



HUMAN RIGHTS COMMISSION

Newfoundland and Labrador

Human Rights Commission Annual Report 2022-2023



Message from the Human Rights Commission

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 Annual Report. This report covers the period from April 1, 2022, to March 31, 2023, and reports on the objectives and indicators for the 2022-23 fiscal year.

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, appearing to read "Dr. Smita Joshi".

Dr. Smita Joshi
Vice-Chairperson



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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** (the Act)
- 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 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.

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, K.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, 2023 the Commission members were:

- Judy White, K.C., Chair
- Dr. Smita Joshi, Vice-Chair
- Gobhina Nagarajah
- Madelyn Kelly



HUMAN RIGHTS COMMISSION
Newfoundland and Labrador

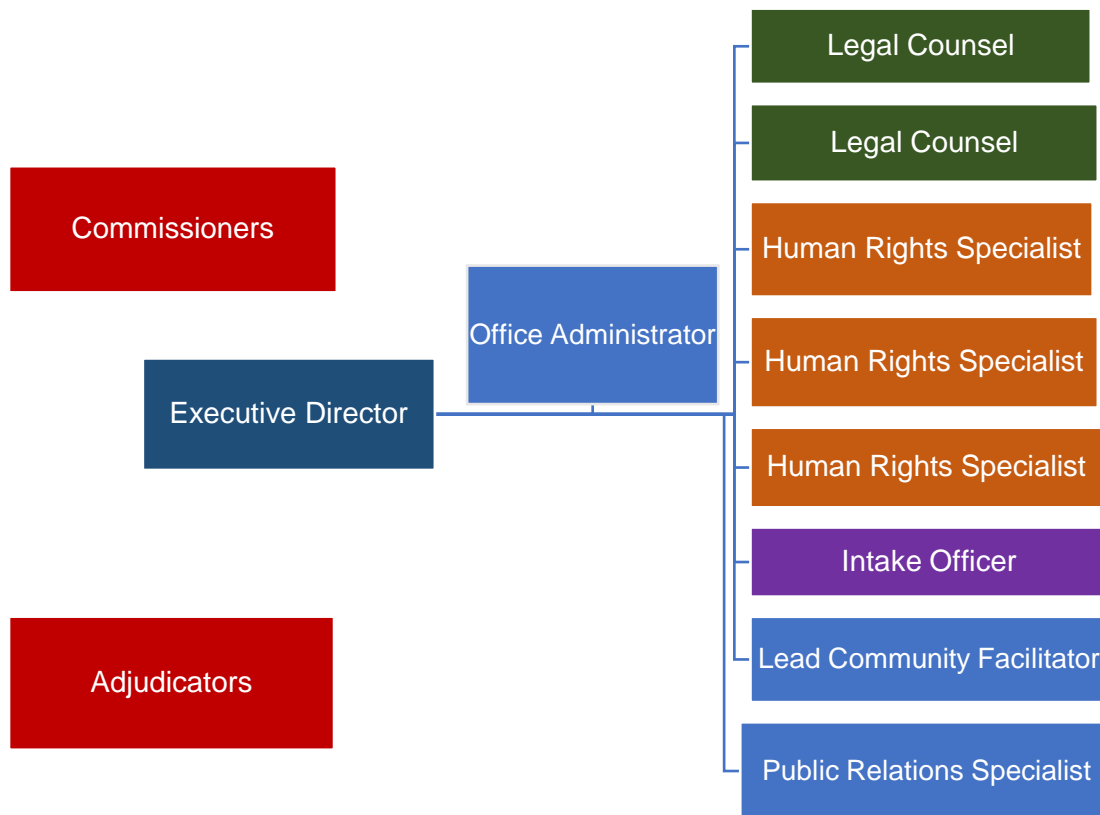
- Lauren Carter
- David Oxford
- Soraya Carrim White
- Victor Lundrigan
- Colleen Simms

The Commission's mandate, lines of business and vision can be found in the Commission's Activity Plan for 2020-2023. Learn more about the Commission at www.thinkhumanrights.ca.

The office staff administer the Act and run the day-to-day operations of the Commission. The Commission serves the people of Newfoundland and Labrador from our office in St. John's. The Human Rights Commission is located at 84-86 Elizabeth Avenue (Regatta Plaza) on the second floor. As of March 31, 2023, the Commission is staffed by an Executive Director, three Human Rights Specialists, two Lawyers, one Intake Officer, one Administrative Officer, one Lead Community Facilitator, and one Public Relations Specialist.



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Primary Clients

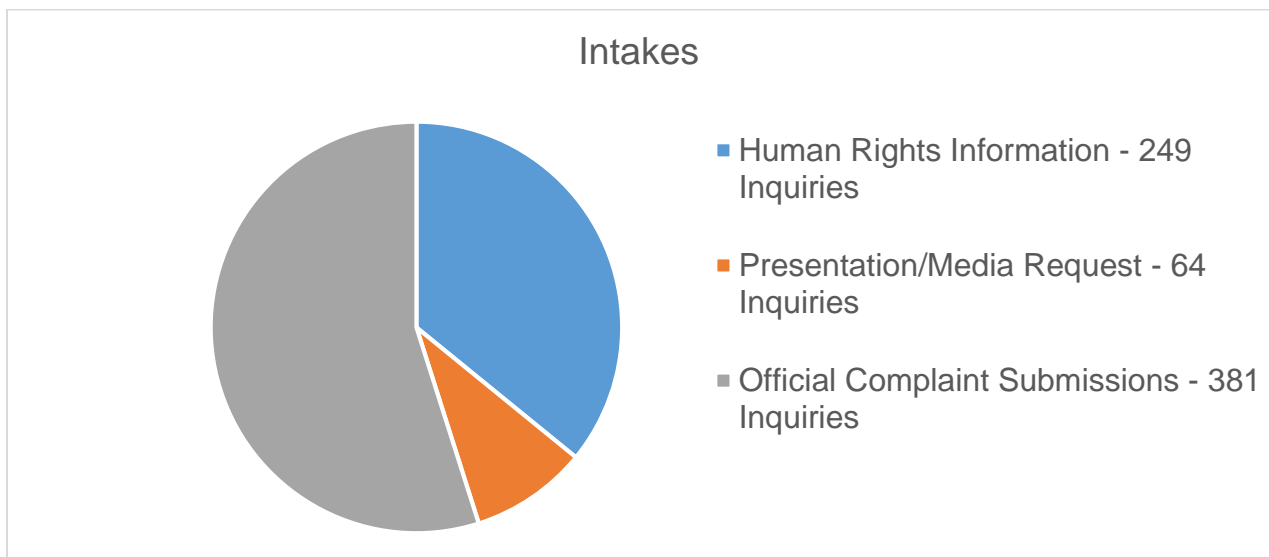
As mandated in the **Human Rights Act, 2010**, the Human Rights Commission serves the interests of the people of Newfoundland and Labrador. The Human Rights Commission also assists individuals, groups and organizations who are concerned with human rights, and provides advice to Government concerning human rights.

Complaint Statistics

In 2022-23, the majority of people continued to contact the Commission through the human rights complaint form on their website, email, and phone. Phone calls received during the year predominantly concerned fundamental human rights issues including food insecurity, inaccessible housing, access to health care, and poverty. However, the Commission was

unable to track many of these inquiries in the case management system, as these situations are not captured under the Act. In addition, the Commission resumed walk-in consultations following the COVID-19 global pandemic during 2022-23.

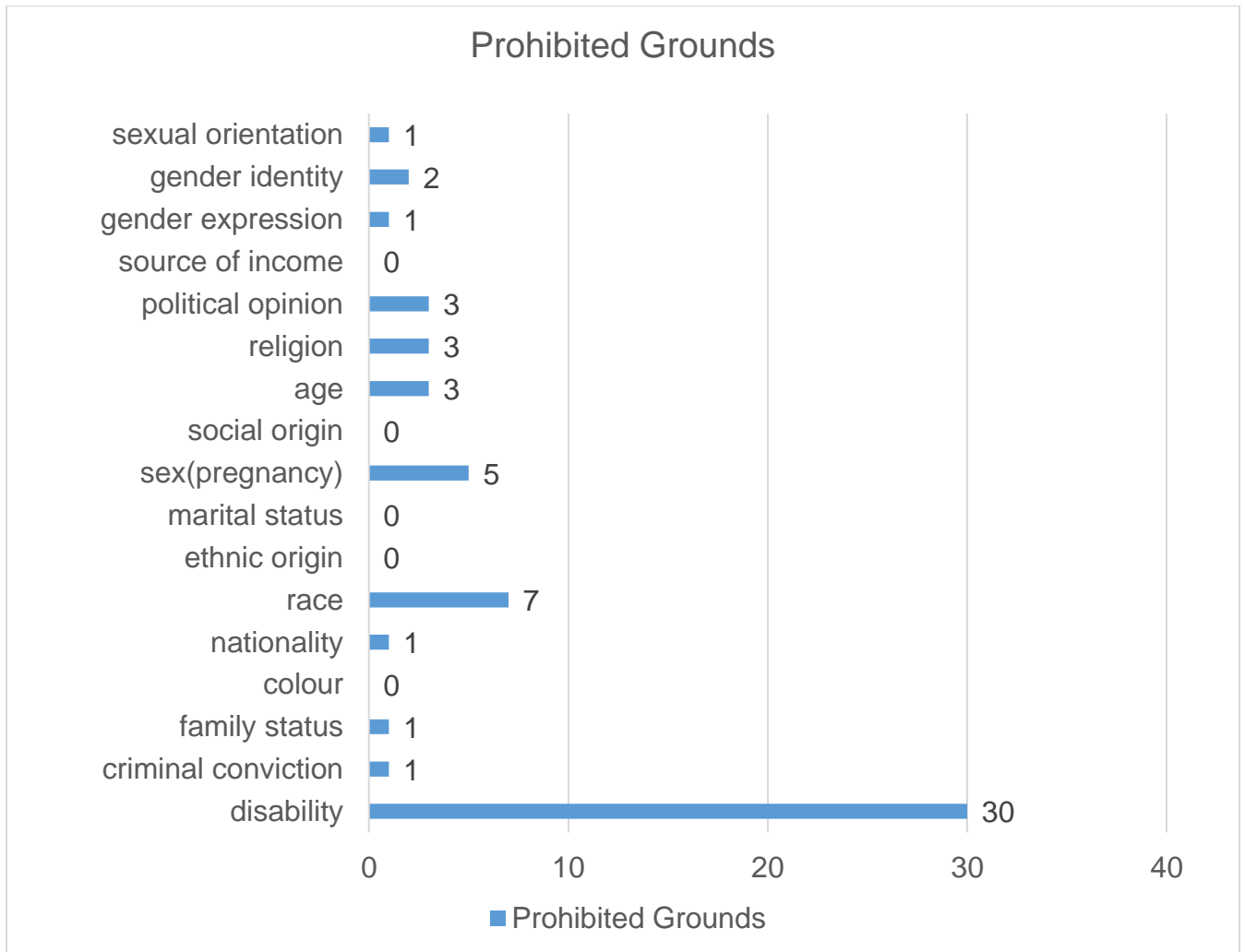
In 2022-23, the Commission received 705 inquiries, including Access to Information and Protection of Privacy requests and special program requests which are not reflected in the chart below. The inquiries at intake can be categorized as follows:



In accordance with the **Human Rights Act, 2010**, the prohibited grounds of discrimination are: race, colour, nationality, ethnic origin, social origin, religious creed, religion, age, disability, disfigurement, sex, sexual orientation, gender identity, gender expression, marital status, family status, source of income, political opinion and criminal conviction (in employment only). The chart below identifies the number of matters based on prohibited grounds received during 2022-23.

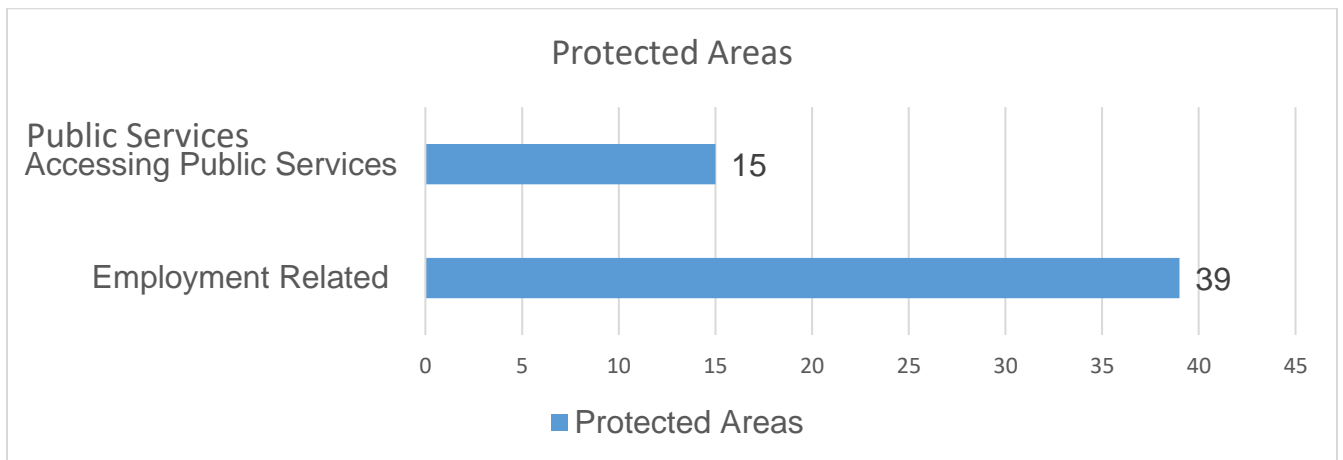


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*Note: some complaints can be filed under more than one prohibited ground.

The **Human Rights Act, 2010**, protects people from unfair treatment in the following areas: employment, membership in a trade union, provision of goods and services, commercial and residential rentals, publications, and contracts. The chart below identifies the areas where people allegedly experienced unfair treatment in 2022-2023.



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

Highlights and Partnerships

Resource Development

Throughout 2022-23, the Commission focused on advancing access to justice by informing people about their human rights in the form of resource material. The resources developed provided legal information in plain language and followed accessible document guidelines. The Commission has created resources that work to simplify the complaints process while also outlining best practices for employers and service providers from a human rights lens. Some of the resources developed focused on: housing as a human right, trained service and emotional support animals, workplace inclusion during the holidays, and the rights of temporary foreign workers. Some resources, including the one outlining the rights of temporary foreign workers, were translated into various languages to increase access to information. This was done by developing a partnership with the Newfoundland and Labrador Association for New Canadians (ANC).



Community Justice Connect

Community Justice Connect (CJC) is a conflict resolution and restorative justice service open to Indigenous, racialized and religious minority communities. We receive referrals directly from community, and through the Human Rights Commission. This year, CJC received and closed 10 information requests, and received 10 referrals with seven ongoing.

CJC operates with a volunteer group of 18 Community Facilitators who host monthly informal meetings. They also produce a monthly newsletter for Community Facilitators. The Commission held two professional development sessions this year.

In 2022, CJC presented to the Relationships First provincial restorative justice institute, and the National Restorative Justice Symposium, both held virtually. CJC also participated in the National Restorative Justice Collaboration Symposium held in October 2022. The program was developed with funding from Heritage Canada. This funding ended on March 31, 2022. CJC expresses gratitude for their support, as this service would not be possible without them. The Department of Justice and Public Safety, the Law Foundation of Newfoundland and Labrador, and the Law Society of Newfoundland and Labrador also provided support. This support allowed CJC to continue operating.

In September 2022, CJC paused cases from the Human Rights Commission to allow time to focus on existing cases. For 2023-2024, they are reviewing their services and integrating lessons learned from the past year. It is important for CJC to determine how they can effectively tackle systemic barriers facing Indigenous, racialized, and religious minority groups.

The Commission on Social Media

Twitter

From April 2022 to March 2023, the Commission has made over 100,000 impressions through its Twitter platform. They have gained over 150



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followers and are hoping to increase these analytics throughout the next year as they become more active on this platform.

Instagram

This platform was developed in September 2022 and has caught the attention of community members in a positive way. Currently, the platform has over 650 followers which equates to about 100 followers a month from September 2022 to March 2023.

2022 Human Rights Award Ceremony

During a hybrid (in-person and Zoom) ceremony on December 8, 2022, at the Government House in St. John's, the Newfoundland and Labrador Human Rights Commission presented the 2022 Human Rights Award to Kimberly and Todd Churchill.

The Human Rights Award is presented annually in celebration of International Human Rights Day. It recognizes an individual who has made and/or continues to make a meaningful contribution to advancing and furthering human rights in Newfoundland and Labrador. This year it was awarded to two people who were nominated together.

Kimberly and Todd Churchill received an original print by Grenfell Visual Arts student, Jessie Donaldson (she/her).

Kimberly Churchill (she/her) and Todd Churchill (he/him) currently reside in Portugal Cove – St. Philip's with their two sons, Hunter and Carter. They both have been very vocal advocates for the past six years for the rights of deaf children, like their own son Carter, to receive an education equitable to that of hearing children, particularly in their first language, American Sign Language (ASL). The Churchills have raised awareness around the lack of support in place in mainstream schools to provide deaf children full access to quality education and full social inclusion following the closure of the Newfoundland School for the Deaf August 2010. As a result of the extensive media coverage of the Churchills' advocacy, their name has



become synonymous with the pursuit of equitable education for deaf children in Newfoundland and Labrador. Kimberly and Todd have been very active advocates engaging in countless media interviews to promote awareness of these issues as well as challenging policymakers within the provincial government and school district to make necessary changes.

As a support to other parents of deaf children, the Churchills founded the non-profit organization Children's Language Acquisition Support System Inc. This was to support families of deaf, hard of hearing, and non-orally speaking children. The Churchills' lobbying efforts have seen many positive changes such as engaging the Office of the Child and Youth Advocate to initiate a province-wide investigation on the education of deaf and hard of hearing students in NL. In June 2020, a publication of their findings in a report "The Sounds of Silence: Perspectives on the Education System's Response to Deaf and Hard of Hearing Children" detailed how deaf children were not receiving an equitable education compared to hearing children.

Both Todd and Kimberly Churchill are past recipients of the Canadian Hard of Hearing Association-NL President's Club Award. In addition, Todd was awarded the Caring Canadian Award by His Excellency Governor General David Johnston after being nominated by Mr. Shoemaker's Grade 6 class at Beachy Cove Elementary for his charitable work with "Reason for the Rink". Todd has also received the Sovereign's Medal for Volunteers from the Governor General's office as well as the Senate 150 Medal for contributions to the community. Kimberly has been the recipient of many awards including the Canadian Diabetes Distinguished Dedication Award, Youth Volunteer Corps Role Model of the Year and Flare Volunteer of the Year.

Also at the ceremony, Khadeja Raven Anderson (she/her) and Michael Duffy (he/him) were named Human Rights Champions. The Human Rights Commission grants this recognition to someone who has made a meaningful contribution to human rights in Newfoundland and Labrador. The recipient is chosen by the Human Rights Commissioners.



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The Newfoundland and Labrador Human Rights Commission recognizes and sincerely thanks all those who nominated individuals for the 2022 Human Rights Award.

Report on Performance

Issue 1: Public Education and Awareness

During 2022-23, 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 consideration the strategic issues of the Provincial Government, as communicated by the Minister of Justice and Public Safety.

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

Indicator: The Public Relations Specialist will develop new public relations strategies.

Results: The Public Relations Specialist has been an asset in promoting the mandate of the Commission and informing people in the province about their human rights through education and community engagement. Specifically, the Public Relations Specialist has increased the Commission's social media presence with the development of an Instagram account and a monthly virtual newsletter. The Instagram account was created in September of 2022, and in six months, has reached over 650 followers. The Commission uses this platform to amplify community voices and display promotional materials developed through the Commission. The Public Relations Specialist has also connected with community advocates both provincially and nationally to initiate numerous panel discussions on human rights-related topics. The position has enabled the Commission to provide timely responses on social issues and has provided an opportunity for the public to be more aware of the Commission and the support it offers.

Indicator: The Commission will continue to work with media outlets to promote the human rights of people in this province.



Results: In 2022, the Commission worked to develop its relationship with numerous media outlets including NTV, VOXM, and CBC. As a result, the Commission received over 24 media requests this year alone which has been an increase compared to previous years. The number of presentation requests has also increased since hiring the Public Relations Specialist in May of 2022. Although the Commission did not gather specific numbers to differentiate between media and presentation requests in previous years, collectively, the Commission received 45 media and presentation requests during the 2021-22 fiscal year and 51 requests during 2020-21. This year, the Commission received 64 requests overall for media and presentations. The Commission believes that this indicates public relations strategies developed to connect and educate the community have been successful. This is due to the fact the Commission has received more information requests and complaint forms. Thus, providing evidence that people are becoming more aware of their human rights and wish to learn more about them.

Indicator: The Commission will review public relations strategies.

Results: The Public Relations Specialist has reviewed previous communications and public relations protocol. The Public Relations Specialist identified concerns with consistency, timeliness, and community collaboration. Internal communications were also reviewed to ensure the Commission is engaging in best practices. To enhance public relations, the Specialist took an alternative approach to education and community engagement for the Commission. This involved outreach to inform people of the Commission, the supports offered, and how the public can connect with the Commission. The Commission spent the first year developing relationships, making community connections, where possible, and promoting services. The Commission feels this has had a positive impact, and is excited to continue building on this work in the future to promote the Commission through resource development, public statements, and panel discussions.



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 2022-23. 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 2.3: By March 31, 2023, the Human Rights Commission will have completed complaint resolution enhancements.

Indicator: The Commission will continue to enhance complaint resolution by collecting user feedback.

Results: The collection of user feedback has been challenging for the Commission. In July 2022, the Commission released a survey in the monthly newsletter but did not obtain much feedback from this survey. As a way to enhance complaint resolution and increase awareness, the Commission identified the needs of community members and developed resources that provided information about their human rights in a clear and accessible format. Although this approach is not what the Commission had intended to do, it has shown to be more effective. The Commission partnered with various organizations that have a similar mission of supporting people in Newfoundland and Labrador to determine community needs.

Indicator: The Commission will continue its work to provide accessibility throughout the form process.

Results: The Commission is pleased to share that they have developed a new website that was designed with accessibility and inclusion at the forefront. Newly developed forms take a trauma-informed lens to questions and will inform the public of next steps through automatic messages. The Commission is pleased to offer alternatives to submitting complaint forms for those who need support throughout the process. The font type and size have been carefully considered and images included on the website have photo descriptions and ALT text (alternative text) to promote inclusive design.



Opportunities and Challenges

There have been a number of different challenges during 2022-23. However, they all connect to one major concern that the Commission has identified which is a limited understanding of human rights legislation and the mandate of the Commission. A large number of the complaints and information inquiries the Commission receives are related to food insecurity, limited access to health care, and the lack of affordable housing in Newfoundland and Labrador. These inquiries seeking support from the Commission are requested from people living all across the province. Although the right to food, housing, and health care is enshrined in the United Nations Universal Declaration of Human Rights, the Commission does not have the jurisdiction to protect people who experience adverse impacts as a result of ineffective social systems. As a way to turn this challenge into an educational opportunity, the Commission has worked to inform the public about the anti-discrimination framework they harness through the administration of Newfoundland and Labrador's **Human Rights Act, 2010**.

The Commission also experienced challenges with managing walk-in appointments. Commission staff has limited availability to accommodate walk-in appointments that are unpredictable in nature and could require a significant amount of time. The Commission recognizes there can be service barriers for people who do not have access to resources including an internet connection, a computer, a telephone, or a reliable method of transportation. Given the noted increases, the Commission has been working with the Government of Newfoundland and Labrador to better address walk-in clients and to provide a trauma-informed approach to people who are seeking immediate in-person assistance.

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 2023.” The Commission is not required to provide a separate audited financial statement.

HUMAN RIGHTS COMMISSION

		Estimates	
		Actual \$	Original \$
01. Salaries		821,297	703,600
Operating Accounts:	Employee Benefits	6,855	9,300
	Transportation & Communications	7,239	12,100
	Supplies	12,304	10,200
	Professional Services	154,913	25,900
	Purchased Services	138,285	6,000
	Property, furnishings, and equipment	5,915	-
02. Operating Accounts		325,510	63,500
	Related Revenue	(17,460)	-
01. Revenue – Federal		-	-
Total Human Rights		1,129,346	767,100



HUMAN RIGHTS COMMISSION
Newfoundland and Labrador

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P.O. Box 8700

St. John's, NL A1B 4J6

Phone: 709-729-2709

Toll-Free: 1-800-563-5808

E-mail: humanrights@gov.nl.ca

Website: <https://thinkhumanrights.ca/>