



HUMAN RIGHTS COMMISSION

Newfoundland and Labrador

Human Rights Commission

Annual Report 2018-19



Message from our Chair

In keeping with the requirements of a Category 3 Entity under the **Transparency and Accountability Act**, I am pleased to present the Human Rights Commission's 2018-19 Annual Report. This report covers the period April 1, 2018 to March 31, 2019, and reports on the objectives, measures and indicators for the 2018-19 timeframe.

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

My signature below indicates that the Commission accepts accountability for the preparation of this report and the actual results reported.

A handwritten signature in black ink that reads "Judy A. White". The signature is written in a cursive, flowing style.

Judy White, Chair



HUMAN RIGHTS COMMISSION
Newfoundland and Labrador

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Overview

The Human Rights Commission is an independent arm's length government agency that is responsible for promoting an understanding of, acceptance of, and compliance of the **Human Rights Act, 2010**.

The **Human Rights Act, 2010** (Act) is a provincial law that protects people in Newfoundland and Labrador from discrimination and harassment. The Act recognizes the inherent dignity and worth of all people, that we all have equal rights and opportunities and should live free from discrimination and harassment.

What we do

- Receive, resolve and investigate individual written complaints that allege violations of the **Human Rights Act, 2010**;
- Promote the **Human Rights Act, 2010**;
- Educate and research issues designed to eliminate discriminatory conduct; and
- Advise and help individuals, groups, organizations and governments on matters related to human rights.

Human Rights Commissioners, who have experience with human rights issues and who have an interest in and sensitivity to human rights, are appointed by the Lieutenant-Governor in Council for a five year term. One member is designated as Chair. Commissioners meet regularly to make decisions on the disposition of complaints, special programs and discuss the strategic direction of the Human Rights Commission.

On March 26, 2019, Judy White Q.C. was appointed for a five year term as Chair of the Human Rights Commission. Judy White is a Mi'kmaq grandmother and member of the Flat Bay Band. She currently resides in Conne River, NL. Ms. White is the first Indigenous woman to Chair the Human Right Commission



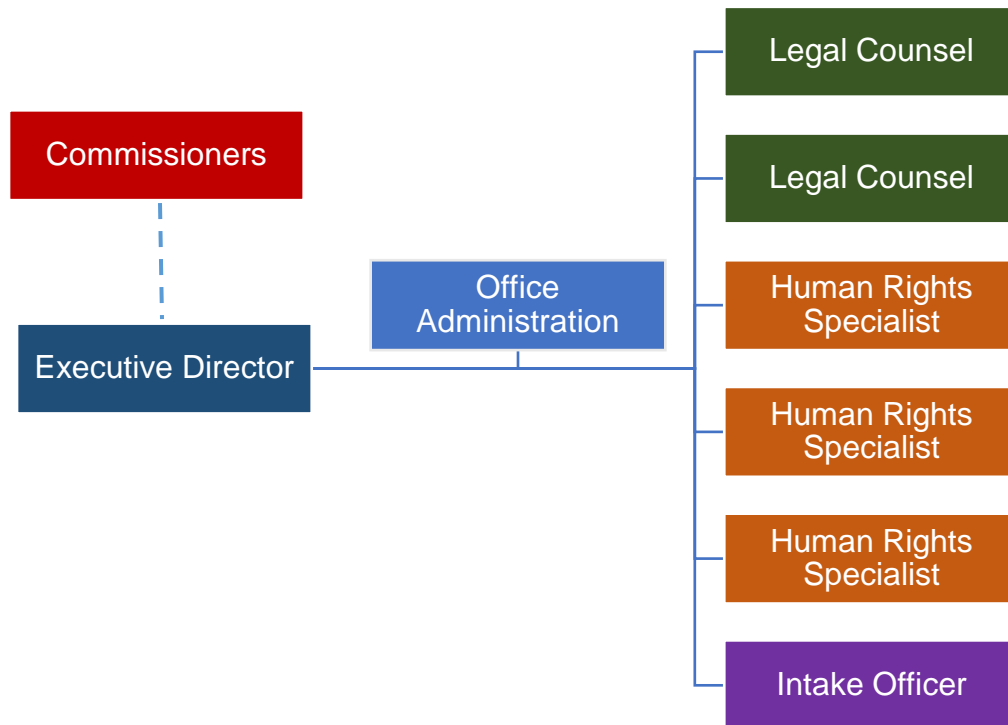
As of March 31, 2019, the Commission members were:

- Judy White, Chair
- Kim Mackay, Vice-Chair
- Ray McIsaac
- Smita Joshi
- Lauren Carter
- Karen Chaisson
- Madelyn Kelly
- Victor Lundrigan
- Gobhina Nagarajah
- Tina Hennessey, Office Administrator





The Human Rights Commission is located on the 5th floor of 50 Elizabeth Avenue, St. John's. The office is currently staffed by an executive director, three human rights specialists, two lawyers, one intake officer, and one administrative officer.



For more information on the Human Rights Commission, visit www.thinkhumanrights.ca/about-us/.

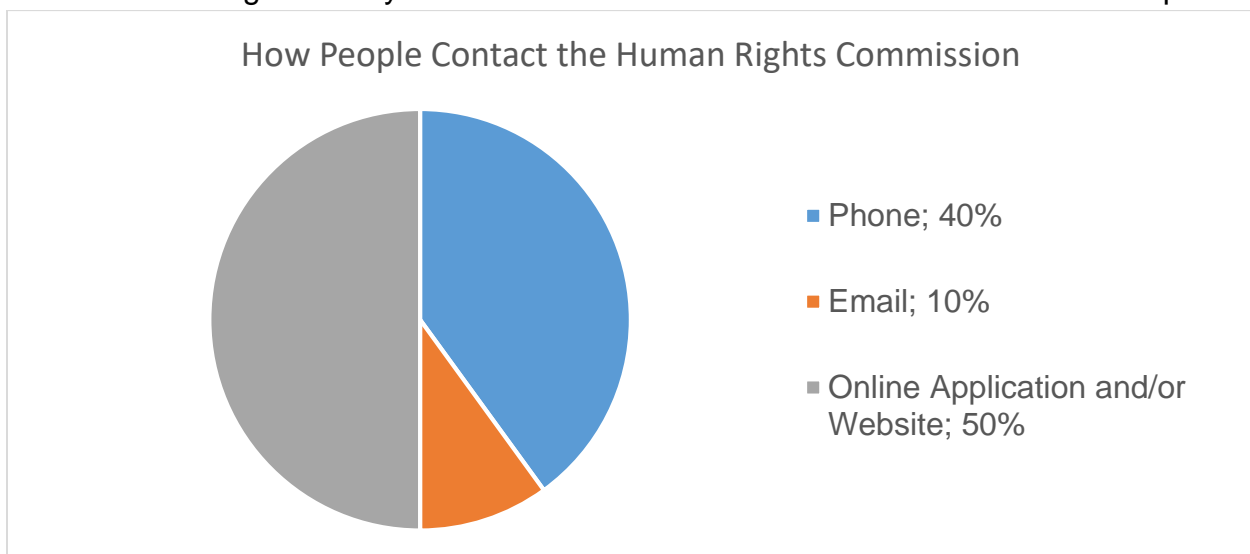
Highlights and Partnerships

Complaint Process

The Human Rights Commission continues to make its complaint process more efficient. While we have made progress, more is needed. The Commission took a new approach to complaint resolution in 2018-19, with a focus on simplifying the complaint process. A new case assessment procedure was introduced and the website/guidelines were reviewed and rewritten to be more user friendly.

The Human Rights Commission is also giving parties better tools to self-represent or self-advocate throughout the human rights complaint process. Access to justice requires the Human Rights Commission to focus, in part, on self-representation tools that let people navigate the human rights system independently and without a lawyer.

Another example of this is the new online application and “how-to” form. In 2018-19, nearly 50 per cent of the people contacting the Human Rights Commission accessed the website and/or the online application form as the point of first contact. The guideline was also edited throughout the year based on feedback received from members of the public.



Lastly, a new pre-complaint resolution pilot project was introduced in 2018-19. Pre-complaint resolution can only happen if:

- The alleged discrimination is ongoing and a person primarily wants it to stop
- The alleged discrimination is happening within our jurisdiction
- The complaint can be easily resolved
- The complainant consents and is interested in resolving

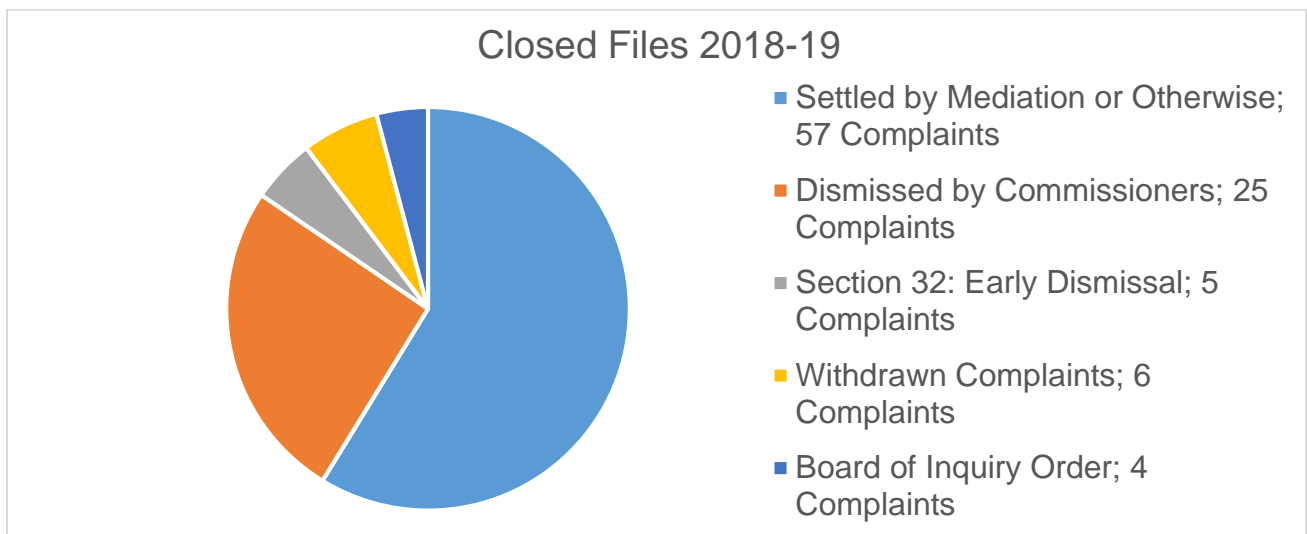
In 2018-19, 27 out of 93 (29 per cent) complaints accepted were resolved in the pre-complaint resolution pilot project. That means that the complaint was resolved quickly without the need to serve it as official complaint on a respondent.

The Human Rights Commission continues to concentrate its efforts on resolving complaints in different ways other than the traditional investigative/litigation route. The



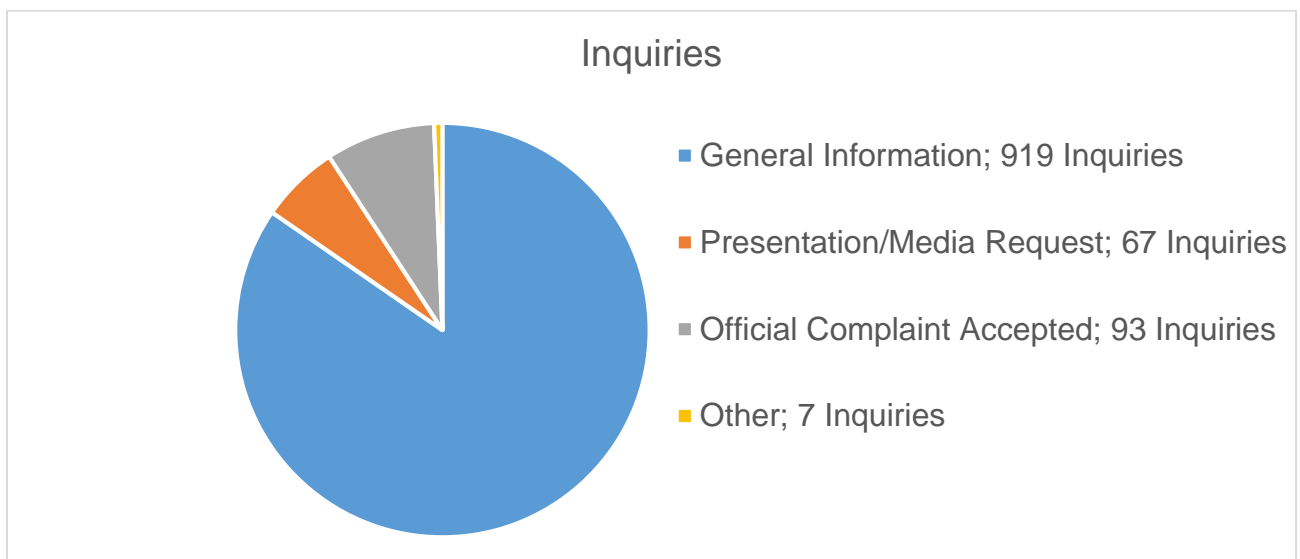
HUMAN RIGHTS COMMISSION
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Human Rights Commission closed 97 official complaints in fiscal year 2018-19, up from 83 closed files in the last fiscal year. Of all complaints closed this year, 59 per cent were resolved by mediation or otherwise.



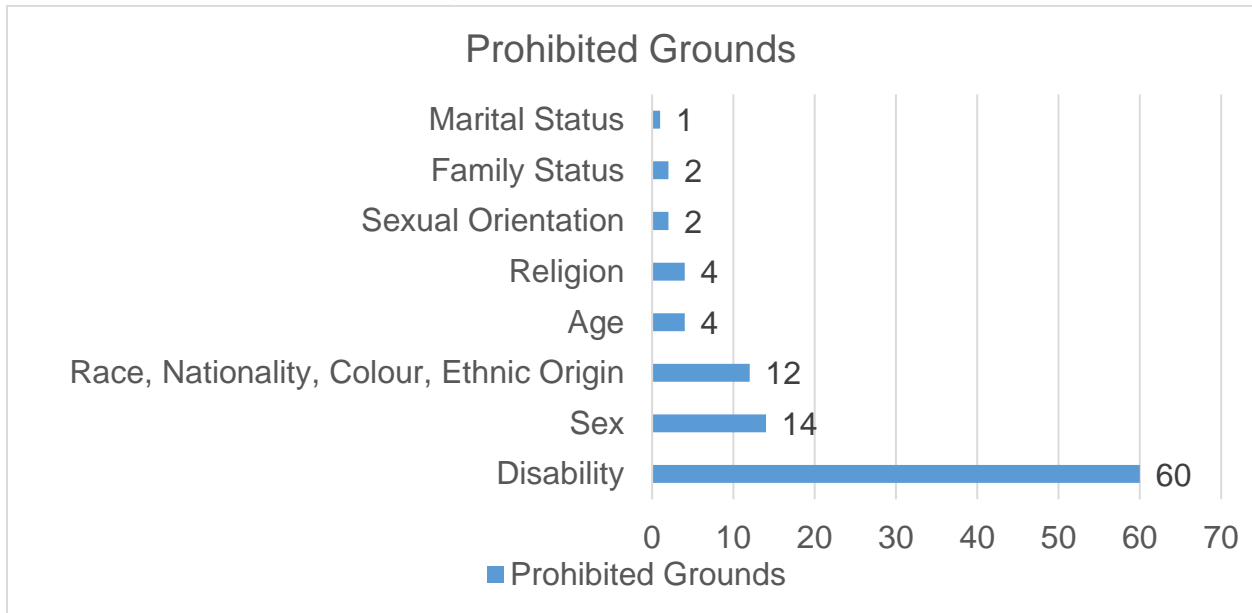
Complaint Statistics

In 2018-19, the Human Rights Commission received 1086 inquiries, which can be categorized as follows:



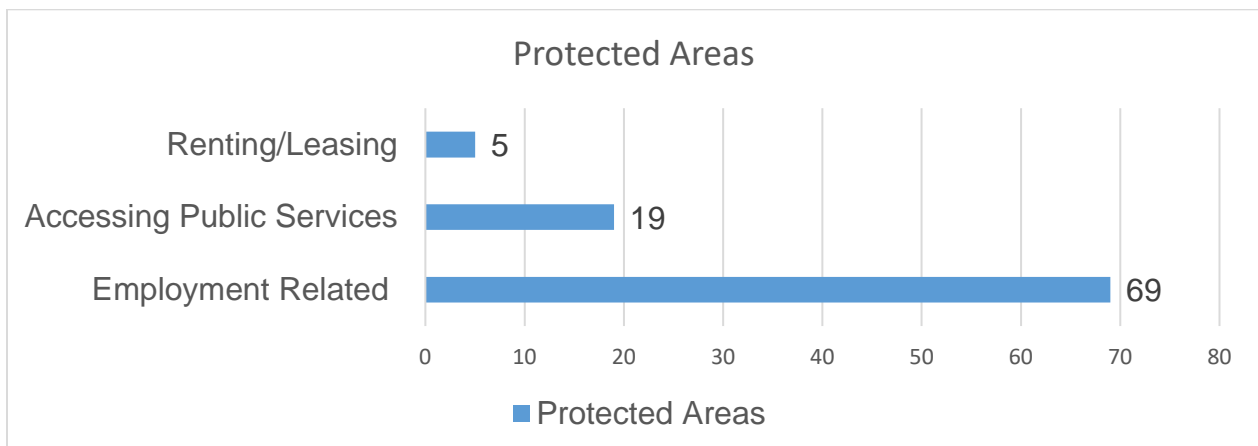
Prohibited Grounds and Protected Areas

The Human Rights Commission accepted 93 official complaints in fiscal year 2018-19, which is an increase of 13 official complaints from the previous year. These complaints are broken down by prohibited grounds and protected areas as follows:



*Note: some complaints can be filed under more than one prohibited ground

Protected Areas



*Note: “Employment Related” includes at work or while looking for work

“Renting/Leasing” can include renting a home/apartment or leasing a business space.

Report on Performance

Issue 1: Public Education and Awareness

Education and awareness are key components to reducing and preventing discriminatory attitudes and behaviours.

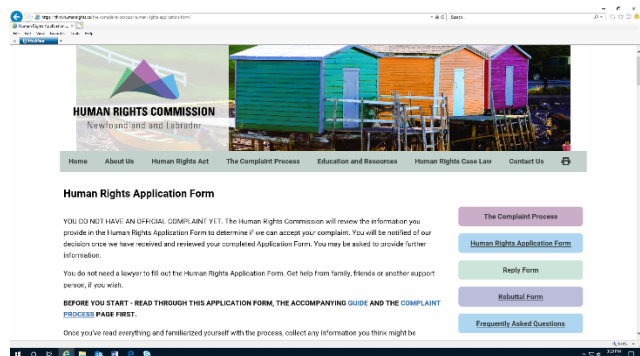
Goal 1: By March 31, 2020, the Human Rights Commission will have enhanced its public education and awareness activities

Objective 1.2: By March 31, 2019, the Human Rights Commission will have continued work towards enhancing its public education and awareness activities.

Indicator 1: Online forms implemented

In 2018-19, the Human Rights Commission launched a new web-based application form and user guide. When people first contact the office, they may be asked to fill out an application form on-line. In the past year, 50 per cent of people who contacted the office used the website and/or the application form as their first point of contact.

The application form allows a person to describe some general information about their complaint. The information contained in the application form will help determine if “reasonable grounds” exist to accept a complaint.

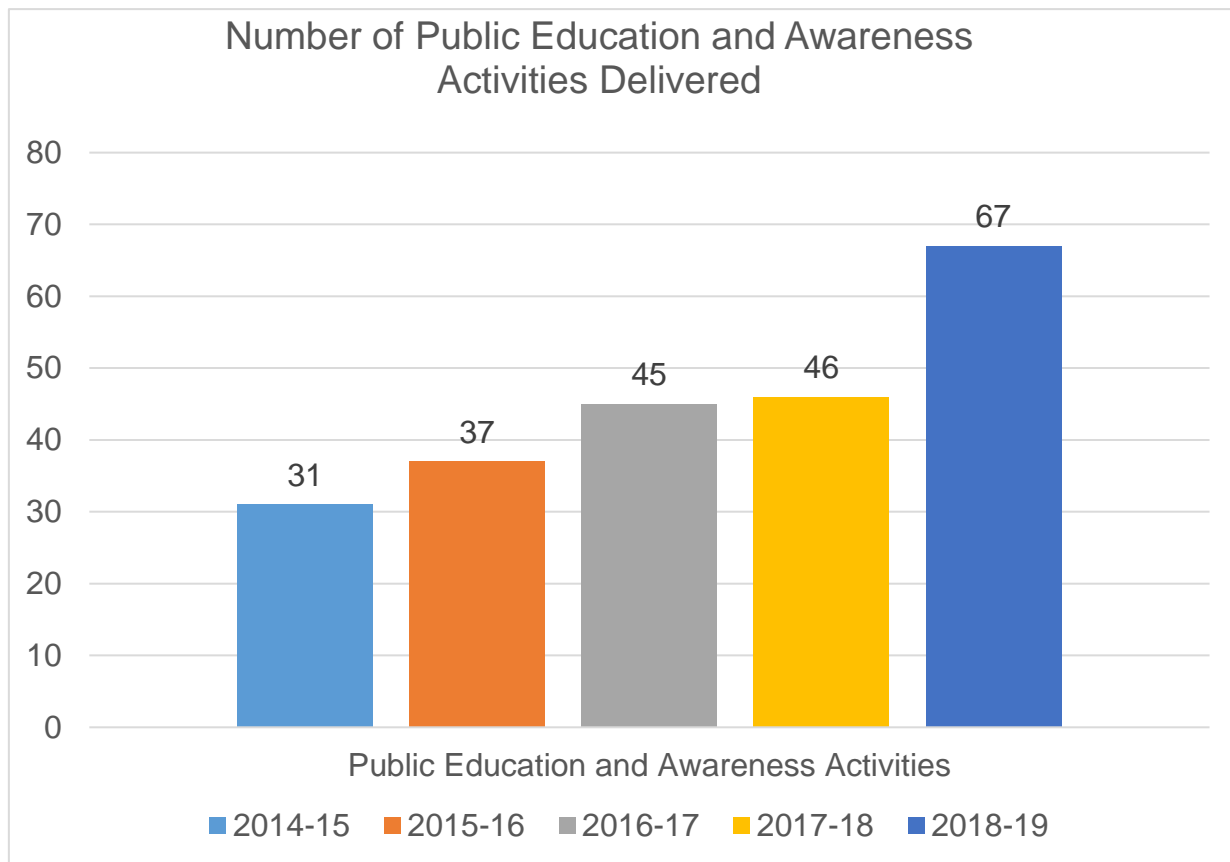


The application form is user-friendly, written in plain language and designed to be as accessible as possible, including being mobile friendly. The Human Rights Commission has also developed an on-line reply and rebuttal form. User guidelines will be drafted in year 2019-20 to assist people with filing out these forms.

In 2019-20, the Human Rights Commission will evaluate the accessibility and functionality of the on-line forms and make any necessary adjustments.

Indicator 2: Public education and awareness activities delivered

The Human Rights Commission has significantly increased its public presence over the last five years. The number of public education presentations have more than doubled and the type of participation has changed. The Executive Director teaches human rights at the Law Society’s Bar Admission Course and regularly presents on human rights issues to employers, governments, schools and community groups. The Executive Director is a featured speaker at many larger conferences and symposiums, with a particular interest in diversity and inclusion. The Human Rights Commission also comments regularly in the media about human rights related issues and has a growing social media presence with over a 1,000 Twitter followers.



Indicator 3: Community outreach activities completed

The Human Rights Commission continues to partner with community groups on public engagement projects. The Human Rights Commission also hosted the annual Human Rights Award Ceremony in December 2018.



The 2018 Human Rights Award winner was Kim White. Ms. White was born and raised in the rural community of Twillingate, but currently lives in St. John's. At age three, she acquired a disability due to a spinal cord tumour. Experiencing life with a disability fed her desire to help create a "just world" and she credits her parents for her strong sense of altruism and compassion. Educated at Memorial University with a Bachelor of Arts and a Bachelor of Education, Ms. White fulfilled a life-long dream to become a teacher. Ms. White's life's work has been mainly in the non-profit sector focusing on adult education, employment and career services, poverty reduction, and community development.

The Human Rights Commission also recognized two Human Rights Champions, Anastasia Qupee and Joanne Thompson, at the ceremony.



Anastasia Qupee is a role model in her community. An Innu from Sheshatshiu, Labrador, she was the first female Chief of her First Nation, serving two terms from 2004 until 2010, and the first female Grand Chief of Innu Nation from 2014 to 2017. She is a mother of three and a grandmother of two. She is the Chair of the board of the Charles J. Andrew Youth Treatment Centre, and a board member of the Labrador Wellness Centre. She has previously served as board member of Labrador



Grenfell Regional Authority and Innu Nation. A strong advocate of healthy living, she is currently working as the Social Health Director for Sheshatshiu Innu First Nation.

Joanne Thompson is the Executive Director of The Gathering Place (TGP): a non-profit, street level, community service centre that provides a primary health care collaborative to persons who are homeless or precariously housed, through health and social supports in an inclusive, low barrier setting. Joanne has been involved with TGP for over 13 years as a volunteer, board member and volunteer Registered Nurse. She has assisted to engage multidisciplinary professionals and agencies within a collaborative primary health initiative. Joanne has championed for the most marginalized, the invisible homeless, within our society.

Objective 1.3: By March 31, 2020, the Human Rights Commission will have assessed its progress towards enhancing public education and awareness activities

Indicators:

- Continue to increase public education awareness activities
- Continue to increase community outreach activities
- In 2019-20 we will also evaluate the accessibility and functionality of the online forms and make any necessary adjustments

Issue 2: Resolving Human Rights Complaints

Goal 2:

By March 31, 2020, the Human Rights Commission will have enhanced the case resolution process.

Objective 2.2: By March 31, 2019, the Human Rights Commission will have researched human rights legislative frameworks and practices in other jurisdictions to inform its work.

Indicator: Research on human rights legislative frameworks and practices compiled

The Human Rights Commission compiled research on legislative frameworks and practices from national and international partners. This research will help inform modifications being made to the complaints process to make it more effective and efficient.



Indicator: Research on human rights legislative frameworks and practices analyzed

Human Rights legislative frameworks and practices both nationally and internationally were reviewed and analyzed in 2018-19. This will further guide the work of enhancing the case resolution process.

Indicator: Feasibility of new legislative frameworks and practices assessed for Newfoundland and Labrador

A review of both national and international legislative frameworks and practices highlighted initiatives that can be adopted in Newfoundland and Labrador and those that cannot be implemented at this time due to limited resources or the limitations of the **Human Rights Act, 2010**.

Objective 2.3: By March 31, 2020, the Human Rights Commission will have analyzed information available through the new case management system to ensure it is meeting the data and information needs of the Commission.

Indicators:

- Case management system reviewed and analyzed
- Case management system deficiencies resolved
- Data and information needs (statistical records) strengthened

Opportunities and Challenges

The Human Rights Commission faced a number of operational challenges in the 2018-19 fiscal year. As the Chairperson position was vacant and some of the Human Rights Panel of Adjudicators' terms had lapsed, the Human Rights Commission was limited in its ability to hold hearings during this time period. The vacancy in the Chairperson role was filled by Judy White's appointment in March, 2019. In addition, appointments to the Human Rights Commission Panel of Adjudicators were announced.

Technological advancements continue to provide opportunities for the Human Rights Commission to have more of a presence throughout Newfoundland and Labrador. The Human Rights 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 and online forms. The Human Rights 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.

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 2019”. The Human Rights Commission is not required to provide a separate audited financial statement.

HUMAN RIGHTS COMMISSION

		Estimates		
		Actual \$	Amended \$	Original \$
01. Salaries		729,098	729,500	690,500
Operating Accounts:	Employee Benefits	8,214	8,500	8,500
	Transportation & Communications	15,385	14,700	14,000
	Supplies	12,189	10,400	9,200
	Professional Services	34,343	44,400	18,400
	Purchased Services	21,178	18,800	13,500
	Property, Furnishings and Equipment	-	-	-
02. Operating Accounts		91,309	96,800	63,600
Total Human Rights		820,407	826,300	754,100