

HRLSC ANNUAL REPORT

2016-17



HRLSC

Human Rights
Legal Support Centre

CAJDP

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

MESSAGE FROM THE CHAIR

The Human Rights Legal Support Centre (HRLSC) is pleased to present the Attorney General of Ontario with its 2016-17 Annual Report.

We know that hate crimes against Muslims are on the rise, and we are still reeling from the murder of six Canadians in Quebec City in January 2017.

At the Centre, we saw a 39% increase in inquiries from Muslim Ontarians last year and an increase in disturbing reports from across Ontario about overt discrimination in housing, services and jobs. In response to these alarming incidents, there has also been an outpouring of support and solidarity in communities across Ontario.

The rise in hostile discourse is not felt by Muslim communities alone. In response to over 25,000 inquiries each year about possible *Human Rights Code* violations, our staff has often been shocked by actions attributed to institutions that have the resources to know better and do better. Protecting rights, providing access to justice and enforcing the *Code* are key to building an inclusive Ontario.

In this troubled climate, I would like to thank fellow Board members and staff for their continued commitment to human rights and justice. In particular, I want to thank former Chief Commissioner Ruth Goba for her excellent work when she was cross-appointed to our board from the Ontario Human Rights Commission.

On behalf of the Board, I thank Ontario residents for raising their voices and refusing to be silent bystanders.



Patrick Case
Chair, Board of Directors

MESSAGE FROM THE EXECUTIVE DIRECTOR



Sharmaine Hall
Executive Director

It has been exhilarating to take over as Executive Director after serving the HRLSC as a legal manager for six years.

Thanks to my excellent colleagues and the Board, the transition has been a very smooth one. We've had a lot of change at the Centre this year, including the departure of our Client Services Manager, Consuelo Rubio and our previous Executive Director, Kathy Laird. Thank you to Kathy and Consuelo for their years of dedicated and inspiring leadership from the time we opened in 2008 until the fall of 2016. They will both be greatly missed.

In addition to five new lawyers, we welcomed several other team members to replace staff who went on to pursue other adventures. Our staff and Board members continue to receive accolades for their work inside and outside the Centre. The Law Society of Upper Canada announced the Chair of our Board, Patrick Case, as the recipient of the LSUC Medal, an award given to lawyers who have made a significant contribution to the profession.

CENTRE'S EXPERTISE RECOGNIZED INTERNATIONALLY

Sharmaine Hall invited by the UN to share the Centre's best practices



Executive Director, Sharmaine Hall in Geneva

On October 19, 2016 the Centre's Sharmaine Hall addressed the UN International Committee for the Elimination of Racial Discrimination's Ad Hoc Committee on the Elaboration of Complementary Standards. They wanted to see an example of a successful human rights enforcement system and looked to Ontario to provide answers.

Sharmaine Hall highlighted the relationship between the UN's work and the positive results in Ontario, noting that the Centre's previous Executive Director, Kathy Laird, had urged the UN Human Rights Committee to call on Canadian federal, provincial and territorial governments to reform their

human rights processes. "The Ontario government responded by changing the province's human rights system to allow people to file a claim directly with the Tribunal and created our agency to provide appropriate legal supports," Laird said.

The Centre has shared mediation, litigation and enforcement practices with human rights and related organizations across Ontario, Canada and internationally. The Centre is recognized as a leader in providing accessible, efficient and flexible service delivery to human rights claimants.



Patrick Case and Sharmaine Hall (foreground) with members of Uganda's Equal Opportunities Commission

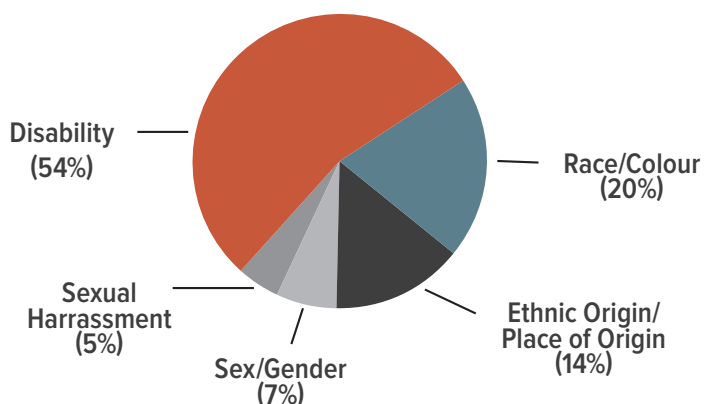
Also on the international front, the Centre co-hosted a delegation from the Ugandan Equal Opportunities Commission (EOC). The EOC was looking for best practices for promoting equity and combatting discrimination. Over five days they observed Tribunal hearings and met with the Ontario Human Rights Commission and a variety of legal services and non-governmental organizations.

STATISTICS

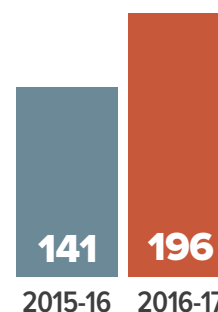
We provided legal services to thousands of Ontarians this year

WE RESPONDED TO 25,389 INQUIRIES FROM THE PUBLIC

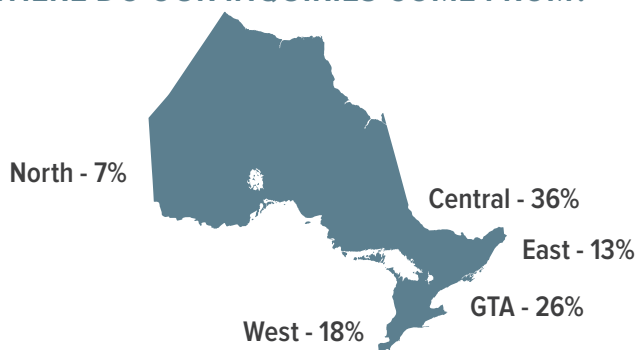
TOP 5 GROUNDS OF DISCRIMINATION FOR INQUIRIES



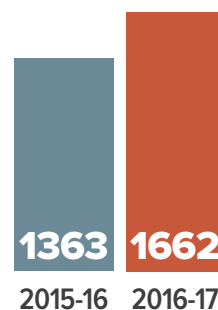
INQUIRIES ABOUT DISCRIMINATION BASED ON MUSLIM IDENTITY



WHERE DO OUR INQUIRIES COME FROM?



INQUIRIES ABOUT DISCRIMINATION BASED ON ETHNIC ORIGIN



WE PROVIDED IN-DEPTH SERVICES TO 2,378 APPLICANTS TO THE HUMAN RIGHTS TRIBUNAL, ASSISTING AN ESTIMATED 66% OF ALL APPLICANTS

HUMAN RIGHTS STORIES

Some of our cases decided at the Human Rights Tribunal of Ontario

TORONTO TENANT COMPENSATED FOR RACIAL DISCRIMINATION

Thomas v. Haque, 2016 HRT0 1012

The Centre represented a Black woman who was trying to find an apartment. She arranged a viewing with a landlord and they exchanged several texts and phone calls. When she went to view the apartment, the landlord asked her where she was from and she told him she was originally from the Caribbean.

The landlord suddenly said the apartment was unavailable. He claimed that at the very moment the prospective tenant was coming to view the apartment, he had decided to sell the apartment building.

The Tribunal did not find his explanation credible.

The Tribunal ordered:

- \$10,000 compensation for the discrimination
- The landlord to take human rights training, and, in particular to watch the Ontario Human Rights Commission's five-part video called "Rental Housing and the [Human Rights] Code"

To read the full decision, visit [CanLii](#).

"I can finally move on with my life, knowing that this is behind me. I can sleep better at night also knowing that they understand what they did to me, and it is my great hope that this will mitigate this situation from happening to anyone else."

HRLSC client

PREGNANT WORKER RECEIVES LOST WAGES AND COMPENSATION FOR CONSTRUCTIVE DISMISSAL

Jaques v. Tosh Steakhouse, 2016 HRT0 403

Michelle Jaques worked at Tosh Steakhouse for three years. After she became pregnant, Ms. Jaques, on her doctor's recommendation, notified her employer that it was medically inadvisable for her to go up and down the stairs to the second-floor dining room.

After initially agreeing to her request, the restaurant later told Ms. Jaques that "it was not possible" to have her work only on the ground floor. In testimony, the employer referred to an internal policy prohibiting the change. The Centre represented Ms. Jaques and argued before the Tribunal that there were no written policies in place and, even if such policies existed, adapting the policies to accommodate her medical restrictions would not be an "undue hardship" for the restaurant.

Hearing Statistics

144 applicants retained the Centre for their hearing

81 of those applicants received a settlement negotiated by the Centre

63 applicants were represented by the Centre at their discrimination hearing

To see more of
our cases visit our
website under
**Human Rights
Stories.**

www.hrlsc.on.ca

The Tribunal accepted the Centre's arguments and found the employer had failed to take the necessary steps required under the *Human Rights Code* to accommodate her needs as a pregnant employee. Pregnancy is specifically included in the *Code's* protection against discrimination based on sex.

The Tribunal ordered:

- \$15,000 compensation for the discrimination
- \$4,170.60 in lost wages
- Training for the directors and managers of the restaurant

To read the full decision, visit [CanLii](#).

"Please include my sincere appreciation and thanks for your efforts as well on our behalf... it was a very difficult journey for us. The best part was meeting my colleagues and getting to know each of them. What doesn't kill you makes you stronger!! I guess by now we must be the strongest women I know!"

HRLSC client

RESTAURANT HAS OBLIGATION TO INVESTIGATE RACISM

Faghihi v. Black Swan Pub and Grill,
2016 HRT0 1109

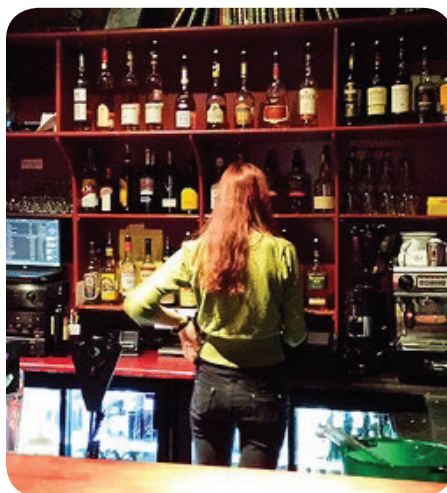
Mr. Faghihi was fired two shifts after he complained directly to the owner about discrimination from a colleague. Faghihi testified "that he could not believe that he experienced such blatantly racist comments from a co-worker. He was embarrassed, his self-esteem was lowered, and he felt attacked, victimized, and alone because nothing was done to address the comment."

The Centre successfully argued that not only was Mr. Faghihi discriminated against, but he suffered reprisal as a result of complaining about the discrimination. The Tribunal agreed that the restaurant's owner had failed to conduct an appropriate investigation of the incidents.

The Tribunal ordered:

- \$18,000 compensation for the discrimination
- \$535.17 in lost wages
- The restaurant to develop a harassment and discrimination policy, including a complaint mechanism

To read the full decision, visit [CanLii](#).



WAITRESS DESCRIBES HUMAN RIGHTS PROCESS AS "TAKING BACK WHAT IS HERS"

Granes v. 2389193 Ontario Inc., 2016
HRT0 821

Ms. Granes endured a night of sexual harassment in the form of comments and touching by the co-owner of the bar where she worked. The Centre represented Ms. Granes at the hearing.

She testified that she felt "disgusted that someone felt they had the right to touch her body for their own pleasure, without her consent".

Who's Who in Human Rights?

Ontario's human rights system is made up of three separate agencies.

- **The Human Rights Legal Support Centre** gives free legal help, including representation, to people who have experienced discrimination under the *Human Rights Code*.
- **The Human Rights Tribunal** is where human rights applications are filed and decided.
- **The Ontario Human Rights Commission** works to promote and advance human rights through research, education, policy development and targeted litigation.

For more information see the [Frequently Asked Questions](#) section of our website.

In its decision, the Tribunal noted that Ms. Granes described the human rights process as a way of “taking back what is hers, making her own decisions about her body and letting go of her fears.”

The Centre successfully argued that the failure of the police to pursue the sexual assault charges did not allow the employer to conclude the harassment had not happened. The Tribunal also found that “the Restaurant breached the *Code* by not addressing the matter appropriately and incurred liability by not conducting an adequate investigation or making any attempt to resolve the complaint.”

The Tribunal ordered:

- \$20,000 compensation for the discrimination
- \$9,440 in lost wages
- The restaurant to adopt a written policy for dealing with complaints of harassment and discrimination in the workplace, including a complaint procedure
- The restaurant to provide mandatory training to its employees

To read the full decision, visit [CanLii](#).

“That’s great news! Thank you again for everything. As hard as all of this was you made it easier and helped me do something I never thought I could. I feel more empowered and hopefully we have made a difference, which will make people think before they act.”

HRLSC client



Consuelo Rubio, Manager of Intake Services

MIGRANT WORKER COMPENSATED FOR DISABILITY-RELATED FIRING

Ben Saad v. 1544982 Ontario Inc.,
2017 HRTO 1

Naji Ben Saad came to Canada from Tunisia to support his family. After an accident at work, his employer fired him for “attendance” problems. The Centre represented Mr. Ben Saad and argued that his vulnerability was inextricably tied to his status as a migrant worker. The Tribunal found the employer fired Ben Saad because of “his attendance record, which [the adjudicator found] was as a result of his injury and resultant disability.”

The Tribunal ordered:

- \$20,000 compensation for the discrimination
- The company to hire a consultant with expertise in human rights to develop a human rights policy
- All employees and the applicant to be provided with a copy of the policy within six months
- All the company’s owners, managers and employees in the human resources department to take online human rights training

To read the full decision, visit [CanLii](#).

Consuelo Rubio,
our Manager of Intake Services, left us with these words of wisdom upon her retirement:

“I don’t have many parting words for you, after my almost 40 years of tilling legal fields. However, I can share with you that, while it is important to keep an eye on the law,

it is even more important to keep the other one wide open searching for justice.

I want to think of ourselves as carpenters of justice: law gives us tools and our client’s stories the building materials. Sometimes we build a ramp so that someone may access a building with dignity; other times, a protective wall around a woman who is being sexually harassed, or a shield to counter the heavy blows of racism and otherness.

For many of the clients I have encountered both as an activist and an advocate, justice didn’t necessarily mean litigation; it meant hearing them, validating what they described, providing a soft spot where to unburden themselves. I really see that as part and parcel of being an effective and empathetic advocate.”

OTHER DECISIONS FROM THE TRIBUNAL

In addition to final decisions, the Tribunal issues other types of orders that range from procedural issues to reconsideration of final decisions. A breach of settlement application involves one party alleging the other has violated the terms of the agreement reached at mediation. A consent order is a public decision of the Tribunal confirming an agreement by both parties to settle.

CO-OP NEGLECTS AGREEMENT TO ACCOMMODATE DISABILITY

Grady v. Niagara Neighbourhood Co-op 2017 HRTO 355

The Tribunal found that the Niagara Neighbourhood Co-op had failed to honour the terms of its agreement with a co-op member and ordered:

- \$2,000 compensation for breach of the settlement
- The Co-op to present its human rights policy to the members at a general meeting



TIM HORTON'S FRANCHISE BREACHES AGREEMENT

Rollick v. 1526597 Ontario Inc. o/a Tim Horton's Store No. 2533 2016 HRTO 910

To quote from the Tribunal's decision, "This matter has a lengthy and somewhat tortured history."

In among the eight Tribunal decisions in this case, the Tim Horton's franchise claimed they did not receive proper notice of the original hearing. We settled the human rights application between the franchise and Ms. Rollick in April of 2015 and they agreed to compensate her for discrimination. In July of 2016 the Tribunal ordered the franchise to pay an additional \$5,000 when they failed to honour the settlement.

CONSENT ORDER - STUDENT'S CLAIM LEADS TO BOARD-WIDE ACCESSIBILITY CHANGES

CMC v. Toronto Catholic District School Board

The Centre represented a student's mother, who was taken aback when she discovered her daughter's brand new school had accessible washrooms – but just for adults.

By agreement of the parties, the Tribunal issued an order that the Board would acknowledge:

- The Toronto Catholic District School Board ("TCDSB") would implement an Accessibility Best Practices Policy and Procedure, consistent with the Ontario Human Rights Commission (OHRC) Policy and guidelines on disability and the duty to accommodate.
- The TCDSB would communicate the policy and procedure to all elementary, secondary and other learning facilities, and make them readily available to students and parents through its website.
- The policy and procedure would be implemented, communicated and posted to the TCDSB website no later than September 30, 2016.

See the consent order on [CanLii](#).

"I'm happy for him, and glad we persevered through everything. There was more than once I wondered if it was worth it. [] always said 'if I can stop 1 kid going through what I went through, it's worth it.' We couldn't have done it without your help."

HLRSC client

MEDIATED SETTLEMENTS

We settle most cases before they go to a hearing

The Centre settles most cases outside of the formal hearing process at the Tribunal. Sometimes we can achieve a good result for a client even before a Tribunal application is filed, by a quick call or letter to the employer or business. Most often, a settlement is achieved when the Centre represents the applicant at a mediation or hearing at the Tribunal.

ALCOHOLICS ANONYMOUS AFFIRMS RIGHT TO INCLUSION, REGARDLESS OF RELIGIOUS BELIEFS

The Centre represented Larry Knight in his struggle to get an agnostic group recognized by the Toronto chapter of AA (Alcoholics Anonymous).

Knight's struggle to list agnostic groups with his local AA chapter led him to the Human Rights Tribunal of Ontario to make sure fear and suspicion of religion would not be a barrier to sobriety. "Anyone with the barest knowledge of recovery knows timely help is a matter of life and death," said Knight.

In January 2017, the Greater Toronto Intergroup, Knight, AA World Services Inc. and the General Services Board of Alcoholic Anonymous Inc. met at the Tribunal to formally resolve the human rights claim.

The Greater Toronto Intergroup agreed to relist the agnostic groups that were previously delisted and acknowledged that any group who recognizes the suggested 12 steps and 12 traditions as the route to recovery is considered a member of the intergroup, regardless of their religious beliefs.

Knight was ecstatic with the settlement. "This is huge. There can be no doubt for AA chapters around the world - a desire to be sober really is the only requirement."

"You brought something out of me during this case that I didn't know I had."

HRLSC client

ODSP RECIPIENT'S HUMAN RIGHTS APPLICATION LEADS TO MINISTRY REVIEW

The Centre represented a woman who has multiple disabilities that affect her mobility and ability to communicate. She asked her Ontario Disability Support Program (ODSP) worker to accommodate her need to have communication by email.

She had continuing concerns about the handling of her accommodation request, the Centre negotiated an agreement with the Ministry of Community and Social Services that included:

- An individualized accommodation plan with detailed provisions for all her requested accommodations and a clear complaint process
- The Ministry retaining an expert in human rights to review ODSP policies, procedures and training materials, with a focus on whether they address communication-related disabilities and contain an appropriate complaints procedure
- A report with recommendations to ensure compliance with the *Human Rights Code*

"We recognize and want you to know that we would not have reached settlement without you."

You made a difference not only in the life of a little (or not so little) boy, but in the lives of his parents and we appreciate it more than we can say."

HRLSC client



Trans pride flag

CITY OF HAMILTON CODIFIES RIGHTS OF TRANS RESIDENTS

The Centre settled a human rights application with the City of Hamilton on behalf of a woman who was denied access to the women's washroom at the MacNab Bus Terminal in Hamilton by a City employee.

The City agreed to:

- Codify the rights of trans individuals into written policy
- Train its employees on the policy
- Post signage confirming its commitment to providing safe and accessible washroom and change room spaces for all

"I wanted to thank you for being such wonderful sympathetic lawyers. You both are meant to do this. I couldn't imagine being there on Friday without either of you."

HRLSC client

SETTLEMENT WITH MINISTRY OF TRANSPORTATION RE DRIVERS' LICENSES AND MEDICAL INFORMATION

On behalf of our client, the Centre negotiated a settlement with the Ministry of Transportation that affects drivers in Ontario who have a medical history that is no longer relevant to their ability to drive safely.

Our client had two suspensions from driving as a result of a medical condition, but had regained his driving license after being cleared by his doctor. The problem was that medical suspensions remain on driver's abstracts for three years. Our client was looking for work that involved driving and employers were asking him for his driver's abstract.

As a result of this settlement the Ministry of Transportation agreed to change the process to end inclusion of expired medical information on driver's abstracts. The change will be implemented by January 1, 2018.

In the interim, drivers who are looking for an abstract that does not include expired medical information can contact the Ministry. The change will be reflected on the Ministry's website once it is implemented.

Preventing future discrimination

When people approach us about the discrimination that happened to them personally, we work together with our clients to identify what needs to change to prevent future discrimination.

"My main goal from the beginning was to protect other coworkers. That part was easy. I wasn't at a stage that I knew how to stand up for myself. It's unfamiliar to me so very uncomfortable. I wanted my coworkers to know their rights so they hopefully will never have to go through filing a claim. [The employer] agreeing to having the training done, procedures changed and the human rights code posted where everyone can see them, is more than I thought I would achieve. This means the world to me. I could never have achieved this without you."

HRLSC client

In 2016-17, the Centre settled:

438 discrimination claims

46 applications before or upon filing

272 applications before or at mediation

115 applications before or at a hearing

5 applications at enforcement

OUTREACH & TRAINING



HRLSC's Thunder Bay lawyer Jamie McGinnis

OUTREACH & PRESENTATIONS

Our staff work to promote knowledge of the *Human Rights Code* and the Centre's services, particularly in under-served and disadvantaged communities in Ontario.

Although the Centre does not have a mandate to provide public education, we do connect with community legal clinics and organizations on a regular basis to provide trainings and talks on particular aspects of human rights law.

We enjoyed presenting at universities and colleges across Ontario in 2016-17. Thank you to some of the organizations who worked with us this year to deliver key information about combatting discrimination:

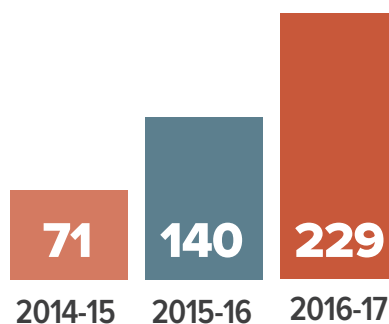
- The Downtown Mission of Windsor, Iranian Women's Organization of Ontario, Nokee Kwe South London Employment and Education Centre, Odaminowin Language and Cultural Camp, Ontario Network of Injured Workers Groups and the Thunder Bay Indian Friendship Centre.

INDIGENOUS SERVICES OUTREACH COMMITTEE UPDATES

Our Indigenous Services Outreach team continues to see positive results, as word spreads about the ability to call the Centre and request advice and representation from Indigenous staff. The number of inquiries to our Indigenous services team increased over 60% from last year.

For more information see [Services for Indigenous People](#) page on our website.

INDIGENOUS SERVICE INQUIRIES



SEXUAL HARASSMENT AND SEXUAL VIOLENCE: PURSUING A CLAIM AT THE HUMAN RIGHTS TRIBUNAL OF ONTARIO

Survivors of sexual harassment and violence in the workplace and in other specific social settings (for example, in schools, at a doctor's office, on campus) have the right to protection under Ontario's *Human Rights Code*. This is in addition to participating in a criminal process, or, as an alternative to a civil lawsuit.

Claims of sexual harassment can be filed directly at the Human Rights Tribunal of Ontario.

If you want to pursue a claim, you can obtain free legal services from the Human Rights Legal Support Centre. See [Sexual Harassment and Violence](#) on the Centre's website.

As part of our efforts to tackle the issues of sexual harassment and violence we created special materials and trainings on sexual violence and the *Human Rights Code*. We presented to the Ministry of Labour investigators and Crown Counsel from the Ministry of the Attorney General (jointly with the Ontario Human Rights Commission), and the College of Physicians and Surgeons of Ontario.

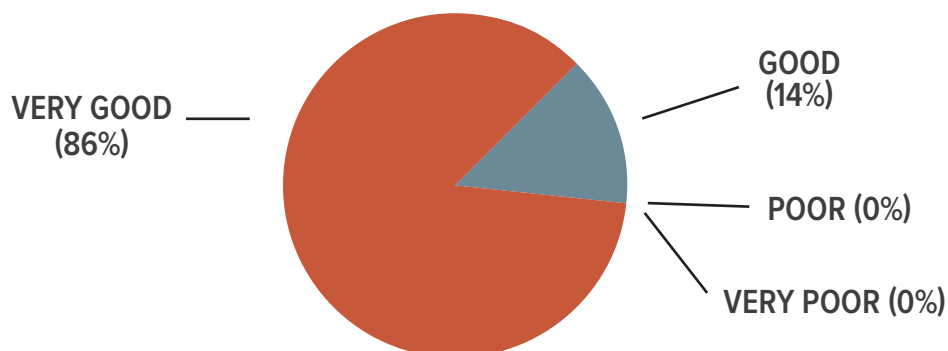
PERFORMANCE MEASURES

Each year the Centre sets goals for our services

2016-17 ACHIEVEMENTS

	TARGET	ACHIEVED
Number of inquiries answered	25,000	25,389
Telephone answer rate	82%	80%
Settlement rate at mediation	67%	65%
Number of cases settled before or at a hearing	100	115
Percentage of hearing cases settled before or at hearing	85%	80%
Clients who rated service as good or very good	90%	100%
Positive human rights stories in the media that featured the Centre's legal services	5	6*

CLIENT SATISFACTION



* Plus 100 other print and broadcast items on our clients and services

BOARD OF DIRECTORS, STAFF & STUDENTS

OUR BOARD OF DIRECTORS

Patrick Case was appointed as Chair of the Human Rights Legal Support Centre October 20, 2010 until October 19, 2018.

Nancy Gignac was appointed September 17, 2009 to November 24, 2017.

Mary Gusella (cross-appointed to the Ontario Human Rights Commission) was appointed September 17, 2009 to November 24, 2017.

Patrick Nadjiwan was appointed September 17, 2009 to November 24, 2017.

Gina Papageorgiou was appointed April 9, 2008 to June 7, 2018.

Ruth Goba (cross-appointed from the Ontario Human Rights Commission) was appointed from February 24, 2016 until her appointment to the Human Rights Tribunal of Ontario in February 2017.

CROSS-APPOINTMENTS BETWEEN THE ONTARIO HUMAN RIGHTS COMMISSION (OHRC) AND THE CENTRE

In 2016, the Centre and the OHRC cross-appointed Board members to increase cooperation between the agencies. Having a board member directly observe governance decisions at each agency created an immediate impact on information flow and coordination.

OUR STAFF

Our staff at the Centre have a wealth of experience from across the globe. Our lawyers and paralegal staff have worked at community legal clinics, employment law firms, the Ontario Human Rights Commission, the Human Rights Tribunal of Ontario, the Information and Privacy Commission, the Ministry of Attorney General, the Office of the Public Guardian and Trustee, and the Pay Equity Hearings Tribunal.

The staff work in teams to share information, skills and resources and to problem-solve together in small groups.



Centre counsel Roger Love (3rd from l) and Grace Vaccarelli (2nd from r) coached the winning team at Osgoode's Julius Alexander Isaac Diversity Moot Team

Thank you to the legal and community partners who help us deliver information and services to communities across Ontario. See more at our website under [About Us](#).



The Centre's Lori Mishibinijima (l) was honoured for her human rights work with the Minaake award here with Cyndy Baskin (r), Native Women's Resource Centre of Toronto President

OUR WONDERFUL STUDENTS!

Anti-Discrimination Intensive Program

Now in its fifth year, our Anti-Discrimination Intensive Program (ADIP) with Osgoode Law School provides up to 12 second and third-year students with intensive training in anti-discrimination law as well as administrative law enforcement and resolution.

Articling Program

Our articling program funded through the Law Foundation of Ontario continues in Sault Ste. Marie at the Algoma Community Legal Clinic and in Moosonee at Keewaytinok Native Legal Services.

HUMAN RIGHTS LEGAL SUPPORT CENTRE

FINANCIAL STATEMENTS

MARCH 31, 2017

Independent Auditor's Report

To the Directors of
Human Rights Legal Support Centre

We have audited the accompanying financial statements of Human Rights Legal Support Centre, which comprise the statement of financial position as at March 31, 2017, and the statements of operations, net assets and cash flows for the year then ended, and a summary of significant accounting policies and other explanatory information.

Management's Responsibility for the Financial Statements

Management is responsible for the preparation and fair presentation of these 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.

Auditor's Responsibility

Our responsibility is to express an opinion on these financial statements based on our audit. We conducted our audit in accordance with Canadian generally accepted auditing standards. Those standards require that we comply with ethical requirements and plan and perform the audit to obtain reasonable assurance about whether the financial statements are free from material misstatement.

An audit involves performing procedures to obtain audit evidence about the amounts and disclosures in the financial statements. The procedures selected depend on the auditor's judgment, including the assessment of the risks of material misstatement of the financial statements, whether due to fraud or error. In making those risk assessments, the auditor considers internal control relevant to the organization's preparation and fair presentation of the financial statements 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 organization's internal control. An audit also includes evaluating the appropriateness of accounting policies used and the reasonableness of accounting estimates made by management, as well as evaluating the overall presentation of the financial statements.

We believe that the audit evidence we have obtained is sufficient and appropriate to provide a basis for our audit opinion.

Opinion

In our opinion, the financial statements present fairly, in all material respects, the financial position of Human Rights Legal Support Centre as at March 31, 2017, 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.



Toronto, Ontario
July 19, 2017

Chartered Professional Accountants
Licensed Public Accountants

HUMAN RIGHTS LEGAL SUPPORT CENTRE

Statement of Financial Position

March 31	2017 \$	2016 \$
ASSETS		
Current assets		
Cash	180,308	367,326
Accounts receivable	-	13,846
HST recoverable	36,069	64,897
Prepaid expenses	81,415	131,044
	297,792	577,113
Long-term assets		
Property and equipment (note 4)	62,300	81,832
Intangible assets (note 5)	125,661	153,367
	187,961	235,199
	485,753	812,312
LIABILITIES		
Current liabilities		
Accounts payable and accrued liabilities	206,711	313,444
NET ASSETS (note 6)	279,042	498,868
	485,753	812,312

The accompanying notes are an integral part of these financial statements

HUMAN RIGHTS LEGAL SUPPORT CENTRE

Statements of Operations

Year ended March 31	2017 \$	2016 \$
Revenues		
Ministry of the Attorney General	5,811,200	5,796,200
Other income	3,507	22,573
	5,814,707	5,818,773
Expenditures		
Salaries and wages	4,237,556	4,079,064
Employee benefits (note 7)	819,867	803,907
Services	544,352	474,793
Communications	97,914	93,708
Province wide service delivery	67,906	78,995
Supplies and equipment	51,436	56,100
Travel	54,972	36,504
Board expenses	36,521	27,796
Amortization	124,009	112,979
	6,034,533	5,763,846
Excess of revenues over expenditures (expenditures over revenues) for year	(219,826)	54,927

Statements of Net Assets

Year ended March 31	2017 \$	2016 \$
Net assets, beginning of year	498,868	443,941
Excess of revenues over expenditures (expenditures over revenues) for year	(219,826)	54,927
Net assets, end of year	279,042	498,868

The accompanying notes are an integral part of these financial statements

HUMAN RIGHTS LEGAL SUPPORT CENTRE

Statement of Cash Flows

Year ended March 31	2017 \$	2016 \$
Cash flows from operating activities		
Excess of revenues over expenditures (expenditures over revenues) for year	(219,826)	54,927
Item not affecting cash		
Amortization	124,009	112,979
	(95,817)	167,906
Change in non-cash working capital items		
Decrease (Increase) in accounts receivable	13,846	(7,710)
Decrease (Increase) in HST recoverable	28,828	(4,990)
Decrease in prepaid expenses	49,629	43,002
Increase (decrease) in accounts payable and accrued liabilities	(106,733)	97,198
	(110,247)	295,406
Cash flows from investing activities		
Purchase of property and equipment	(18,329)	(60,603)
Purchase of intangible assets	(58,442)	(64,744)
	(76,771)	(125,347)
Net change in cash	(187,018)	170,059
Cash, beginning of year	367,326	197,267
Cash, end of year	180,308	367,326

The accompanying notes are an integral part of these financial statements

HUMAN RIGHTS LEGAL SUPPORT CENTRE

Notes to Financial Statements

March 31, 2017

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.

Notes to Financial Statements (continued)

March 31, 2017

1. **Significant accounting policies (continued)**

(b) **Financial instruments**

(i) **Measurement of financial instruments**

The Centre initially measures its financial assets and financial liabilities at fair value adjusted by transaction costs in the case where a financial asset or financial liability is subsequently measured at amortized cost. The Centre subsequently measures all its financial assets and financial liabilities at amortized cost.

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**

Financial assets measured at amortized cost are tested for impairment when there are indicators of possible impairment. When a significant adverse change has occurred during the period in the expected timing or amount of future cash flows from the financial assets or group of assets, a writedown is recognized in the statement of operations. The write down reflects the difference between the carrying amount and the higher of:

- the present value of the cash flows expected to be generated by the asset or group of assets;
- the amount that could be realized by selling the assets or group of assets.

When the events occurring after the impairment confirm that a reversal is necessary, the reversal is recognized in net income up to the amount of the previously recognized impairment.

HUMAN RIGHTS LEGAL SUPPORT CENTRE

Notes to Financial Statements (continued)

March 31, 2017

1. **Significant accounting policies (continued)**

(c) **Property and equipment**

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

Capital assets 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

A capital asset is tested for impairment whenever events or changes in circumstances indicate that its carrying amount may not be recoverable. An impairment loss is recognized in the statements of operations when the carrying amount of the asset exceeds the sum of the undiscounted cash flows resulting from its use and eventual disposition. The impairment loss is measured as the amount by which the carrying amount of the capital asset exceeds its fair value.

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

HUMAN RIGHTS LEGAL SUPPORT CENTRE

Notes to Financial Statements (continued)

March 31, 2017

1. Significant accounting policies (continued)

(d) 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

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 charged to income in the period in which the impairment is determined.

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

(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.

HUMAN RIGHTS LEGAL SUPPORT CENTRE

Notes to Financial Statements (continued)

March 31, 2017

2. Financial instrument risk management

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			

(a) 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. Cash is held in a major Canadian chartered bank.

(b) 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.

(c) 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.

(i) Currency risk

Currency risk refers to the risk that the fair value of financial instruments or future cash flows associated with the instruments will fluctuate relative to the Canadian dollar due to changes in foreign exchange rates. At this time the Centre has minimal transactions involving foreign currency.

(ii) Interest rate risk

Interest rate risk refers to the risk that the fair value of financial instruments or future cash flows associated with the instruments will fluctuate due to changes in market interest rates. The organization does not have any interest bearing financial instruments.

HUMAN RIGHTS LEGAL SUPPORT CENTRE

Notes to Financial Statements (continued)

March 31, 2017

2. Financial instrument risk management (continued)

(iii) Price risk

Other price risk refers to the risk that the fair value of financial instruments or future cash flows associated with the instruments will fluctuate because of changes in market prices (other than those arising from currency risk or interest rate risk), whether those changes are caused by factors specific to the individual instrument or its issuer or factors affecting all similar instruments traded in the market. The Centre is not exposed to other price 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 all its revenues from the Ministry of the Attorney General.

4. Property and equipment

	2017		
	Cost \$	Accumulated Amortization \$	Net \$
Computer equipment	303,848	241,548	62,300
Furniture and fixtures	4,150	4,150	-
	307,998	245,698	62,300
	2016		
	Cost \$	Accumulated Amortization \$	Net \$
Computer equipment	359,099	277,267	81,832
Furniture and fixtures	4,150	4,150	-
	363,249	281,417	81,832

HUMAN RIGHTS LEGAL SUPPORT CENTRE

Notes to Financial Statements (continued)

March 31, 2017

5. Intangible assets

	2017		
	Cost \$	Accumulated Amortization \$	Net \$
Client tracking tool	668,030	589,072	78,958
Computer software	125,561	78,858	46,703
	<u>793,591</u>	<u>667,930</u>	<u>125,661</u>
	2016		
	Cost \$	Accumulated Amortization \$	Net \$
Client tracking tool	636,847	530,644	106,203
Computer software	144,881	97,717	47,164
	<u>781,728</u>	<u>628,361</u>	<u>153,367</u>

6. Grant revenue allocation

The Centre has expended grant funds received as follows:

	2017 \$	2016 \$
Revenue - Ministry of Attorney General	5,811,200	5,796,200
Other income	3,507	22,573
Operating expenses	(6,034,553)	(5,763,846)
Amortization included in operating expenses	124,009	112,979
Purchase of property and equipment	(76,771)	(125,347)
	<u>(172,608)</u>	<u>42,559</u>

Reconciliation of net assets

	Capital \$	Operating \$	Total \$
Net assets, beginning of year	235,199	263,669	498,868
Excess of revenues over expenditures (expenditures over revenues) for year	(124,009)	(95,817)	(219,826)
Funds transferred to capital fund	76,771	(76,771)	-
Net assets, end of year	<u>187,961</u>	<u>91,081</u>	<u>279,042</u>

HUMAN RIGHTS LEGAL SUPPORT CENTRE

Notes to Financial Statements (continued)

March 31, 2017

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 6.4% of earnings up to the CPP yearly pension maximum entitlement ("YPME") and 9.5% 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 \$252,292 (2016 - \$256,430) to the plan which is recorded in employee benefits in the statement of operations.

HILBORN

LISTENERS. THINKERS. DOERS.

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