



# **HUMAN RIGHTS COMMISSION**

Newfoundland and Labrador

Human Rights Commission  
Annual Report 2021-22



## Message from the 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 2021-22 Annual Report. This report covers the period from April 1, 2021 to March 31, 2022, and reports on the objectives and indicators for the 2021-22 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**.

My signature below indicates that the Human Rights 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 style and is placed over a light grey rectangular background.

Judy White, K.C.  
Chair



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## Overview

The Newfoundland and Labrador Human Rights Commission (the Commission) is an independent government agency responsible for promoting and protecting human rights in the province. This includes:

- Administering the **Human Rights Act, 2010**
- Investigating and resolving human rights complaints
- Giving legal information to individuals, groups and organizations who are concerned with human rights
- Preventing discrimination through education and training
- Working with community partners

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

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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 Commission.

Judy White, Q.C. was appointed for a five-year term as Chair of the Commission in March 2019. Judy White is a Mi'kmaq grandmother and member of the Flat Bay Band. Ms. White is the first Indigenous woman to Chair the Commission.

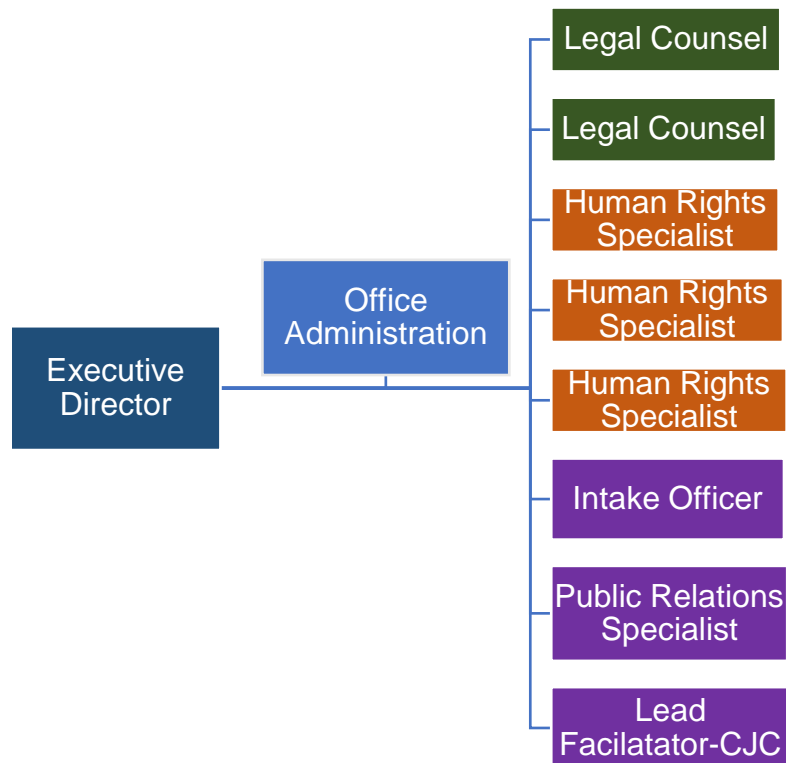




As of March 31, 2022 the Commission members were:

- Judy White, Q.C., Chair
- Dr. Smita Joshi, Vice-Chair
- Lauren Carter
- David Oxford
- Soraya Carrim White
- Gobhina Nagarajah
- Madelyn Kelly
- Victor Lundrigan
- Colleen Simms

The office is currently staffed by an executive director, three human rights specialists, two lawyers, one intake officer, one administrative officer, and one public relations specialist.





The Commission’s mandate, lines of business and vision can be found in the Commission’s [Activity Plan for 2020-23](#). Learn more about the Commission at [www.thinkhumanrights.ca](http://www.thinkhumanrights.ca).

## Highlights and Partnerships

### Continued Impacts of COVID-19

Commission staff continued to work from home through most of 2021-2022. The Commission’s number one priority was, and always has been, the health and safety of staff and community members. The Commission has made a commitment to harnessing plain language, online forms, and e-filing to promote an accessible process that accommodated employees. The Commission continues to update its COVID-19 guidelines entitled “Human Rights Complaints COVID-19 Notice” and “COVID-19 and Human Rights – Best Practices” (<https://thinkhumanrights.ca/human-rights-and-COVID-19-best-practices/>). The Commission did many media reports on the impact of COVID-19 and human rights. They have also joined other Commissions from across the country in calling for a human rights approach to COVID-19. The call recommended that governments, employers, and service providers consider how their actions can increase the existing inequalities of the most marginalized groups. The Commission continues to stand by this statement and support individuals who need flexible work accommodations.

### Community Justice Connect

The Human Rights Commission received funding from Canadian Heritage to develop a new restorative justice initiative in the province. Community Justice Connect is a free, voluntary, and confidential service. The program provides a variety of conflict resolution services to racialized, Indigenous, and religious minority communities both online and in person. Community Justice Connect has offered its range of conflict assistance services through trained volunteer community facilitators, supported by a lead facilitator.



Throughout 2021-22, the Commission had 18 complaints directed to Community Justice Connect with six of those cases closed and one resolved. The Commission is confident that Community Justice Connect will continue to tackle systemic issues that work to prevent racialized,



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Indigenous, and religious minority communities from accessing needed services and equitable treatment throughout 2022-23. The Commission supports this belief as Community Justice Connect will continue to provide a restorative justice approach to problems, conflict, and harm. The facilitators will continue to focus on the harm done, as well as the needs and obligations of the people involved. This aligns with the Commission's focus on engagement and dialogue, and reflects their commitment to understanding and supporting individuals. Community Justice Connect will also apply an anti-racist approach to restorative justice. This means that the volunteers are trained in this approach, do not have preconceived ideas of how the conflict should be resolved, and take direction from the people harmed.

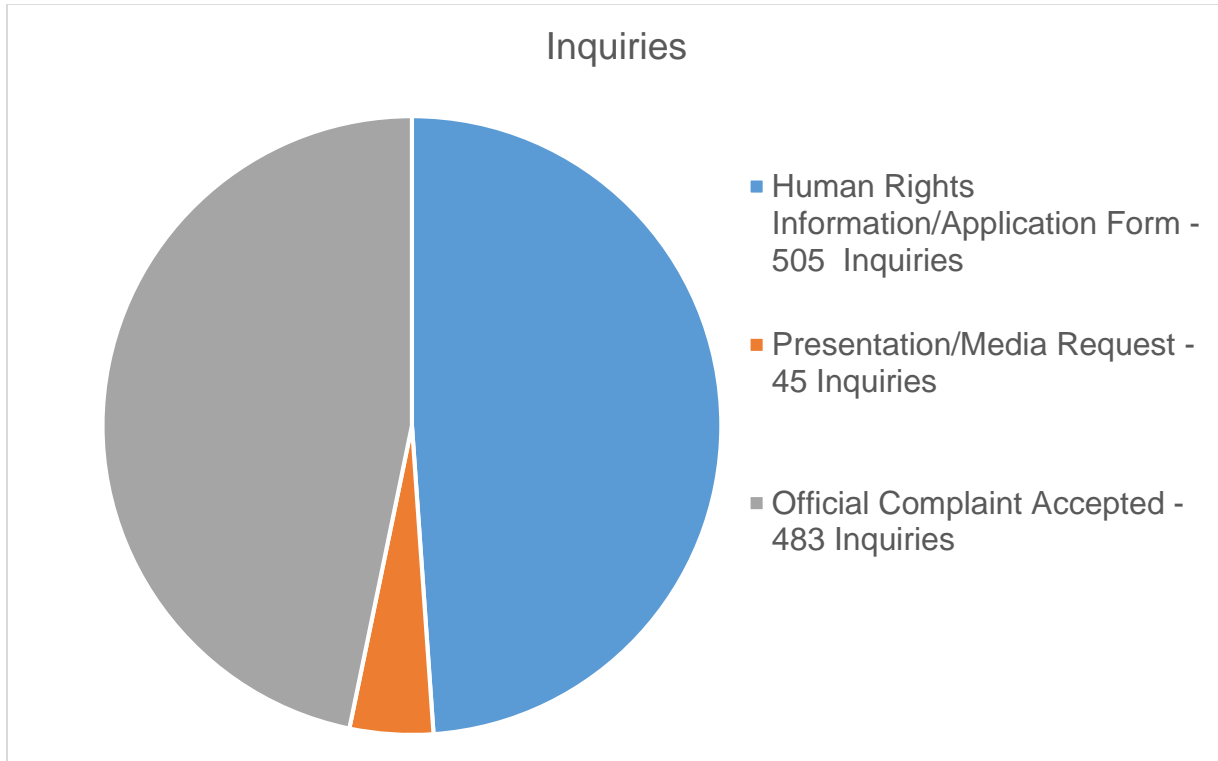
### **Access to Justice**

The Commission continues to develop better tools for people to self-represent or self-advocate for themselves throughout the human rights complaint process. Access to justice requires the Commission to focus, in part, on self-representation tools that let people navigate the human rights system independently and without a lawyer. The Commission will continue to assist people who have complaints or refer them to other services if the Commission does not have the jurisdiction to accept a complaint. Another aspect of access to justice is to simplify the complaints process. The Commission's website, online forms, and guidelines continue to be reviewed and updated. The Commission is now looking to enhance this process with the hiring of their new Public Relations Specialist. The Commission developed new Rules of Procedure for human rights hearings. The purpose of the Rules is to explain what happens during a human rights hearing to ensure all parties have an understanding of the process. The changes were well received and the Commission made minor adjustments based on user feedback: <https://thinkhumanrights.ca/hearing-rules/>.

### **Complaint Statistics**

In 2021-22, the majority of people continued to contact the Commission through email communications, the online application form, or the website. However, the Commission received a dramatic increase of phone calls from people about the human rights implications of COVID-19. The front-line staff at the Commission responded to this challenge diligently, efficiently, and with professionalism.

In 2021-22, the Commission received 1033 inquiries. The inquiries can be categorized as follows:



### **Prohibited Grounds and Protected Areas**

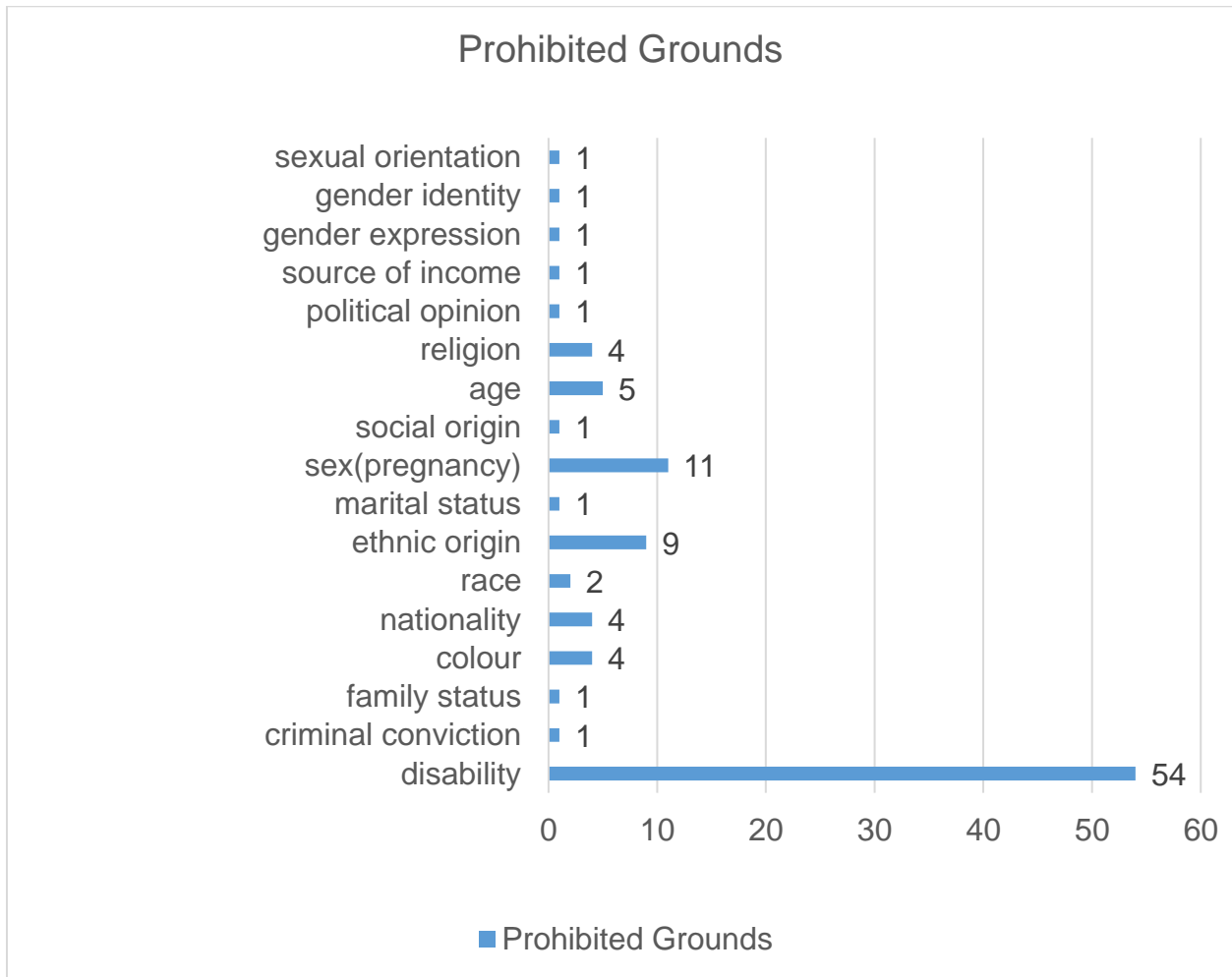
The Commission accepted 82 official complaints in fiscal year 2021-22. Of these 82 complaints, one was resolved in pre-complaint mediation and 12 people chose not to have their complaint served on a Respondent.

The remaining 69 complaints are broken down by prohibited grounds and protected areas as follows:



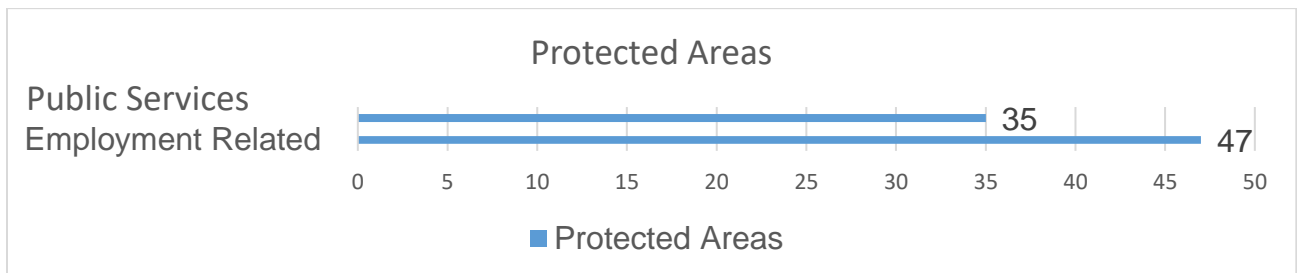


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\*Note: some complaints can be filed under more than one prohibited ground.

### Protected Areas



\*Note: Employment Related includes at work or while looking for work.

## Report on Performance

### Issue 1: Public Education and Awareness

During 2021-22, the Commission focused on strengthening its social media presence, expanding its community outreach activities and increasing access to human rights public education and awareness opportunities. The Strategic Issue of public education and awareness takes into account Government's strategic direction of better living, as communicated by the Minister of Justice and Public Safety.

**Objective 1.2:** By March 31, 2022, the Commission will continue to focus on public education and awareness activities.

**Indicator 1:** Continue to implement changes to website and public communication materials.

Results: Funding was approved to hire a Public Relations Specialist. On March 22<sup>nd</sup>, 2022, a job offer was accepted and an individual committed to building the public relations strategies of the Human Rights Commission and developing the website to reflect accessibility. The Commission's new public relations strategies are anticipated to build its public profile so that people within the province are aware of the rights they have as individuals. A more accessible website will mean that information is clearer and easier for people to obtain. The Commission foresees that this work will break barriers for people in this province with regard to accessing education, information, and organizational insight through email newsletters, webinars, and increasing media presence.

**Indicator 2:** Continue to increase public education and awareness activities through public presentation, media interviews, and community outreach and partnerships.

Results: The Human Rights Commission has engaged with media outlets and partnered with organizations to comment on ongoing societal issues that impacted human rights. Throughout 2021-22, the Executive Director has commented on numerous societal issues including the need for services tailored to Indigenous, racialized, and religious minority community members. The Commission highlighted their program Community Justice Connect to promote the services they offer and announce they are actively working to fill this service gap. The Executive Director also commented on COVID-19,



the impacts of racism in Newfoundland and Labrador, and the rights of Canadians as outlined in the **Canadian Charter of Rights and Freedoms**.

**Objective 1.3:** By March 31, 2023, the Commission will have demonstrated enhancements to increased public education and awareness activities.

**Indicators:**

- The Public Relations Specialist will develop new public relations strategies.
- The Commission will continue to work with media outlets to promote the human rights of people in this province.
- The Commission will review public relations strategies.

## Issue 2: Resolving Human Rights Complaints

Over the past several years, the Commission has been implementing a new case management system. This work continued in 2021-22. The aim of the new system is to produce better and more reliable statistics and to identify human rights trends. The case management system identifies areas of improvement within the case management process. This data will assist the Commission in focusing its efforts on improving human rights in the province using evidence-based information.

**Objective 2.2:** By March 31, 2022, the Commission will have continued to implement the complaint resolution enhancements.

**Indicator 1:** Continue to identify updates to the Case Management/Information Management system.

Results: The Commission is going to continue working on this objective with the Office of the Chief Information Officer (OCIO). The complaints system continues to be reviewed to determine areas for improvement. By doing this, the Commission is able to inform the new system as needed for proper development throughout 2022-23.

**Indicator 2:** Implement new investigation rules for a more streamlined, accessible investigation process.

Results: An important step in the implementation of new investigation rules for a more streamlined investigation is the hiring of a new Public Relations Specialist at the Commission in March 2022. This role is dedicated to gathering feedback from previous



connections and is essential to determining how the Commission can create a more accessible and streamlined investigation process. While the indicator was not fully achieved in 2021-22, the Commission took a significant step towards the overall achievement of the Commission's Issue of Resolving Human Rights Complaints, which is consistent with Government's strategic direction of Better Living.

**Objective 2.3:** By March 31, 2023, the Human Rights Commission will have completed complaint resolution enhancements.

**Indicators:**

- The Commission will continue to enhance complaint resolution by collecting user feedback.
- The Commission will continue its work to provide accessibility throughout the form process.



## Opportunities and Challenges

Throughout 2021-22, the Commission faced numerous challenges that provided room for growth. It has been difficult navigating the ever-changing COVID-19 protocols, but the Commission has been adapting and has continued to provide assistance to the residents of Newfoundland and Labrador as needed. With the recruitment of a new articling student in June 2022, the Commission looks forward to updating this section of the website in the coming year to reflect current COVID-19 practices and procedures.

Community Justice Connect has been doing great since the soft-launch on July 26<sup>th</sup>, 2021. To date, the service has received 35 inquires for information through email, phone and by completing the online form. As the population continues to grow and diversify, the Human Rights Commission is excited to provide this service to anyone who self-identifies as Indigenous, racialized or is of religious minority. The Commission is excited to continue developing Community Justice Connect to be a responsive, adaptive process that tailors to the individual needs of those involved. This project has the potential to make Newfoundland and Labrador a leader in bridging the gap between restorative justice and the work of anti-racism advocates. It provides a relationship-focused, but practical way for Indigenous, racialized, and religious minorities to resolve conflict. The Commission looks forward to seeing what comes next with this exciting project.

The Commission faced challenges with providing education and promotion initiatives throughout 2021-2022, as there was a lack of human resources. To prevent this from delaying the Commission's progress throughout the 2022-23 fiscal year, the Commission has hired a Public Relations Specialist who is dedicated to promoting the Commission and increasing public presence. The Commission has identified the areas that are in need of development and is looking forward to creating an engagement plan that works to meet the needs of those in the community. The Commission will do this by prioritizing accessibility and building partnerships with community organizations to obtain feedback. The Commission will also strive to educate members of this province by establishing a webinar series that further promotes human rights.



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## 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 2022.” The Commission is not required to provide a separate audited financial statement.

### HUMAN RIGHTS COMMISSION

		Estimates	
		Actual \$	Original \$
01. Salaries		765,619	793,700
Operating Accounts:	Employee Benefits	6,731	8,200
	Transportation & Communications	5,111	13,500
	Supplies	3,825	10,400
	Professional Services	43,621	24,900
	Purchased Services	30,907	22,700
	Property, furnishings, and equipment	737	-
02. Operating Accounts			
01. Revenue – Federal		(103,740)	(109,200)
<b>Total Human Rights</b>		<b>752,810</b>	<b>764,200</b>