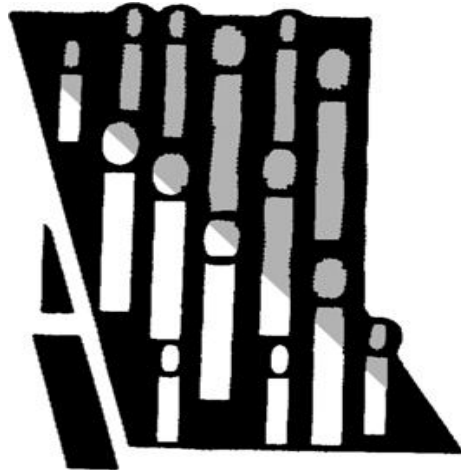


B.C. Human Rights Coalition



Annual Report 2008-2009

**Produced for the Annual General Meeting
Held at UBC Robson Square,
September 16th 2009.**

Board of Directors 2008-2009

Table Officers

President	Alisdair Smith
Vice-President:	Shehnaz Motani
Secretary:	Sarah Chandler/Mathew Yun
Treasurer	Timothy Agg

Directors at Large:

Margherita Zorzetto
Ashwin Mulekar
Tina Sikka
Kamilla Singh

Staff 2008-2009:

Dulce Cuenca	Advocate (On Leave)
Joyce Chung	Information Coordinator
Robyn Durling	Communications Coordinator
Edmundo Guevara	Advocate
Judi Grimsrud	Legal Administrative Assistant
Svetlana Khakhleva	Office Coordinator / Communications Assistant
Marilyn Minkler	Manager, Finance and Administration
Susan O'Donnell	Executive Director
Lucy Pridgeon	Advocate
Viktor Panfilenok	Administrative Assistant
Vicki Shillington	Advocate (On Leave)
Kathleen Smith	Advocate
Neeti Tewari	Administrative Assistant (On Leave)
Ronda Urquhart	Legal Administrative Assistant

Auditor: Turco Ross Chartered Accountants, Vancouver, B.C.

Legal Supervision: Barb Cornish, of Singleton Urquhart.



The B.C. Human Rights Coalition gratefully acknowledges the Ministry of the Attorney General for funding of the Human Rights Clinic Program. In addition, we thank the City of Vancouver and the B.C. Gaming Policy and Enforcement Branch for their continued support.

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Message from the Board of Directors



Alisdair Smith, Susan O'Donnell, Tim Agg, Tina Sikka, and Ashwin Mulekar

Our last Annual General Meeting was held on September 17, 2008 at U.B.C. Robson Square where we reviewed our work and elected a new Board of Directors. This year, Board priority areas emerged as follows:

To continue to develop and implement a strong infrastructure for the Coalition. This includes defining the roles and responsibilities of the Chair, Executive Director and the Board; reviewing existing Coalition policies, and identifying other policies that need to be developed; and revenue development to aid in expansion and capacity development.

To broaden our community outreach, networking and partnerships to include more community stakeholders in the work and education that we do.

To continue to attempt to effect legislative change in the area of human rights.

Through the year, our Board and staff have worked within the following committee structures to accomplish these goals. A brief discussion of these committee structures and their work follows:

Executive Committee

This Committee is responsible for the Board's Governance policies as well as the Executive Director's job description and evaluation process. During the past year, the Committee continued to meet with Alison Marshall and Elizabeth Barbeau, consultants with the United Community Services Co-op to discuss our needs in this area. The Board authorized the Coalition to enter into a contract with the Co-op to develop or update our policies, job descriptions and evaluations for excluded positions, and other policies and procedures as required to build the Coalition's infrastructure. This year has seen the completion of the Board's Governance Policies, which were formally adopted by the Board in August, 2008. Next year we will work with the Co-op to build a stronger infrastructure for our staff.

Clinic Committee

This committee was formed to help design and direct the formation of our Human Rights Clinic Program and to ensure that the program maintains an appropriate place within the Coalition structure. In conjunction with a similar Board committee formed by our Clinic partner, the Community Legal Assistance Society, committee members worked to ensure that both organizations supported each others funding requests for new three year contracts.

MAG Contract Committee (ad hoc)

This ad hoc committee was struck to provide guidance and assistance in negotiating our new contract with the Ministry of the Attorney General (“MAG”). Our current three year contract expires March 31, 2010.

Finance Committee

The finance committee continues to provide the Coalition with overall direction on financial matters and makes financial recommendations to the full Board. Members routinely met throughout the past year to review monthly financial statements of the Coalition.

Staff Liaison Committee

The staff liaison committee is a long standing committee of the Board which plays a vital role in administering the collective agreement and directing policy around human resource issues. This year the committee was very active in successfully bargaining our second collective agreement with B.C.G.E.U. and members also contributed by drafting final governance policies for the Board.

Law Reform Committee

Once again this year, the law reform committee was very active in advocating for strengthened rights. For further details see page 13.

Recognizing Excellence in Human Rights

In addition to committee work, the full Board played an active role in our annual celebration of International Human Rights Day, held on December 10, 2008.

International Human Rights Day Celebration and Human Trafficking Seminar- December 10, 2008.

The B.C. Human Rights Coalition and the United Nations Association in Canada, Vancouver Branch celebrated *International Human Rights Day*, Wednesday, December 10, 2008. This was also a celebration of the 60th Anniversary of the Universal Declaration of Human Rights by the United Nations General Assembly.

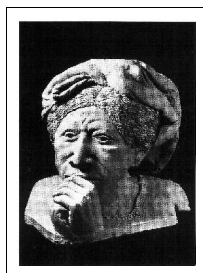


At table left to right: Senator Mobina Jaffer, Moderator Alisdair Smith, Gail Davidson, Benjamin Perrin, Robin Pike and Norrie de Valencia.

The celebration encompassed two events; an afternoon seminar followed by a reception and the presentation of the Renate Shearer award.

This year the event was marked by a special afternoon seminar, moderated by Alisdair Smith, titled *Human Trafficking: The Outrage of the 21st Century*. The speakers included Senator Mobina Jaffer, Robin Pike from the B.C. Provincial Office to Combat Trafficking in People (“OCTIP”), UBC Law Professor Benjamin Perrin, Norrie de Valencia, and Gail Davidson of Lawyers Rights Watch. The Speakers addressed Global, National, Provincial, and local/NGO issues related to Human Trafficking. The speeches of the panelists were made available online, and linked from the Coalition's webpage.

Renate Shearer Award



The evening portion of the celebration of International Human Rights Day included a reception, held at JJ's Restaurant, and the presentation of the **Renate Shearer Award**.

This year's award was of special significance as it celebrated the 20th anniversary of the award. The United Nations Association in Canada, Vancouver Branch, nominated **Miriam Palacios** as the Renate Shearer Award recipient. Ms. Palacios has been a tireless human rights activist and advocate. Ms. Palacios has helped to educate people about issues related to Human Rights, Women's Rights, Food and Trade and many other international oriented topics. She is the co-founder of initiatives such as the Vancouver Fair Trade Coffee Network, Member of the Vancouver Food Policy Council and the British Columbia Council for International Cooperation's Task Force to Make Poverty History. Ms. Palacios was a key player in the Task Force that worked with the City of Vancouver to develop and pass the first Municipal Ethical Procurement Policy and Suppliers Code of Conduct. Most recently, she has taken a leading role in promoting and campaigning to Make Trade Fair and Make Poverty History. In 2006 Miriam was co-founder of the We Can End All Violence Against Women campaign in B.C. Miriam has a Masters Degree in Latin American Studies from SFU and has written a Masters Thesis on "Gender and Development Policies and its Impact on Aboriginal Women". Miriam Palacios is currently the Public Engagement, Advocacy and Campaign Officer for Oxfam Canada in B.C.



Photo: Miriam Palacios looking at the Renate Shearer Memorial award she is about to receive from Renate's son Dr. Carl Shearer.

On this special anniversary, the Award was presented to Miriam Palacios by Dr. Carl Shearer, Renate Shearer's son.

Rosemary Brown Award



Rosemary Brown

The Board also helped to mark the fifth anniversary of the **Rosemary Brown Award for Women** held in Vancouver on June 4, 2008. Rosemary Brown was an inspiring Canadian woman who greatly influenced and affected the global agenda towards equality and justice for all. Throughout her lifetime, Rosemary worked to break down social, economic and political barriers in the hope of achieving a world where all could be equal in dignity, self respect and human rights. Her quest for equality was directed in a variety of areas characterized as follows: Children's Rights, Women in Labour, Human Rights, Political Activism or Women in Politics, Social Justice and Community Development, International Development and Women's Equality issues.

Regardless of the area she focused on, Rosemary always acted with a strong sense of social democratic ideals and she constantly questioned the *status quo* and empowered others to make positive change. She was an advocate for marginalized groups and she brought a voice, a vision and an agenda for equality and justice for all.

This year the University of British Columbia Womens' Club joined the United Nations Association, the B.C. Association of Social Workers, the B.C. Federation of Labour, the B.C. Human Rights Coalition, the National Congress of Black Women Foundation, and the Society for Children and Youth of B.C – to



Rosemary Brown
Stamp

work together on the Rosemary Brown Award for Women event as a way to honor and commemorate the life and work of Rosemary Brown. Each year the Award is presented to a woman, or a women's group, who has made an outstanding contribution in one of the many areas championed by Rosemary Brown. This year's theme focused on Women in Politics.

In addition in February, Canada Post marked Black History Month by honouring two pioneering figures with a set of commemorative stamps. One of the stamps was released to commemorate the achievements of Rosemary Brown.

The 2008 Rosemary Brown Award Recipient – Margaret Mitchell

This year *Margaret Mitchell* was selected by the supporting organizations for her many years working to advance the rights of women through political action at the community, provincial, federal and international levels. Margaret Mitchell was born in Cayuga, Ontario, a graduate of McMaster University and Toronto School of Social Work.

She worked for the international Red Cross in Japan and Korea during the Korean war and in Vienna in 1956 with Hungarian refugees. Known for her many contributions as a social activist and in community development, she became the NDP member of Parliament for Vancouver East from 1979 until 1993.

As a Parliamentarian she inspired generations of women with her public stand against wife beating and with her vocal support for women's equality. She spent 14 years in Parliament advocating for affordable housing, multiculturalism and the right of poor people. She worked tirelessly on issues, including redress for the Chinese Head tax, and children.

Prior to entering politics Margaret pioneered community development in Vancouver, helping people to organize and improve in the city's poor neighborhoods . Many organizations she helped to develop to achieve greater citizen participation are still active today.

Ms Mitchell established a Fund after her retirement which supports women's self help projects and scholarships.

Margaret published her memoir "No Laughing Matter" named after her response to the MPs in the House of commons who ridiculed her by laughing when she was defending the rights of battered wives in Canada. A dedicated politician, champion of women and minority rights, she is unwavering whether working internationally for the Red Cross or local communities.

Recognized in 2000 as a member of the Order of British Columbia, Margaret lives in Vancouver and continues to be active in a variety of projects promoting women, particularly promoting and supporting women to get active politically. The Award was presented June 4th 2008 at the Hycroft University Women's Club in Vancouver.

Human Trafficking

Human trafficking is a global problem. Canada has been identified as both a transit and a destination point for human trafficking, and Vancouver has been singled out by the U.S. state department as a port of major concern. In 2007 British Columbia established the Office to Combat Trafficking in Persons ("OCTIP"). OCTIP is focused on the protection of trafficked persons and on the prevention of human trafficking. The Coalition has been involved in raising awareness with respect to Human Trafficking and has been involved in several events highlighting the issue.

The BC Human Rights Coalition was pleased to assist in helping present a very special free presentation by Ms. Patsy Sørensen, titled "*Payoke: Pioneering in the Fight against Human Trafficking.*" Payoke is an NGO based in Antwerp, Belgium, created in 1988 to defend the interests of sex workers in their fight for emancipation and to combat all forms of forced prostitution. Patsy Sørensen is the founder and current Director of Payoke and is widely recognized as a pioneer and leading advocate in the fight against human trafficking in all its forms. She is also a member of the Committee of Experts on Human Trafficking of the European Commission. On November 18, 2008 Ms. Sørensen spoke to a morning gathering at the Vancouver Law Courts, and again later that evening at the SFU downtown campus.



Ms. Patsy Sorenson and Susan O'Donnell

Susan O'Donnell wrote a paper titled "**Human Rights and Gender Equality – Towards a Comprehensive Approach to Human Security for Trafficked Persons**". This paper was delivered at the Provincial conference on human trafficking sponsored by OCTIP. This article was later posted to our website's human trafficking page. (<http://bchrcoalition.org/documents/HumanTrafficking.pdf>)

As mentioned above, the Coalition assisted in bringing about a panel discussion on human trafficking as part of the International Human Rights Day celebrations. (see above)

Summary

In summary, the past year has been one of consolidation, of strengthening our core, re-examining our processes, and clarifying our role as a Board of Directors, and how we would like to interface with the community and our staff in the future.

As always, we extend our gratitude to our major funders, the Ministry of Attorney General, the City of Vancouver, and the B.C. Gaming Policy and Enforcement Branch. We are grateful for funding received from our individual donors. We also wish to acknowledge and thank the hard-working and dedicated staff at the Coalition who efficiently handle the day-to-day administration of the work and carry out the mandate of the organization.

BOARD OF DIRECTORS

B.C. Human Rights Coalition

Staff Report

Last year we reported constant disruption and turnover of staff. Over this year that has completely settled down. In July, 2008, Robyn Durling who had been an advocate for several years became our new Communications Coordinator. Our staff has become a well organized, cheerful hardworking team.

We were included this year in the BC Legal Speakers Bureau.

In January, 2009, we submitted a letter of intent to apply for funding to the Law Foundation of British Columbia. We are hoping to provide a provincial education tour for small businesses. We would help them understand the law in human rights, the Tribunal's process, and to develop internal policies and procedures for preventing discrimination.

We continue development of a Case Quotes file, containing law and citations on various topics for use by the Advocates in preparing submissions. This document is now over 300 pages long. In addition, this year we developed a Case Quotes file from the perspective of respondents. We continue to update our awards file which tracks the latest damages awards given by the Tribunal. This is distributed on a regular basis via email to assorted legal counsel. With the assistance of Supervising Counsel the Advocates agreed upon the style and substance of releases/settlement agreements to be used in settlement of cases and they have revised and updated these templates to deal with complaints arising in areas of Employment, Tenancy, and Services.

The Database system developed two years ago is running effectively and has been updated to be more robust. The statistics are now available as a management tool. In addition, this has allowed us to collect the data we need to report to our funders, and generate helpful reports allowing us to review our statistics from many different perspectives.

In addition to information, communications, advocacy, and education, many of our staff work with the Board of Directors, and with Board committees. The staff provides liaison with, and between Board members, staffing for the law reform committee, the staff liaison committee, and the finance committee.

Once again, the staff extends its gratitude to our Board of Directors, who is consistently there for us, and without whom our Coalition simply could not function.

About the B.C. Human Rights Coalition

The Coalition is a charitable non-profit community organization governed by a volunteer Board of Directors that is elected annually. Our mission works to promote and strengthen domestic human rights in B.C. through advocacy, education and law reform. As a Coalition we are a membership organization, and accept both group and individual members. Any member in good standing is entitled to seek election to our Board of Directors at our Annual General Meeting.

The Coalition's program areas provide for a full range of service delivery in the area of human rights law and policy. Our services are offered province wide and are regularly accessed by those from outside the Lower Mainland region. Our programs include and integrate the following: information, education, training, consultation, investigation, mediation, research and advocacy (client representation). Our advocacy programs protect existing rights, our education, training and consultation programs help to prevent discrimination, and our law reform program seeks to expand human rights protections. Together this integrated approach works to promote and strengthen human rights in this province.

Education

The range of educational services we provide extends from general information programs to extensive, and often tailored, training programs.

Providing education and training, as well as promoting awareness and understanding of human rights issues, have been core functions of the Coalition for many years. Information provided through general public inquiries, online and print resources and through consultations and educational programs, helps to build awareness and understanding about human rights protections. Much of our educational work also helps to build capacity by providing the tools and resources required to implement positive change at both an individual, and an institutional level.

Our efforts include:

- General public inquiries. In the current reporting period, Coalition staff responded to 11,249 general public inquiries and calls related to client services.
- Publications. We continue to publish *Your Rights to Know*, a lay person's guide to B.C.'s human rights legislation and complaints process; and *News from the Coalition*, a newsletter produced on a regular basis.
- Website. We maintain a website (www.bchrcoalition.org) that provides extensive information and resource material on human rights law and policy, as well as information about our structure and our work. New information for respondents was added this year.
- Consultations. We provide confidential consultations that assist a variety of stakeholders in understanding and designing guidelines and best practice approaches around specific issues related to human rights law and policy.
- Public presentations, workshops and training. We offer a range of innovative and effective workshops and presentations that have a preventative effect on human rights complaints. Sessions are offered province wide and are available through a variety of fee structures.
- Media Work. The Coalition is increasingly being sought out to comment on, and provide perspectives on issues related to human rights.

Advocacy and Client Representation

Advocacy and client representation have been core functions of the Coalition since 1985. Representing people with human rights complaints over this period has meant that the degree and scope of our client work has had to adapt to changing enforcement structures. One element of our client work that remains unchanged is the fact that our expertise lies in the early stages of complaint resolution. Another factor that has changed is the legal and procedural complexity of the complaints.

Today, 99 % of our client work occurs in the provincial jurisdiction where we run a publicly funded Human Rights Clinic. Client representation is available through the Clinic on a province wide basis to those who lodge formal complaints of discrimination under provincial human rights legislation. We have an intake process for clients and after a successful assessment, Coalition advocates represent clients through the early stages of the Tribunal's complaint process which often involves assisting in framing complaints, drafting and responding to submissions, making applications, complying with disclosure rules, and representing clients through early settlement processes.

Where necessary, clients are transferred to our Clinic partner, the Community Legal Assistance Society (CLAS), to prepare for and conduct litigation. This free Clinic program ensures access to publicly

funded representation for provincial complainants.

In the federal jurisdiction, client representation is not publicly funded at any stage during complaint resolution. This continues to restrict our ability to formally represent clients, but we do provide information and advice to anyone who requires it.

For more information about our Clinic work, see page 16 of this Annual Report.

Law Reform

Striving for better human rights protections remains as much a priority to us today as it has since our inception in the early 80's. Over the years, we have utilized a variety of strategies to conduct this work including executing litigation strategies, writing briefs and submissions on government led legislative reviews and by lobbying government officials whenever the opportunity exists. To leverage our own limited resources, we often support the efforts of others by partnering, endorsing campaigns, writing letters of support, or by joining forces in some other way.

For many years the Coalition has argued that B.C.'s human rights legislation is under-inclusive. While we've made great strides this past year, we still have much work to do. Once again, we had a very dedicated group of volunteers who all helped to move issues forward this year. To all committee members, volunteer researchers and program coordinators, we are grateful for your contribution and we look forward to continued success in the future.

Our Board Member Tina Sikka undertook to prepare a paper titled "Sex Pregnancy and Statutory Entitlements" It was drafted with the hopes that it would assist the Advocates in understanding the interplay between various pieces of legislation that may come into focus in dealing with a Sex-Pregnancy complaint.

This document aimed to provide an overview of the various law, codes, and rights available to pregnant women and their families. This document began with an introduction to the legal framework in BC and consisted of a summary of the rights and responsibilities afforded to pregnant women under 1). The Human Rights Code; 2). The Employment Standards Act (ESA); 3). HRDC (E.I.) and 4) Income Assistance.

The second part of this document outlined the specific monetary compensation women are entitled to under Employment Insurance and provided examples the "sliding" coverage.

We worked with the Pro Bono law students at U.B.C. - two of whom provided us with comparative data from our legal clinic, and an extensive outline on the issue of social status protection in human rights legislation. This year also saw the need for anti-bullying legislation, and we commenced the debate as to whether that should be included in employment standards legislation or occupational health and safety. In addition this committee revised its wish-list for human rights legislation.

Information and Referrals

In the period ending March 31, 2009, the Coalition compiled statistical information on 11,249 incoming phone calls. These calls represent client related communications and general public inquiries only. We do not compile phone statistics for general administration or operations, nor do we compile statistics on email or fax inquiries.

Of the 11,156 recorded calls, 38 % (4,231) were client and case related. The remaining 62 % (6,925) reflect inquiries from the public. In relation to general inquiries, many callers seek basic information

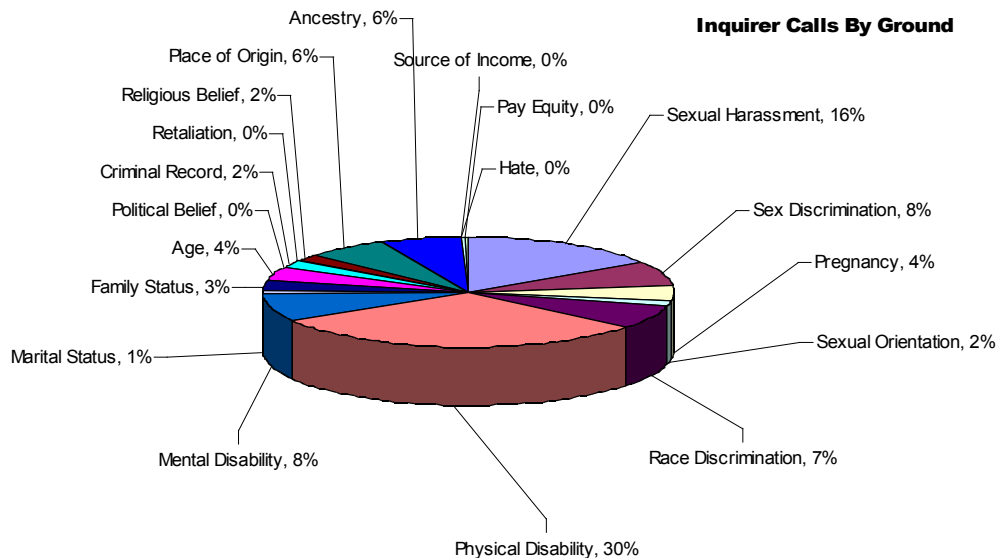
Total Recorded Incoming Phone Calls	Total	% of Total
Protected Grounds	1887	17 %
General Human Rights	4175	37 %
Referrals	863	8 %
<i>Total General Public Inquiries</i>	6925	62 %
Case Related	3450	31 %
Intake	781	7 %
<i>Total Client Related Calls</i>	4231	38 %
Total Reported Calls	11156	100 %

about human rights law and want to know more about what their options are. Callers also often seek an assessment as to whether their situation may fit within human rights protections, or they may have specific questions in relation to filing a formal complaint. At this stage, we provide callers with information and practical advice - as opposed to legal advice - about what legal protections exist, what their options are, and what factors are required to make out a *prima facie* case of discrimination.

Inquirer Calls By Ground

Inquiry calls by Ground	Total Calls	% of Total
Physical Disability	567	30 %
Sexual Harassment	298	16 %
Mental Disability	147	8 %
Sex Discrimination	143	8 %
Race Discrimination	134	7 %
Ancestry	121	6 %
Place of Origin	116	6 %
Age	78	4 %
Pregnancy	77	4 %
Family Status	57	3 %
Religious Belief	37	2 %
Criminal Record	35	2 %
Sexual Orientation	32	2 %
Marital Status	23	1 %
Section 43 (Retaliation)	8	1%
Pay Equity	5	-
Source of Income	4	-
Hate	3	-
Political Belief	2	-
TOTAL	1887	100 %

17 % (1,887) of general inquiries identified a specific group characteristic or ground when seeking information. The charts below categorizes these calls by the ground.



38 % (4,268) of general inquiries identified specific issues or concerns that they sought more information or advise on. These calls are grouped into six categories which are discussed below.

General Inquires by Issue	Total	% of Total phone calls
Complainant Process and Expectation Inquiries	3421	80 %
Respondent Process and Expectation Inquiries	15	-
Federal Jurisdiction	41	1 %
Consultations	363	9 %
Workplace Bullying	335	8 %
Educational Development	93	2 %
Total	4268	100 %

Complainant Process and Expectation

We provide detailed information in regards to the formal complaints process as well as inform people about Clinic services. We guide callers through specific questions on filling out forms and other related requirements. We provide contact information for callers to obtain a Lawyer Referral and/or Legal Advice. Where appropriate we direct callers to the appropriate statutory agency for filing of complaints. These agencies include the Canadian Human Rights Commission, the Employment Standards Branch, the Residential Tenancy Branch, the Labour Relations Board, WorkSafe BC, the Police Complaint Commissioner, the Privacy Commissioner, and others.

Respondent Process and Expectation

Our education staff is able to provide respondents with process assistance and information. We also assist in explaining defenses that exist under the *Code* and explain factors that the Tribunal is likely to consider. In all cases we ensure respondents are aware that publicly funded representation is available through the University of Victoria's Law Center.

Federal Jurisdiction Inquiries

These calls have been specifically identified as falling under the federal jurisdiction. We provide information and advice specific to the *Canadian Human Rights Act* and its related enforcement process and structure.

Consultations and Educational Development

Our consultation program assists employers, institutions, community organizations, unions and others in understanding and designing guidelines around specific issues such as drug and alcohol policies, pregnancy leave, harassment policies, duty to accommodate issues, mandatory retirement and advice on specific day-to-day situations. These consultations are provided on a confidential basis and are a natural extension of our education work. In this fiscal period, we responded to **363 such inquiries**. An additional 93 calls pertained to the development and planning of educational sessions.

Media Work

Human rights decisions, their implications, and dialogue on related issues continue to be expressed in various forms of national and B.C. Media. The Coalition strives to maintain a collaborative relationship with media and we continue to provide comment, perspective and background or referrals to media sources. This interest by the press serves as an important educational function as it highlights many of the general principles associated with human rights legislation and it helps to inform employers and service providers on many of the complexities around issues such as duty to accommodate, harassment, gender disparities in the workplace and the scope of liability.

This year the Coalition was contacted by a variety of media outlets including; CBC Radio 1, the Georgia Straight, X-Tra West, the Kamloops News, the Epoch Times, Ming Pow Magazine, Occupational Health and Safety Magazine, the Globe and Mail, and Langara Community College

Workplace Bullying

We have noticed an increase in calls pertaining to workplace bullying, intimidation and harassment where *Code* related protections do not apply. We began tracking such calls under this category effective August 2007. In this this fiscal period we responded to 335 such inquiries.

Referrals

As noted above, when inquiries fall outside the human rights arena, a referral to a more appropriate agency is made. 8 % of our total calls (863) required such a referral with the six most common areas referred to as: employment (6%); social assistance (1%); housing (6%); family matters (-%); legal (83%) and a miscellaneous category that accounts for the remainder (4%)

Please see the chart below.

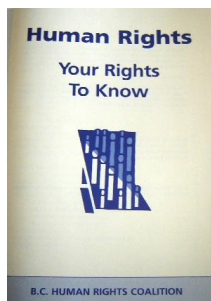
Areas of Referrals	% of Total Referral Calls
Legal	83 %
Employment	6 %
Housing	6 %
Miscellaneous	4 %
Social Assistance	1 %
Family Matters	-
Total	863 (100%)

Newspaper.

Our Communications Coordinator, Robyn Durling appeared on the Early Edition on CBC Radio 1 to respond to statements made by Ezra Levant regarding human rights commissions/tribunals and their decisions.

The Coalition was asked to comment on topics including, WorkSafe's duty to accommodate, racial and police profiling, fighting at a sports event involving a Muslim soccer team, a case dealing with alleged discrimination in tenancy based on sexual orientation, the duty of service providers to allow breastfeeding in a store, the possible duty to allow breastfeeding pumps on an airplane, denial of entrance into a bar to persons under 21, on the case of a father who was denied bereavement leave, and the duty of employers to allow differing languages in the workplace.

Print and Online Resources



The Coalition continues to produce and distribute *Your Rights to Know* a lay person's guide to human rights in B.C. This publication provides a plain language approach to understanding the law and contains up-to-date information on filing a complaint. The booklet is widely distributed through our educational channels, through numerous non-profit and community groups, and is available on our website. The book is also provided to potential complainants attending at the short service clinic.

The Coalition continues to publish and distribute a free newsletter. *News from the Coalition* which allows us to raise awareness and understanding of equality concepts and principles by providing summaries on select human and equality rights decisions and by engaging readers in dialogue on law reform issues. This past year 3 newsletters were sent to our 640 subscribers. Each issue focused on a particular topic. The first newsletter dealt with an analysis of Section 8 of the Human Rights Code, dealing with accommodation, service and facility. It also looked at the effects of the new law on the abolition of mandatory retirement. The second newsletter reflected on the Coalition's year in review and provided a synopsis of the Coalition's annual report. It also looked at human rights law dealing with sexual harassment. The third newsletter reviewed the annual celebration of international human rights day, and the presentation of the Renate Shearer Award (see above 4 page) There was also a review of 3 recent and important human rights decisions.

We continue to act as a clearing-house for bulk orders of the Ministry of the Attorney General's eight information pamphlets on human rights protections which are all available in English, Chinese, and Punjabi.

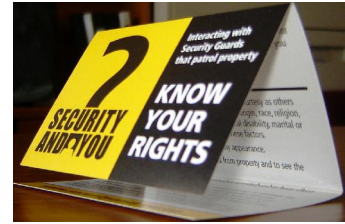
We also continue to maintain an extensive listing of fact sheets, guides and policies on various human rights issues that are produced by sources from across the country. This listing is available online and is distributed through educational channels.

In addition this year, we revised and produced a manual on the human rights law for facilitators presenting a workshop on discrimination and harassment to employees of the Government of British Columbia.

Security and You



The Coalition has been active in developing public legal information materials and extensive training tools and curriculum for the private security industry in BC to ensure discriminatory free and respectful interactions between guards and the public. The materials for the public have been developed and, include a wallet sized rights card, a brochure and a comprehensive website (www.securityandyou.ca). The Coalition continues to manage the website and distribute the brochures as requested.



Our website, found at www.bchrcoalition.org, is a key communications tool for the organization. We received 1,006,070 hits in the 07/08 year. This year, we received a total of **1,267,034 hits** which represents a 26% increase from the last year. This number reflects the number of hits, as each page hit can result in several requests like the images, photos or other links loaded for each page.

The site provides extensive information on B.C.'s human rights system as well as general information, links and online educational materials on human rights law and procedures.

This year we streamlined the site to try and make it easier for people to get data. We established a poll to let us know why visitors were coming to our site. We modified our site to make information more easily accessible to our visitors. We added two new FAQ (Frequently Asked Questions) links; one for complainants (<http://bchrcoalition.org/files/templatepage.html>) and one for respondents (<http://bchrcoalition.org/files/templatepage.html>). We added additional information on how to file a complaint, and how to make a request for representation (including the addition of a down-loadable representation request form) (<http://bchrcoalition.org/files/HowtoApplyforRepresentation.html>). We added pages to assist respondents in understanding their options and how to respond to a complaint (<http://bchrcoalition.org/NamedasaRespondent.html>), and provided a page explaining the grounds and the law around applications to dismiss (<http://bchrcoalition.org/DismissalofComplaint.html>). We have added video content to our pages to make them more dynamic. Next year we intend to add help in new languages, (Russian, Portuguese and Tagalog will be first), and we will also add audio files to assist those with visual impairment or with barriers to reading.

We also started a new page dealing strictly with the issue of human trafficking (<http://bchrcoalition.org/HumanTrafficking.php>)

We installed Google Analytics, and a poll on our website in October 2008. As a result we are able to see data for the last 6 months of our reporting year. The poll asks why visitors are visiting our site. They may answer that they are there for a) general information, or are b) thinking of filing or have filed a complaint, or are c) responding to a complaint. Since instituting the poll the numbers have been steady and indicate the reasons for visiting are;

- General information (38%)
- Thinking of filing or have filed a complaint (59%)
- Responding to a complaint (3%)

Thanks to Google Analytics on a our webpage we were able to mine some interesting data. For example: 62.05% of the traffic to our site comes from search engines. Google accounts for 52.% of the search engine traffic. 25% of traffic comes directly to our site. 13% comes from referring sites. Average time on the site was 2:40. Average page visits was 2.82. New visitors accounted for 67.5% of

the visits. Visitors came from 76 countries using 37 different languages.

Workshop Delivery

Workshop and training sessions this past year focused on four primary areas: the delivery of sessions to employers and employer groups, the delivery of training sessions to Harassment Advisors, the delivery of sessions to union and community advocates, and the delivery of sessions to broader public audiences.

In total, we delivered the equivalent of 28.49 days or 170.95 classroom hours of education and training this fiscal period, which is slightly less than the 31.29 days delivered last year. 48 separate sessions comprise this 28.49 days total and 23 of these sessions were conducted outside the Lower Mainland region. 12 sessions were targeted specifically to Professional Service Providers, 4 sessions were targeted specifically to Employers, 15 sessions were targeted specifically to Union and Community Advocates and 4 sessions were targeted to specifically to Harassment Advisors, 4 sessions were targeted to the Respondents' education. The remaining 9 sessions were open to a broader range of participants, academic students and general public education.

Beyond classroom hours, much time and effort goes into developing collaborative relationships and creating programs that meet the needs of those seeking our services.

Building Capacity Through Outreach

The value of our preventative educational work is greatly enhanced by establishing collaborative relationships with others who share equality and its underlying principles as a common vision. Working with others to build capacity for equality into their own structures allows us to leverage our own resources and extend the reach of our preventative work.

A few examples of this work follows:

Providing a human rights perspective for various groups and organizations working on building awareness of human trafficking.

Early in 2008, we were asked to participate in a roundtable to develop a symposium on workplace bullying. Initiated by Lorne Mayencourt, M.L.A. Vancouver Burrard at the request of a constituent, participants of the roundtable were the Human Rights Coalition, No Bully for Me (an organization to aid the victims of bullying), Institute for Global Ethics, Sue Paish, Q.C. (an expert in employers and harassment), Erica Pinsky (Workplace Dignity Consultant).

On March 31, 2008, Lorne Mayencourt, MLA Vancouver Burrard made a Private Members Statement in the Legislature advocating workplace anti-bullying legislation for BC.

The forum on Workplace Bullying was held on May 27, 2008 at the Wosk Centre for Dialogue, and was extremely well attended. WorkSafe BC, Vancouver Burrard Constituency Office and our Coalition all helped with the financing.

In September 2008, Mr. Mayencourt stepped down as MLA-Vancouver Burrard. In October, a small group of participants from the original roundtable decided the work was important and needed to continue, and so organized a discussion group which was held on November 28, 2008 at SFU downtown.

This group of a little more than 20 representatives of unions, organizations, psychologists, etc. have continued to meet on a regular basis. We have drafted an outline to be used in developing legislation, and are considering various strategies to build awareness of this issue. New people continue to join us in this extremely vibrant working group.

This year we continued to participate in the Public Legal Education and Information Working Group. This group involves the Ministry of the Attorney General, Law Courts Education Society, Legal Services Society, CLAS, B. C. Civil Liberties Association, and the Tenants Rights Advisory Centre. The purpose of the group is to try and pool our limited resources to assist in the distribution of our information and education materials.

We also participated in the Canadian Bar Association's "Law Day". This event attempts to bring together all service providers in the area of law to the public library in order to provide information about their services. The Coalition shares an information table with Community Legal Assistance Society, our Clinic partner, the B. C. Human Rights Tribunal, and the Ministry of the Attorney General.

We also continue to build capacity within the labour movement by instructing two extensive 5 day sessions on the Duty to Accommodate at the Canadian Labour Congress's Winter School Program. This program provides provincial stewards and union activists with knowledge, skills and practical know how to resolve and prevent workplace discriminatory infractions from occurring.

We also continue to work with professional service providers and their associations in building human rights capacity into their own programming needs. We delivered core human rights modules under specific Victims Services programs and we partnered with the B.C. Human Resource Management Association in delivering human rights training to their membership. We also continue to work with the College of Registered Nurses Association of B.C. as they continue to build human rights standards into the development of their professional standards.

The Minister of Labour for the Republic of Mozambique, Dr. Maria Helena Taipo, along with Antonitta Tauzene from the Mozambique Embassy in the U.S, and other representatives of the Republic, visited the offices of the BC Human Rights Coalition, in Vancouver. The representatives from Mozambique met with Robyn Durling, the Communications Coordinator for the Coalition. The purpose of the meeting was to have a discussion on the Human Rights process in British Columbia and how it compared to the process in Mozambique.

In each of these and other instances, the value of working in collaboration with others to build capacity for equality has been fulfilled, and as a whole allows us to greatly extend our preventative aims.



Left to right: Dr. Taipo (Minister of Labour for Mozambique), Robyn Durling (Human Rights Coalition), and Antonitta Tauzene (Mozambique Embassy in New York)

The Human Rights Clinic

Today, 99% of our client work occurs in the provincial jurisdiction where we jointly run a publicly funded Human Rights Clinic with the Community Legal Assistance Society (CLAS). This Clinic provides representation to complainants through all stages of the Tribunal's complaint process. The Coalition performs client intake functions at which point, our advocates then have a window of opportunity to resolve complaints through alternative dispute resolution before the legal team at CLAS

undertakes hearing preparation and litigation. In the federal jurisdiction, we provide information, advice and assistance to complainants, but we are unable to provide full representation as we are limited by both human and financial resources.

Clinic Program – Onsite Short Service

We conduct an onsite Clinic service every Monday between 10:00 a.m. and 4:00 p.m. at the Tribunal's offices in Vancouver. In November 2008, we also implemented a Kelowna short service clinic. After some refinement we are scheduling this clinic every 2 months. Unlike the Vancouver clinic, we schedule the Kelowna clinic based on the number of appointments scheduled. Clients are required to return signed limited retainers to our office in advance of the meeting. If the minimum number of client appointments are not scheduled the trip is canceled and the clients are offered assistance over the phone by the Advocate that would have attended the session. It is held at the offices of the Elizabeth Fry Society.

An advocate and an information officer assist complainants during the initial or entry stage of complaints by explaining Tribunal process and procedures and assisting those who have difficulty framing complaints, dealing with amendments, or replying to applications. This service is provided on a first come first served basis.

Vancouver Short Service Clinic ("VSSC") and Kelowna Short Service Clinic ("KSSC") assisted 440 people through 46 sessions held this year.

Out of 440 people assisted, 20 people became our clients.

Please see below the breakdown by the location:

VSSC – held 43 sessions, 424 people assisted; **KSSC** – held 3 sessions, 16 people assisted.

In addition, in special circumstances where necessitated by disability, exigent circumstances, geography, or language our advocates have given short service clinic assistance at the Coalition offices on an as needed basis.

Clinic Program – Client Intake

For those not aware of Clinic services prior to filing a complaint, the Tribunal formally advises all complainants in writing of the service very early in the process. While most individuals contact us immediately, we do struggle when faced with requests from those who may not fully understand the time sensitive nature of the Tribunal's process. Our ability to provide quality representation is restricted in these situations.

When the Tribunal has accepted a human rights complaint for filing, a complainant may apply for Clinic representation. The Tribunal sends out a letter informing the Complainant that they must apply to the Coalition within 30 days if they are seeking our assistance. At that time, we assess the complaint to determine whether a *prima facie* case of discrimination has been made out. We do not judge the merits of the complaint. If the assessment results in a negative intake decision, written reasons are provided and notice of an appeals process and its procedures are provided.

Our intake system also provides for flexible or partial representation agreements to assist in framing complaints, or to assist in a time-limit argument. Partial retainers are also sometimes used where an impending deadline is evident and we don't have time to properly review the file.

We continue to strive for an intake turnaround time of ten working days and, for the most part, we've managed to achieve this goal. In some cases however, our intake process may take several weeks.

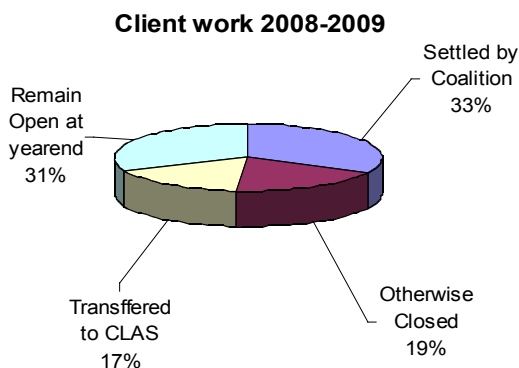
In the sixth year of operation, 385 requests for representation were processed. This represents a 1% increase from the 381 requests processed last year. 158 (41% of requests) new client files were approved for opening this year compared to 166 last year. 224 requests (58%) were declined service due to negative assessment decisions or no client follow up compared to 206 that were declined for the same reasons last year. 3 clients (1%) withdrew their requests for service this year.

Of the 224 requests that were declined service, 1 was assessed to be outside the scope of the *Code*; 37 had no link between the allegation made and a protected ground; in 17 instances, we saw no contravention of the *Code*; we were unable to accommodate the scheduled hearing dates in 30 instances this year, 47 prospective clients did not follow up with their representation request and 92 were declined service due to the lack of resources.

Our assessment decisions were appealed by 50 people this fiscal year. 3 appeals were carried over from the previous reporting period. 18 appeals were overturned and 32 appeals were upheld. 3 appeals remained pending at the year end.

Clinic Program - Client Work

We **worked on 230 client files** this fiscal period compared to 291 last year. 72 files were carried over from our previous year (previously reported as 75), and 158 new files were opened.



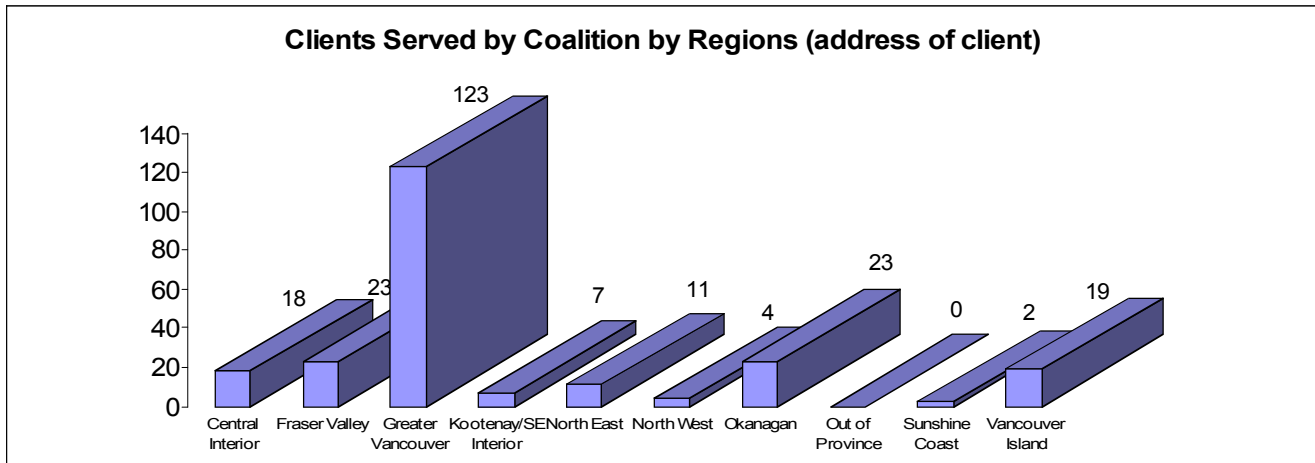
A total of 158 client files were closed throughout the same period:

- 75 files (33%) were settled by Coalition advocates,
- 43 files (19%) were otherwise closed, and
- 40 files (17%) were transferred to CLAS
- 72 files (31%) remain open at year end

Our settlement rate last year 2007/2008 was 36%. All but 3 of the 72 files carried over from last year are now closed; 29 were settled, 22 were transferred to CLAS to prepare for litigation, and 18 were otherwise closed.

Clients served by Coalition by Region (address of client)

The Clinic represented a number of clients in a variety of locations. Central Interior 18, Fraser Valley 23, Greater Vancouver 123, Kootenay / SE Interior 7, North East 11, North West 4, Okanagan 23, Out of Province 0, Sunshine Coast 2, Vancouver Island 19, for a *Total of 230*.



Settlements

Coalition advocates successfully settled 75 files this fiscal period compared against 104 settled last fiscal year. Settlement is often achieved through direct negotiations, through Tribunal assisted mediation, or through a combination of these two options. The Clinic settled a number of cases for their clients in a variety of locations throughout the province.

Settled Complaints by Area of Complaint

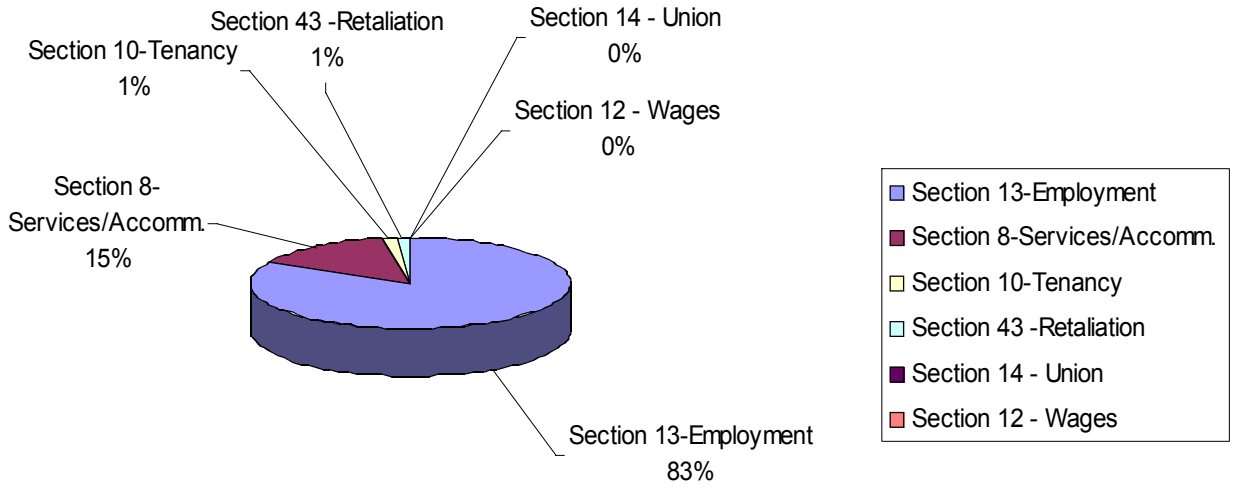
Of the complaints settled, 62 were in the area of Employment (Section 13), 11 were in the area of accommodations, services and facilities (Section 8), 1 was in the area of tenancy premises (Section 10). In 1 instance, retaliation (Section 43) was added to complaint. There may be more than one ground per complaint.

Settled Complaints by Ground of Complaint

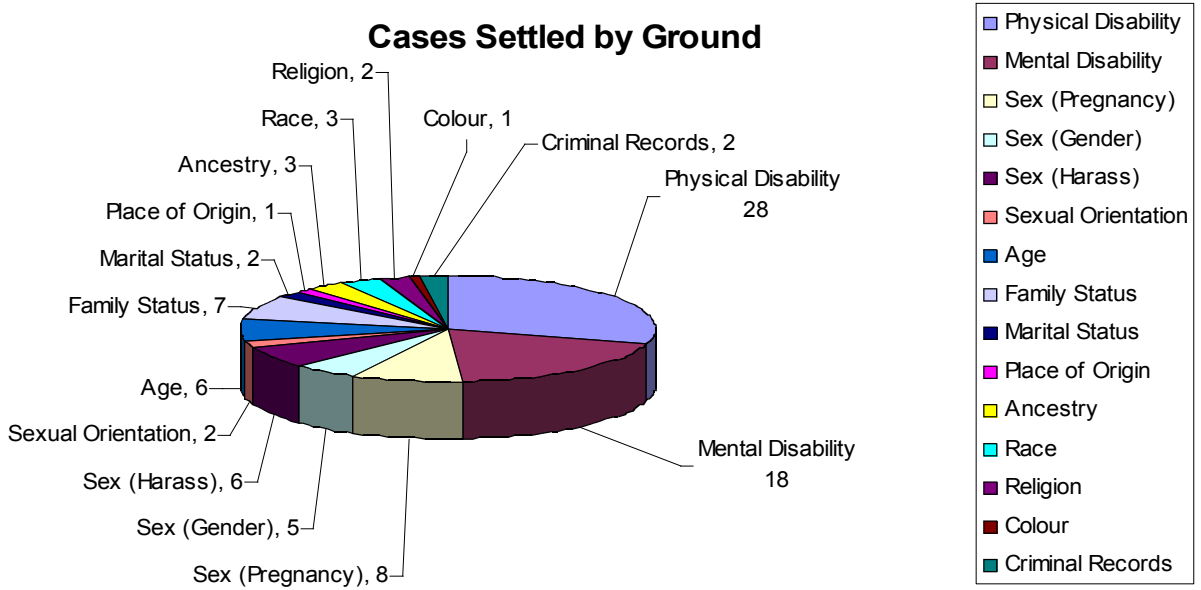
Terms of settlement generally include confidentiality agreements, so we are unable to disclose specific terms. However, we consistently aim to achieve the best terms, whether monetary or not, for our clientele and we continually strive to negotiate and build broader systemic remedies into settlement terms. As the Coalition has a respected and experienced education department, terms of settlement often integrate education, training and policy consultation along with monetary remedies.

Physical disability was the most often cited ground of discrimination, listed 28 times, with mental disability listed 18 times. Sex was cited 5 times, sexual harassment 6 times, pregnancy 8 times, and sexual orientation was cited 2 times. Age was cited 6 times. Place of origin was mentioned one time, colour was cited 1 time, religion was cited 2 times; and race and ancestry were each cited 3 times. Family status was cited 7 times, marital status 2 times, criminal conviction was cited twice. In some cases more than one ground was alleged.

Cases Settled by Area (may be more than one per complaint)



Cases Settled by Ground



Files Otherwise Closed

In some cases, files are closed for other reasons. The chart below details those situations.

REASON FILE CLOSED	NUMBER
Complaint abandoned by Client	4
Partial retainer, service rendered	2
Settlement achieved outside of Clinic	7
Client withdrew complaint from Tribunal	0
Representation withdrawn from Client	8
Client withdrew request for service	9
Complaint dismissed by Tribunal	13
Other	0
Total Otherwise Closed	43

Files transferred to CLAS

All new client files originate at the Coalition where preliminary work is conducted, except in the case where the Tribunal has streamed complaints into a ‘case managed’ stream. In those instances, files are transferred directly to CLAS. For standard stream complaints, much value is added to a client’s file prior to transferring to CLAS. Our advocates often assist in re-framing complaints, adding respondents, making and responding to submissions, and applications, complying with disclosure rules - including devising statements of remedy - and attending at settlement meetings and attempting early resolution. It is only when it becomes evident that settlement is unlikely to be achieved, or for other reasons outlined above, that client files are transferred to CLAS in order to prepare for and conduct litigation. 40 files were transferred to CLAS this year compared to 58 last year. Please see the chart below.

REASON FOR TRASFER	NUMBER
Case managed Files	0
Within 180 days of hearing	25
Settlement attempts unsuccessful	4
Client Instruction	1
Respondent not integrated in settling	3
Legal complexities on File	1
Other	6
Total Files Transferred	40

At year-end, March 31, 2009, 72 client files remain open. 3 files remain open from previous fiscal periods; 1 was concluding settlement and 2 were active at year end. Of the remaining 69 open files, 4 files were opened in the first quarter of this year, 11 files in the second quarter, 20 in the third quarter, and 34 in the fourth quarter of this year.

It has been our procedure for the last five years that if the Coalition's (Clinic) Advocates are unable to settle a complaint in an equitable manner the complaint is sent to CLAS' (Clinic) where the complainant may receive representation at Hearing. CLAS' Human Rights Clinic provided counsel in 13 of the 23 hearings in which complainants were represented (17% of the 76 hearings). The complaint was found to be justified in 10 (77%) of these 13 cases (which included 3 where the respondent did not appear and 5 in which only the complainant had legal representation). CLAS' Human Rights Clinic settled 2 cases during the hearing. (BCHRT Annual Report delete this info if BCHRT annual report unavailable by press time).

In Closing

We hope that the information provided herein has given some insight into the work we have been doing over the last year. If you have any suggestions or input please contact us.

WE WOULD LIKE TO THANK OUR FUNDERS



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and
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