

**Human Rights Commission
Panel of Adjudicators**

Annual Report

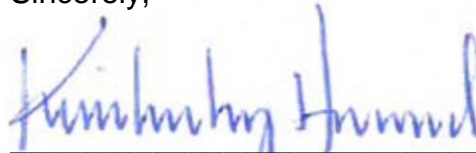
2017-18

Message from the Chief Adjudicator

As Chief Adjudicator of the Human Rights Commission Panel of Adjudicators, I hereby submit the 2017-18 Annual Report of the Panel which details its activities from April 1, 2017 to March 31, 2018.

In accordance with the **Transparency and Accountability Act**, my signature below is on behalf of the Panel, which is accountable for the results reported.

Sincerely,



Kimberley Horwood
Chief Adjudicator

Table of Contents

Message from the Chief Adjudicator	i
Overview	1
Activities	1
Financial Statements.....	2

Overview

In accordance with the **Human Rights Act, 2010**, the Lieutenant Governor in Council shall appoint at least six persons, one of whom is named Chief Adjudicator, to act as members of a panel of inquiry into matters referred to them by the Commissioners of the Human Rights Commission. Appointments are for a term of three years and adjudicators may be reappointed. During the 2017-18 fiscal year, the following individuals served on the Panel of Adjudicators:

- Kimberley Horwood, Chief Adjudicator;
- Glenda Best, Q.C.;
- Gladys Dunne;
- Keri-Lynn Power;
- Rob Ash; and
- Brodie Gallant.

Activities

Issue 1: Ensuring Complaints are Heard Without Undue Delay

A number of factors play into setting the hearing date. First, the chief adjudicator must either hear the complaint or refer the matter to another adjudicator. According to the **Human Rights Act, 2010** the adjudicator must hear the matter without undue delay. What constitutes undue delay cannot be determined by a single standard. The reasonable time for a hearing to commence and be completed will depend on the complexity of the matter; the amount of evidence the parties wish to call; the availability of counsel, parties and witnesses, when applicable; together with the normal requirements of a hearing process including physical limitations of the panel's resources. What constitutes undue delay will vary depending upon the circumstances of the case. In order to provide objective indicators the panel must focus on setting dates for the hearings to commence. Once an adjudicator is seized with a matter, that adjudicator is the only person with authority to control the process of the hearing, absent any applications for judicial review.

Objective 1:	By March 31, each year, the Human Rights Commission Panel of Adjudicators will hear complaints without undue delay.	
	Indicators	Actual Results
	Number of matters referred to the Panel that are assigned to an adjudicator within two weeks of the receipt of the referral	During the fiscal year, 10 matters were referred to hearings. All 10 matters were assigned an adjudicator within two weeks of the referral;
	Number of referrals for which assigned dates were presented to all parties within one month of appointment of an adjudicator	Of the 10 matters referred to a Board of Inquiry in the fiscal year: <ul style="list-style-type: none"> - in 8 matters the dates offered by the adjudicator were offered to all parties within 30 days; - in 1 matter the dates offered by the adjudicator were outside the 30-day timeframe because the initial adjudicator was in a conflict and the matter had to be reassigned to another adjudicator; - in 1 other matter the dates were offered by the adjudicator outside the 30-day timeframe due to his commitment to other proceedings, but were provided within 90 days;

Financial Statements

The Panel of Adjudicators' budget is subsumed within that of the Human Rights Commission. Such financial information, as is available, is contained in the Human Rights Commission Annual Report for 2017-18. The Report does not break down the expenditures between the Commission and the Panel of Adjudicators.