



HUMAN RIGHTS COMMISSION
Newfoundland and Labrador

Human Rights Commission

Annual Report 2016-17

Message from the Vice-Chair

In keeping with the requirements of a Category 3 entity under *the Transparency and Accountability Act*, I am pleased to present the Commission's 2016-17 Annual Report. This report covers the period April 1, 2016 to March 31, 2017, and reports on the objectives, measures and indicators for the 2016-17 timeframe.

The Annual Report summarizes the work of the Human Rights Commission in the service of the people of Newfoundland and Labrador, as per the Newfoundland and Labrador *Human Rights Act, 2010*.

The Human Rights Commission accepts accountability for the preparation of this report and the actual results reported.



Kin Mackay
Vice- Chairperson
Human Rights Commission

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Introduction and Overview

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 Act, 2010* (the “Act”). The Lieutenant-Governor in Council appoints commissioners, one of whom serves as Chairperson, and another who serves as Vice-Chairperson. Commissioners are appointed for a term of 5 years and shall hold office until he or she is reappointed or his or her successor is appointed. During Fiscal Year 2016-17, the Commission members were:

- Remzi Cej (Chairperson)
- Kim Mackay (Vice-Chairperson)
- Christopher Sheppard
- Ray McIsaac
- Jorge Villanueva
- John Walsh
- Darlene Didham
- Paul Pike
- Smita Joshi

The Act makes the recognition of the inherent dignity and worth of all people, and the provision of equal rights and opportunities without discrimination, a matter of public policy in Newfoundland and Labrador. The Act aims to create a climate of understanding and mutual respect for the dignity and worth of each person so that each person feels a part of the community.

During the 2016-17 reporting period, the Human Rights Commission was staffed by an Executive Director, three Human Rights Specialists, two Lawyers, one Intake Officer and one Administrative Officer.

Contact Information for the Commission is as follows:

Address: 2nd Floor, Beothuk Building,
20 Crosbie Place, St. John’s, NL A1B 3Y8.
Phone: (709) 729-2709 or 1-888-563-5808
Email: humanrights@gov.nl.ca
Website: www.thinkhumanrights.ca
Twitter: @nlhumanrights using the hashtag #nlrights

Highlights and Shared Commitments

The second annual Human Rights Award was held on December 8th, 2016 at Government House in St. John's.

"The motivation for the Human Rights Award was to recognize human rights pioneers and leaders who have worked tirelessly to promote and build the human rights agenda in Newfoundland and Labrador. These exemplary individuals live in our communities and rarely take credit for the amazing work they do in assisting individuals to live with dignity and rights. They are modest and humble, but also courageous and outspoken in standing up for the rights of those who are deprived of their voices. They give shelter to people in need, challenge our laws when they are behind the times, propose new policies, but also hold our society's institutions and leaders to account."

- Remzi Cej, Former Chair of the NL Human Rights Commission, December 2015

The 2016 Human Rights Award was presented to Mark Gruchy, a St. John's lawyer who is a vocal advocate for those with mental health issues and for better public services. In addition to extensive professional and community experience in promoting mental health, Mark also has lived experiences of mental illness and has frequently spoken publicly about his journey.



Lieutenant Governor Frank F. Fagan, presents the 2016 Human Rights Award to Mark Gruchy.

Gemma Hickey was named the 2016 Human Rights Champion. Gemma is a widely known St. John's-based activist and up-and-coming poet. Gemma has championed many causes but is best known for co-leading the movement that legalized same-sex marriage and more recently, for walking across the island portion of the province in support of survivors of clergy abuse.



Lieutenant Governor Frank F. Fagan, presents the 2016 Human Rights Champion Certificate to Gemma Hickey.

Report on Performance

Issue 1: Public Education and Awareness

The Human Rights Commission will enhance activities to promote the *Human Rights Act, 2010*.

The Commission recognizes that proactive education and awareness are key components to preventing and reducing discriminatory attitudes and behaviours. Presently, the Commission periodically publishes and makes available on its website, guideline documents and fact sheets outlining educational research and established legal precedents for several grounds of discrimination protected under the *Human Rights Act, 2010*. These documents outline basic information about the protected grounds, what constitutes discrimination, and where the legal burden rests. The Human Rights Commission will endeavor to identify, develop, and make public additional educational materials.

Goal 1:	By March 31, 2017 the Human Rights Commission will have enhanced its public education and awareness activities.
Measure	Public education and awareness activities enhanced
Indicators	Actual Results
Education materials enhanced	In 2014-15, the Commission reviewed the educational materials on its website and began to update materials as needed.
New education materials developed	In 2014-15, the Commission identified significant gaps in the educational material provided on the website and continued to update and add new materials on a regular basis. The Commission also drafted the following new guidelines: Sexual Harassment in the Workplace; Age-Based Discrimination and the Use of Service Animals.
Human Rights Award implemented	A cross-jurisdictional scan of Human Rights Awards was completed in the summer of 2014. Possible options for a Newfoundland and Labrador specific Human Rights Award were assessed and the Working Group on Human Rights was asked to serve as an Advisory and Selection Committee that will meet to determine a rollout plan for the Award. The inaugural date of the Human Rights Award was December 10, 2015. A Human Rights Award process was implemented. The purpose is to recognize individuals who are human rights leaders and champions in the province. The Award will be

	presented every year to coincide with International Human Rights Day.
Additional presentations delivered	The number of presentations delivered was increased. The Commission conducted 37 presentations in fiscal year 2015-16, up from 31 presentations conducted in 2014-15. In fiscal year 2016-17 we conducted over 45 presentations.
Regional presence enhanced	In 2015-16, one public education session was delivered by webcast. Other online solutions will be explored.
Community outreach enhanced	<p>The development of workshops on human rights related matters began in 2015-16. A Human Rights Education Working Group was formed to develop workshops on human rights. Community expertise will also be utilized as part of this process.</p> <p>The Commission partnered with Municipalities NL, the Provincial Advisory Council on the Status of Women, Women in Resource Development, NL Fire Services and Professional Municipal Administrators to develop a workshop on respectful workplaces and sexual harassment. The Commission attended two MNL conferences in 2016-17 and participated in the launch and roll-out of the workshop.</p>

Objective 1.3:	By March 31, 2017 the Human Rights Commission will have re-assessed public education and awareness activities.	
Measure	Public education and awareness activities re-assessed	
Indicators	Actual Results	
Current educational materials reviewed and updated	Current educational materials were reviewed and updated. Updated materials, as well as new materials, will be available on the new and improved Human Rights Commission website when it goes live in 2017-18.	
Gaps in educational materials identified	Gaps in educational materials were identified.	
New educational materials developed, as required	Based on the gaps identified, new educational materials were developed, including new FAQs, and Guidelines and information about the Human Rights Commission process. These materials were developed to be accessible and use plain language.	

Issue 2: Enhance Intake and Case Resolution Process

The Human Rights Commission built on past efforts to improve the intake and case resolution processes. During fiscal year 2016-17, the Commission focused on the Voluntary Resolution Path (VRP) process. While the Commission was not able to undertake a complete evaluation of this process, an internal review indicated positive results.

In the upcoming fiscal year, the Human Rights Commission will continue to enhance awareness about the VRP and assess its investigative process to identify further efficiencies.

Goal 2:	By March 31, 2017 the Human Rights Commission will have enhanced the intake and case resolution process.
Measure	Intake and case resolution process enhanced.
Indicators	Actual Results
Current intake and case resolution processes reviewed	In 2014-15, the Commission began the process to hire an Intake Worker. The Intake Worker was hired in 2015. Once this position was fully trained a review of the intake process was conducted. In addition, our case resolution process (including voluntary resolution and investigations) was reviewed with staff.
Inefficiencies identified and addressed	<p>The Commission worked closely with OCIO during 2014-15 to review its current database functionality. The Commission and OCIO continued to work together to find workable solutions to the data needs of the Commission.</p> <p>The Commission completed a cross jurisdictional scan of intake and case resolution processes. It has introduced a new Voluntary Resolution Path. This new approach to complaint files was designed to achieve internal efficiencies in the case resolution process.</p> <p>In 2016-17, it was determined that people needed to have clear information on what is required to file a human rights complaint and how our process works.</p> <p>In order to ensure consistent messaging the following standards were developed:</p> <ul style="list-style-type: none"> • A new intake form was developed • Standard emails/letters using plain language were developed • A series of questions were developed to ask potential complainants in order to ensure we had jurisdiction to accept their complaint

	<ul style="list-style-type: none"> • Work on a step-by-step process manual was started
Progress towards addressing identified inefficiencies assessed	In 2016-17, a new intake form provides the appropriate information to ensure that the Commission has the correct jurisdiction. People respond on a more timely basis and are focused on providing enough information to draft the complaint form.
Future enhancement priorities identified	In 2016-17, the Commission continued to monitor and identify future enhancement priorities.

Objective 2.3:	By March 31, 2017 the Human Rights Commission will have assessed progress to identify future priorities.	
Measure	Progress to identify future priorities assessed	
Indicators	Actual Results	
Evaluation of the Voluntary Resolution Path process completed	During the fiscal year, the Human Rights Commission implemented a new system to track its statistics. The implementation of this system took longer than originally anticipated. At the end of the fiscal year, data was still being transitioned to the new system. The statistics required to complete an evaluation of the VRP and a review of Commission Directed Mediation will not be available until fall 2017. Statistics for 2016-17 will be posted on-line, once available.	
Evaluation results analyzed		
Pending the results of the evaluation, a plan to address identified issues developed		
Awareness activities related to VRP enhanced		
Investigation process assessed to explore options for additional efficiencies		
Commission Directed Mediation reviewed		

Opportunities and Challenges Ahead

Technological advancements continue to provide opportunities for the Human Rights Commission to have more of a presence throughout Newfoundland and Labrador. The Commission is committed to using technology to promote human rights in all regions of the province, including enhancing its use of social media and updating its website. The Commission will also seek opportunities to collaborate with other human rights serving agencies and organizations in other regions of the province. This work will be undertaken with a client-centered focus in order to achieve continuous improvement.

The Human Rights Commission will also continue to focus its efforts on reducing travel costs by utilizing technology to hold some of our Commissioners' meetings, as well as delivering more public education online.

Financial Statements

Expenditure and revenue figures included in this document are un-audited and based on public information provided in the *Report on the Program Expenditures and Revenues of the Consolidated Revenue Fund for the Year Ended 31 March 2017*. The Human Rights Commission is not required to provide a separate audited financial statement.

2.3.04. HUMAN RIGHTS

		Actual \$	Estimates	
			Amended \$	Original \$
01. Salaries		727,249	727,700	705,400
Operating Accounts:	<i>Employee Benefits</i>	8,157	8,000	8,000
	<i>Transportation and Communications</i>	15,410	14,200	14,200
	<i>Supplies</i>	11,174	10,300	10,300
	<i>Professional Services</i>	9,964	28,000	28,000
	<i>Purchased Services</i>	93,929	88,400	88,400
02. Operating Accounts		138,634	148,900	148,900
Total: Human Rights		865,883	876,600	854,300