (estimated to be \$25 billion by 2026), necessitates funding reform around earned income, initiated by a destination-of-funds test to adopt new models,” she wrote. “This means that in less than a decade, social-purpose organizations will need billions more than they have to deliver services.”

The report recommends that the government further investigate the regulation of donor-advised funds and also allow pilot projects that give charities the ability to contribute to non-qualified donees. “The no gifts to non-qualified donees rule inhibits collaboration, capacity, and responsiveness in the sector,” Sayani explained, adding that “the current model of a fiscal sponsor or intermediary to account for issues of direction, control, and ‘own activities,’ creates barriers to collaboration.”

The OCF's priority is a proposed pilot project that would allow charities to grant to some non-qualifying donees.