

HRLSC | Human Rights Legal Support Centre

ANNUAL REPORT

2018-19

CAJDP | Centre d'assistance juridique
en matière de droits de la personne

Ontario 

The HRLSC provides services throughout Ontario and has lawyers located in Toronto, Guelph, Hamilton, London, Thunder Bay, and Windsor. Accordingly, we acknowledge our presence on the traditional territories of the Wendat, the Haudenosaunee, and Anishinaabeg, Attawandaron and Leni-Lunaape, the Métis homeland and particularly the Mississauga of the Credit. The place now called Ontario is home to many Indigenous people from across Turtle Island and we are grateful to have the opportunity to work and operate in this land.

The HRLSC also recognizes and acknowledges we are in the territory subject to the Dish With One Spoon Wampum Belt Covenant, an agreement between the Haudenosaunee Confederacy, the Anishinaabeg and allied nations to peaceably share and care for the land and waters of the Great Lakes region.

TABLE OF CONTENTS

Messages from the Chair and Executive Director	4
What We Do: Our Mandate and Services	7
Activities	9
By the Numbers: Statistics	13
Analysis of Operational Performance	14
Performance Measures	21
Board of Directors, Staff & Students	24
HRLSC in the National & International Media	25
Settlements	27
Notable HRLSC Cases Decided at Hearing	29
Analysis of Financial Performance	33
Fulfillment of Mandate Letter	34

MESSAGES FROM THE CHAIR AND EXECUTIVE DIRECTOR

EXCELLENCE RECOGNIZED

Ena Chadha, Chair

The *Ontario Human Rights Code* (“Code”) proclaims that it is public policy of the Province of Ontario to respect the right to equality and opportunity of every person, which includes promoting a climate of understanding and dignity so that each person can contribute to the community. As the Chair of the Board of Directors of the Human Rights Legal Support Centre (“HRLSC”), it is my honour to present the Attorney General of Ontario with the HRLSC’s 2018-2019 Annual Report describing our extensive commitment and accomplishments in advancing this important public mandate.

In June 2018, the HRLSC commemorated its 10th anniversary as an independent agency delivering human rights legal services to all people in Ontario who seek to claim, protect and fulfill their rights under the *Code*. The HRLSC hosted a celebration that brought together community members, human rights activists, academia, legal advocates, past employees and students to hear insightful speakers presenting on topics of equality and discrimination. What resonated throughout that event is how the HRLSC is seen as an essential entity in making human rights justice accessible for all people in Ontario, but especially those who experiencing compounding discrimination.

“For other employers, it is now clear that it is contrary to the Human Rights Code to exclude non-citizens who have the legal ability to work in Canada. They now must be considered for all positions.”

– Chantal Tie, HRLSC Lawyer.
[Source: Rights tribunal slams Imperial Oil for canceling job offer to engineer over immigration status. By Nicholas Keung. July 26, 2018. *The Star*]

Over the past decade, the HRLSC’s role in protecting *Code* rights in the province has positively shaped the human rights landscape of the country. 2018 marked yet another exceptional year of the HRLSC’s legal team championing precedent-setting cases. For example, the HRLSC successfully argued the right of all legal job seekers to apply for and secure employment in Ontario regardless of their citizenship status, such as the international engineering student in *Haseeb v. Imperial Oil Ltd*, [2018 HRTO 957](#). Further, the HRLSC continued to promote watershed remedial compensation, such as the \$75,000 award for a survivor of sexual harassment in *A.M v. Kellock*, [2019 HRTO 414](#). Finally, in *Wickham v. Hong Shing Chinese Restaurant*, [2018 HRTO 500](#), the HRLSC represented a black man who was made to pay for his meal before being served. The HRTO found that Mr. Wickham and his friends were racially profiled by the restaurant’s staff and awarded general damages in consideration of the nature of the incident and the impact it had on Mr. Wickham.

Among its important achievements in 2018, the HRLSC’s Mediation Program received the

prestigious Amethyst Award, which recognizes service excellence within the Ontario Public Service. For over six years, the Mediation Program successfully increased HRLSC participation at mediations by an average of 90%, thereby diverting disputes from the Tribunal system and saving significant public and private costs of adjudication. The Mediation Program resulted in an average 81% increase in the number of HRLSC cases settled before formal hearing.

In addition to recognizing our many achievements, this 10th anniversary provides us with an opportunity to reflect on the challenges of growth. Over the decade, the HRLSC has provided legal advice to over 20,000 people. We know that Ontarians want a strong system of legal advice and representation that is responsive to their unique concerns. While the HRLSC answers over 23,000 calls a year and has an 89% satisfaction rate with our services, we hope to deploy technological resources to help us provide service more efficiently. As we look ahead to another decade of human rights advancement, I am confident that, with the support of community and government, the HRLSC will continue its progress as an integral pillar of the Ontario's human rights system.

I am immensely proud to serve as Director of an incredible group of intelligent and equity-minded individuals who constitute the HRLSC's Board of Directors. On behalf of this Board, I thank the dedicated employees of the HRLSC for their hard work, compassion and professionalism in striving to empower and uphold the rights of the Ontarians to live and work in a society free of all forms of discrimination and harassment.

YEAR IN REVIEW

Sharmaine Hall, Executive Director

At the Human Rights Legal Support Centre, our unwavering focus is to provide the highest quality legal services to all those who believe they have experienced discrimination contrary to Ontario's Human Rights Code.

2018/19 has been a busy and productive year for the Centre. As our 2018-2019 statistics would indicate, the HRLSC had a great year of service to our clients.

- We conducted more mediations and hearing interviews than the previous fiscal year.
- We attended approximately 25% more mediations than 2017/18.
- We settled almost 29% more mediations and almost 39% more matters at the pre-hearing and hearing stages.
- Overall, the HRLSC settled over 100 more HRTO applications in 2018/19 than we did in 2017/18.

“I could not have negotiated my complaint without you. My mediation resolved successfully due to your representation. I left feeling empowered that I stood up for myself.”

– HRLSC Client

These successful results benefit the human rights system by removing matters earlier in the process; this helps the HRTO run more efficiently. More importantly, our successful settlement rate benefits our clients who are able to move on with their lives. The HRLSC applauds the courage and determination of all our clients. We also acknowledge our staff, a dedicated and talented group, who continue to provide excellent service to human rights claimants. Finally, we would like to recognize the HRLSC Board, for their continued commitment to the work of the Centre.

WHAT WE DO: OUR MANDATE AND SERVICES

The Human Rights Legal Support Centre is an independent agency funded by the Government of Ontario's Ministry of the Attorney General.

MANDATE

The HRLSC advances equality and protects human rights by providing a range of accessible, high quality legal and support services to those who have faced discrimination contrary to Ontario's *Human Rights Code*.

WHAT IS DISCRIMINATION?

Discrimination means treating someone differently and unfairly because of a personal characteristic such as race, disability, age or gender. Ontario's *Human Rights Code* recognizes that discrimination occurs most often because of a person's membership in a particular group.

The *Human Rights Code* prohibits unfair treatment in an area of our lives that is based on any of the following personal characteristics, which are called "grounds of discrimination".

- Citizenship
- Ancestry
- Marital status
- Race
- Colour
- Disability
- Place of origin
- Family status
- Gender/sex: gender identity, gender expression, pregnancy, sexual orientation and sexual solicitation or harassment
- Ethnic origin
- Creed (religion)
- Age
- Receipt of social assistance (housing)
- Pardoned criminal record (employment)

"It is good that, in Ontario, we have a Code that protects people against unfair discrimination and harassment."

- Benjamin Williamson
[Source: Letter: Legal aid for people with disabilities is not well-funded.
By Benjamin Williamson, March 7, 2019. *The Charlatan*]

The Code provides protection from discrimination in five areas of daily life, known as social areas. These social areas include:

- **employment** – includes job ads, application forms, job interviews, work assignments, work environment, training, promotions, discipline, terminations, volunteer duties;
- **housing** – the place where you live or want to live, whether you rent or own the premises;
- **services, goods and facilities** – including schools, hospitals, shops, restaurants, sports and recreation organizations and facilities;
- **contracts** – includes both written and oral agreements; and
- **membership** in vocational associations or unions.

OUR SERVICES

The HRLSC provides free legal help to individuals who have been subjected to discrimination in an area of daily life that is covered by the Code. We do so by offering a **toll-free telephone advice service** across Ontario. The Center helps callers to identify discrimination, understand their options, and decide if they should take legal steps.

Our **legal services** (including advice and representation) are provided to assist clients with:

- filing human right applications at the Human Rights Tribunal of Ontario (the “Tribunal”);
- negotiating settlements;
- attending mediations and hearings at the Tribunal; and
- enforcing a Tribunal order after a successful hearing.

Our **services for Indigenous people** will assist those who want to access the human rights process in Ontario and receive free legal help from an Indigenous staff person at the HRLSC. We provide this service in recognition of the fact that Indigenous peoples have not traditionally used the human rights process as the western legal perspective is foreign to the world-views of many Indigenous peoples. The HRLSC is dedicated to providing Indigenous people with a culturally appropriate and accessible service.

“[The legal system] is very complex and it’s easy for someone inexperienced like myself to get lost in the process or make mistakes. I’ve found the HRLSC invaluable in making sense of things, especially when the staff give real-world advice. I feel much better informed about the entire process than I was before.”

– HRLSC Client

ONLINE

Our online platforms including our website, hrlsc.on.ca, is a gateway to the Ontario human rights legal system, with an accessible collection of tools and resources about discrimination. For an in-depth look at the HRLSC’s services and eligibility criteria or to consult our helpful guides, visit www.hrlsc.on.ca, follow us on [twitter](https://twitter.com/hrlsc) or check us out on [Facebook](https://www.facebook.com/hrlsc).

The Human Rights Legal Support Centre's staff does more than provide legal advice and represent applicants. It is important for us to create community connections and partnerships to share information about the HRLSC's services.

10TH ANNIVERSARY

On June 28, 2018 the HRLSC celebrated its 10th year of providing legal help to people who have experienced discrimination contrary to the *Human Rights Code*. Our celebratory event was an opportunity to reflect on our past and look forward to our future. We also used this event as an opportunity to thank all those who contributed to the HRLSC's success. We recognized the efforts of our partners – the Ministry of the Attorney General (“MAG”), the Ontario Human Rights Commission (“OHRC”); Legal Aid Ontario and our friends at Ontario's community legal clinics; Osgoode Hall Law School and the wonderful students of the Anti-Discrimination Intensive Program. And our staff (past and present) whose commitment and dedication and tireless efforts have ensured that Ontarians have high quality legal services before the Human Rights Tribunal of Ontario (“HRTO”). Most importantly, we used the event to thank our clients, those brave citizens who decided to take a stand against discrimination. We celebrated the many legislative and policy changes that resulted from their cases, including:

- discriminatory zoning removed in four Ontario municipalities;
- accessible washrooms for disabled norther Ontario travelers;
- new policies to address discrimination against transgender hockey players;
- new equity plan for hiring practices at a provincial school board;
- the removal of expired medical information from drivers' licenses; and
- prisoners' access to mobility aids and a far reaching decision to ensure that human rights claimants can file both a professional regulatory complaint and a human rights claim.

We recognize there is more work to be done, but taking time to reflect on the HRLSC's achievements to date strengthens our resolve to continue to fight to promote human rights and to make Ontario an equitable place for everyone to live and work.

MEDIATION PROGRAM – AMETHYST AWARD

On Thursday, September 13th, the HRLSC's Mediation Program was awarded the Ontario Public Service Amethyst Award for Service Excellence in the group category. Our Mediation

Program was nominated by the staff at MAG in recognition of the impact it has had in creating efficiencies in the human rights resolution process as well as the positive impact it has had on applicants. The program worked by shifting application stage interviews from the HRLSC's lawyers to a small team of paralegals. This shift was a more effective use of legal resources that allowed lawyers to provide legal representation to considerably more clients at mediation. The result was a substantial increase in the number of applicants represented at mediation and a significant increase in settlements reached before or at mediation. Resolving cases earlier in the justice system contributes to a more sustainable human rights system. In December 2018, the HRLSC was advised that as of April 1, 2019 the government could no longer fund the mediation program. This loss was a significant reduction to the HRLSC's services and a loss to the human rights system generally.

LAW STUDENT PROGRAM (ANTI-DISCRIMINATION INTENSIVE PROGRAM – ADIP)

Each year, the HRLSC welcomes 12 students (6 each semester) from the Osgoode Hall Law School's Anti-Discrimination Intensive Program. The program offers students an opportunity to develop specialized knowledge of anti-discrimination law, build transferable litigation and mediation skills and to participate in the application process from beginning to end. This collaboration between HRLSC and Osgoode increases the HRLSC's capacity to answer inquiries and provide intake services. We look forward to having opportunities to strengthen this successful partnership.

HRLSC STAFF COACH DIVERSITY MOOT TEAM

Since 2012 the Black Law Students Association of Canada (BLSA) has held the Julius Alexander Isaac Moot. Named after the late Chief Justice of the Federal Court of Appeal (the first Black judge to sit on the Federal Court of Canada), the Moot focuses on an area of law in which issues of equity and diversity arise. For the past 3 years, HRLSC lawyers Roger Love and Grace Vaccarelli have coached the team at Osgoode Hall Law School. The HRLSC values the opportunity to participate in this wonderful event.

PARTNERSHIP WITH BARBRA SCHLIFER COMMEMORATIVE CLINIC

A few years ago, the HRLSC began a partnership with the Barbra Schlifer Commemorative Clinic to assist their clients who are survivors of sexual assault and have experienced discrimination contrary to the *Ontario Human Rights Code*. Part of this partnership has involved HRLSC staff conducting training sessions for staff of the Schlifer Clinic. Additionally, we have

a direct referral process which allows the Schlifer Clinic staff to refer clients quickly for advice and representation in human rights cases. This system of warm referrals has assisted an increasing number of survivor clients by ensuring that they don't have to continuously repeat their stories of sexual assault in order to get support with their Human Rights cases.

PARTNERSHIP WITH COMMUNITY LEGAL EDUCATION ONTARIO (CLEO)

Evolving Legal Services Research Project

The HRLSC is participating in a unique research project about access to justice. This three-year initiative examines the effectiveness of public legal education and information in helping low - and modest - income people address their legal problems with respect to income security, family breakdown, housing and discrimination and human rights. Led by Community Legal Education Ontario (CLEO) in partnership with the Institute for Social Research at York University, researchers are examining unbundled and other legal services in Ontario and British Columbia. The project hopes to generate empirical findings that provide information as to the type of circumstances or cases where less-intensive (and generally less expensive) services support or lead to quality outcomes.

INDIGENOUS SERVICES – MOBILE LEGAL CLINIC

In the fall of 2018, HRLSC staff in London, Ontario began participating in the Indigenous Mobile Legal Clinic. This initiative is hosted by N'Amerind Friendship Centre and offers free legal consultations in a number of areas, including human rights. HRLSC's participation in this initiative is helping to build relationships with Indigenous Legal Workers in Southwestern Ontario and the staff at the legal clinic in London.

Additionally, this past February the HRLSC continued our partnership with Ontario Federation of Indigenous Friendship Centers (OFIFC) and delivered a second Human Rights Training at N'Amerind Friendship Centre in London. The training was provided to Indigenous front-line workers from various organizations in and around London.

As part of our OFIFC partnership, we also conducted workshops in Thunder Bay regarding human rights law and our Indigenous Service Program.

VISIT FROM KOREAN DELEGATION

In October 2018, the HRLSC hosted a delegation from the National Human Rights Commission of Korea (“NHRCK”). The NHRCK is a national institution in charge of promoting and improving human rights in Korea. The Delegation consisted of 5 Investigators who were conducting research on how the Canadian national and regional human rights agencies cooperate with each other and whether the Canadian model could be applied to South Korea.

The visit provided the HRLSC with an opportunity to share information about Ontario’s unique system. We provided information on the roles of the Human Rights Tribunal of Ontario and the Ontario Human Rights Commission as well as the role our agency plays in ensuring the rights of Ontarians who have experienced *Code* based discrimination are protected. Before returning to Korea, the delegation had also planned visits to the Canadian Human Rights Commission and the Manitoba Human Rights Commission.

HRLSC STAFF IN THE COMMUNITY

TORONTO

HRLSC staff members conducted a 3-hour workshop at George Brown College (Toronto) on Housing Discrimination and the *Human Rights Code*. The workshop was part of the Housing and Homelessness class for students in the Community Worker Programme.

WINDSOR

HRLSC staff spoke at the University of Windsor on the issue of migrant workers and access to justice. This presentation was part of a seminar on Feminist Legal Theory.

THUNDER BAY

In Thunder Bay, HRLSC staff provided a workshop at Lakehead University. This event was hosted by the Human Rights Law Student Association.

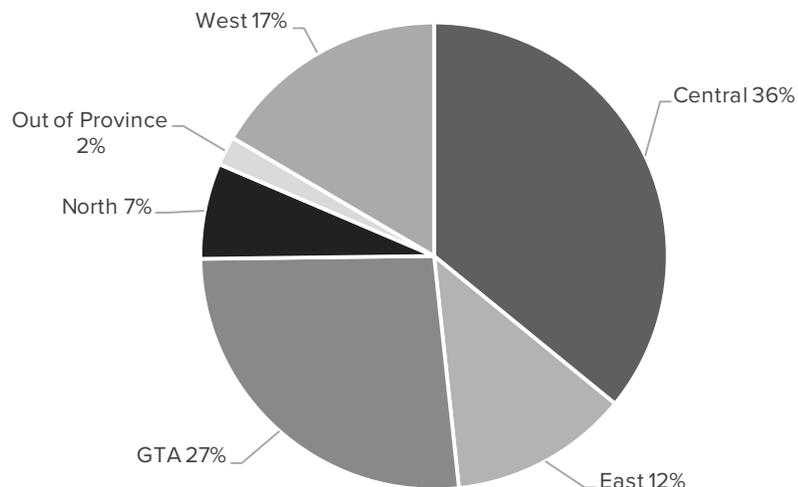
BY THE NUMBERS: STATISTICS

The HRLSC provides legal services to thousands of people across Ontario each year.

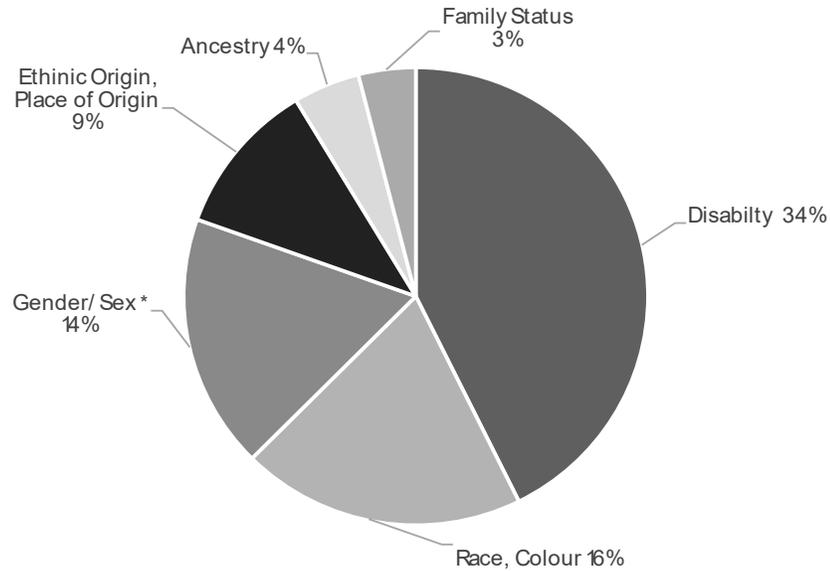
STATISTICS

- 23, 279 Initial inquiries answered
- 15, 287 Individuals received free legal assistance about a potential *Human Rights Code* infringement
- 2, 725 Individuals received in-depth legal services from our lawyers and legal representatives
- 481 Mediations attended
- 81% Average increase in settlements over 6 years of the mediation project
- 526 Cases settled throughout the process—before a claim was filed, before or at mediation or before a hearing
- 30% Increase in Indigenous Service users compared to last year
- 1, 288 Inquiries involving sexual harassment
- 272, 353 Visits to our website

INTAKES BY REGION



MOST COMMON GROUNDS OF DISCRIMINATION



*Includes: sexual harassment, sexual orientation, gender identity, gender expression, and pregnancy.

This chart shows the most common grounds of discrimination in our cases and totals 80%. The balance of cases are based on other *Code* grounds.

ANALYSIS OF OPERATIONAL PERFORMANCE

In 2018/19 the HRLSC provided services generally at a higher level than or at levels consistent with previous years. Notable increases were in the number and percentage of cases settled, in the number of clients who received in-depth legal services and the number of mediations attended by HRLSC legal staff. Two significant factors contributed to this operational effectiveness. First, the Mediation Program funding was stable for almost the whole fiscal year, which enabled the HRLSC to maintain full staffing levels for most of the year. The second contributing factor was the HRLSC's success in retaining legal staff over the past two years. Retaining trained and experienced legal staff results in efficiencies that increase capacity to provide legal services and representation and supports the settlement of cases. As legal staff gain training and experience they become more adept at managing caseloads and negotiating settlements.

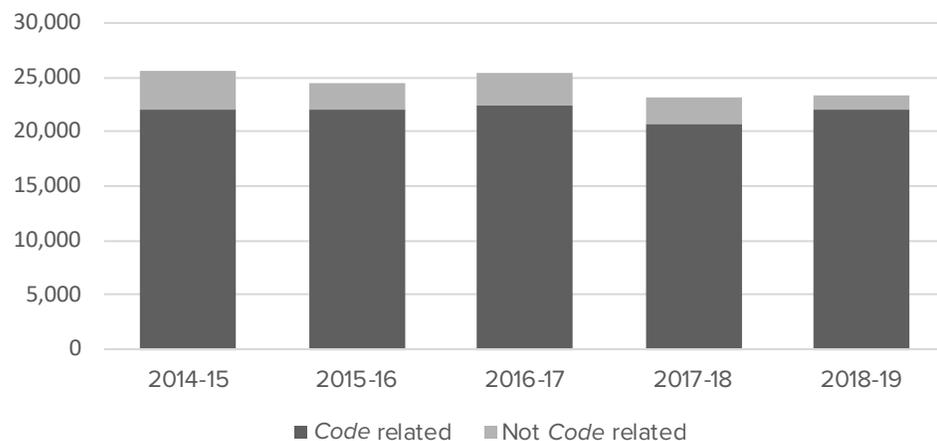
RESPONDING TO INQUIRIES ABOUT HUMAN RIGHTS AND DISCRIMINATION

The total number of initial inquiries to the HRLSC increased slightly (0.3%) in 2018/19 from the previous year, to 23,279. However, the number of inquiries that were directly related to human rights or discrimination issues increased by 5.6%. Each year the HRLSC receives inquiries about issues that are not related to the *Human Rights Code*. The number of these non-Code related inquiries decreased by 49%, from almost 3,500 to less than 1,400, over the past three years.

These decreases may be attributed to:

- the use of the HRLSC's online tools that help people determine whether their experience was likely to be considered discriminatory under the *Human Rights Code*;
- the increased public awareness of discrimination as a result of media coverage of significant human rights cases; and
- the Ontario Human Rights Commission's initiatives.

Code Related and Not Code Related Inquiries

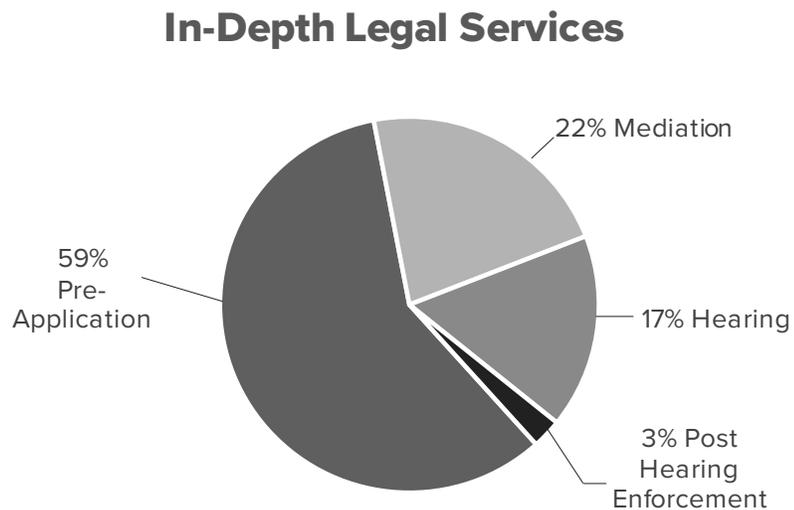


Over 14,000 individuals contacted the HRLSC to get legal information and advice about an event or events that they believed to have been discriminatory. We understand the Human Rights Tribunal of Ontario received approximately 4,500 human rights applications in 2018/19. This data indicates that many of the people who contact the HRLSC do not go on to file applications at the Tribunal. There may be various reasons for this, including that the HRLSC provides people with options to try to resolve the issue themselves (such as speaking with their employer about their concern about discrimination). The HRLSC provides a brief assessment of the merits of their case. This early information may help people understand human rights law and decide the best avenue for resolving

their issue. As well, it helps to defer unmeritorious applications from the Tribunal process. The balance of inquiries was related to human rights mediations and hearings and enforcement of Tribunal orders or post-hearing appeals, such as reconsiderations or judicial reviews.

IN-DEPTH LEGAL SERVICES

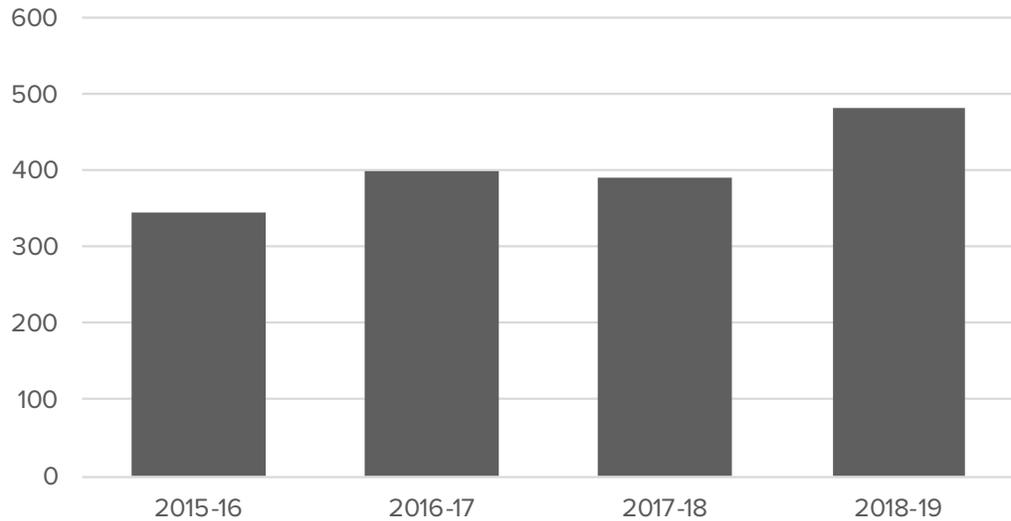
The HRLSC provided in-depth legal services, at all stages of the human rights process, to 2,725 people in 2018/19. This represents an increase of 5.3% over last fiscal year. The following pie chart shows the percentage of in-depth legal services at various stages of the application process.



REPRESENTATION AT MEDIATIONS AND HEARINGS

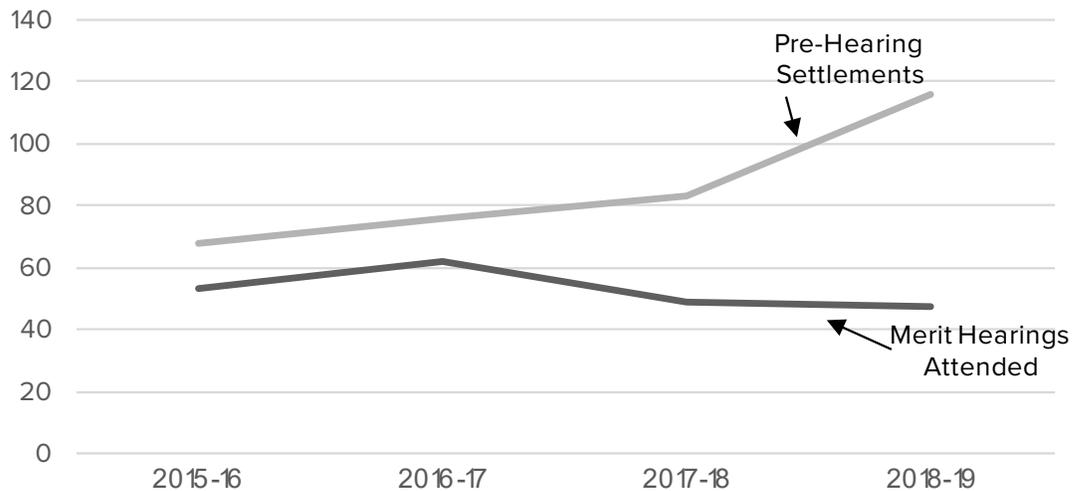
We provided legal representation for mediations to 481 people, almost 80% of those who contacted us about their mediation. This was a 23% increase over the previous year and the highest number of mediations attended in the past four years. As noted previously, factors that contributed to the increase included having a fully funded Mediation Program, the HRLSC's success in retaining legal staff and, potentially, the number of mediations scheduled by the Tribunal.

Mediations Attended

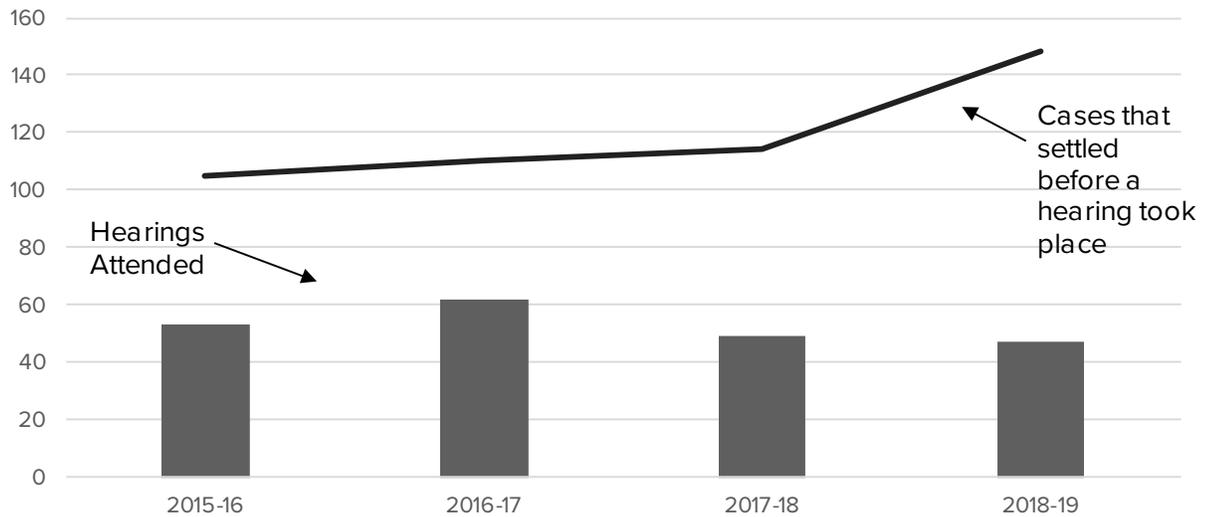


HRLSC counsel provided representation at 47 human rights hearings in 2018/19, 4% less than the previous year. However, in 2018-19 the HRLSC was more successful in settling cases before a hearing. 40% more cases were settled before the hearing day than in the previous year (116 vs 83). There has been a steady increase over the past three years in the number of HRLSC cases that settle before a hearing. Again, the factors that influenced these results included the HRLSC's success in retaining legal counsel and, potentially, the number of hearings scheduled by the Tribunal.

Pre-Hearing Settlements and Merit Hearings Attended



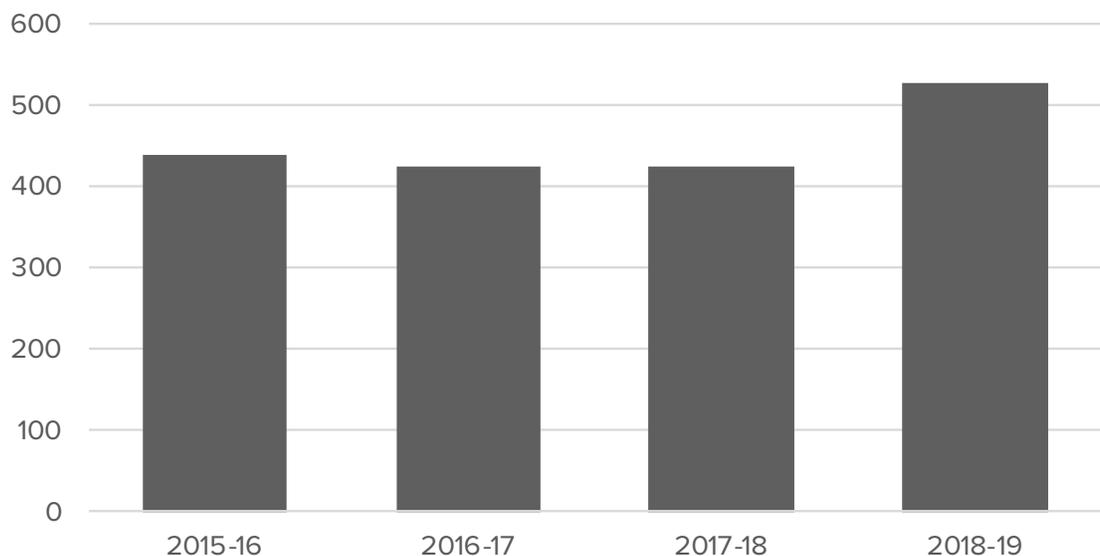
Settlements & Attendances - Hearings



SETTLING CASES

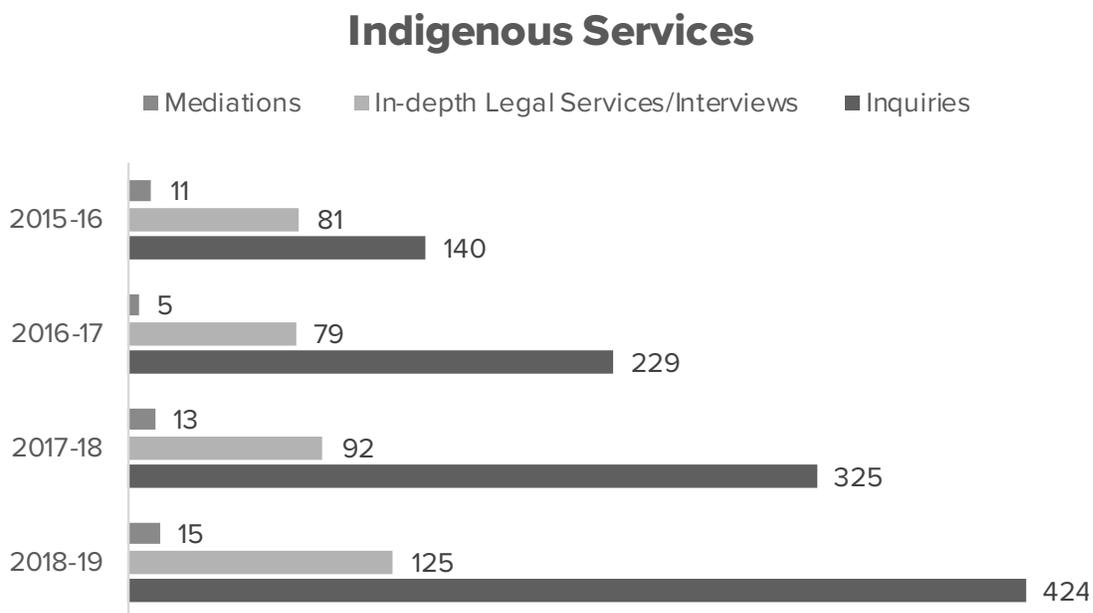
The HRLSC settled almost 25% more cases, at all stages of the human rights process, in 2018/19 than in the previous year (526 vs 424). This was the highest number of settlement in four years. 17.4% more cases settled before a mediation was held, 29% more settled at mediation and almost 40% more cases settled before a hearing than in the past year. Stable staffing and funding for the Mediation Program in 2018/19 contributed to these results.

Total Settlements (All Stages)



INDIGENOUS SERVICES

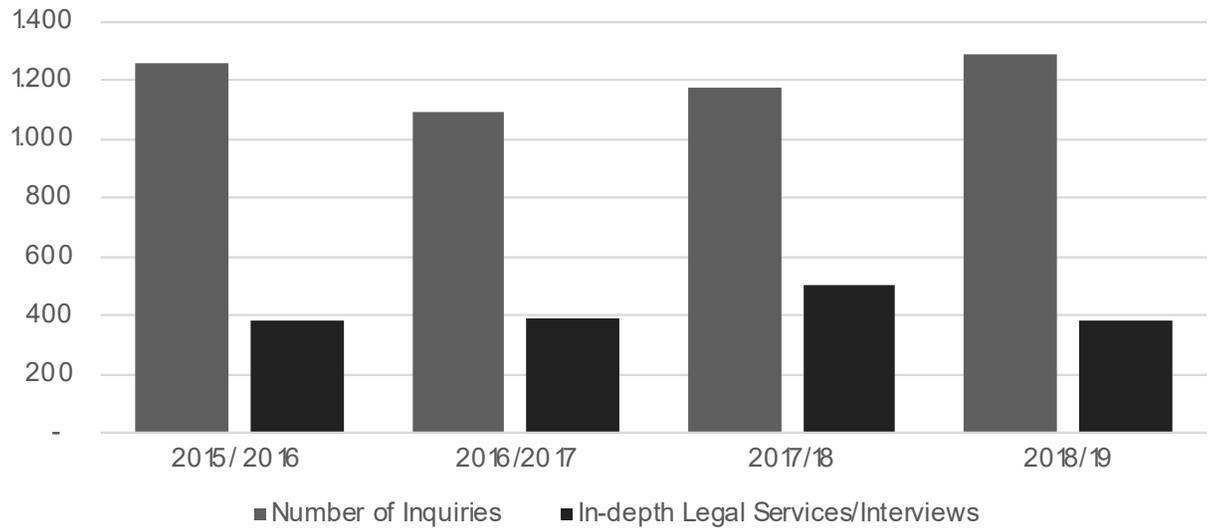
The HRLSC's Indigenous services continued to grow in 2018/19 across all service areas, with increases over the past four years in the areas of inquiries, in-depth legal services and representation at mediation of 203%, 54% and 36% respectively. The HRLSC has Indigenous staff in Toronto as well as in the west and northern regions of the province. The outreach initiatives and community connections of the HRLSC's Indigenous staff contributed significantly to the effectiveness and strengthening of the services.



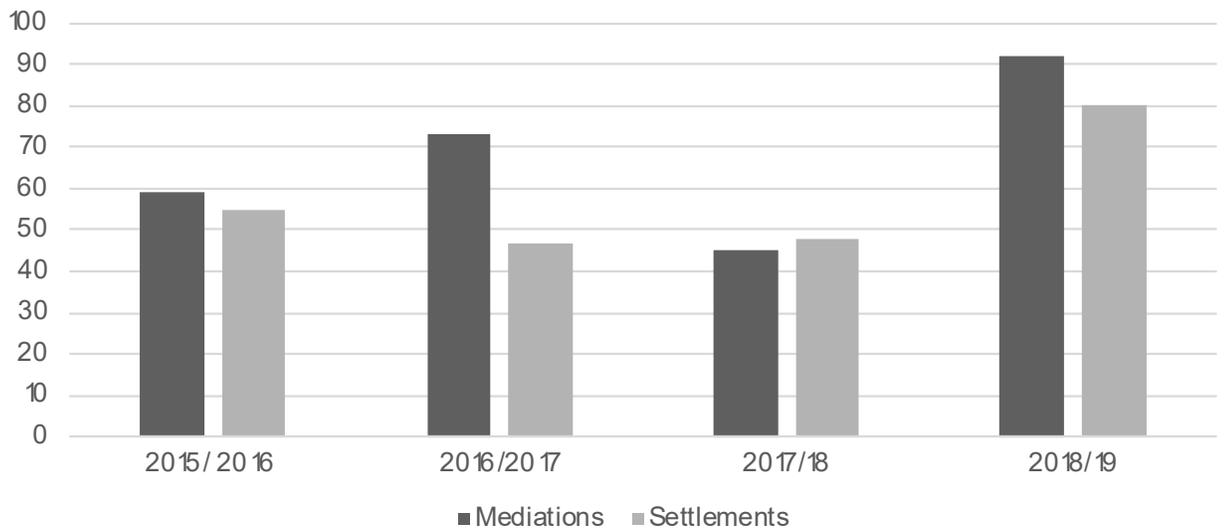
SEXUAL HARASSMENT

There was a 10% increase in the number of people contacting us about sexual harassment, primarily in the workplace, in 2018/19 when compared to the average for the previous three years. The number of mediations involving sexual harassment increased by 56%, and the number of settlements increased by 60% when compared to the average for the previous three years. Several factors may have influenced these increases, including heightened public awareness of sexual harassment due to media and social media coverage of the issue, and human rights cases involving sexual harassment, as well as the HRLSC's partnership with the Barbra Schlifer Clinic.

Sexual Harassment - Early Stage Services



Sexual Harassment Cases - Mediations & Settlements



PERFORMANCE MEASURES

Each year, the HRLSC sets ambitious goals to assess our results and service quality. These results are indicators of our success in meeting our mandate and strategic objectives, and are used to inform our service and program planning. The Operational Performance section of this report contains additional analysis of the HRLSC's service achievements.

2018-19 ACHIEVEMENTS

115 **148** NUMBER OF CASES SETTLED BEFORE OR AT HEARING

TARGET ACHIEVED

The number of cases settled before or at hearing exceeded our target by almost 30%. Most of the increase came in settlements before the hearing (116 of 148). Settling matters prior to hearings:

- enables applicants to more quickly move on with their lives;
- may result in cost savings for respondents because they don't have to incur the cost of attending a hearing; and
- increases the efficiency of the Tribunal, by removing matters before a hearing is required.

85% **91%** PERCENTAGE OF HEARING CASES SETTLED BEFORE OR AT A HEARING

TARGET ACHIEVED

The HRLSC exceeded its target, settling 91% of its hearing-stage cases, either before or at the hearing. In 2018/19 the number of pre-hearing settlements increased by almost 40% from the previous year (116 versus 83 pre-hearing settlements in 2017/18).

84% **81%** TELEPHONE ANSWER RATE

TARGET ACHIEVED

The HRLSC telephone answer rate was slightly below our target. Again in 2018/19 we saw a significant decrease to the number of non-Code related calls and an increase in the number of Code related calls. More Code related inquiries often result in longer talk times, as more questions are often required to ensure that callers receive the most appropriate advice. As such, we saw a slight increase in the average talk time (from 13:39 in 2017/18 to 13:45 in 2018/19). The HRLSC is continuing to investigate and utilize, within available funds, enhanced digital tools on our website and technology tools in an effort to divert more straight-forward calls from our inquiry lines.

25,500 **23,279** NUMBER OF INQUIRIES ANSWERED

TARGET ACHIEVED

While the number of inquiries were slightly under our target, total inquiries were higher than in 2017/18. Additionally, as noted above, the number of non-Code related inquiries decreased by 1,074 from 2017/18, while the number of Code related inquiries increased by 1,155. This indicates that we are providing Code related advice to a greater number of callers. The decrease in non-Code related call may be attributed to our self-help materials on our website as well as regular media coverage of human rights and discrimination issues.

90% **89%** CLIENTS WHO RATED SERVICE AS GOOD OR VERY GOOD

TARGET ACHIEVED

Our client approval rating was minimally (1%) lower than our target. The most common concern about our services in our feedback surveys is that callers would prefer shorter wait times. As indicated above, the HRLSC is continuing to investigate and implement, as financially feasible, enhanced technology tools to reduce wait times. As well, we are planning to resume periodic client service training. Outside of the client feedback surveys, staff regularly receive unsolicited positive feedback from clients.

6 **20+** POSITIVE HUMAN RIGHTS STORIES IN THE MEDIA THAT FEATURED THE HRLSC'S LEGAL SERVICES

TARGET ACHIEVED

The HRLSC's cases, in 2018/19, received significant media coverage, significantly exceeding our target. It is not unusual for some of our cases to receive local media attention, however one case in particular (Wickham) received national and international attention this year. Additionally, on the international front, the HRLSC's work in addressing human rights matters was recognized in a news article in Australia.

70% **66%** SETTLEMENT RATE AT MEDIATION

TARGET ACHIEVED

While the HRLSC settlement rate at mediation came in slightly under our ambitious target of 70%, it has increased steadily over the past three years. As discussed in the operational performance analysis, retaining legal staff is a factor that may contribute to increasing the settlement rate. Historically, the HRLSC's mediation settlement rate has been between four and 14 percentage points higher than the Tribunal's overall mediation settlement rate (which includes the HRLSC's higher rates). The HRLSC's contribution to the HRTIO at mediation stage remains strong. In 2018-2019, the HRLSC attended almost 100 more mediations than the previous fiscal year (481 in 18/19 versus 391 in 17/18). This is an increase of 23%, and the highest number of clients assisted – at this stage – in the HRLSC's 11-year existence.

RISK EVENTS

The HRLSC identified a number of internal and external risks that posed a potential threat to the optimal operation of our organization in 2018/19 including:

- inability to maintain service improvements that resulted from the funding of the HRLSC's Mediation Program;
- potential labour disruptions;
- potential negative media attention;
- inability to retain or replace lawyers;
- potential service disruptions due to external factors; and
- turnover among senior staff, including executives.

The most significant risk that materialized this fiscal year was learning in December 2018 that funding for the Mediation Program would be canceled effective April 1, 2019, with some reduction occurring in the fourth quarter of 2018/19. The HRLSC has been effective in mitigating its risks and maintain service levels through a variety of initiatives including using vacancy savings to augment staffing for the inquiry lines, staff retention plans and maintaining up to date IT systems. It will not be possible to continue to avoid risks, particularly the risk of service losses, with the loss of the Mediation Program. The HRLSC will manage the risks by restructuring, changing and reducing services, while maintaining core services as much as possible. Plans for digital service initiatives will continue, within available funds, and labour relations and staff retention strategies will be maintained within the scope possible.

BOARD OF DIRECTORS, STAFF & STUDENTS

OUR BOARD

- **Ena Chadha** – appointed as Chair of the Board of Directors – February 21, 2018 to February 20, 2021.
- **Patrick Nadiwan** – appointed September 17, 2009 to November 24, 2019.
- **Nancy Gignac** – appointed September 17, 2009 to November 24, 2019.
- **Mary Gusella** – appointed September 17, 2009 to November 24, 2019.
- **Karen Drake** – appointed August 17, 2017 to August 16, 2020.
- **Tamar Witelson** – appointed February 8, 2018 to February 7, 2020.
- **Gilles Levasseur** – appointed February 21, 2018 to February 20, 2020.
- **Kowthar Omar** – appointed February 21, 2018 to February 20, 2020.

The total annual remuneration of the Board of Directors for the fiscal Year 2018-2019 was \$31,212.50

OUR STAFF

CHANTAL TIE RETIRES

After a long and successful career, our friend and colleague, Chantal Tie retired in November 2018. Over the years of her career on the “front lines”, Chantal was a staunch and tireless defender of the vulnerable and the marginalized and she fought long and hard on their behalf. With her retirement, the HRLSC and social justice in general lost one great lawyer and advocate. We were fortunate to have had the opportunity to work with Chantal. She willingly shared her knowledge and experience with us, provided support to all staff and was an all-around wonderful colleague. We will miss her knowledge, commitment, leadership and fearless advocacy. And of course, Chantal went out on a winning note; having successfully argued the *Haseeb v. Imperial Oil* case. Congratulations Chantal!

HRLSC IN THE NATIONAL & INTERNATIONAL MEDIA

The Human Rights Legal Support Center is regularly mentioned in the Media. Last year, the Center was quoted numerous times by national and international media agencies. Here are a few stories reporting our work.

RACIAL DISCRIMINATION IN A RESTAURANT

A few years ago, Mr. Wickham went out to a restaurant to celebrate his birthday with his friends. After they ordered, the waiter asked them to pre-pay their meals. After checking with the other customers in the restaurant, they realized they were the only ones asked to pre-pay their meals and the only Black customers. The HRLSC represented Mr. Wickham before the HRTO in his claim of racial discrimination. This case was heavily reported by local and national media and was, indeed, a good example of violation of the equal treatment when accessing goods, services and facilities guaranteed by the *Human Rights Code*. The Tribunal awarded Mr. Wickham \$10,000 in general damages.

More about this case:

- [CBC](https://www.cbc.ca/news/canada/toronto/hong-shing-tribunal-decision-1.4642009): <https://www.cbc.ca/news/canada/toronto/hong-shing-tribunal-decision-1.4642009>
- [The Globe and Mail](https://www.theglobeandmail.com/canada/article-toronto-restaurant-ordered-to-pay-10000-after-asking-black-customers/?cmpid=rss&click=sf_globe): https://www.theglobeandmail.com/canada/article-toronto-restaurant-ordered-to-pay-10000-after-asking-black-customers/?cmpid=rss&click=sf_globe
- [The Guardian](https://www.theguardian.com/world/2018/may/01/toronto-restaurant-emile-wickham-race-discrimination): <https://www.theguardian.com/world/2018/may/01/toronto-restaurant-emile-wickham-race-discrimination>
- [CNN](https://www.cnn.com/2018/04/30/world/toronto-restaurant-discrimination-trnd/index.html): <https://www.cnn.com/2018/04/30/world/toronto-restaurant-discrimination-trnd/index.html>

DISCRIMINATION IN THE WORKPLACE

The Toronto Star reported on one of our discrimination in the workplace cases. In 2014 Mr. Haseeb, a graduate from McGill University, was offered a job as an engineer at an important Canadian oil company. The offer was later revoked when the employer discovered that he did not have a permanent status in Canada but only a three-year work permit. The HRTO interim decision in favor of Mr. Haseeb made it clear for employers that discarding a candidate based on citizenship or immigration status is against the *Code*.

More about this case:

- [The Toronto Star](https://www.thestar.com/news/gta/2018/07/26/rights-tribunal-slams-imperial-oil-for-cancelling-job-offer-to-engineer-over-immigration-status.html): <https://www.thestar.com/news/gta/2018/07/26/rights-tribunal-slams-imperial-oil-for-cancelling-job-offer-to-engineer-over-immigration-status.html>

SEXUAL ASSAULT IN THE WORKPLACE

The media continued to report on one of our previous cases (decided before April 2018): a teenager was sexually assaulted by her boss during an unpaid internship at a tattoo parlor. The HRTO awarded the applicant \$75,000 recognizing the seriousness of the situation and her vulnerability as a minor. The respondent was also ordered to receive training in human rights and sexual harassment in the workplace.

More about this case:

- [OBA](https://www.oba.org/Sections/Constitutional,-Civil-Liberties-and-Human-Rights-L/Articles/Articles-2018/May-2018/Justice-is-served-The-Human-Rights-Tribunal-of-Ont?utm_source=LYR&utm_medium=EM&utm_campaign=section%20insider): https://www.oba.org/Sections/Constitutional,-Civil-Liberties-and-Human-Rights-L/Articles/Articles-2018/May-2018/Justice-is-served-The-Human-Rights-Tribunal-of-Ont?utm_source=LYR&utm_medium=EM&utm_campaign=section%20insider
- [The Globe and Mail](https://www.theglobeandmail.com/canada/article-workplace-sexual-assault-survivors-claim-victory-at-human-rights/): <https://www.theglobeandmail.com/canada/article-workplace-sexual-assault-survivors-claim-victory-at-human-rights/>

THE HRLSC INSPIRES AUSTRALIA

“People who do not have equal access to help and fair treatment are so lucky to have social justice warriors like your staff.”

– HRLSC Client

In an Australian newspaper, the HRLSC was mentioned as an example of accessible system for marginalized people to get legal help. In a research exploring the possible reforms to discrimination laws across Australia, Ontario inspires with its “expert legal support to those filing complaints” which improves accessibility to pursue a discrimination complaint. [Source: No remedy for gender pay-gap. By Isabel Bird. January 2, 2019. *The Examiner*]

More about this story:

- [The Examiner](https://www.examiner.com.au/story/5833135/phd-on-legal-pay-gap-woe/): <https://www.examiner.com.au/story/5833135/phd-on-legal-pay-gap-woe/>

SETTLEMENTS

Last year, the HRLSC legal staff settled 66% of their cases during mediation. The following cases are examples of successful settlements that prompt to policies and practices changes.

SCHOOL BUS COMPANY TO ACCOMMODATE A MOTHER'S DISABILITY

This case is an example of an early intervention settlement. The client is a mother with a disability which prevents her from walking any significant distance or walking on snow or ice.

She was not able to take her child to the designated school bus stop as her street does not have a sidewalk and the bus stop was too far from her house for her to walk. Her child is too young to walk on his own. Given this, the client's child could not access the Bus Company's services. The client would drive her child to school when the symptoms of her disability allowed her to do so but her child was missing half its classes due to its mother's disability and the placement of the bus stop.

The HRLSC sent a demand letter to the School Board and Bus Company asking for the school bus to pick up and drop off the client's child in front of her home.

After receiving the demand letter, the School Board and Bus Company agreed to the accommodation requested by the client.

EMPLOYER TO DEVELOP COMPLAINTS PROCESS AND IMPLEMENT POLICY CHANGE TO PREVENT SEXUAL HARASSMENT

The client was working for the respondent. A few weeks into her employment, a senior male doctor began paying the client unwanted attention. He told her she was "special" and that he wanted to give her more responsibilities than her colleagues. He offered to permit her to enter more work hours into the payroll system so that her wages would be increased.

The doctor tried to kiss the client but she rejected him. The following day, she resigned from her job, citing the sexual harassment she experienced in her resignation letter as the reason for quitting.

HRLSC's settlement with the Clinic included:

- the respondent agreeing to public interest remedies including online Human Rights training for the doctor; and
- \$7,500 in general damages.

DISABILITY SENSITIVITY TRAINING AND SUPPORT IMPLEMENTED TO ACCOMMODATE STUDENT'S DISABILITIES

The client alleged a school Board discriminated against her by failing to accommodate her disabilities and by disciplining her for disability-related behaviours. In addition to suspensions, the client was excluded from school for several months. The client's doctor and psychologist both stated she has been affected to this day by the exclusion, including experiencing anxiety and depression.

The HRLSC's settlement with the school Board included:

- the respondents to agree to non-monetary remedies including the removal of disciplinary notices from the student's school record and the Board to provide disability sensitivity training to any new staff of the school who work with the client; and
- \$20,000 in general damages.

HUMAN RIGHTS TRAINING TO BE COMPLETED BY EMPLOYER'S STAFF AND MANAGEMENT

The client is an Indigenous woman. She learned that another employee was given a three-month contract for a position that she was interested in. There was no competition for that position. The client inquired with her manager about the decision and her manager explained that since the client was pregnant, the manager did not think that she would be interested. The client applied for two positions within the organization but was not considered

because she would be unable to start either position on the start date due to her maternity leave.

A non-indigenous employee who was interviewed and given a position while being on a maternity leave, despite not being able to start immediately. A temporary employee was hired until the end of the other employee's maternity leave. The client sent a letter to the employer and Board of Directors outlining her concerns. The Board reviewed the decision not to interview the client and agreed with it.

"This matter being settled has given me the closure and will allow me to move forward with my life."

– HRLSC Client

While the client was on maternity leave, there were several positions posted that she was not invited to apply for. She quit her position.

The settlement the HRLSC negotiated included:

- the respondent to do two sets of training: one for management covering the *Code* focusing on pregnancy and race and another for employees on *Code*-related issues chosen by staff; and
- \$20,000 in general damages.

NOTABLE HRLSC CASES DECIDED AT HEARING

The following Tribunal decisions on HRLSC cases prevent similar discriminations from happening in the future by warranting public interest remedies such as changes in policies, training or hiring practices.

TRIBUNAL FIND IN FAVOUR OF INJURED WORKER

Jabbari v. Medilean Wellness Clinics LTD, [2019 HRTO 240](#)

As an employee of Medilean Wellness Clinics, Ms. Jabbari had to use several hand-held machines in providing treatments to the clinic's patients. Constant use of these machines caused pain in her wrists, neck and shoulders.

On May 5, 2017 Ms. Jabbari asked her boss, Mr. Violetis, to take one week off work to recover from her work-related injuries. Ms. Jabbari claimed that Mr. Violetis became very angry when she told him about it. Later that day, Ms. Jabbari's manager, Ms. Thomas, asked her to bring some aromatherapy oils home so that Ms. Thomas could retrieve them from her over the weekend. Ms. Jabbari was fired by Mr. Violetis for theft and told her she would be charged with trespassing if she returned to the clinic.

The HRLSC represented Ms. Jabbari at her hearing. The HRTO found that Mr. Violetis fired Ms. Jabbari because she needed time off to recover from her work-related injuries and not because she took home aromatherapy oils at her manager's request. Ms. Jabbari was awarded \$20,000 in general damages and \$15,728.99 in lost wages.

VULNERABLE WORKER COMPENSATED FOR SEXUAL ASSAULT BY MANAGER

AM v. Kellock, [2019 HRTO 414](#)

“The Tribunal is making a strong statement that sexual harassment and assault is not something that will be tolerated by our justice system. The significant financial consequences of these decisions for employers, should help deter employers that perpetrate or ignore such conduct in the workplace.”

– Talvin Kaur. [Source: Justice is served: The Human Rights Tribunal of Ontario sends a strong message that there is no room for sexual assault and Harassment in the workplace. By Talvin Kaur. May 17, 2018. *Ontario Bar Association*.]

A.M. had a criminal record and was trying to develop a solid work history in order to obtain a pardon and clear her criminal record.

In May 2014, A.M. was hired as a housekeeper. The general manager of the hotel was Mr. Kellock. In late June 2014, A.M. asked Mr. Kellock for a reference letter, to support her pardon application. He told her he would be happy to provide her with a letter and to come by his office to let him know what she needed. When she came to his office, he locked the office door and made sexual solicitation and advances to her. Similar incidents occurred every time she visited his office to ask for her reference letter. He, then, tried to kiss her while she was cleaning his office. After he gave her the letter, A.M. contacted the police to complain about Mr. Kellock’s behaviour.

The HRLSC represented A.M. at her hearing. The HRTO found that Mr. Kellock had made sexual solicitations and advances towards A.M. The Tribunal found the power imbalance clear: A.M. was particularly vulnerable given her personal history and the events she experienced had a severe impact on her. The applicant was awarded \$75,000 in general damages.

APPLICATION FOR JUDICIAL REVIEW AGAINST HRLSC CLIENT DISMISSED

2076831 Ontario Ltd. v. Qiu, [2018 ONSC 7295](#)

Ms. Qiu was represented by the HRLSC at her hearing before the HRTO. During the hearing, she successfully established that her former employer, a used car dealership, had discriminated and reprimed against her: **Qiu v. 2076831 Ontario Ltd.**, [2017 HRTO 1432](#). In that decision, the HRTO found that Ms. Qiu had experienced unwanted sexual contact and sexualized jokes and comments, which created a poisoned work environment for the applicant. Ms. Qiu was awarded \$30,000 in general damages.

The car dealership filed an application for judicial review with the Divisional Court. They claimed the award of monetary damages was too high, that the HRTO should not have found that Ms. Qiu was subjected to a poisoned work environment and that the adjudicator

should not have reproduced a large portion of the applicant’s written closing submissions in the decision

The HRLSC represented the applicant before the Divisional Court. The application for judicial review was dismissed. The Divisional Court found that the damages awarded and the finding of poisoned work environment were reasonable. The Court found no issue with the adjudicator’s reliance on the applicant’s written submissions because the adjudicator had still performed the required legal analysis, credibility assessments and factual findings independently.

THE OTHER HRLSC CASES DECIDED AT HEARING

Bento v. Manito’s Rotisserie & Sandwich, [2018 HRTO 203](#)

Ms. Bento experienced a hostile work environment and was often victim of hurtful and inappropriate comments based on race, colour, ancestry and ethnic origin. She reported it to her manager. When she refused to go out with him to have a raise, she got fired. The HRT0 awarded her \$20,000 in general damages and the employer was ordered to complete the “Human Rights 101” e-learning module.

MacDonald v. Russell L. Towle Enterprises Ltd. o/a Marvel Beauty Schools, [2018 HRTO 1459](#)

Ms. MacDonald experience several allergic reactions on the premises of the campus where she was a student after she advised the campus director of her fish allergy. She later experienced harassment after she reported a fellow student to the campus director for bringing fish to the campus. The school did nothing to accommodate her condition and did not take her complaint of harassment seriously. The HRT0 awarded her \$20,000 in general damages, ordered the school to post *Code* card in visible location around the campus and ordered the members of management of the campus to take the “Human Rights 101” e-training.

P.T. v. Rahman Consulting Services, [2018 HRTO 1566](#)

A woman was sexually assaulted and forcibly confined by her employer. The HRT0 awarded her \$45,000 in general damages plus special damages.

A.B. v. Charity House (Windsor) o/a Brentwood Recovery Home, [2018 HRTO 1607](#)

HRLSC represented the applicant in a contravention of settlement application where a recovery home-breached a settlement previously reached. The recovery home failed to provide policies that respect and correspond to trans individuals lived gender in a mutually acceptable language. The HRTO recognized the breach and awarded \$2,500 in general damages.

Marcotte v. Hair Xtacy Academy of Hair Design Inc., [2019 HRTO 348](#)

Ms. Marcotte was pregnant and informed her direct manager of it. She then developed a placenta abrasion due to stress and from standing for long periods. After she informed her boss of her condition, she received a termination letter saying she was not the “right fit”. The HRTO recognized that Ms. Marcotte’s pregnancy was a factor in her termination. Ms. Marcotte was awarded \$13,000 in general damages. Her manager was warranted public interests remedies.

Napier v. Highpoint Management Inc., [2019 HRTO 382](#)

Ms. Napier was suffering from gastrointestinal issues which resulted in her occasionally calling sick, being late, needing unexpected breaks or requiring visits to the hospital. One day, she went to the emergency room and was diagnosed with diverticulitis. She informed her supervisor she could not return to work for a few days and was fired. The HRTO awarded her \$22,500 in general damages, \$5,045 in lost wages and ordered her supervisor to complete a “Human Rights 101” e-learning module.

DIVISIONAL COURT DECISIONS

Shirley v. Staples Canada Inc., [2018 ONSC 1698](#)

Mr. Shirley application to the HRTO was dismissed. His request for reconsideration of the dismissal and his application for judicial review were also dismissed. The Court found the HRTO’s decisions were reasonable.

Alabi v. Madkour, [2018 ONSC 7006](#)

Mr. Alabi filed a request for reconsideration against one of HRLSC’s clients. When his request was denied, he filed an application for judicial review, which was dismissed. The Divisional Court found no error in the decision or in the evidence admitted and found the awards reasonable.

ANALYSIS OF FINANCIAL PERFORMANCE

The HRLSC's 2018/19 financial performance was consistent with previous years, with 87% of costs utilized for staffing, 13% for operating and 1% for Board expenses.

EXPENSE	2018/19	2017/18	2016/17	2015/16
SALARIES & BENEFITS	87%	86%	86%	86%
OPERATING	13%	13%	14%	13%
BOARD	1%	0%	1%	0%

The most significant financial challenge faced by the HRLSC has been maintaining competitive salaries and adequate staffing levels with a static budget. This challenge and associated risk of maintaining service levels has been effectively managed through close monitoring and management of operating costs and human resource initiatives, such as healthy workplace promotion, and a flexible and nimble staffing and service delivery model. The effectiveness of the financial management strategies has been demonstrated by the HRLSC's success in containing costs and sustaining or increasing its operational performance. Strategies to manage and constrain operating costs in 2018/19 included relocating regional staff to home offices, where viable.

FULFILLMENT OF MANDATE LETTER

The HRLSC has fulfilled the expectations outlined in its most recent mandate letter (2016).

PRIORITY

Support the Ministry of the Attorney General's priorities by promoting access to justice, finding efficiencies and improving the services of Ontario's court and adjudicative tribunal systems.

Continue to carry out the agency's responsibilities as set out in the *Human Rights Code*.

Support the government's evidence-based decision-making framework to ensure programs and services are effective, efficient, relevant and sustainable.

Support the government's Open Government initiative to demonstrate a more open and transparent government including the application of the Open Data Directive.

Continue to manage the mediation program and make best efforts to meet performance targets.

Continue to build on the work that has begun with the cross appointments with the OHRC and the joint work with the OHRC and HRTO to improve Ontario's human rights system and reporting on its progress.

ACHIEVEMENT

- Responded to more than 23,000 inquiries about discrimination, providing legal information and advice
- Provided in-depth legal services to almost 3,000 individuals
- Represented almost 500 applicants at mediations
- Increasing number and rates of settlement
- Consistently high client service ratings

- Operational performance sustained or increased over previous four years
- Requests for service remain consistent
- Financial and human resource strategies proven effective in bolstering sustainability

- Comprehensive open data available on HRLSC's website

- Mediation Program produced increased service levels, settlements and settlement rates in 2018/19; results sustained or increased over five years
- Significant performance measures met or exceeded and plans for addressing challenging areas are in place

- HRLSC/OHRC MOU signed in 2018
- HRLSC and HRTO shared service plans in 2018

HUMAN RIGHTS LEGAL SUPPORT CENTRE

FINANCIAL STATEMENTS

MARCH 31, 2019

Independent Auditor's Report

To the Directors of Human Rights Legal Support Centre

Opinion

We have audited the financial statements of Human Rights Legal Support Centre (the "Organization"), which comprise the statement of financial position as at March 31, 2019, and the statements of operations, changes in net assets and cash flows for the year then ended, and notes to the financial statements, including a summary of significant accounting policies.

In our opinion, the accompanying financial statements present fairly, in all material respects, the financial position of the Organization as at March 31, 2019, and the results of its operations and its cash flows for the year then ended in accordance with Canadian accounting standards for not-for-profit organizations.

Basis for Opinion

We conducted our audit in accordance with Canadian generally accepted auditing standards. Our responsibilities under those standards are further described in the Auditor's Responsibilities for the Audit of the Financial Statements section of our report. We are independent of the Organization in accordance with the ethical requirements that are relevant to our audit of the financial statements in Canada, and we have fulfilled our other ethical responsibilities in accordance with these requirements. We believe that the audit evidence we have obtained is sufficient and appropriate to provide a basis for our opinion.

Responsibilities of Management and Those Charged with Governance for the Financial Statements

Management is responsible for the preparation and fair presentation of the financial statements in accordance with Canadian accounting standards for not-for-profit organizations, and for such internal control as management determines is necessary to enable the preparation of financial statements that are free from material misstatement, whether due to fraud or error.

In preparing the financial statements, management is responsible for assessing the ability of the Organization to continue as a going concern, disclosing, as applicable, matters related to going concern and using the going concern basis of accounting unless management either intends to liquidate the Organization or to cease operations, or has no realistic alternative but to do so.

Those charged with governance are responsible for overseeing the financial reporting process of the Organization.

Auditor's Responsibilities for the Audit of the Financial Statements

Our objectives are to obtain reasonable assurance about whether the financial statements as a whole are free from material misstatement, whether due to fraud or error, and to issue an auditor's report that includes our opinion. Reasonable assurance is a high level of assurance, but is not a guarantee that an audit conducted in accordance with Canadian generally accepted auditing standards will always detect a material misstatement when it exists. Misstatements can arise from fraud or error and are considered material if, individually or in the aggregate, they could reasonably be expected to influence the economic decisions of users taken on the basis of the financial statements.

As part of an audit in accordance with Canadian generally accepted auditing standards, we exercise professional judgment and maintain professional skepticism throughout the audit. We also:

- Identify and assess the risks of material misstatement of the financial statements, whether due to fraud or error, design and perform audit procedures responsive to those risks, and obtain audit evidence that is sufficient and appropriate to provide a basis for our opinion. The risk of not detecting a material misstatement resulting from fraud is higher than for one resulting from error, as fraud may involve collusion, forgery, intentional omissions, misrepresentations, or the override of internal control.
- Obtain an understanding of internal control relevant to the audit in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the internal control of the Organization.

Independent Auditor's Report (continued)

Auditor's Responsibilities for the Audit of the Financial Statements (continued)

- Evaluate the appropriateness of accounting policies used and the reasonableness of accounting estimates and related disclosures made by management.
- Conclude on the appropriateness of management's use of the going concern basis of accounting and, based on the audit evidence obtained, whether a material uncertainty exists related to events or conditions that may cast significant doubt on the ability of the Organization to continue as a going concern. If we conclude that a material uncertainty exists, we are required to draw attention in our auditor's report to the related disclosures in the financial statements or, if such disclosures are inadequate, to modify our opinion. Our conclusions are based on the audit evidence obtained up to the date of our auditor's report. However, future events or conditions may cause the Organization to cease to continue as a going concern.
- Evaluate the overall presentation, structure and content of the financial statements, including the disclosures, and whether the financial statements represent the underlying transactions and events in a manner that achieves fair presentation.

We communicate with those charged with governance regarding, among other matters, the planned scope and timing of the audit and significant audit findings, including any significant deficiencies in internal control that we identify during our audit.

We also provide those charged with governance with a statement that we have complied with relevant ethical requirements regarding independence, and to communicate with them all relationships and other matters that may reasonably be thought to bear on our independence, and where applicable, related safeguards.



Toronto, Ontario
July 22, 2019

Chartered Professional Accountants
Licensed Public Accountants

HUMAN RIGHTS LEGAL SUPPORT CENTRE

Statement of Financial Position

March 31	2019 \$	2018 \$
ASSETS		
Current assets		
Cash	570,586	615,926
Accounts receivable	7,033	33,919
HST recoverable	57,761	42,302
Prepaid expenses	115,114	125,128
	750,494	817,275
Long-term assets		
Property and equipment (note 4)	53,948	90,152
Intangible assets (note 5)	40,615	88,287
	94,563	178,439
	845,057	995,714
LIABILITIES		
Current liabilities		
Accounts payable and accrued liabilities	385,380	376,785
Deferred grant - Legal Aid Ontario	-	151,645
	385,380	528,430
NET ASSETS (note 6)	459,677	467,284
	845,057	995,714

The accompanying notes are an integral part of these financial statements.

Approved on behalf of the Board:

Director

Director

HUMAN RIGHTS LEGAL SUPPORT CENTRE

Statements of Operations

Year ended March 31	2019 \$	2018 \$
Revenues		
Ministry of the Attorney General	5,821,400	5,936,200
Legal Aid Ontario	174,555	58,355
Other income	13,671	6,726
	<u>6,009,626</u>	<u>6,001,281</u>
Expenditures		
Salaries and wages	4,131,045	4,115,226
Employee benefits (note 7)	837,776	765,179
Services	418,489	489,756
Communications	95,251	98,834
Province wide service delivery	74,152	66,243
Travel	82,812	51,468
Supplies and equipment	63,711	43,621
Board expenses	41,040	25,919
Legal Aid Ontario - project expenses	174,555	58,355
Amortization	98,402	98,438
	<u>6,017,233</u>	<u>5,813,039</u>
Excess of revenues over expenditures (expenditures over revenues) for year	<u>(7,607)</u>	<u>188,242</u>

Statements of Net Assets

Year ended March 31	2019 \$	2018 \$
Net assets, beginning of year	467,284	279,042
Excess of revenues over expenditures (expenditures over revenues) for year	<u>(7,607)</u>	<u>188,242</u>
Net assets, end of year	<u>459,677</u>	<u>467,284</u>

The accompanying notes are an integral part of these financial statements.

HUMAN RIGHTS LEGAL SUPPORT CENTRE

Statement of Cash Flows

Year ended March 31	2019 \$	2018 \$
Cash flows from operating activities		
Excess of revenues over expenditures (expenditures over revenues) for year	(7,607)	188,242
Item not affecting cash		
Amortization	98,402	98,438
	90,795	286,680
Change in non-cash working capital items		
Decrease (increase) in accounts receivable	26,886	(33,919)
Increase in HST recoverable	(15,459)	(6,233)
Decrease (increase) in prepaid expenses	10,014	(43,713)
Increase in accounts payable and accrued liabilities	8,595	170,074
Increase (decrease) in deferred grant - Legal Aid Ontario	(151,645)	151,645
	(30,814)	524,534
Cash flows from investing activities		
Purchase of property and equipment	(14,526)	(88,916)
Net change in cash	(45,340)	435,618
Cash, beginning of year	615,926	180,308
Cash, end of year	570,586	615,926

The accompanying notes are an integral part of these financial statements.

HUMAN RIGHTS LEGAL SUPPORT CENTRE

Notes to Financial Statements

March 31, 2019

Nature of operations

Human Rights Legal Support Centre (the "Centre") was established December 20, 2006, as a corporation without share capital as a result of Royal Assent being granted to Section 45.11 of the *Human Rights Code Amendment Act, 2006*. The legislation took effect on June 30, 2008 and the Centre opened on that day.

The Centre is not a Crown agency, but is designated as an operational service agency and reports to the Ministry of the Attorney General ("MAG"). The Centre is independent from, but accountable to the Government of Ontario. Pursuant to a Memorandum of Understanding ("MOU") between the Centre and the Attorney General for the Province of Ontario the objectives of the Centre are:

- (a) to establish and administer a cost-effective and efficient system for providing support services, including legal services, respecting applications to the Ontario Human Rights Tribunal under Part IV of the Code; and
- (b) to establish policies and priorities for the provision of support services based on financial resources.

The Centre is a not-for-profit organization, as described in Section 149(1)(l) of the *Income Tax Act*, and therefore is not subject to either federal or provincial income taxes.

1. Significant accounting policies

These financial statements are prepared by management in accordance with Canadian accounting standards for not-for-profit organizations and are in accordance with Part III of the *CPA Canada Handbook - Accounting*, and in accordance with Canadian generally accepted accounting principles. The financial statements have been prepared within the framework of significant accounting policies summarized below:

(a) Revenue recognition

The Centre follows the restricted fund method of accounting for contributions, which include government grants.

The Centre receives revenue from the MAG. The amounts are recorded as revenue when received or receivable. All of the funds received are restricted as to use for purposes set out in the MOU.

Income from other external sources is recorded as revenue when received or receivable provided the amount to be received can be reasonably estimated and collection is reasonably assured. Funding received for future periods are deferred and recognized, as stipulated by the funding agreement.

HUMAN RIGHTS LEGAL SUPPORT CENTRE

Notes to Financial Statements (continued)

March 31, 2019

1. Significant accounting policies (continued)

(b) Property and equipment

The costs of property and equipment are capitalized upon meeting the criteria for recognition as a capital asset; otherwise, costs are expensed as incurred. The cost of property and equipment comprises its purchase price and any directly attributable cost of preparing the asset for its intended use.

Property and equipment are measured at cost less accumulated amortization and accumulated impairment losses.

Amortization is provided for on a straight-line basis at rates designed to amortize the cost of the capital assets over their estimated useful lives. The annual amortization rates are as follows:

Computer equipment	3 years
Furniture and fixtures	5 years

Property and equipment is tested for impairment whenever events or changes in circumstances indicate that its carrying amount may not be recoverable. If any potential impairment is identified, the amount of the impairment is quantified by comparing the carrying value of the capital asset to its fair value. Any impairment of the capital asset is recognized in income in the year in which the impairment occurs.

An impairment loss is not reversed if the fair value of the capital asset subsequently increases.

(c) Intangible assets

The costs of intangible assets are capitalized upon meeting the criteria for recognition as an intangible asset, otherwise, costs are expensed as incurred. The cost of a separately acquired intangible asset comprises its purchase price and any directly attributable cost of preparing the asset for its intended use.

Intangible assets are measured at cost less accumulated amortization and accumulated impairment losses.

Amortization of application software is provided for on a straight-line basis at rates designed to amortize the cost of the intangible assets over their estimated useful lives. The annual amortization rates are as follows:

Client tracking tool	5 years
Computer software	3 years

HUMAN RIGHTS LEGAL SUPPORT CENTRE

Notes to Financial Statements (continued)

March 31, 2019

1. Significant accounting policies (continued)

(c) Intangible assets (continued)

An intangible asset is tested for impairment whenever events or changes in circumstances indicate that its carrying amount may not be recoverable. If any potential impairment is identified, then the amount of the impairment is quantified by comparing the carrying value of the intangible asset to its fair value. Any impairment of the intangible asset is recognized in income in the year in which the impairment occurs.

An impairment loss is not reversed if the fair value of the intangible asset subsequently increases.

(d) Financial instruments

(i) Measurement of financial instruments

The Centre initially measures its financial assets and financial liabilities at fair value adjusted by the amount of transaction costs directly attributable to the instrument.

The Centre subsequently measures all of its financial assets and financial liabilities at amortized cost.

Amortized cost is the amount at which a financial asset or financial liability is measured at initial recognition minus principal repayments, plus or minus the cumulative amortization of any difference between that initial amount and the maturity amount, and minus any reduction for impairment.

Financial assets measured at amortized cost include cash and accounts receivable.

Financial liabilities measured at amortized cost include accounts payable and accrued liabilities.

(ii) Impairment

At the end of each year, the Centre assesses whether there are any indications that a financial asset measured at amortized cost may be impaired. Objective evidence of impairment includes observable data that comes to the attention of the Centre, including but not limited to the following events: significant financial difficulty of the issuer; a breach of contract, such as a default or delinquency in interest or principal payments; and bankruptcy or other financial reorganization proceedings.

When there is an indication of impairment, the Centre determines whether a significant adverse change has occurred during the year in the expected timing or amount of future cash flows from the financial asset.

HUMAN RIGHTS LEGAL SUPPORT CENTRE

Notes to Financial Statements (continued)

March 31, 2019

1. Significant accounting policies (continued)

(d) Financial instruments (continued)

(ii) Impairment (continued)

When the Centre identifies a significant adverse change in the expected timing or amount of future cash flows from a financial asset, it reduces the carrying amount of the financial asset to the greater of the following:

- the present value of the cash flows expected to be generated by holding the financial asset discounted using a current market rate of interest appropriate to the financial asset; and
- the amount that could be realized by selling the financial asset at the statement of financial position date.

Any impairment of the financial asset is recognized in income in the year in which the impairment occurs.

When the extent of impairment of a previously written-down financial asset decreases and the decrease can be related to an event occurring after the impairment was recognized, the previously recognized impairment loss is reversed to the extent of the improvement, but not in excess of the impairment loss. The amount of the reversal is recognized in income in the year the reversal occurs.

(e) Management estimates

The preparation of financial statements in conformity with Canadian accounting standards for not-for-profit organizations requires management to make judgments, estimates and assumptions that affect the application of accounting policies and the reported amounts of assets and liabilities and the disclosure of contingent assets and liabilities at the date of the financial statements and the reported amounts of revenues and expenses during the current period. Actual results may differ from these estimates, the impact of which would be recorded in future periods.

Estimates and underlying assumptions are reviewed on an ongoing basis. Revisions to accounting estimates are recognized in the year in which the estimates are revised and in any future years affected.

(f) Pension plan

The Centre through the sponsorship of MAG is a participating employer to a multi-employer defined benefit pension plan administered by the Ontario Pension Board ("OPB") for employees of the province of Ontario. In accordance with Canadian accounting standards for not-for-profit organizations, as sufficient information is not available to the Centre to use defined benefit plan accounting, the Centre accounts for the pension plan as a defined contribution pension plan. The Centre expenses pension contributions when made.

HUMAN RIGHTS LEGAL SUPPORT CENTRE

Notes to Financial Statements (continued)

March 31, 2019

2. Financial instruments

The Centre is exposed to financial risks in its financial instruments as described below.

The financial instruments of the Centre and the nature of the risks to which it may be subject are as follows:

Financial instrument	Risks				
	Credit	Liquidity	Market risk		
Currency			Interest rate	Other price	
Cash	X				
Accounts receivable	X				
Accounts payable and accrued liabilities		X			

Credit risk

Credit risk is the risk that one party to a transaction will fail to discharge an obligation and cause the other party to incur a financial loss. The Centre reduces its exposure to credit risk associated with cash by holding it at a major Canadian bank. The Centre's main credit risk relates to its accounts receivable. The Centre has exposure to credit risk in cash and accounts receivable to a maximum of \$577,619 (2018 - \$649,845).

Liquidity risk

Liquidity risk is the risk that the Centre cannot repay its obligations when they become due to its creditors. The Centre meets its liquidity requirements by preparing and monitoring detailed forecasts of cash flows from operations, anticipating investing and financing activities and holding assets that can readily be converted into cash.

Market risk

Market risk is the risk that the fair value or future cash flows of a financial instrument will fluctuate because of changes in market prices. Market risk is comprised of currency risk, interest rate risk and other price risk. The Centre is not exposed to significant market risk.

Changes in risk

There have been no changes in the Centre's risk exposures from the prior year.

3. Economic dependence

The Centre derives its primary operating revenues from the Ministry of the Attorney General.

HUMAN RIGHTS LEGAL SUPPORT CENTRE

Notes to Financial Statements (continued)

March 31, 2019

4. Property and equipment

	2019		
	Cost	Accumulated Amortization	Net
	\$	\$	\$
Computer equipment	391,792	337,844	53,948
Furniture and fixtures	4,150	4,150	-
	<u>395,942</u>	<u>341,994</u>	<u>53,948</u>
	2018		
	Cost	Accumulated Amortization	Net
	\$	\$	\$
Computer equipment	377,267	287,115	90,152
Furniture and fixtures	4,150	4,150	-
	<u>381,417</u>	<u>291,265</u>	<u>90,152</u>

5. Intangible assets

	2019		
	Cost	Accumulated Amortization	Net
	\$	\$	\$
Client tracking tool	668,030	637,447	30,583
Computer software	141,059	131,027	10,032
	<u>809,089</u>	<u>768,474</u>	<u>40,615</u>
	2018		
	Cost	Accumulated Amortization	Net
	\$	\$	\$
Client tracking tool	668,030	614,029	54,001
Computer software	141,059	106,773	34,286
	<u>809,089</u>	<u>720,802</u>	<u>88,287</u>

HUMAN RIGHTS LEGAL SUPPORT CENTRE

Notes to Financial Statements (continued)

March 31, 2019

6. Grant revenue allocation

The Centre has expended grant funds received as follows:

	2019 \$	2018 \$
Revenue - Ministry of Attorney General	5,821,400	5,936,200
Other income	13,671	6,726
Operating expenses (excluding project expenses)	(5,842,678)	(5,754,684)
Amortization included in operating expenses	98,402	98,438
Purchase of property and equipment	(14,526)	(88,916)
	<u>76,269</u>	<u>197,764</u>

Reconciliation of net assets

	Capital \$	Operating \$	Total \$
Net assets, beginning of year	178,438	288,846	467,284
Excess of revenues over expenditures (expenditures over revenues) for year	(98,402)	90,795	(7,607)
Funds transferred to capital fund	14,526	(14,526)	-
Net assets, end of year	<u>94,562</u>	<u>365,115</u>	<u>459,677</u>

7. Pension plan

The Centre through the sponsorship of MAG is a participating employer to a defined benefit plan administered by the Ontario Pension Board ("OPB") for employees of the province of Ontario. Based on contribution rates as set by the OPB, the Centre matches employee contributions to the plan at the rate of 6.9% of earnings up to the CPP yearly pension maximum entitlement ("YPME") and 10% for earnings above the YPME. The plan is being accounted for as a defined contribution plan as there is not sufficient information to follow the reporting requirements of a defined benefit plan. The Centre contributed \$274,318 (2018 - \$238,997) to the plan which is recorded in "employee benefits" in the statement of operations.

HILBORN

LISTENERS. THINKERS. DOERS.

CONTACT US

*Human Rights Legal Support Centre
180 Dundas Street West, 8th Floor
Toronto, Ontario, M7A 0A1*

www.hrlsc.on.ca

GTA: 416-597-4900

Toll Free: 1-866-625-5179

TTY Toll Free: 1-866-612-8627

Fax: 416-597-4901

Twitter: @HRLSC_ON

Facebook: www.facebook.com/HRLSCOntario