



Information Bulletin #1

Bill 53 – Where Are We At, September 2002

BC Human Rights Coalition

- On May 30, 2002, the government introduced *Bill 53, The Human Rights Amendment Act*, which proposes changes to the way that individuals will access and enforce their human rights in BC. *Bill 53* does not propose to alter the essential protections as set out in the *BC Human Rights Code*.
- A government consultation process is being conducted on these changes until September 15, 2002. We expect an amended version of the legislation to pass during the fall legislative session and it would be this amended legislation that sets dates for any changes to occur.
- Many elements in this legislation require further discussion. However, the intent of one thing is clear: the government favors moving to a direct access enforcement model. Currently, the Commission model provides for two agencies to perform specific functions related to the enforcement of human rights law. A direct access model would rely on a single agency to perform all enforcement functions, which in our case, would be an expanded BC Human Rights Tribunal. The Attorney General has stated that this expanded Tribunal would be supported by an independent publicly funded human rights clinic that provides information, support, advice and representation through all stages of the new complaints process.
- Our Coalition and the Community Legal Assistance Society (CLAS) are jointly participating in the development of this clinic, which is still very much a work in progress. We know that the clinic is meant to provide representation, information and advice to either party of a complaint through all stages of the complaints process. We also know that the clinic will provide preventative education on human rights law. We have not yet put all the necessary systems and procedures into place to carry out these functions. The Coalition will carry complaints through the initial stages of the new process that would include providing advice and information during the early stages of filing a complaint and providing representation through early resolution mechanisms that the new Tribunal may rely on. CLAS will provide representation at formal hearings and before the Supreme Court of BC if necessary. The public will have full access to this clinic by contacting the Coalition directly. Once in full operation, the clinic will be widely publicized and Tribunal staff will advise people of this service. We will keep you informed of further developments.
- During this transition phase people should continue to contact the BC Human Rights Commission to initiate a complaint. The BC Human Rights Tribunal will continue to act in its current capacity and the clinic will provide services to those that have been referred to hearing by the Commission. The Coalition will also continue to provide all regular advocacy and education related services during this period.
- Government links regarding these changes are at www.gov.bc.ca/ag/ and the Coalition's materials can be viewed under the 'Information' section of our web site www.human-rights-coalition.bc.ca.