

HUMAN RIGHTS COMMISSION

ACTIVITY PLAN

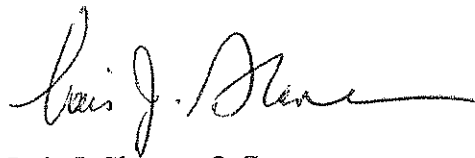
2007 – 2008

Message from the Chair:

As Chairperson of the Human Rights Commission I am pleased to present the Activity Plan for the Human Rights Commission which outlines the goals for the 2007/2008 fiscal year. This plan was prepared under my direction and in accordance with the provisions of the *Transparency and Accountability Act*.

The Human Rights Commission is classified as a Category 3 Government Entity and, as such, must prepare an activity plan taking into consideration the strategic directions of the Minister of Justice. Those strategic directions have been taken into account and it has been determined that none are applicable at this time.

As Chairperson of the Human Rights Commission, my signature below indicates the Commission's accountability for the preparation of this plan and the achievement of its goals and objectives.

A handwritten signature in black ink, appearing to read "Lois J. Skanes", with a long horizontal flourish extending to the right.

Lois J. Skanes, Q.C.
Chairperson
Human Rights Commission

Introduction

The Human Rights Commission was established by legislation in 1971. The Commission is responsible for promoting an understanding of, acceptance of and compliance with the Provisions of the *Human Rights Code, RSNL 1990, Chapter H-14*. The Lieutenant Governor in Council usually appoints six commissioners, one who serves as Chairperson and another who serves as Vice-Chairperson.

The Commission receives complaints from the public and is charged with investigating those complaints and, where appropriate, attempts to effect a settlement between the complainant and the subject of the allegations. Settlements are approved by the Commissioners prior to implementation. Where no settlement is effected a report is made to the Commissioners who then decide whether to refer the complaint to a Board of Inquiry.

Overview

Since its formation in 1971 the Human Rights Commission has served the population of Newfoundland and Labrador from its offices in St. John's. At present staff of the Commission is comprised of an Executive Director, Ms. Jane Fitzpatrick, appointed on February 21, 2007, two Human Rights Specialists and two administrative personnel. The Legislature has budgeted \$444,800 to provide for the operation of the Human Rights Commission.

During Fiscal Year 2005-2006 the Commission received 117 complaints of discrimination while during the year 2006-2007 there were 103 such complaints. On May 26, 2007 the *Human Rights Code* was amended to eliminate mandatory retirement at age 65. Employees may continue working providing they remain capable of performing their jobs. In addition, the *Code* has been amended to permit a complaint to be filed within twelve months of the alleged occurrence of discrimination. Prior to this the time frame for submitting a complaint was 6 months. It is unknown what effect these changes have or will have on the number of complaints. Due to the lack of record keeping capability, the statistics for the years subsequent to 2006-2007 are not available.

Mandate

The mandate of the Human Rights Commission is contained in Section 18 of the *Human Rights Code, Chapter HL-24.1, SNL 2004*. The Commission is responsible for promoting an understanding and acceptance of and compliance with the Human Rights Code.

Lines of Business

- Receiving, recording and investigating individual's written complaints that allege violation of the *Human Rights Code*
- Promotion of the *Human Rights Code*
- Education and research designed to eliminate discriminatory conduct
- Advising and helping individuals, group, organizations and governments on matters related to human rights

Values

The core values of the Human Rights Commission provide a guiding framework for those who are required to perform duties in accordance with the *Human Rights Code*. These values and related action statements are:

- Accessibility: The staff of the Human Rights Commission is available to the citizens of Newfoundland and Labrador through regular channels of communication.
- Accountability: Each person is responsible to ensure the provisions of the *Code* are upheld.
- Fairness & Impartiality: Each person performs their duties in a thorough and unbiased manner.
- Responsiveness: Each person is flexible in the performance of their duties to respond to the current need.

Who We Serve

The Human Rights Commission serves the citizens of Newfoundland and Labrador through fulfilling the obligations contained in the Human Rights Code.

Vision

An environment free of discrimination.

Mission

A mission statement is a result oriented statement which answers the who, what and why questions related to an organization and informs the reader of how the work of the entity supports or contributes to that of a larger supporting entity, such as a board or department or benefits the public or society at large.

The Human Rights Commission, as a category 3 government entity, has the option of adopting the Department of Justice mission indicating how it contributes to that mission, or developing its own mission. The Human Rights Commission acts as an arms length entity which reports to the Minister of Justice. Given this, the intent of the mandate, and that this transition plan is for a one year period, development of a mission with measures and indicators would be redundant of the objectives which are already developed in the current activity plan.

At the time of developing a multiyear plan (2008-2011) the Human Rights Commission will give further consideration to the development of its own mission.

Issues

In consideration of Government's strategic directions and those of the Department of Justice, the following areas have been identified as the key priorities of the Human Rights Commission for the next year. As this is an activity plan for one year the goals have an annual focus.

Goals, Objectives and Measures:

Issue 1: Protection of Human Rights

The Human Rights Commission investigates complaints that the Human Rights Code has been violated. This involves assessing the merit of a complaint against Code criteria to determine if the Code has been violated. If it is determined that the complaint meets Code criteria it is investigated and then there is an attempt to mediate a settlement. If a settlement is not reached when the full investigation is referred to the Commission. The Commission determines whether grounds exist to warrant a board of inquiry before an adjudicator. Decisions of the Commission and Boards of Inquiry are appealable to the Supreme Court.

Goal: By March 31, 2008 the Human Rights Commission will have processed complaints as per the requirements of the *Human Rights Code*.

Measure: Complaints are processed

Indicators: Number of complaints assessed against Code criteria
Number of complaints that meet Code criteria investigated
Number of mediated settlements achieved
Number of complaints referred to Boards of Inquiry

Issue 2: Public Education

The Commission has a statutory obligation to provide public education regarding human rights. Upon request, the Human Rights Commission provides educational seminars to schools, colleges, businesses, government, and other groups. The Commission also answers general inquiries on a daily basis and has its own website.

Goal: By March 31, 2008 the Human Rights Commission will have promoted an understanding of the Human Rights Code.

Measure: Understanding of the Code is promoted

Indicators: Number of educational seminars delivered
Number of general inquiries answered