



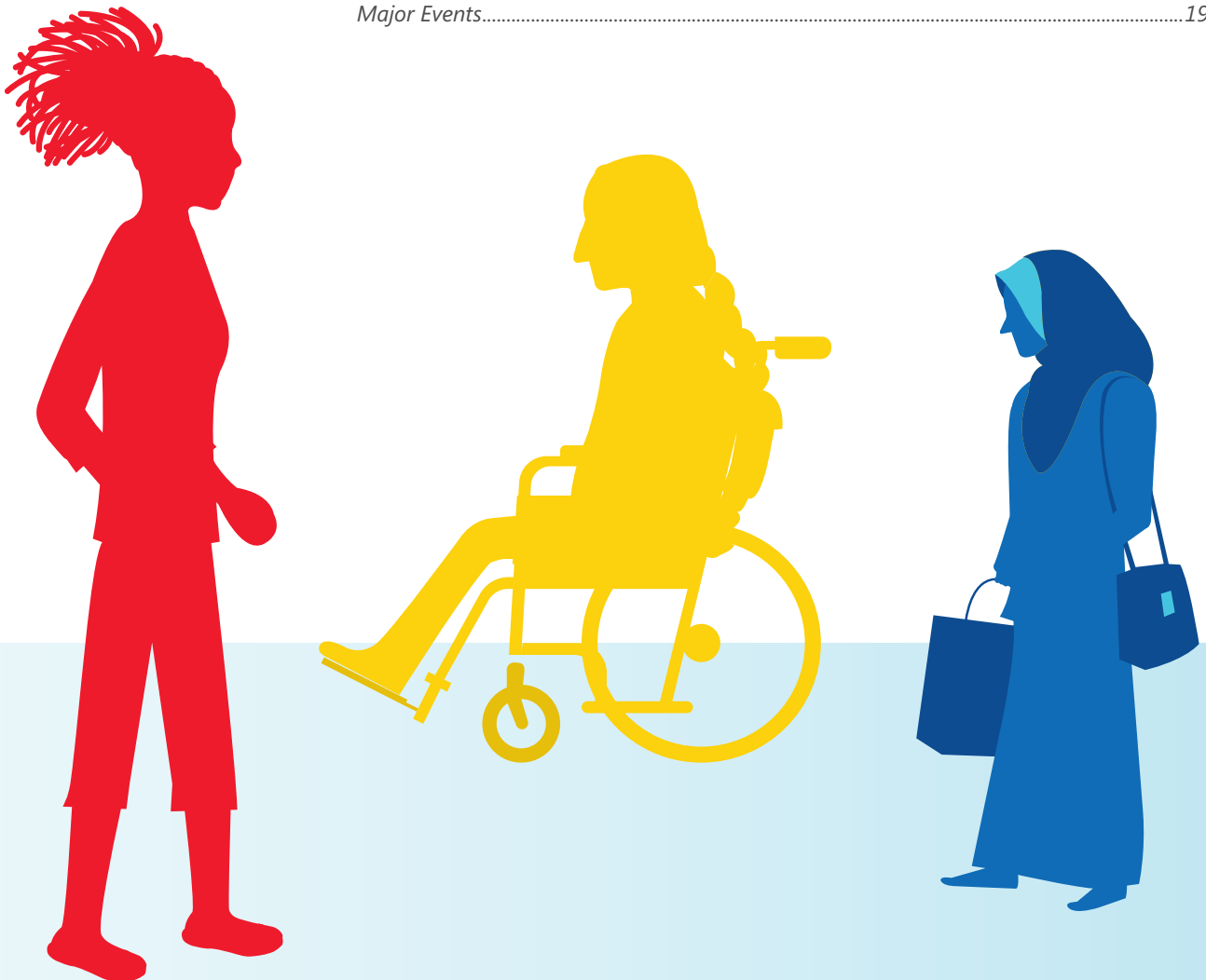
NOVA SCOTIA
HUMAN RIGHTS
COMMISSION

ANNUAL REPORT 2018–2019



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Message from the CEO

Dear Minister Furey,

On behalf of the staff and Commissioners of the Nova Scotia Human Rights Commission, I am pleased to present you with the Commission's annual report for the 2018-19 fiscal year. This year has been a year devoted to continued modernization and innovation at the Commission.

New initiatives to advance human rights in Nova Scotia were put in place. The Commission launched a new online course "Working with Abilities" to provide employers with support to accommodate mental and physical disabilities in workplaces. The Commission also continued to promote the online training "Safe Spaces Make Great Workplaces" to help prevent and address sexual harassment in workplaces. So far, the Commission's virtual classroom has provided free training to approximately 20,000 Nova Scotians. An interactive and mobile device friendly website was also launched to further enhance communication with the public we serve.

The Commission's continued stakeholder engagement, collaboration, and partnerships with various community members throughout the fiscal year helped to improve the Commission's ability to address existing and emerging human rights issues. In collaboration with the Board of Police Commissioners, Halifax Regional Police, the RCMP, and community members, the Commission released a high-profile independent report on March 27, concerning police street checks in Halifax. The report included analysis of twelve years of street check data, survey data, and information gathered from extensive community consultations and consultations with police.

The Commission continued its commitment to service excellence and application of best practices in the protection and promotion of human rights in Nova Scotia. The Commission's policy and procedures on dispute resolution were reviewed and consulted with stakeholders to improve how complaints are processed and ensure fair, effective, and accessible services for all Nova Scotians. A new strategic plan (2018-2023) was developed and approved to help guide the Commission's work on advancing priority human rights issues in the coming years.

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.

1

Commissioners & Commission Meetings

The Nova Scotia *Human Rights Act* stipulates that the Commission shall have no less than three and no more than 12 members, or Commissioners, who are appointed by the Governor in Council. The Commissioners make up “the Commission”. As of March 31, 2019, there were 10 Commissioners, including the Director and CEO who is a non-voting member:

Dr. Eunice Harker (Chair)
Christine Hanson (Director and CEO, non-voting member)
Karen Armour
Vishal Bhardwaj
Dr. Joan Boutilier
Norbert Comeau
Cynthia Dorrington
Cheryl Knockwood
Chief Andrea Paul
Deepak Prasad

The Commissioners come from diverse backgrounds, representing various communities of Nova Scotia.

COMMISSION MEETINGS

Regular bi-monthly meetings were held during 2018-19. The purpose of these meetings is to not only review and decide on human rights cases, but also to identify emerging human rights issues within the province, and to formulate ways to raise awareness. Two of these meetings were held outside Halifax Regional Municipality to provide the Commissioners with opportunities to meet with Nova Scotians across the province and discuss human rights issues directly affecting them. In September 2018, a meeting was held in Digby, where in addition to the regular agenda, the Commissioners met with the Black Educators Association. In February 2019, a regular meeting was held in Membertou and the Commissioners and members of the senior staff attended the annual municipal launch of African Nova Scotian Heritage Month and poster unveiling ceremony and the African Heritage Month Gala.

Mandate & Vision

MANDATE

The Commission has a unique role within Nova Scotia. It is an independent government agency charged with administering the Nova Scotia *Human Rights Act* (the Act), a provincial statute created in 1969, and most recently amended in 2012. The Commission is mandated by the Act to help build inclusive communities and protect human rights in Nova Scotia.

The Act also sets out the specific duties of the Commission, mainly administering and enforcing the provisions of the Act. In addition, it develops public information and education programs in the field of human rights to advance the principle that every person is free and equal in dignity and rights without regard to age, race, colour, religion, creed, ethnic, national or Aboriginal origin, sex (including pregnancy and pay equity), sexual orientation, physical disability, mental disability, family status, marital status, source of income, harassment (including sexual harassment), irrational fear of contracting an illness or disease, association with protected groups or individuals, political belief, affiliation or activity, gender identity, gender expression or retaliation.

The Commission is also mandated to conduct and encourage research by universities and other bodies in the general field of human rights, to provide advice to government and its departments and agencies with respect to human rights issues, and to assist individuals and private organizations concerned with human rights matters and provides recommendations on increasing awareness within and outside the province.

Pursuant to the Act, the Commission reports to the Minister of Justice on its activities, and considers, investigates, or administers any matter or activity referred to it by the Minister or the Governor in Council.

VISION

The Commission is committed to actively engage and work with all Nova Scotians and its diverse communities to effectively:

- advance equity and dignity;
- foster positive and respectful relations; and
- protect human rights.

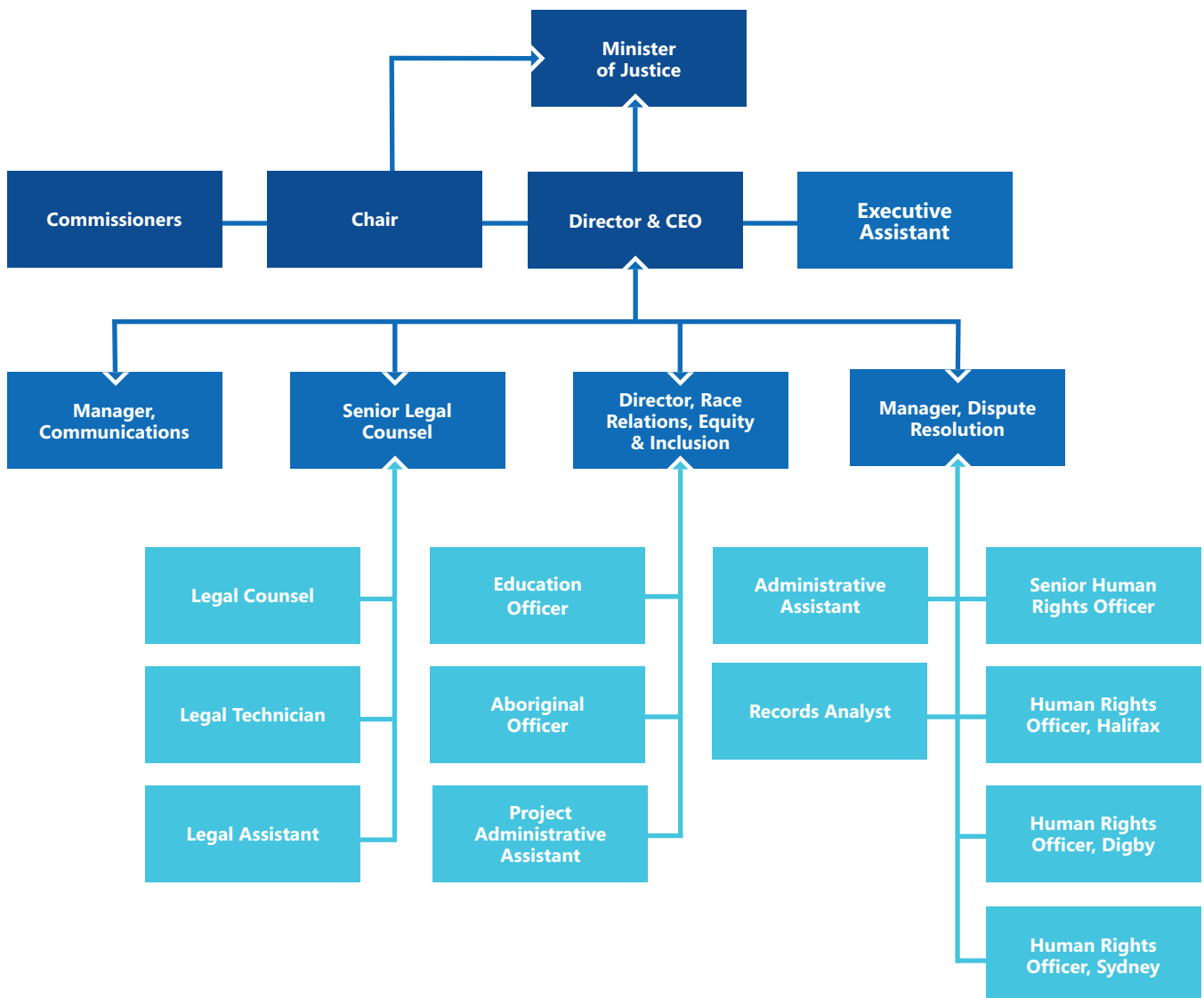
The Commission believes in and is committed to:

- restorative processes;
- respectful and productive relationships;
- inclusivity;
- service excellence; and
- continuous learning through research, innovation and transparency.

3

Organizational Structure

The Commission is an independent government agency that reports directly to the Minister of Justice.



Inquiries & Dispute Resolution

One of the primary duties of the Commission is to help resolve disputes regarding discrimination in relation to protected characteristics under the *Nova Scotia Human Rights Act*. Not all public inquiries proceed to the complaint stage and some are simply an opportunity to educate individuals and organizations about human rights.

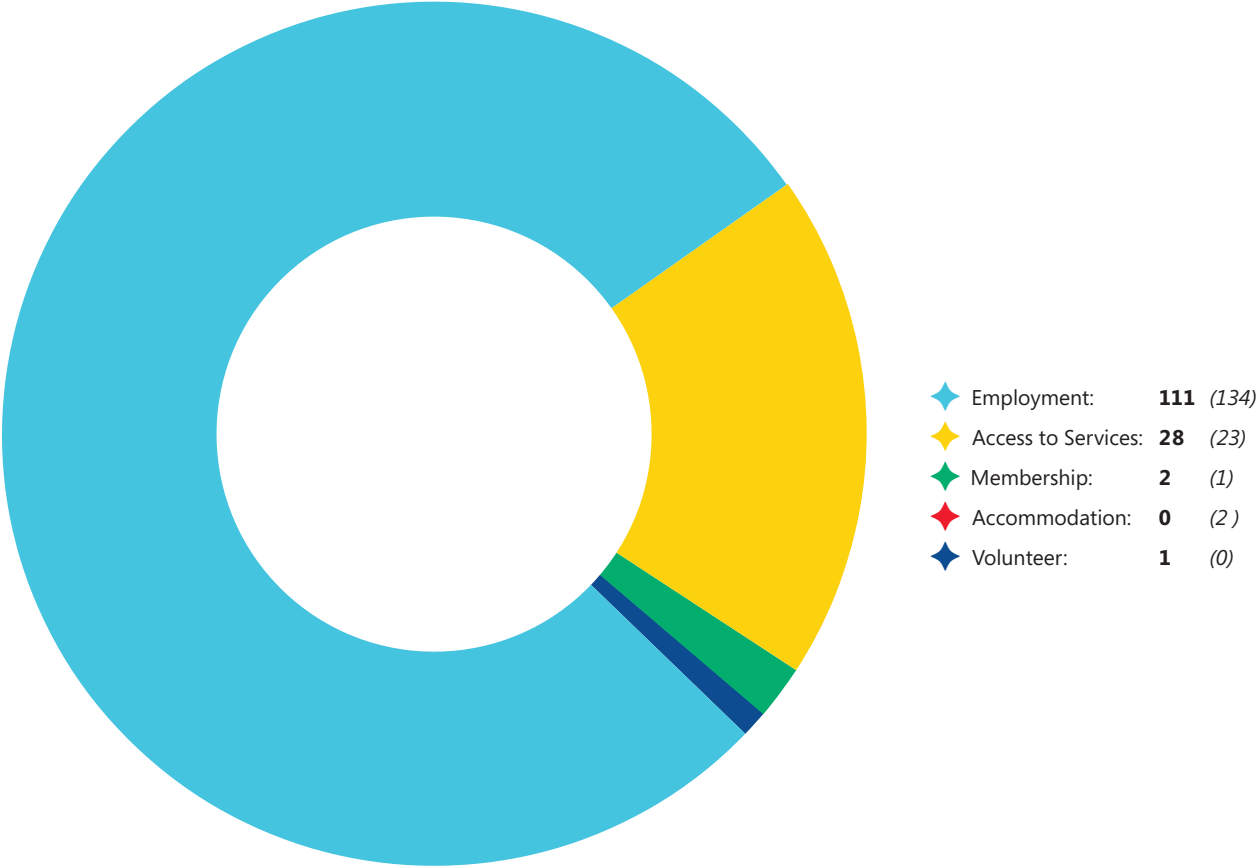
Once it has been determined that a complaint falls under the Act, the matter can be investigated further. To improve access to resolution, procedures for handling human rights complaints have been streamlined. The restorative processes used by the Commission focus on restoring and repairing relationships and building understanding amongst the parties to reduce harm and help everyone move forward in a positive way.

The table below provides the number of human rights inquiries received, the number of inquiries that proceeded to the complaint stage, and the average time for a complaint to move through the process. It should be noted that some human rights disputes can be quite complex and take longer periods of time to resolve.

	April 1, 2018–March 31, 2019
Inquiries Received (all incoming calls/emails/visits)	2,771
Complaints Accepted	177
Complaints Closed by s.29(4)(a) – Best Interests Not Served	19
Complaints Closed by s.29(4)(b) – Complaint is Without Merit	13
Complaints Closed by s.29(4)(c) – No Significant Issue	3
Complaints Closed by s.29(4)(d) – Previous Alternate Process	3
Complaints Closed by s.29(4)(e) – Bad Faith/Improper Motives	0
Complaints Closed by s.29(4)(f) – No Reasonable Likelihood	8
Complaints Closed by s.29(4)(g) – Exemption Order Granted	0
Complaints Closed by Non-Jurisdictional	0
Complaints Closed by Settlement Reached	24
Complaints Closed by BOI Decision	2
Total No. of Complaints Closed	70
Average time from Inquiry to filing Complaint (Days)	80
Average time from filing Complaint to Conclusion (Days)	280

Inquiries and complaints are made on the basis of a prohibited area and protected characteristic as defined under the Act. In many instances, inquiries and complaints involve more than one area or characteristic. In 2018-19, the majority of complaints related to discrimination in the area of employment, slightly down from the previous fiscal year. The Commission also noted a slight increase in the number of complaints related to discrimination in the area of access to services.

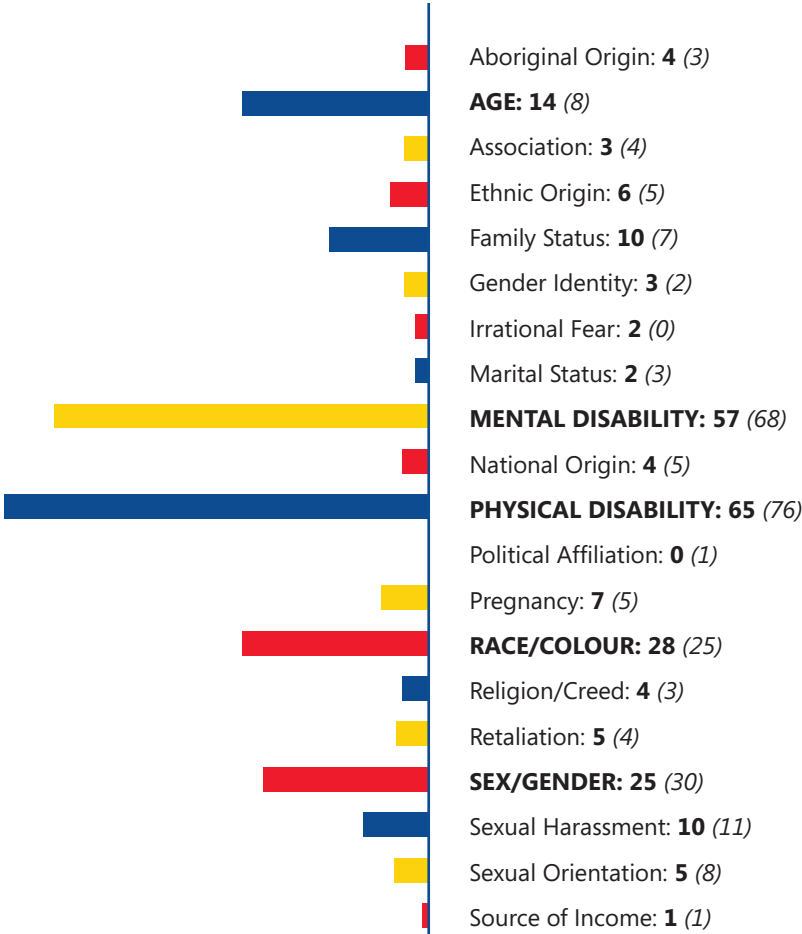
NUMBER OF COMPLAINTS BY AREA
April 2018 to March 2019 (*April 2017 to March 2018*)



With respect to characteristics of discrimination, the diagram below shows that the majority of complaints received during the 2018-19 fiscal year were on the basis of mental and/or physical disabilities and gender, though slightly lower from the previous fiscal year. In 2018-19, the Commission did note small increases in the number of complaints of discrimination on the basis of age, family status, pregnancy and race/colour.

NUMBER OF COMPLAINTS BY CHARACTERISTIC

April 2018 to March 2019 *(April 2017 to March 2018)*



5

Board of Inquiry Hearings

When parties are unable to resolve a complaint through the dispute resolution process, the matter is placed before the Commissioners to determine whether a Board of Inquiry (BOI) should be created. A BOI is an independent administrative tribunal, closely resembling a civil trial, that is conducted separate and apart from the activities of the Commission.

The table below provides an overview of the status of Boards of Inquiry during this reporting period.

	April 1, 2018–March 31, 2019
BOI Referrals	12
Ongoing BOIs (including referrals 2012 to 2019)	17
Settled BOIs	5
BOI Decisions	2
BOI Dismissed	0
Judicial Reviews Ongoing	5
Judicial Reviews Dismissed/Withdrawn	2
Judicial Reviews Settled	4
Appeals Ongoing	1
Appeals Dismissed/Withdrawn	2

BOARD OF INQUIRY DECISIONS 2018–2019

The full text of board of inquiry decisions can be found online at humanrights.novascotia.ca as well as by searching the Canadian Legal Information Institute (CanLii) website at canlii.org.

Arsenault v. 3249265 Nova Scotia Limited

Board Chair: Kathryn Raymond
Outcome: Board Chair accepted settlement between the parties.

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Schaler and St. Francis Xavier University

Board Chair: Eric Slone
Outcome: Board Chair accepted settlement between the parties.

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Cavanaugh v. Province of Nova Scotia Dept. of Health and Wellness and the Nova Scotia Health Authority

Decision date: August 14, 2018
Board Chair: Donald Murray, QC
Outcome: Board Chair accepted settlement between the parties.

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Adams v. Northwoodcare Halifax Incorporated

Decision date: December 10, 2018
Board Chair: E.A. Nelson Blackburn
Outcome: Board Chair accepted settlement between the parties.

Reed et al v. Province of Nova Scotia (Department of Environment and Department of Health and Wellness)

Decision date: September 6, 2018
Board Chair: Gail L. Gatchalian, QC
Outcome: Find of discrimination on the basis of disability.
Summary of decision: Board chair found the province, Department of Environment, discriminated against members of the public who use wheelchairs by not regulating and enforcing provisions of the Food and Safety Regulations relating to having accessible washrooms in restaurants with summer patios.

.....

MacLean et al v. Province of Nova Scotia

Decision date: March 4, 2019
Board Chair: J. Walter Thompson, QC
Outcome: Finding of discrimination on the basis of disability.
Summary of decision: Board chair found that the province discriminated against the complainants, Beth MacLean, Sheila Livingstone, and Joey Delaney in the provision of access to services or facilities on account of mental and physical disability.

Education & Training

The Nova Scotia *Human Rights Act* stipulates that the Race Relations, Equity and Inclusion, or education, unit (RREI) work with government departments, agencies, boards, commissions, non-government organizations, the community, and the private sector to develop programs and policies that facilitate Nova Scotians working together with respect and dignity, and with knowledge of the Act and of human rights.

The majority of complaints received by the Commission result from disputes at the workplace. In many instances, resolution of human rights disputes requires human rights education and/or the development or revision of organizational policies to help them meet their obligations under the Act.

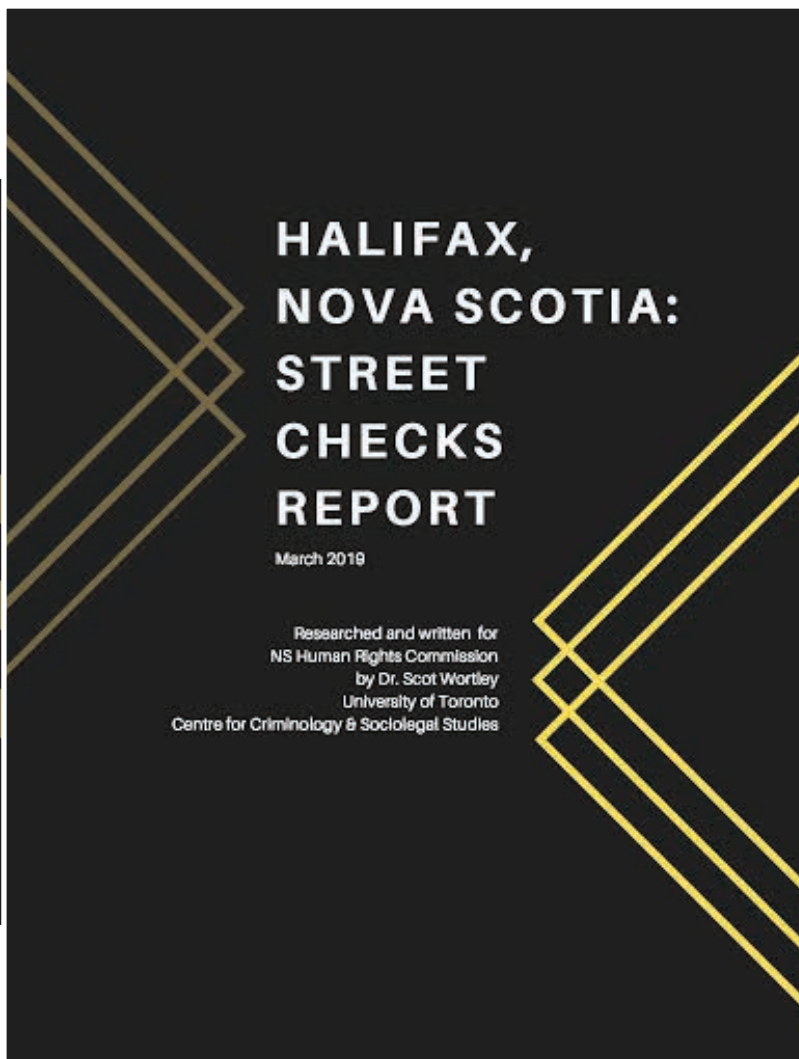
Of particular note this year was the RREI's partnership with the RCMP in the facilitating one day of their week-long education opportunity for RCMP members entitled, "The African Canadian Experience" (ACE). RREI's session is called "Disrupting Discrimination".

As noted in the table below, a total of 45 education sessions, with over 1,738 attendees, were held during the 2018-19 fiscal year.

Description	April 1, 2018–March 31, 2019	
	<i>No. of Sessions</i>	<i>No. of Attendees</i>
Human Rights Education Workshop	7	93
Information Session/Requested Education	9	203
Mandated Education	11	119
Presentations/Conferences	12	849
Guest Speakers	6	474
TOTAL	45	1,738

INITIATIVES & PARTNERSHIPS

In addition to the educational and training components offered by RREI during the 2018-19 fiscal year, the Commission promoted several initiatives related to human rights within the province to increase awareness and provide human rights education to Nova Scotians. The Commissions also partnered with new and current stakeholders to host events to further advance public awareness and foster better engagement with the communities it serves.



POLICE STREET CHECKS

Prof. Scot Wortley, Doctor of Criminology at the University of Toronto, presented his independent report on the issue of police street checks March 27 in Halifax. The release of the report generated widespread media interest and resulted in commitments from stakeholders to begin work on implementation of the report's recommendations. The final report, supporting material and a recording of the March 27 presentation can be found on the Commission website at humanrights.novascotia.ca/streetchecks.

Photos: Launch event on March 27 at library

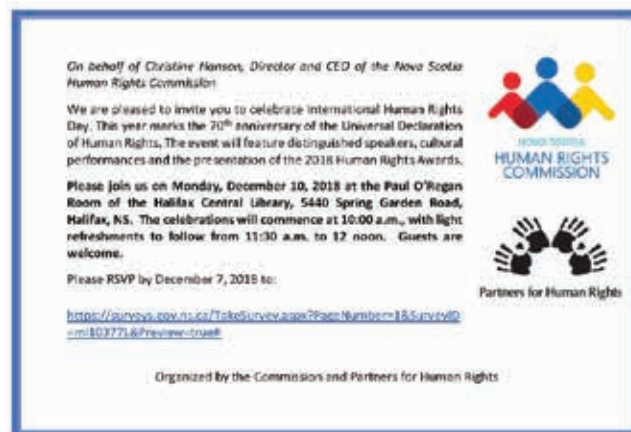




PRIDE 2017

The Commission returned as a proud sponsor of the 2018 Halifax Pride Week. Several staff and Commissioners participated in Pride Week events. Staff and Commissioners joined members of the LGBTQ Network to share the Network's float in the Halifax Pride Parade. The Commission handed out special rainbow wristlets with the axiom "you have the right to be who you are". Staff and commissioners in Digby, Sydney and Yarmouth participated in each communities Pride Parade.

Photo: Co-chairs of LGBTQ Network at Pride launch



INTERNATIONAL HUMAN RIGHTS DAY: DECEMBER 10TH

In collaboration with Partners for Human Rights, the Commission held celebrations for International Human Rights Day at the Halifax Public Library December 10, 2018 and marked the 70th anniversary of the Universal Declaration of Human Rights. In addition to distinguished speakers and cultural performances, the 2018 Human Rights Awards were presented deserving Nova Scotians for their advocacy work on human rights in the categories of Youth, Individual, Dr. Burnley Allan "Rocky" Jones, and Organization.



2018 HUMAN RIGHTS AWARD RECIPIENTS

The 2018 Nova Scotia Human Rights Awards were presented as part of the December 10th International Human Rights Day celebrations. Nominations are received from the public in the categories of youth, individuals and group/organizations.



YOUTH AWARD

Kardeisha Provo

Kardeisha Provo, a first-year university student at Ryerson U in Toronto, was born and raised in North Preston Nova Scotia. In 2017, Kardeisha launched a self-titled YouTube channel highlighting members of North Preston's community. Her goal was to shed light on a community perceived to be in darkness and shift the minds of members in her community to see themselves as greater than portrayed and showcase their successes amongst each other. Kardeisha wants to be an advocate for youth/African Nova Scotian and Black youth to help bridge the barriers of communication and growth of the Black community in Canada. Kardeisha speaks her truth and faces the reality of what it means to be from the largest indigenous Black community in Canada.



INDIVIDUAL AWARD

Eric Smith

Eric Smith knew at a very young age that he was "different", and feels he was blessed to grow up in a family who provided him with a safe place to explore that difference. With three younger sisters he became an early feminist. He taught school for nine years. He served as chair of the local home and school and president of the teacher's union local. Eric tested positive for HIV in 1986; his status became public in 1987. Forced from his job, he became an HIV/AIDS and Queer activist. He served on the NS Task Force on AIDS; the resulting recommendations influenced government, education and legal policies. Eric helped establish the NS Persons with AIDS Coalition in 1988, served on the board and as chair, and served on the NS Advisory Committee on AIDS. He has taken part in about 400 presentations and workshops. Eric has been honoured to collaborate with so many inspiring people in the HIV/AIDS movement, Queer community, allies and world class health professionals. Eric is the recipient of the Canada 125 medal and the Darlene Young Community Hero Award. "Having lost over 550 friends to AIDS, I hope that my advocacy work has in some way helped to honour their memories," says Smith.

Award Recipients



Huwaida Medani

Huwaida Medani, an educator and diversity and inclusion consultant, holds a master’s degree in educational psychology from Mount Saint Vincent University, a bachelor’s degree and a Post Graduate Diploma from the University of Khartoum, Sudan. Huwaida’s work and advocacy focus on intersectional feminism, gender equity, community development, inclusive diversity, and migration



DR. ALLAN BURNLEY “ROCKY” JONES AWARD

DeRico Symonds

DeRico Symonds advocates on issues ranging from poverty and unemployment to affordable housing and community violence. He works full-time at Halifax Regional Municipality as a program manager with the Youth Advocate Program, and part-time at Mount Saint Vincent University as Black Student Support Coordinator. DeRico co-founded Future Roots Halifax, a social enterprise employing young people ages 13-17 in Halifax’s North end. He has received the Queen’s Diamond Jubilee Century of Service Award, was accepted to 21inc 21leaders program and has received the Irving & Ruth Pink award for youth development and social justice. In 2016 he started The Give BACK campaign to help families across HRM who have difficulty providing a Christmas meal for their family, raising close to \$5,000, providing meals to 40 families and support to Feed NS.

DeRico holds an undergraduate degree in Child & Youth Study, and a Master of Education in Counselling, and is currently completing his Canadian Certified Counsellor Certification.

Award Recipients



GROUP/ORGANIZATION AWARD

Inverness Development Association (IDA)

IDA was founded almost 50 years ago to promote the social and economic well-being of the village of Inverness, Nova Scotia. In that capacity, it has developed significant infrastructure for the community – including the development of the Cabot Links golf course – and continues to organize community services and events. These services include the Inverness Visitors Centre, and the Inverness Summer Homecoming and Christmas Parades. IDA also supports facilities at Inverness Beach including an extensive boardwalk system, restroom and canteen facilities, beach lifeguard protection, and accessibility services for the disabled, seniors, and families with small children.



South End Environmental Injustice Society (SEED)

SEED formed a group to address the issue of Environmental Racism in the Black community of Shelburne after working with the Enrich project of Dalhousie University and Dr. Ingrid Waldron. This group worked with other groups to bring to light and alter racist acts that made it seem acceptable to place hazardous landfills in Black communities, with the goal of improving the health of the Black community in Shelburne South End and have the town dump closed for good. SEED believes that exposure to these hazardous materials caused long-term risk to the health of the environment and is the reason that there is such a high rate of cancer in this Black community.

MAJOR EVENTS

NATIONAL SUPPORTED EMPLOYMENT CONFERENCE: JUNE 19-21, 2018 (HALIFAX)

The Commission sponsored the Canadian Association for Supported Employment (CASE) national conference at the Halifax Convention Centre June 19-21, 2018. The conference provided an opportunity for organizations to learn more about the business case for employing persons with disabilities and how to best support them. Participants had the opportunity to network with community-based service providers, educators, resources from across Canada, and over 100 employers of like-minded businesses. CASE 2018 also included events such as the Lieutenant Governor's Diversity and Inclusion Award and the Entrepreneurs' with Disabilities Annual Awards, the "Hali CASE CHASE", and the Entrepreneur Marketplace. The Commission's Director of Race Relations, Equity and Inclusion, Késa Munroe-Anderson delivered a workshop the afternoon of June 20: *Working Together Better: Inclusion Across the Intersections*.



The Commission also launched a new online course "Working with Abilities" at the national conference. This course provides education and support in the area of accommodation of mental and physical disabilities in the workplace.

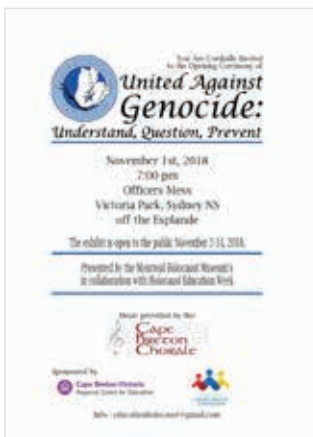
BANK OF CANADA \$10 ISSUE

On March 8, the Commission partnered with the Bank of Canada, African Nova Scotian Affairs and the Delmore “Buddy” Day Learning Institute to host the Halifax release of the BOC’s \$10 note commemorating African Nova Scotian social justice pioneer, Viola Desmond.



HOLOCAUST EXHIBIT IN SYDNEY

A travelling exhibit on loan from the Montreal Holocaust Museum was displayed at Victoria Park, Sydney, from November 2-14, 2018. The Commission partnered with the Cape Breton-Victoria Regional Centre for Education for the exhibit and opening reception.



TEEN YOUTH EXPO

The commission provided information on human rights with an exhibit and information table at the Teen XPO in November 13–14, 2018





CELEBRATING CYNTHIA DORRINGTON – FEBRUARY 11

The Commission sponsored Celebrating African Canadian Women Doing Business who was celebrating one of the Commission’s newest commissioners, Cynthia Dorrington. Ms. Dorrington was honoured for her achievements in the business community, both nationally and internationally. Cynthia, a savvy businesswoman and CEO of Vale Associates, became the first woman of African descent and first African Nova Scotian to hold the position of Chair of the Halifax Chamber of Commerce, the oldest business institution in North America with over 280 years of history.



MARCH 21, THE INTERNATIONAL DAY FOR THE ELIMINATION OF RACIAL DISCRIMINATION

In recognition of International Day for the Elimination of Racial Discrimination, March 21, 2019, the Commission, in collaboration with African Nova Scotian Affairs, organized two panel discussions. The morning session was a free lecture-panel for provincial government employees entitled “Unpacking Systemic Racism: Our Realities and Responsibilities”. The evening session was a panel open to the public entitled “Becoming an Effective Ally: Understanding Systemic Racism”. Both sessions were held at the Delmore Buddy Daye Learning Institute in Halifax.

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