

**Nova Scotia Human Rights Commission  
Annual Accountability Report  
for the Fiscal Year 2012-2013**

**July, 2013**

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## **ACCOUNTABILITY STATEMENT**

The accountability report of the Nova Scotia Human Rights Commission (NSHRC) for the year ending March 31, 2013 is prepared pursuant to the *Finance Act* and government policies and guidelines. These authorities require the reporting of outcomes against the NSHRC's Statement of Mandate information for the fiscal year 2012-2013. The reporting of outcomes necessarily includes estimates, judgments and opinions by NSHRC management.

We acknowledge that this accountability report is the responsibility of NSHRC management. The report is, to the extent possible, a complete and accurate representation of outcomes relative to the goals and priorities set out in the NSHRC's Statement of Mandate for the year.

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Tracey L. Williams  
Director and CEO NS Human Rights Commission

## MESSAGE FROM THE DIRECTOR AND CEO

I am pleased to present the Accountability Report of the NSHRC for fiscal year 2012-2013. This report provides a summary of the NSHRC's accomplishments in fulfilling its commitments under the 2012-2013 Statement of Mandate.

The NSHRC takes the lead towards excellence and best practices in promoting and protecting human rights in this Province. Our commitment in this regard has seen the NSHRC make improvements in all facets of its strategic goals. The year 2012-2013 marked the first year of the NSHRC's new strategic plan and the first full year of implementation of our new approach to dispute resolution. This approach is underpinned by the application of restorative principles to our work. It is the goal of the NSHRC that this approach will improve the dialogue between parties to a human rights complaint by focusing on the relational aspects of the issues presented, maximize efficiencies, reduce wait times and ultimately better serve the citizens of Nova Scotia.

There have been many accomplishments over the past fiscal year and these are highlighted in this report. It is early on in the program's implementation, however, positive and tangible results have already been seen. Our backlog of intake files has been eliminated; wait times are dramatically reduced; and we are receiving positive feedback from participants in the human rights process. Empirical evidence of the effect of the "restorative approach" is still being collected. It is our intention to commence evaluation of this program in the next fiscal year.

The NRHRC is pleased to announce that it will host the Canadian Association of Statutory Human Rights Agencies (CASHRA) conference in Halifax in May of 2013. This will be an opportunity for the various advocates, academics, representatives of governments and other stakeholders to meet and exchange ideas and experiences in the field of human rights.

Also we anticipate that in May 2013 our Consumer Racial Profiling report will be released. This is an important piece of work that our Commission began almost two years ago and will speak to issues that affect people's daily lives.

The NSHRC continues its dialogue with partners, stakeholders, government and Nova Scotians in general to promote inclusivity and equality for all.

My sincere thanks go to the staff, management and Commissioners for their commitment and hard work to ensure the best possible service to the public throughout this period.

Sincerely,

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Tracey L. Williams  
Director and CEO NS Human Rights Commission

## I. INTRODUCTION

This document reports on the goals, priorities and performance measures identified in the NSHRC's 2012-2013 Statement of Mandate. The Statement of Mandate is available on the NSHRC's website at <http://humanrights.gov.ns.ca/publications-reports-and-plans>.

Throughout the year, the NSHRC maintained a diverse staff and continued its commitment to a positive and professional working environment. The NSHRC had a staff complement of 24 people working in three regions of the province: Halifax, Sydney, and Digby. There are four management positions, all located in the Halifax office.

### ***Major Program Changes***

Beginning January 1, 2012 the NSHRC introduced a new and exciting model for dispute resolution which approaches issues through a restorative lens. This approach is guided by a recognition that interactions between people are relational in nature but that accountability for actions and consequential harms is necessary. It also recognizes that communities have an interest in human rights issues.

### ***Budget***

The NSHRC had success in meeting its budget targets during 2012-2013 due to improvements in efficiencies. Boards of Inquiry costs continue to challenge our budget. A Board of Inquiry is the final stage in the processing of a human rights complaint and a Board of Inquiry (that is, a hearing process) is run by an independently appointed Board of Inquiry Chair. The NSHRC pays all of the costs of the Board of Inquiry including room rental, transcription costs, travel expenses, and per diem fee for the Board of Inquiry Chair. The NSHRC has no control over the length and complexity of the process as this is within the control of the independent Board of Inquiry Chair. In this sense, it has no control over this budget expenditure although it is able to reduce the costs by, for example, renting cost effective space for the hearings.

The NSHRC's actual expenditures in fiscal year 2012-2013 were \$2,140,000 whereas the authority was \$2,143,000.

## II. PROGRESS AND ACCOMPLISHMENTS

In its 2012-2013 Statement of Mandate, the NSHRC confirmed three strategic goals. What follows are highlights of the major initiatives undertaken to achieve the priorities set by the NSHRC in support of these goals. The performance measures for the three priorities are reported in Section IV.

The three strategic goals are:

### **Strategic Goal 1. Identify, Address and Operationalize Priority Human Rights Issues**

The NSHRC collaborated with academics and stakeholders regarding issues facing persons with disabilities. Much of this work focused on the United Nations Convention on Persons with Disabilities (CRPD). It is expected that, as a signatory to this convention, Canada will be called upon to report on their implementation efforts and that input from Nova Scotia will be beneficial in this regard.

The NSHRC worked in concert with the Department of Justice, the Department of Communities, Culture and Heritage as well as with public and private stakeholders regarding the issue of transgender individuals in Nova Scotia. The Commission, in keeping with its earlier stated position to government, and remaining consistent with statutory amendments in both Manitoba and Ontario as well as trending jurisprudence across Canada, recommended amendments to our *Human Rights Act* to recognize “gender identity” and “gender expression” as protected grounds against discrimination. These amendments were passed by the Legislature in December, 2012.

The NSHRC worked with government and stakeholders regarding citizenship and immigration issues. Racism experienced by new immigrants to Nova Scotia was a particular issue for the Commission. The NSHRC will continue its work with partners such as the Nova Scotia Office of Immigration, Immigration Settlement & Integration Services and community leaders to support our new citizens.

### **Strategic Goal 2. Fully Integrate Restorative Approaches into the Commission’s Work**

The NSHRC began implementation of a restorative model of dispute resolution in January, 2012. As part of the implementation plan, the NSHRC met with several key stakeholders to engage in discussion, provide information and in some cases training regarding the Commission’s restorative processes. These included members of the public, colleagues in government, lawyers and human rights advocates. Of particular note is that Commission staff met with counterparts from other provincial and federal human rights agencies as well as with members of international organizations to broaden understanding of restorative approaches and the benefit of their use in human rights practices.

In September 2012 the NSHRC participated in the first ever restorative board of inquiry. This employed restorative principles as developed by the Commission into the final resolution of a human rights complaint.

### **Strategic Goal 3. Advance Dialogue and Human Rights Practices**

The NSHRC continued to provide human rights education, information and policy consultation to its partners and stakeholders such as government, members of the public, members of the business community and students.

As part of its ongoing commitment the NSHRC hosted two regular but important annual events. One is the December 10 celebration of International Human Rights Day. The other is the March commemoration of the International Day for the Elimination of Racial

Discrimination.

In April 2013 the NSHRC participated in the resolution of the complaint of the Halifax Association of Black Fire Fighters through a restorative board of inquiry. As a result the Commission has committed to facilitate further discussion regarding race issues identified and raised in that case with communities in Nova Scotia through restorative dialogue processes.

### III. FINANCIAL RESULTS

<b>N.S. Human Rights Commission</b>		
	2012-2013 Estimate (\$ thousands)	2012-2013 Actual (\$ thousands)
Gross Program Expense	2,143	2,140
Salaries and Employee Benefits	1,804	1,627.2
Funded Staff (FTEs)	23.5	22.1

### IV. PERFORMANCE MEASURES

The measures in this report come from the NSHRC's 2012-2013 Statement of Mandate. The NSHRC has three strategic goals which are already listed above and were grouped under three priorities.

These priorities are as follows:

- Addressing Priority Human Rights Issues
- Integrating Restorative Approaches in the Commission's Work
- Advancing Human Rights Dialogue and Practices

#### Priority #1

**Outcome: Addressing Priority Human Rights Issues**

#### Measures:

- a) Reporting to Commissioners
- b) Obtaining Commissioner approval as to identified policy priorities
- c) Providing status updates

**What do these measures tell us?**

For the public to have confidence in the NSHRC's ability to resolve human rights disputes, the organization must not only carry out its mandate under the *Human Rights Act* but must also be seen to carry out its mandate. The NSHRC operates with limited resources. Therefore it is necessary to identify and prioritize key human rights issues. This requires a form of reporting to the Commissioners.

The Commissioners are the policy making body of the NSHRC. As such their approval is necessary to identify and operationalize or address priority human rights issues.

Status updates are necessary to ensure best practices and maintain proper evaluation of the work of the NSHRC.

### **Where are we now?**

The Commissioners meet six times per year. During these meetings they consider human rights complaints. In addition they hold policy discussions which determine the direction of the Commission. In turn it is for the administrative staff to operationalize these policy decisions. A procedure has been developed whereby a report is provided to the Commissioners in advance which speaks to the NSHRC's commitments under its Statement of Mandate.

Minutes of the meetings are maintained for record purposes and action items are created delegating responsibility for Commissioner decisions. As part of the regular reporting process status updates and progress reports are provided to the Commissioners regarding the key human rights issues. These reports and the records of the Commissioner decisions are used for evaluation and review purposes.

### **Where do we want to be in the future?**

Human rights issues are constantly evolving and changing. It is necessary for the Commissioners to meet regularly in order to consider current trends. The current reporting and record keeping methods are working. They enable staff to perform their tasks and report on progress. Consideration is being given to reporting by electronic means in order to increase efficiencies and take into account environmental interests.

### **Priority #2:**

**Outcome: Integrating Restorative Approaches in the Commission's Work**

### **Measures:**

- a) Expand the use of restorative approaches
- b) Adopt communication initiatives around restorative approaches
- c) Provide reports and status updates



## **What do these measures tell us?**

The integration of restorative approaches is a cornerstone for the Commission's work. It is vital that the public, government and all key stakeholders gain knowledge of these approaches, how they affect the work of the NSHRC and the benefits of their application.

## **Where are we now?**

The NSHRC has been expanding the use of restorative approaches in all aspects of its work. Restorative principles now anchor all components of the dispute resolution process. These principles are being adopted in the work of the Race Relations, Equity and Inclusion (RREI) unit. The legal unit is striving to bring restorative approaches to boards of inquiry.

Each unit has developed a communications component that highlights restorative approaches. The dispute resolution team communicates their work to all clients of the NSHRC and to others who may be involved in a human rights complaint. In addition they have made significant progress in communicating the benefits of these approaches to other human rights agencies across Canada, governments, strategic partners and even to human rights advocates on an international level. The RREI unit communicates restorative practices to the people and organizations to whom they provide human rights education, within government through its participation at the Diversity Round Table and by other means and to the public in general. The legal unit has provided education regarding the approaches to the legal community at large including such organizations as the Department of Justice, the Nova Scotia Barristers' Society and the Canadian Bar Association.

The benefits of the expansion of restorative approaches is tangible and capable of demonstration. In the Dispute Resolution unit a backlog of approximately 100 intake cases has been reduced to zero.

Regular reports and status updates regarding this progress are provided to the Commissioners.

## **Where do we want to be in the future?**

The NSHRC will continue to expand its use of restorative principles and its communication of them to the public, government and stakeholders. Furthermore it is expected that in the future restorative principles will be adopted into all of the Commission's policies and procedures.

### **Priority #3:**

**Outcome: Advancing Human Rights Dialogue and Practices**

**Measures:**

- a) Engaged and committed human rights consumers
- b) Commission work communicated through academic papers and conferences
- c) Internal and external communications plans created
- d) Contact made with other communications officers

### **What do these measures tell us?**

Promotion of human rights is an integral part of the Commission's mandate. Effective communication of the human rights message is critical to the ultimate goal of advancing human rights dialogue and practices and engaging the general public, partners and stakeholders.

### **Where are we now?**

The NSHRC made several strides in the area of communications in fiscal 2012-13. It worked with academics to promote disability rights and advance education in such areas as the UN Convention on the Rights of Persons with Disabilities. In addition, as stated above, the NSHRC will host a national conference to be attended by academics, representatives of government and stakeholders.

As referred to above, advancement of restorative principles as part of the human rights practice in all aspects of our work was undertaken by all units at the Commission.

Contact has been made with other communications officers and the Commission gratefully acknowledges the support of CNS and the Department of Justice communications staff for their support.

The NSHRC began to develop both internal and external communications plans in 2012-13 and work continues in this regard.

### **Where do we want to be in the future?**

Advancing human rights dialogue and practices will always be an ongoing undertaking. Good communications practice will continue to be a priority for the NSHRC. In the next fiscal year the Commission will continue its promotion of human rights and will strengthen the way our work is communicated to the public.

This accountability report provides a very brief overview of the work of the Nova Scotia Human Rights Commission. More information about our work is available by visiting our website at <http://humanrights.gov.ns.ca/>. Comments and feedback are also welcome. We can be reached by phone toll-free at 1-877-269-7699, and by e-mail at [hrcinquiries@gov.ns.ca](mailto:hrcinquiries@gov.ns.ca).