

2020–2021

ANNUAL REPORT

LAND ACKNOWLEDGEMENT

The Human Rights Legal Support Centre 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 Mississaugas 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.

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MESSAGE FROM THE CHAIR

On behalf of the Human Rights Legal Support Centre (the HRLSC), we are pleased to present the Attorney General of Ontario with the 2020 – 2021 Annual Report.

I begin by highlighting the HRLSC's mandate and duty to provide services to those seeking to understand and enforce their rights under Part I of the *Human Rights Code* (the *Code*). This mandate has never been more relevant or necessary than under the conditions of the COVID-19 pandemic.

COVID-19 tested what it meant to have human rights protections. It impacted people in unimaginable ways and exposed injustices and vulnerabilities in our systems that weakened the societal foundation many of us thought was solid. These experiences challenged us all to demand justice and to collectively work to build a better world.

To help respond to these calls to action, the HRLSC used its expertise in the *Code* to provide legal support services to help clients understand, address and enforce their rights. The HRLSC successfully managed the service delivery challenges that came with COVID-19. With the leadership of its Executive Director, Sharmaine Hall, the HRLSC took up the challenge presented by the pandemic and quickly moved its client services into a remote delivery model to avoid disruptions.

The HRLSC's Board also experienced some challenges and change as we transitioned Chairs and welcomed four new Board members: Michelle Tan, Martial Moreau, Evelyn Ball and Gary Pieters. Each member brings a wealth of experience that will enrich the Board's decision making.

There is still much work to do to support the human rights of people in Ontario. We need to understand and learn from this past year as we chart a post-pandemic course. As part of the Three Pillars of the Human Rights System in Ontario, we continue to explore opportunities to improve service for those seeking justice.

On behalf of our Board, I want to thank staff for their ongoing commitment to our vision of advancing equality, protecting human rights and supporting every person's right to live and work with dignity and respect.

Sincerely,



Mary Joe Freire, Chair of the Board for the HRLSC

MESSAGE FROM THE EXECUTIVE DIRECTOR

In its twelfth year of operations, the HRLSC faced one of its toughest tests to date: operating and providing services during a world-wide pandemic. COVID-19 challenged the HRLSC, which depended on digital tools and a dedicated staff to remain fully operational and continue providing services for people facing discrimination and harassment under the *Code*.

Not enough can be said about the flexibility, dedication, and resiliency of our staff during this challenge to our operations, which remained in demand. We provided support on emerging subjects including discriminatory acts against Asian-Canadians, workplace health and safety issues, as well as family status concerns as parents and caregivers navigated childcare and employment obligations. Later in the year, the HRLSC provided advice on COVID-19-related health and safety protocols, including vaccines and masks.

We also witnessed violence and harassment of Black, Indigenous, people of colour and religious minority communities, including several incidents of excessive force by police services against Black and Indigenous people. In several cases, police actions led to the deaths of members of the public. These incidents resulted in peaceful protests and calls for an immediate end to all forms of racial discrimination.

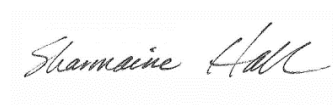
During the reporting period, the HRLSC's advocacy touched on these topics:

- **[JKB v. Peel \(Police Services Board\), 2020 HRTO 172](#)**
- **[Briggs v. Durham Regional Police Services, 2021 ONSC 4](#)**
- **[Haseeb v. Imperial Oil, 2021 ONCA](#)**

Our clients' patience and determination during the pandemic reminds us how essential Ontario's human rights system is for all people in Ontario.

Through these difficult times, we marked several high notes including the 10th Year of our Indigenous Services and Outreach Committee (ISOC). We are thankful for our staff and the many partner organizations that have allowed ISOC to continue its community engagement and human rights legal support work.

Sincerely,



Sharmaine Hall, Executive Director

WHAT WE DO: MANDATE AND SERVICES

MANDATE

The HRLSC is an independent agency funded by the Government of Ontario's Ministry of the Attorney General.

LEGISLATIVE MANDATE:

Under the *Human Rights Code* (the *Code*), the HRLSC provides advice, assistance and legal services to individuals whose *Code* rights have been infringed. The HRLSC is required to "establish and administer a cost effective and efficient system," for providing services throughout the province "using such methods of delivering the services as it believes are appropriate." (*Code*, ss. 45.12 and 45.13)

VISION STATEMENT:

The HRLSC strives to be a leader in advancing equality, in protecting human rights, and in supporting every person's right to live and work with dignity and respect.

MANDATE STATEMENT:

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 the *Code*.

WHAT IS DISCRIMINATION?

Discrimination means treating someone differently and unfairly because of a personal characteristic such as race, disability, age or gender.

There are 17 personal attributes, or grounds of discrimination, which relate to negative treatment found under the *Code*. These grounds are paired with five distinct areas of society, known as social areas, which are also listed under the *Code*.

GROUND OF DISCRIMINATION

- Age
- Ancestry
- Citizenship
- Colour
- Creed (religion)
- Disability
- Ethnic origin
- Family status
- Gender expression
- Gender identity
- Marital status
- Pardoned criminal record (employment)
- Place of origin
- Race
- Sex (including pregnancy and sexual harassment)
- Sexual orientation
- Receipt of social assistance (housing)

SOCIAL AREAS

- Contracts
- Employment
- Housing
- Services, goods and facilities
- Membership in vocational associations or unions

OUR SERVICES

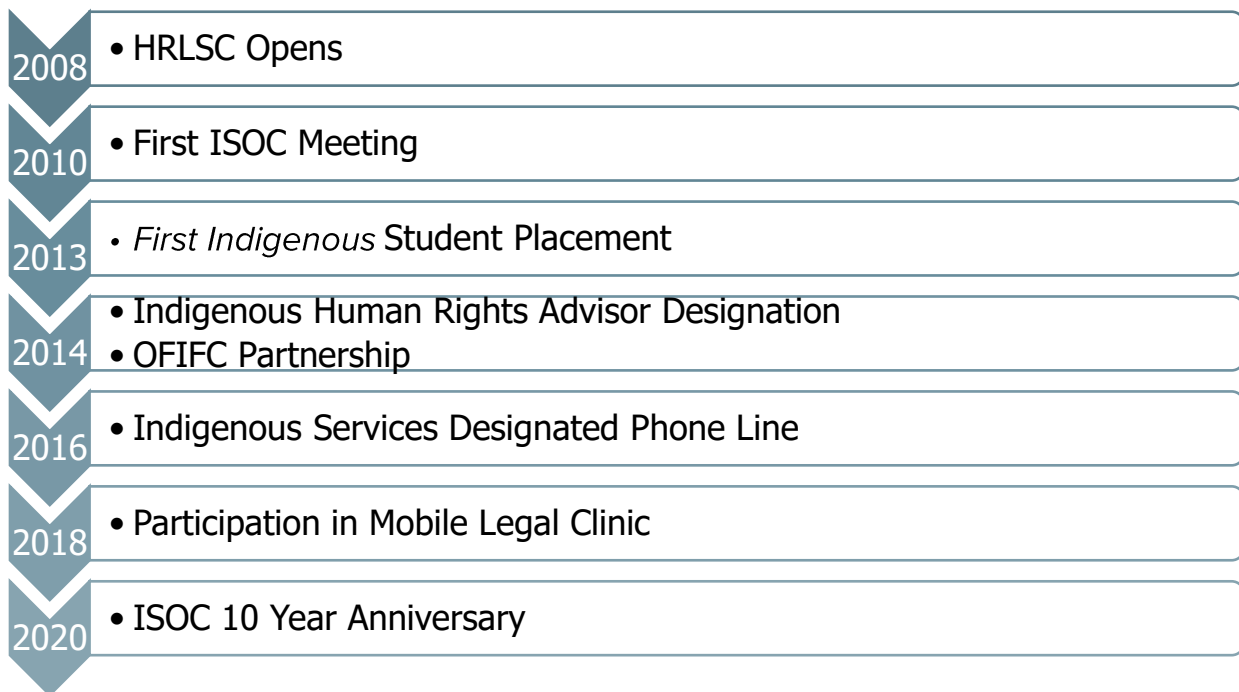
The HRLSC provides free legal help to individuals across Ontario who have experienced discrimination in one or more of the social areas that are covered by the *Code*. The HRLSC assists people who bring their human rights concerns to the Human Rights Tribunal of Ontario (the HRTTO):

- We provide legal advice in 140 languages including ASL, Cree, Oji-Cree, Mohawk, and Ojibway.
- We offer a toll-free telephone advice service that helps callers to identify discrimination, understand their options and decide if they should take legal steps.
- Our free legal services, including advice and representation, assist clients with:
 - early resolution of situations of discrimination;
 - filing human rights applications, motions and submissions at the HRTTO;
 - negotiating settlements;
 - attending mediations and hearings at the HRTTO; and
 - enforcing HRTTO orders after a successful hearing or negotiated settlement.
- Our online tools and guides on our website, along with our social media platforms, provide a gateway to Ontario's human rights legal system. We strive to keep this system as user-friendly as possible through regular, updating of platforms and content.
- Educational outreach to community and service organizations to support a better understanding of the *Code* and applicable legal options
- Our services for Indigenous peoples offer legal help for those who want to access the human rights process in Ontario and receive legal advice from an Indigenous staff person. The HRLSC is committed to providing Indigenous peoples with a culturally sensitive and accessible service.

10 YEAR ANNIVERSARY OF ISOC

INDIGENOUS SERVICES AND OUTREACH COMMITTEE AT A GLANCE

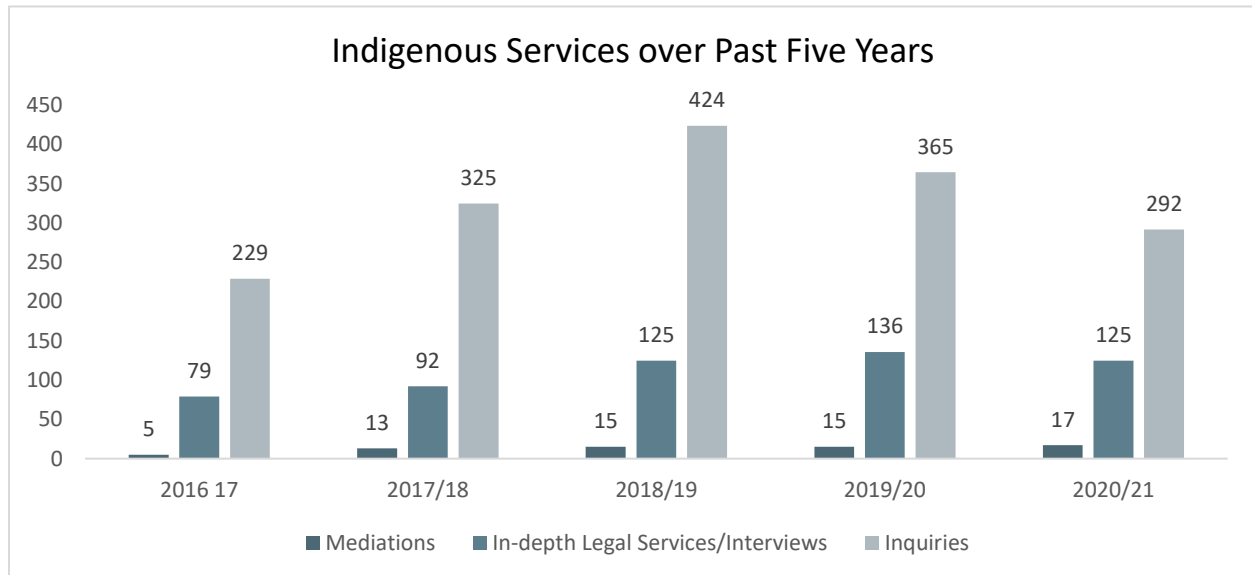
In October 2020, our Indigenous Services and Outreach Committee (ISOC) celebrated 10 years of serving Indigenous communities in Ontario. It was an opportunity for the HRLSC to reflect on ISOC's evolution and achievements and to consider the possibilities for growth and improvements.



Established in 2010, ISOC was created to provide legal services that accommodated language, community and culturally specific needs of First Nations, Métis and Inuit individuals in Ontario.

Since its creation, ISOC has focused on developing services to engage Indigenous individuals and communities across the province. The committee's approach has built relationships and trust through increasing outreach to agencies and groups that support Indigenous communities and individuals. ISOC has offered culturally safe services with its community partners that have responded to the specific needs of Indigenous clients and provided free public legal education sessions on the *Code* and the HRTO's application process.

A SNAPSHOT OF ISOC SERVICES: THE PAST FIVE YEARS



Five-year trends:

- Between 2016 to 2021, Indigenous Services inquiries increased by an average of almost 7 percent per year.
- In-depth legal services on average increased by almost 11 percent per year between 2016 to 2021.
- From 2016 to 2021, mediations increased by an average of almost 37 percent per year.

2020 – 2021 fiscal period:

In the 2020 – 2021 fiscal period, due to COVID-19 restrictions, HRTO hearings were limited. However, ISOC continued to foster engagement in the human rights system and provided legal services through intake and interviews in anticipation of the full re-opening of the HRTO's operations.

RECOGNITION OF PARTNERS AND STAFF:

The 10th anniversary was an opportunity to highlight key ISOC partnerships which included the following organizations:

- Ontario Federation of Indigenous Friendship Centres
- Pro Bono Students Canada – Indigenous Human Rights Program Advisory Council

- The Ontario Human Rights Commission's – Indigenous Reconciliation Advisory Group
- Thunder Bay Indigenous Friendship Centre
- Kinna Aweya Legal Clinic
- Legal Aid Ontario – Mobile Justice Clinics

These partnerships were formed and strengthened through the hard work and dedication of current and past ISOC staff members. A full list of all the staff that have helped ISOC grow and flourish in its ten years can be found in our Board/Staff section at the back of this report.

LOOKING AHEAD FOR ISOC:

Beyond its outreach efforts and operations at the HRLSC, ISOC is working with the Ontario Human Rights Commission (OHRC) to develop strategies for addressing systemic racism, discrimination and inequality experienced by Indigenous peoples in Ontario. ISOC is also informing future generations of legal students in partnership with the Ontario Federation of Indigenous Friendship Centres (OFIFC) and Pro Bono Students Canada (PBSC) as part of the Indigenous Human Rights Program Advisory Council (IHRP).

As members of the OHRC's Indigenous Reconciliation Advisory Group (IRAG), the HRLSC's ISOC team is helping direct present and upcoming OHRC initiatives relating to reconciliation. IRAG is also helping direct broader, future projects that take aim at systemic racism and discrimination and support equality for First Nation, Métis and Inuit peoples and communities across Ontario.

As a key partner in guiding and providing training for legal staff and law students at the IHRP, ISOC has played a part in supporting the effective delivery and success of legal services to the friendship centres and communities this program serves. While currently still growing in scale and funding, if successful, the IHRP could be expanded to other cities across Canada with PBSC law school chapters.

As a critical source of expertise and training, ISOC plays a key role in helping advise and direct the approach of ambitious organizations and partnerships that could help create a template for service delivery of human rights and more general legal supports to Indigenous communities.

ACTIVITIES

HRLSC STAFF IN THE COMMUNITY

A SNAPSHOT OF COMMUNITY SUPPORT DURING COVID-19

- HRLSC counsel addressed the Association of Human Rights Lawyers monthly meetings to discuss COVID-19 and human rights issues.
- Facilitated a dispute resolution simulation with students in the Certificate in Human Rights Theory and Practice program at Osgoode Hall Law School.
- HRLSC counsel addressed the Racialized Lawyering Panel for the Muslim Students Association at Osgoode Hall Law School.
- Provided training on litigation, anti-Black racism and sexual harassment cases at the HRTO for Ontario legal clinic workers.
- Collaborated on continuing professional development seminar – “Best Practice for Paralegals before the HRTO-overview of servicing indigenous clients” with the Law Society of Ontario.
- Participated as part of a panel discussion on anti-Black racism, Islamophobia and human rights within the legal profession with the Muslim Legal Support Centre.
- Co-chaired the Law Society of Ontario Annual Human Rights Summit and providing speakers for its Major Case Law Updates Panel.
- Presented on the Code and Ontario’s Human Rights system to staff at COSTI Immigrant Services.
- Organized video conferencing call about Ontario’s Human Rights system and provided information on the HRTO and the HRLSC’s services with migrant workers in Haldimand-Norfolk.

- *Participated in the GaKina – Kenora Together panel discussion on racism towards Indigenous community members in Kenora and provided information on HRLSC's services, the Code and the Ontario human rights system.*
- *Participated in the Ministry of the Attorney General's Civil Law Division panel for Black History Month, discussing the impact of COVID-19 on Black communities.*

"[We] want to both thank you again for your help throughout this mediation - we really appreciate all of your efforts! You were such a positive person to work with, and I definitely learned a lot myself."

- Client after successful settlement



PARTNERSHIPS AND PROGRAMS

SEXUAL HARASSMENT AND ASSAULT RESOURCE EXCHANGE (SHARE):

The HRLSC's partnership with the Federal Department of Justice entered its second year. The Sexual Harassment and Assault Resource Exchange (SHARE) team continued its work providing legal information and advice for diverse groups of workers that have experienced sexual assault or harassment.

Participation in SHARE in 2020	
Inquiries for SHARE at intake stage:	590
Outreach and education activities – number of activities:	97
Outreach and education activities – number of participants:	4135

To help build awareness of its services, this year, SHARE's staff completed 97 outreach education activities through community organizations, postsecondary institutions and other service agencies across the province.

Outreach was directed towards young adults and youth between the ages of 13 and 29, as well as international students and Indigenous workers through virtual presentations. These virtual presentations provided legal education and discussed topics related to sexual harassment in employment and workers' legal rights in Ontario workplaces.

SHARE TEAM AND BARBRA SCHLIFER COMMEMORATIVE CLINIC:

The Barbra Schlifer Commemorative Clinic provides counselling, legal services and language interpretation for individuals who self-identify as women or non-binary gender identity and who have experienced violence. The Schlifer Clinic continues to be an important partner for the HRLSC's SHARE team.

The SHARE Project Coordinator participated on the Advisory Committee of Barbra Schlifer's #AndMeToo Project which focuses on supporting survivors of workplace sexual harassment and assault who are in precarious situations. As part of a group of legal services and community support organizations, SHARE team members

attended a knowledge sharing forum focused on legal options for sexual assault survivors hosted by the Barbra Schlifer Clinic.

The Clinic also provided the HRLSC with referrals of its clients facing *Code*-related issues and the HRLSC referred clients to the Clinic for services that we could not provide, such as immigration advice. This referral process reduced the amount of time spent by clients going through overlapping intake processes, cutting down the amount of extra work for clients and reducing the possibility of retraumatizing survivors who frequently are forced to repeatedly share their experiences in attempting to seek support.

ANTI-DISCRIMINATION INTENSIVE PROGRAM (ADIP):

As part of its longstanding commitment to providing experiential training for prospective lawyers, the HRLSC continues to offer students at Osgoode Hall Law School the opportunity to work in the field of human rights by providing training about the human rights system. Students learn the human rights applications process and provide support to our intake services and legal counsel in preparing for mediations and hearings. In the 2020 – 2021 year, ADIP continued to generate interests for Osgoode law students.

Beyond supporting the HRLSC's intake and inquiry services, our students practiced their advocacy skills by conducting virtual mock hearings. This included making oral arguments on preliminary issues, opening and closing statements, conducting examinations of witnesses and receiving feedback from our legal counsel at the HRLSC.

ONTARIO HUMAN RIGHTS COMMISSION (OHRC):

General Community Advisory Group Work

The HRLSC continued to serve as an active member of the OHRC's Community Advisory Group (CAG). The CAG represents a diverse array of constituencies including a broad range of community service providers, First Nations, Métis and Inuit communities, individuals with lived experiences relating to social areas or grounds of discrimination found in the *Code*, various human rights organizations, along with the HRLSC and the Canadian Human Rights Commission (CHRC).

The role of CAG is to discuss and provide advice on the OHRC's strategic priorities and receive feedback from members of the community and partner organizations. The HRLSC participated in these discussions and provided further insights and analysis by sharing information that can better inform the OHRC's ongoing activities. In the 2020 – 2021 period, the aim of this collaboration was focused upon COVID-19-related cases, anti-Black racism and Islamophobia-related human rights complaints. In addition to CAG, the HRLSC was also grateful to be part of the Third Edition of the OHRC's Human Rights 101 eLearning Modules.

OHRC Indigenous Reconciliation Advisory Group update

Members of ISOC sat as members of the OHRC's Indigenous Reconciliation Advisory Group (IRAG). During this fiscal year, this group included members of First Nations, Métis and Inuit communities from across Ontario and provided information, advice and feedback on the OHRC's current projects on Indigenous reconciliation.

During the 2020 – 2021 period, this group also assisted the OHRC in creating a strategy that stems from the goals and direction outlined in the UN Declaration of Indigenous Rights (UNDRIP) that will address systemic racism, discrimination and inequality experienced by Indigenous peoples and communities. In support of this planning, members of ISOC were part of a working group which was struck to develop a guiding document for this future strategy. The Advisory Group has also been working to develop a final version of its Terms of Reference.

PRO BONO STUDENTS CANADA (PBSC) – INDIGENOUS HUMAN RIGHTS PROGRAM (IHRP) ADVISORY COUNCIL:

Members of ISOC worked closely with Pro Bono Students Canada (PBSC) as part of their Indigenous Human Rights Program partnership with the Ontario Federation of Indigenous Friendship Centres in both advisory and educational roles. Created to run free legal clinics for community centre clients and also provide law students and legal staff with Indigenous inter-cultural competency and human rights training, the IHRP has established two legal clinics operating out of Ottawa and Toronto.

The PBSC's IHRP Advisory Council included members of ISOC along with Elders, representation from urban Indigenous communities and representatives from the

CHRC and OHRC. The Advisory Council had been formed to guide OFIFC and PBSC as it designed, launched and evaluated the IHRP in Ottawa and Toronto.

Additionally, ISOC provided human rights training to lawyers and legal staff who deliver IRHP's legal services.

"I cannot thank [you] enough for all of your hard work. The process was very seamless and the amount of detail and explanation made me feel very confident when going through the steps."

- Client after successful settlement



NOTABLE HEARING DECISIONS

REMEDY DECISION AWARDS \$35K IN DAMAGES TO SIX-YEAR-OLD BLACK GIRL HANDCUFFED BY PEEL POLICE AT SCHOOL:

JKB v. Regional Municipality of Peel Police Services Board, 2020 HRTO 1040

The HRTO found that JKB suffered racially discriminatory treatment as a six-year-old Black girl, when Peel Police officers— who arrived at her school after a call from school authorities— handcuffed her wrists and ankles and kept her restrained for almost half an hour.

The HRTO took JKB's extreme vulnerability as a young child and the Peel Police officers' conduct into consideration in making their decision. The Vice-Chair found the police's actions to be "shocking" and "punitive" and found JKB's experiences of anti-Black racism at such a young age "alarming," noting her ongoing harm from this discriminatory treatment.

The HRTO ordered:

- \$30,000 awarded to JKB for the injury to her dignity, feelings and self-respect under the *Code*; and
- \$5,000 for psychological and trauma counselling.

NOTABLE SETTLEMENTS

\$37,000 IN DAMAGES FOR EMPLOYEE AFTER SUFFERING HEART ATTACK AND BEING PASSED OVER FOR JOB:

The applicant had completed additional school courses to help move upward within his current job. After experiencing a heart-attack and taking time off, the applicant applied to several job openings and was passed over by their employer. The applicant alleged that the employer considered his previous medical issue as a factor in not hiring him for these posted positions.

The HRLSC negotiated a settlement that included:

- \$25,000 in damages for injury to dignity, feelings and self-worth; and
- \$12,000 in special damages for loss of income.

ALLEGATIONS OF HARASSING GRAFFITI IMPROPERLY INVESTIGATED:

The applicant discovered racist graffiti had been written on his ID. He reported this and his suspicion that his supervisor had written the graffiti to his Human Resources department. In a follow-up meeting with the corporate respondent, this supervisor attempted to downplay the incident as a “bad joke gone bad.” In the day following the incident, the applicant went away on sick leave. During this leave, the Human Resources department concluded its investigation, claiming insufficient evidence to find anyone culpable.

The HRLSC negotiated a settlement that included:

- \$12,500 in damages for injury to dignity, feelings and self-worth; and
- Completing cultural competency training that was mandatory for all managers, superintendents and supervisors and voluntary for all staff.

NEWCOMER TO CANADA SEXUALLY ABUSED, THREATENED WITH REPRISAL IN HOUSING:

The applicant, a recently separated mother and Canadian newcomer faced continuing sexual coercion and harassment as well as threats of reprisal from the staff member of her housing provider.

The HRLSC negotiated a settlement that included:

- \$50,000 in damages from the corporate respondent and \$2,000 from the personal respondent (the staff member) for injury to dignity, feelings and self-worth;
- Requiring complete Human Rights 101 training for the personal respondent; and
- An agreement that the personal respondent will not contact the applicant or go onto any property owned by the corporate respondent without its express approval.

COURT RULES AGAINST DURHAM POLICE, FOR APPLICANT UPHOLDING
2015 HRT0 DECISION:

Briggs v. Durham Regional Police Services, 2021 ONSC 414

In a review of a HRT0 decision, the Ontario Divisional Court restored a \$10,000 award.

Joseph Briggs had filed two applications at the HRT0. The lead case was heard and the HRT0 reserved its decision. While awaiting the decision, Briggs settled the second matter. Some time after this, the HRT0 rendered its decision, awarding Briggs \$10,000.

The DRPS requested a reconsideration of the HRT0 decision claiming that the settlement of the second matter covered both applications. The HRT0 decided in DRPS' favour and rescinded the initial decision.

The Divisional Court found:

- That there were issues with the HRT0's analysis of the arguments the respondents;
- That the HRT0 improperly concluded both of Brigg's cases fell under the single settlement as the respondent had argued; and
- That after considering and weighing the post-settlement evidence in the record, the only available conclusion was that the parties never intended to settle both cases at the same time and that the settlement did not cover both applications.

The Divisional Court:

- Set aside the second HRT0 decision and reinstated the \$10,000 award; and
- Assessed costs in the amount of \$7,500 against DRPS.

SHARING THEIR STORIES

JOSEPH BRIGGS: "YOU ARE GOING TO HAVE COURAGE AND PATIENCE"

What do you do if forces beyond your control turn your life upside down? After being stopped, detained in a series of questionable police actions that appeared meritless, Joseph Briggs knew he had to get his life back, he had to go through the Durham and Toronto Police Services for justice. It would take patience and importantly, resources. In the nine-year legal battle that wound through the HRTO and later the Ontario Divisional Courts, Briggs found that support in the HRLSC.

Sadly, the experience of being racially profiled was not new to Briggs, but facing the indignity of being continually stopped, put in temporary custody and having his license plates run by officers from two different police services left a lasting impact. "Discrimination impacted me in more ways than I thought it did," says Briggs, "it was emotionally, psychologically and physically taxing."

Facing this tough situation, Briggs decided to seek justice by filing an application with the HRTO.

Briggs was up against the sizeable resources of two police services, so he made a call to the HRLSC for help.

"I heard that the HRLSC provided free legal help and representation to people who have experienced discrimination under the *Human Rights Code* no matter their socio-economic status."

He liked what he heard and felt well represented by the HRLSC's legal team. "The HRLSC [had] the substantive knowledge of the law, particularly Human Rights law," recalls Briggs, "something I had no expertise in which has been paramount to arguing my case."

"When I knew the HRLSC was going to represent me, I felt heard, I felt I had a voice and it brought me a sense of peace," recalls Briggs, "knowing I was in the good hands of the HRLSC and their staff of lawyers advocating for system-impacted individuals and communities of colour."

Briggs is grateful to have had HRLSC in his corner. "I felt relieved knowing that my case was over, initially winning my human rights case against the police force I was up against," says Briggs, "I was very appreciative of the due diligence and hard work my Human Rights lawyer had done with my case. I'm forever thankful to my phenomenal lawyers at the HRLSC."

While the experience was a difficult one, Briggs recommends the HRLSC to anyone else that decides to take the same route he did to seek justice. "If you experience discrimination under the *Code* and don't know where to turn to seek legal advice," Briggs concludes, "contact the HRLSC, their lawyers and staff are kind, attentive and welcoming. You are going to have courage and patience if you decide to do something about the discrimination you are experiencing. Having the HRLSC represent me has been the best choice."

"Thank you once again for all your hard work and dedication that you put into working on our matter, we really appreciate it."

- Successful settlement client



AWAITING COURT OF APPEAL DECISION ON CASE OF IMPERIAL OIL'S HIRING POLICIES:

Imperial Oil Limited v. Haseeb, 2021 ONSC 3868

The Haseeb case concerned the ground of citizenship in the social area of employment as it related to Imperial Oil's policy of requiring job applicants for engineering positions to be Canadian citizens or permanent residents.

In the initial HRTO ruling:

- The HRTO held that the respondent's hiring policy was discriminatory under sections 5 and 23 of the *Code*.
- The HRTO found that citizenship and permanent residency were not "bona fide occupational requirements," meaning that it found Imperial Oil's claims— that these were vital credentials for the job and that accommodation for the applicant was impossible — were incorrect.
- The HRTO awarded over \$1000,000 for lost wages, \$15,000 for injuries to dignity, feelings and self-respect and nearly \$4,000.00 as pre-judgment interest on the foregoing amounts.

Imperial Oil appealed this decision and on February 25, 2021, the HRLSC argued *Imperial Oil v. Haseeb* at the Divisional Court.

SHARING THEIR STORIES:

MUHAMMAD HASEEB: "IT IS ONLY IN THE DARKEST OF NIGHTS THAT STARS SHINE MORE BRIGHTLY"

When he initially pursued his human rights application, Muhammad Haseeb felt he was doing the right thing, but was concerned that he was facing a steep challenge. Haseeb was a young, international student, the respondent was a large oil company. Haseeb knew he needed legal support to fulfill his dreams of staying in Canada and working in a job that related to his field of study of engineering.

After ranking as a top candidate for a posted job opening with Imperial Oil, Haseeb felt his prospects were looking up.

While he faced all the usual pressures university brings, for international students, finding work could make or break their chances at staying in Canada. Thankfully, Haseeb had secured himself a Graduate Work Permit through the federal government.

Yet, despite being a promising student and having permission to work in Canada, when Imperial Oil found out Haseeb didn't have permanent residency, his dream job offer disappeared. "It seemed exceedingly unfair that I wouldn't be able to obtain employment relevant to my academic background because I didn't have permanent residence," says Haseeb, "and then I wouldn't be able to get my permanent residence because I couldn't find employment relevant to my academic background."

"Everything I had worked so hard for seemed to be slipping past me."

Initially, Haseeb was concerned he'd have a hard time finding support as an international student, but, when he found the Centre's Application Guide on the HRTO's website, he felt hopeful. "So, I dialed the number and had a chat with a wonderful representative at HRLSC to find out more," recalls Haseeb.

Haseeb's case— dealing with employment and citizenship— was unique and made HRLSC's support even more important. "I'm told, this was the first time a case of this nature had ever been brought before a Canadian court," says Haseeb, "and so there wasn't any legal precedent to rely on; making it all the more difficult."

Working with the HRLSC proved to be a good match. Haseeb and his HRLSC counsel ultimately won at the HRTO in a landmark decision.

Looking back, getting the HRLSC's support was an essential step to seeking justice in his case. "Honestly, had the HRLSC not helped me, I would have requested the Human Rights Tribunal to dismiss my application by the middle of week two", says Haseeb.

Although Imperial Oil decided to appeal the decision to the Ontario Superior Court, Haseeb does not regret standing up for his rights, seeing it as his moral duty as a Canadian. "If we don't want others to have to go through what we have experienced," says Haseeb, "we have to stand-up against discrimination, so this awful disease may be eradicated from our society."

IN THE MEDIA

A key aspect of the HRLSC's work is to continue to provide public education and information about human rights in Ontario.

The HRLSC makes itself available for comment on the HRTTO process, our services and with the permission of our clients, discussion of human rights claims.

Here is a snapshot of this fiscal year's media coverage:

[Sunnybrook Hospital pledged to 'listen' to employees about discrimination...](#)

Racialized workers alleging systemic, racial discrimination by Sunnybrook Hospital

[ENDGAME: What will end systemic racism in the Toronto Police Service?](#)

The HRLSC comments on discussion of systemic racism in Toronto Police Service

[Ontario's human rights abuses have not been a secret](#)

Editorial by Board member Ena Chadha discussing Ontario's human rights system

[Her university expelled her after she attempted suicide, saying she had an 'inability to self-regulate.' Now she is fighting back](#)

Sexual assault survivor alleges lack of accommodation at her university

[Black girl, 6, to receive \\$35K in damages after being handcuffed by Peel police at school](#)

A follow-up to earlier JKB media coverage discussing recent HRTTO remedy decision

[Q & A: 'How do I refuse unsafe work in the era of COVID-19?'](#)

A Kitchener-Waterloo area lawyer refers readers to HRLSC for all human rights inquiries

[Peterborough sexual assault survivor finds justice through Human Rights Tribunal](#)

Recognition for HRLSC SHARE project and HRTTO as alternative to criminal and civil courts

ORGANIZATIONAL PROJECTS: INTERNAL AND EXTERNAL PROJECTS

EQUITY AND INCLUSION TRAINING:

As part of our Diversity and Inclusion Plan, the HRLSC organized several training sessions to inform and update our staff and Board. This multi-year plan will cover several topics, including anti-Black racism and Islamophobia.

Training sessions that took place during the 2020 – 2021 fiscal period included:

Indigenous Truth and Reconciliation Training

HRLSC staff members completed individual online training modules as part of NVision Insight Group's cultural awareness training on Indigenous cultures, history and society. Modules covered First Nations, Inuit and Métis stories from across Canada, including the history and legacy of residential schools, the United Nations Declaration on the Rights of Indigenous Peoples, Treaties and Aboriginal rights, Indigenous law, and Aboriginal–Crown relations. These modules provided skills-based training in intercultural competency, conflict resolution, human rights and anti-racism.

Gerstein Mental Health Crisis Workshops

The Gerstein Crisis Centre provided staff with a virtual mental health crisis workshop. Instructors took staff through understanding and identifying people in crisis as well as listening and de-escalation techniques. At the end of the seminar, staff were challenged to run through scenarios with instructors simulating phone or video conversations with people in crisis.

COVID-19 DIGITAL WORKSPACES:

The HRLSC's adaptation to the COVID-19 pandemic involved the rapid deployment of digital tools following its move to remote-work. This move involved adopting communications tools such as Microsoft Teams for staff, as well as clients. Updates were also made to our case management software which allowed us to better track COVID-related human rights inquiries. Internally, we made use of regular updates, staff gatherings and remote-access tools to support employees as we navigated the pandemic. Externally, we continued to rely upon our website, social media channels and video chat software to provide educational resources and connect with members of the public, stakeholders and community partners.

"Thank you once again for
all your hard work and
dedication that you put into
working on our matter, we
really appreciate it."

- Client after successful settlement



ANALYSIS OF OPERATIONAL PERFORMANCE

- In response to the global pandemic, the HRLSC quickly and seamlessly pivoted to remote work environments. This was done within two weeks of the province's initial Emergency Declaration and with minimal service disruption.
- The HRLSC saw a slight shift away from inquiries in the social area of employment and a corresponding increase in housing as well as services, facilities and goods.
- The HRLSC saw a significant increase in the call answer rate over the previous fiscal year's results.
- The HRLSC's client satisfaction rating remained over 90 percent.
- Due to ongoing staffing adjustments and COVID-related precautions at the HRT0, the number of appearances before the HRT0 (mediations and hearings) were significantly down from the previous fiscal year.

CHALLENGES TO PROVIDING SERVICES:

- The pandemic significantly impacted all aspects of community life, including the workplace, housing and public services.
- The pandemic contributed to the decreased demand for HRLSC services.
- The HRT0 was also impacted by the global pandemic, resulting in backlogs and delays in the processing of HRT0 applications.
- The HRT0 experienced a shortage of adjudicators throughout the fiscal year resulting in backlogs and delays.
- Turnover of HRLSC staff temporarily impacted the Centre's ability to maintain adequate service levels.

STATISTICS

17,579

Initial inquiries answered

11,926

Individuals receiving free legal assistance regarding a potential *Human Rights Code* infringement

1,930

Individuals received in-depth legal services from HRLSC lawyers and legal representatives

281

Mediations attended

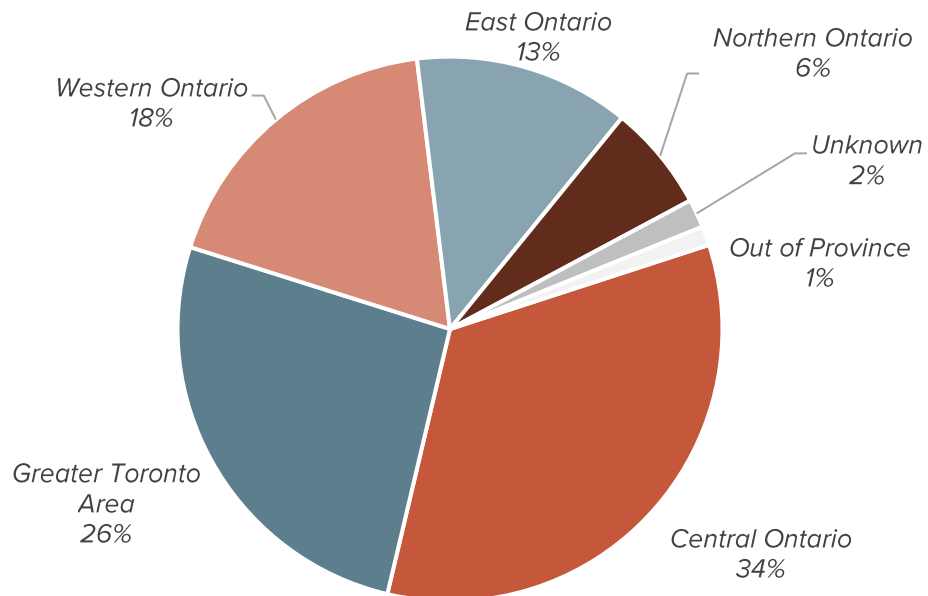
264

Cases settled throughout the process (before a claim was filed, before or at mediation, or before a hearing)

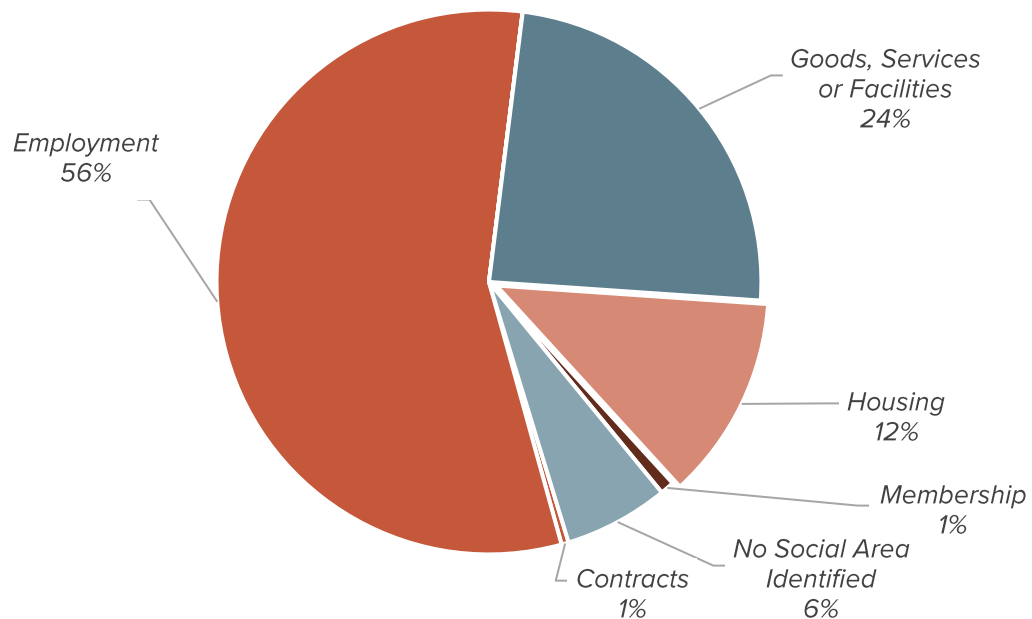
259,023

Visits to our website

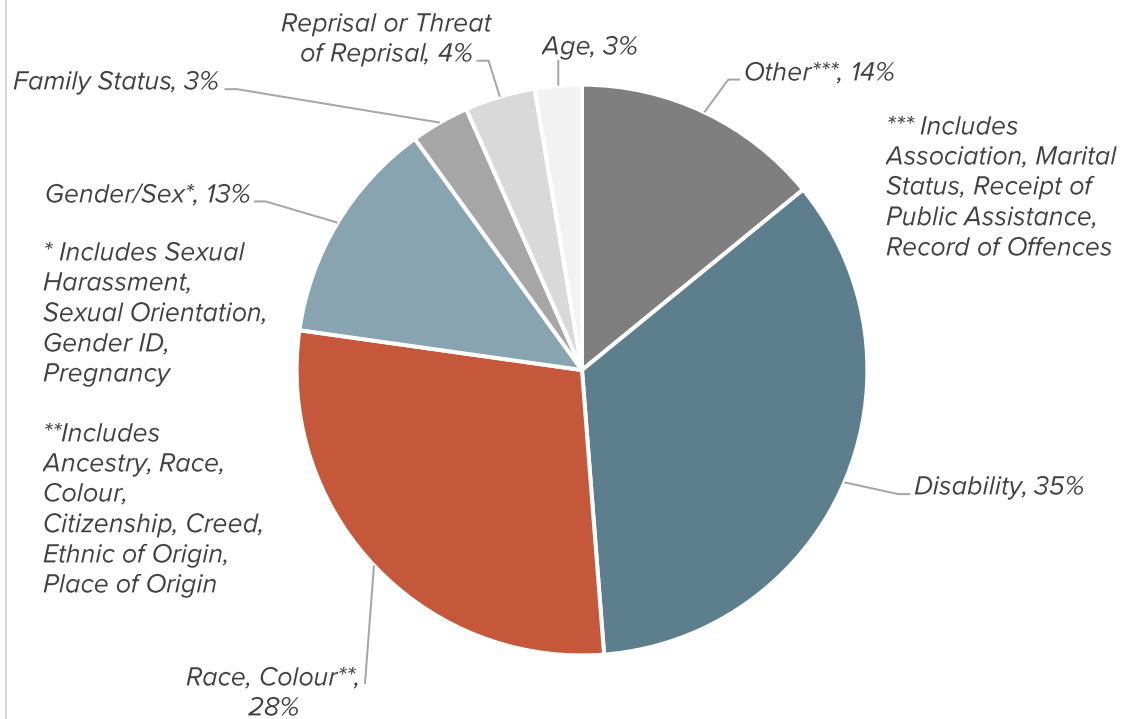
Inquiries by Region in 2020 – 2021

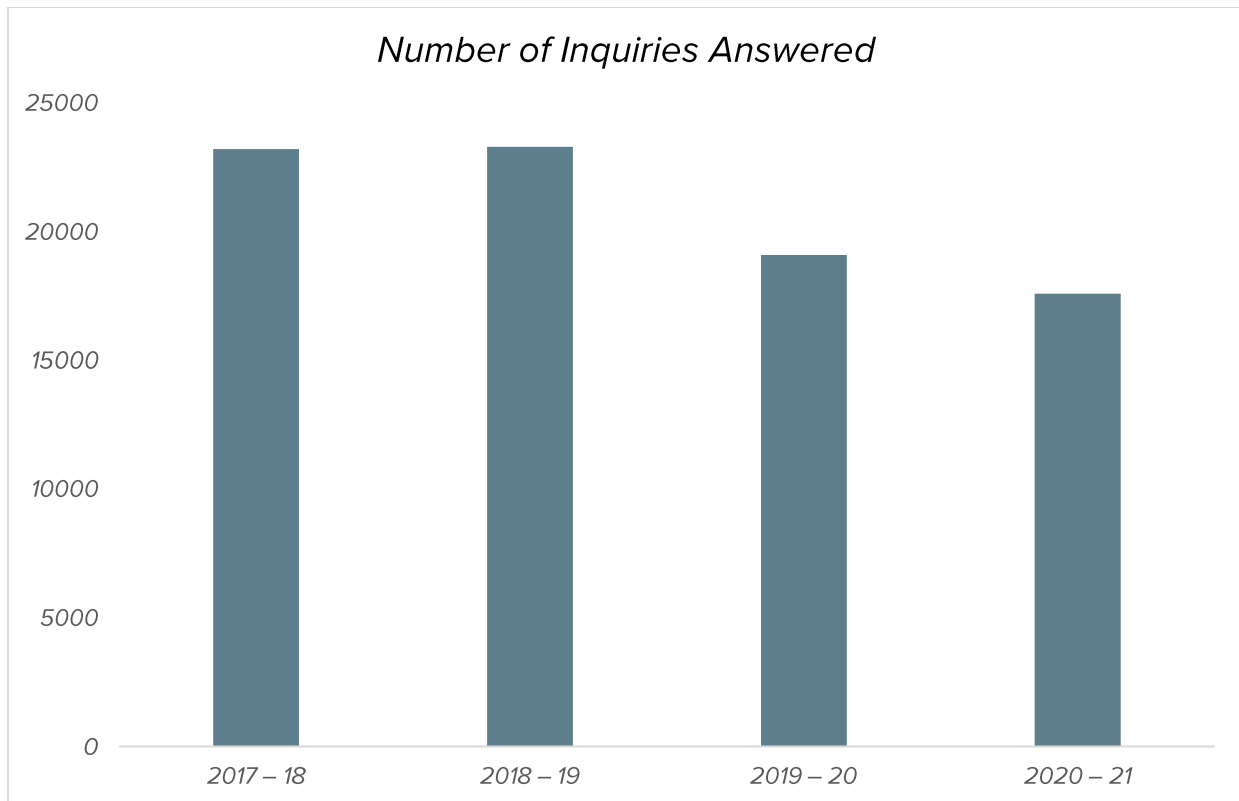


Intake by Social Area in 2020 – 2021



Most Common Grounds of Discrimination Inquiries in 2020 – 2021

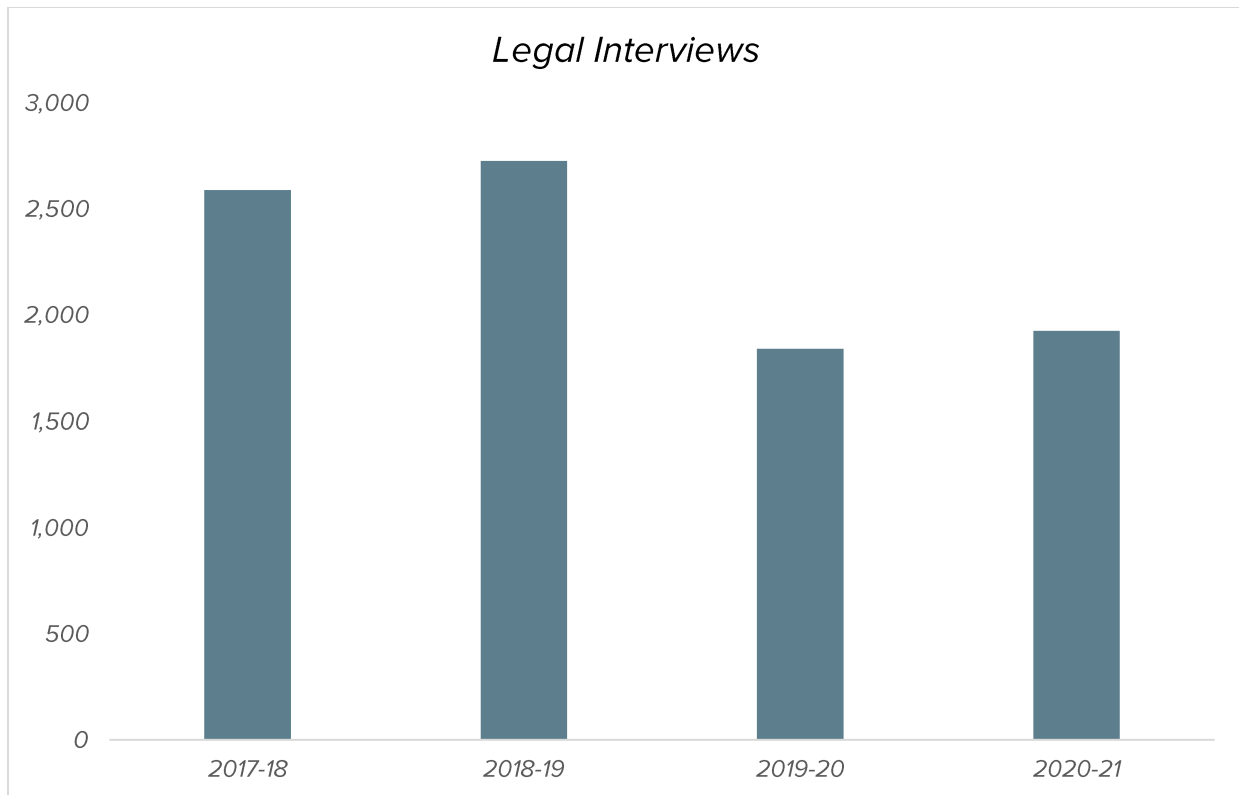




In the 2020 – 2021 fiscal period, while the HRLSC’s telephone answer rate was higher than expected (for more details please see the Performance Measures section), the number of responses to initial inquiries (or “intakes”) decreased by approximately eight percent from the previous fiscal year.

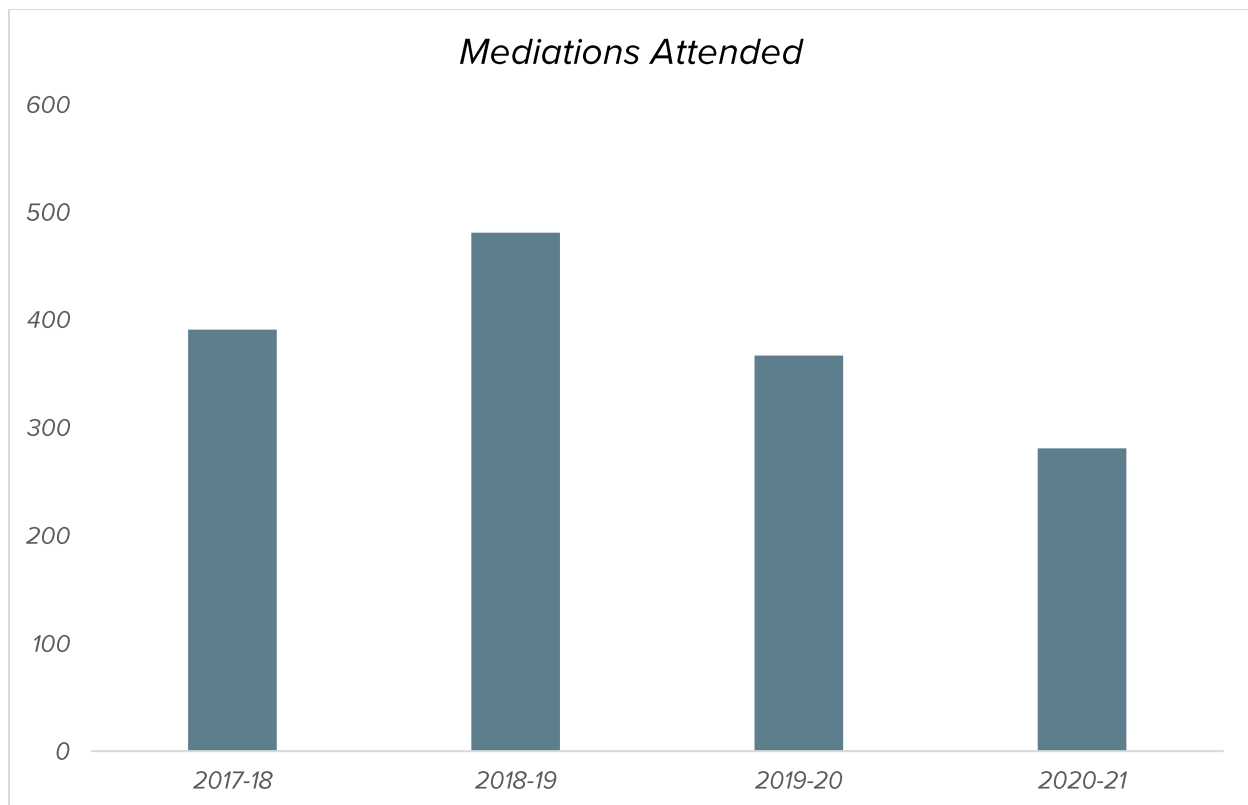
As Ontario responded to the pandemic with stay-at-home orders, the province closed all non-essential businesses and promoted work-from-home arrangements. The HRLSC saw a significant decrease in initial inquiries. This was likely related to the pause in direct personal interactions between individuals caused by these closures or restrictions on access to workplaces and services, goods and facilities. The number of inquiries rebounded during the third and fourth quarter of the fiscal year.

Additionally, the pandemic impacted operational matters at the HRTO, resulting in delays in scheduling mediations and hearings as the HRTO grappled with the challenges of providing service to Ontarians in a digital format.



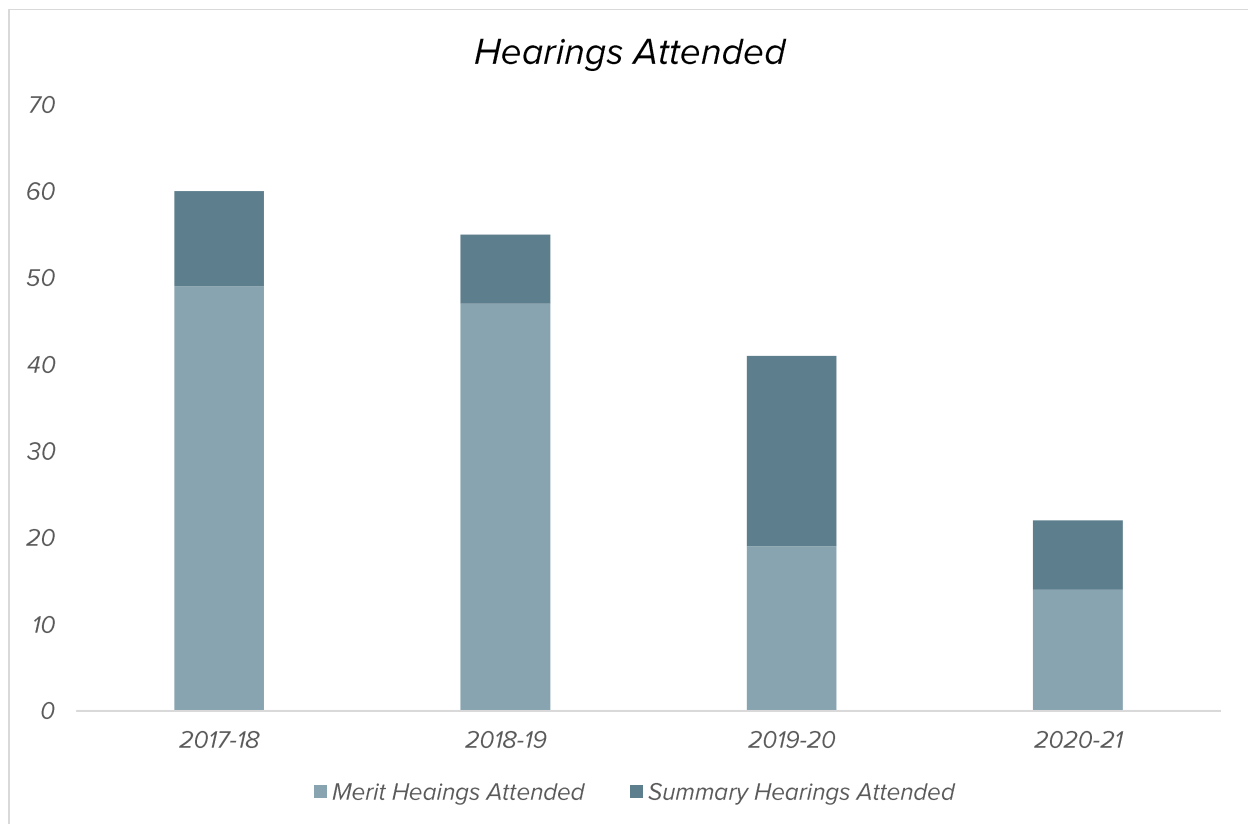
The HRLSC provided in-depth legal services to 1,930 individuals who filed applications, attended mediations, or had hearings at the HRTO. The number of individuals interviewed by HRLSC staff, represented an increase of approximately 4.6 percent over the 2019 – 2020 fiscal year.

As a result of COVID-19, the overall number of inquiries decreased. In response, the HRLSC expanded the criteria for referral to in-depth interviews. This increased our capacity to assist callers with their human rights matters. This change also ensured that Ontarians with COVID-19 related human rights inquiries were able to receive assistance during a time of great uncertainty.



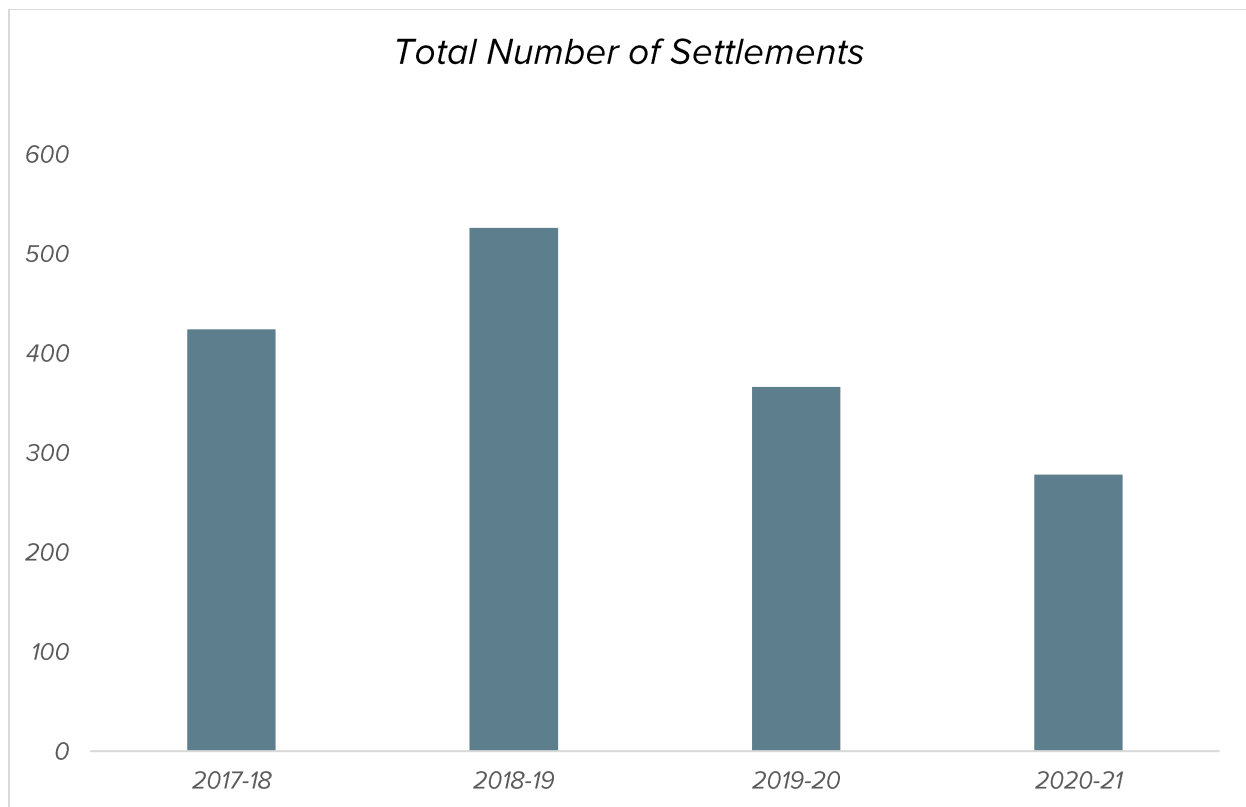
The HRLSC provided legal representation at mediations to 281 individuals, almost 80 percent of those who contacted the HRLSC for assistance at this stage of the application process.

Despite the high response rate, there was an overall decrease in the number of mediations attended by HRLSC staff. This decrease was directly related to a reduction in the number of mediations scheduled and held by the HRT0.

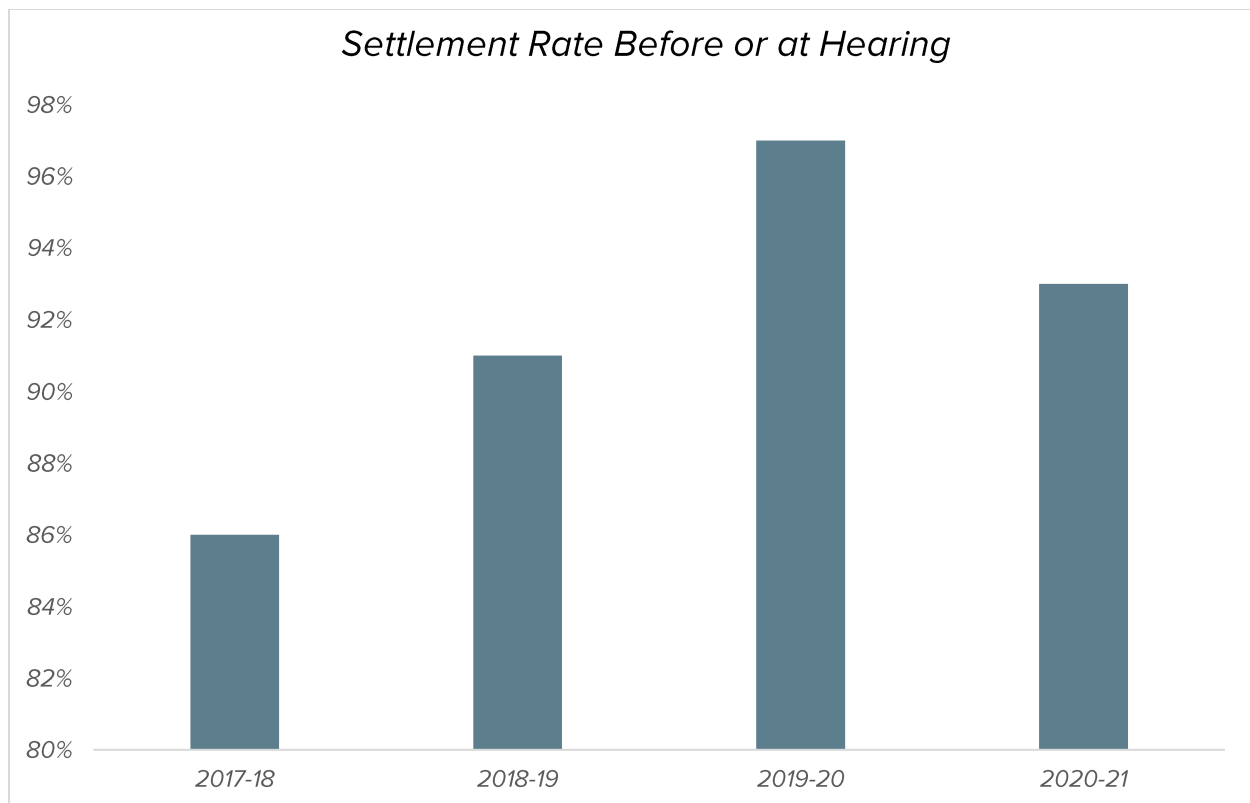


This fiscal year HRLSC counsel provided representation at 22 merit and summary hearings.

As with attendance at mediations, the lower number of merit hearings was due to the reduction in the number of hearings scheduled and held along with continued staffing changes at the HRTTO.



Settlements remove disputes from the HRTO system, saving public and private costs of adjudication and increasing the overall speed and efficiency of the human rights system and ensuring that applicants have legal help to address and remedy discrimination. The HRLSC settled almost 300 matters at all stages of the application process, helping a significant number of people navigate Ontario's human rights system.



Where an application is not settled at mediation, HRLSC staff will often continue their efforts to resolve the matter prior to a hearing before the HRTTO. In the 2020 – 2021 fiscal period, HRLSC staff settled more than 90 percent of cases at the latter stages of the application process. This achievement enables a significant number of HRLSC clients to move on after experiencing a discriminatory without the stress of long delays waiting to have their concerns heard at the HRTTO and saves resources in the human rights system.

PERFORMANCE MEASURES

2020-2021 ACHIEVEMENTS

Telephone Answer Rates

Target: 70 percent

Result: 79 percent

The HRLSC staff's answer rate at intake was almost 10 percent higher than in the previous fiscal year. Additionally, our statistics showed great improvement in the waiting time in the queue (a 35 percent decrease in waiting time from 2019 – 2020 to 2020 – 2021) and a 14 percent decrease in talk time. However, these results must be partially seen as a by-product of the HRLSC redirecting and retooling services during COVID-19. Although this is an improvement over the prior fiscal year there is still room for growth through further resources.

Settlement Rate at Mediation

Target: 66 percent

Result: 68 percent

Mediations are an integral part of the application process between the parties. This stage of applications occurs after pleadings have closed at the HRT0.

The mediation settlement rate for this fiscal year was slightly higher than the previous year's results. Diverting cases from the hearing process has contributed to a more efficient human rights system and saved public resources.

Cases Settled Before or at Hearing

Target: 80

Result: 54

If mediation fails to provide a resolution to the dispute between the parties, the application moves to the hearing stage. The HRLSC's staff continues their efforts to settle disputes all the way up to the beginning of a hearing.

During the reporting period, the number of cases settled before or at hearing is below the target number. This result is directly related to the impact of COVID-19 on operations at the HRTTO. First, the pandemic caused significant service disruptions—resulting in a decrease in the number of hearings that proceeded before the HRTTO. Secondly, the HRTTO hearing schedule was also impacted by the fact that it was operating at partial capacity as a number of adjudicator vacancies remained unfilled.

Clients Who Rated Service as "Good" or "Very Good"

Target: 85 percent

Result: 100 percent

The HRLSC continued to receive very positive ratings from clients who use our services with 100 percent of respondents describing it as "good" or "very good". These surveys also indicated that 95 percent of clients would recommend the HRLSC to other Ontarians in need of legal advice and information about *Code*-based discrimination.

Percentage of Cases Settled at Hearing

Target 75 percent

Result: 71 percent

The HRLSC recognizes the importance of settling matters before they proceed to full merit hearings. In this unprecedented year, the settlement rate at hearings was slightly off-target. As outlined above, this decrease in settlement rate can be directly linked to the lower number of hearings being scheduled and held at the HRTTO which led to a smaller pool of cases in the 2020 – 2021 fiscal period.

As the number of hearings at the HRTTO slowly rebounds, HRLSC staff will make increased efforts to settle hearing matters that are pending.

Positive Human Rights Stories in the Media

Target: 10

Result: 26

In the 2020 – 2021 fiscal period, positive media coverage again gave the HRLSC the opportunity to inform and educate Ontarians about the *Code*, the impacts of discrimination and options for addressing and resolving discriminatory acts. The HRLSC exceeded its target of ten positive media stories with 26 news articles, which promoted the HRLSC as a resource in stories discussing cases of discrimination and discussed several other ongoing or completed cases.

RISK EVENTS

SERVICE DISRUPTIONS DUE TO EXTERNAL FACTORS

1. Covid-19 Pandemic's Impact on Services This Fiscal Year

Throughout the reporting period, the HRLSC worked diligently to manage the impact of the global pandemic. The beginning of the fiscal year coincided with the early days of the pandemic. The HRLSC was able to quickly adapt to working remotely with minimal service disruption, due to its modern IT system, flexible service model, experience with remote workers and practical approach to continuity planning.

To further mitigate the risk posed by the pandemic, the HRLSC will continue to upgrade our digital platforms to better serve Ontarians.

2. Turnover Among Staff and Inability to Retain or Replace Lawyers

The HRLSC continued to navigate the challenge of losing staff and difficulty hiring and retaining senior lawyers. The required adjustments to staff turnover can temporarily impact our capacity to provide legal service— and more broadly support Ontario's human rights system— leaving more applicants unrepresented and reducing opportunities for settlements at early stages of the applications process.

With a static, permanent budget the HRLSC is unable to offer and maintain competitive salaries in comparison to other not for profit and private sector employers. To manage this operational risk, the HRLSC provides staff with professional development opportunities and training opportunities where possible.

3. Potential Negative Media Attention

Once again, the HRLSC received an unprecedented amount of positive media coverage related to our cases. However, we remain aware that negative media coverage is an ongoing and unpredictable risk inherent to providing legal services to the public. The HRLSC's case selection criteria and team approach support the effective management of this risk.

B) SERVICE DISRUPTIONS DUE TO INTERNAL FACTORS

4. Potential Labour Disruption

The HRLSC has maintained a positive working relationship with our unionized staff. Throughout the reporting period, both management and staff have worked to ensure that our focus remained on providing high quality legal and support service to Ontarians who approach the HRLSC for assistance. The HRLSC will maintain this positive approach to mitigate any potential labour disruption.

“[My Human Rights Advisor] was so amazing! I had a lot of anxiety about this [claim] and I called [her] quite a bit. She always called me back right away and was so patient and kind. She gave me lots of information and really prepared me so well, emotionally. I don’t think I could have done this without her.”

- SHARE client after successful mediation



ANALYSIS OF FINANCIAL OPERATIONS

COST ALLOCATION

MINISTRY OF THE ATTORNEY GENERAL

Expense	'17-18	'18-19	'19-20	'20-21
Salaries & Benefits	86%	86%	87%	85%
Operating	13%	13%	13%	14%
Board	1%	1%	1%	1%

DEPARTMENT OF JUSTICE CANADA

Expense	'17-18	'18-19	'19-20	'20-21
Salaries & Benefits	-	-	70%	96%
Operating	-	-	30%	4%

The proportion of expenses for staffing, operating and Board costs remained consistent with previous years.

Salaries and benefits continue to be the highest portion of the HRLSC's costs. The HRLSC has effectively managed funds to maintain stability in each major budget area over the past four years to optimize service delivery and accurately reflect service costs. Expenditures and costs are monitored and assessed to ensure appropriate and balanced allocations in each budget area to support and maximize services.

COST SUMMARY

MINISTRY OF THE ATTORNEY GENERAL

Expense	'17-18	'18-19	'19-20	'20-21
Salaries & Benefits	\$ 4,968,821	\$ 4,880,405	\$ 4,180,009	\$ 4,319,934
Operating	\$ 734,415	\$ 749,922	\$ 603,024	\$ 722,768
Board	\$ 41,040	\$ 25,919	\$ 32,223	\$ 46,896
Total	\$ 5,744,276	\$ 5,656,246	\$ 4,815,256	\$ 5,089,598

DEPARTMENT OF JUSTICE CANADA

Expense	'17-18	'18-19	'19-20	'20-21
Salaries & Benefits	-	-	\$ 170,999	\$ 388,798
Operating	-	-	\$ 71,676	\$ 93,186
Total	-	-	\$ 242,675	\$ 481,984

The HRLSC had been working with a reasonably static budget from 2016 to 2020 with the exception 2019.

HRLSC experienced temporary vacancies caused by staff turnover in 2020. This has resulted in lower salary and benefit costs.

The lower costs in operating expenses were due mainly to significantly lower travel, fewer hearings due to the delays at the Tribunal, and the COVID-19 pandemic.

Board costs were higher this year as vacant Board positions from the previous year were filled.

Expenses for the SHARE program continue to be moderate due to the pandemic. The outreach continues to be managed virtually. Therefore, the operational costs are very minimal. The Department of Justice flows funding on a as needed basis. The 2020 fiscal year was the second year of the project. The project has been approved for a five-year duration starting in 2019.

Overall, costs are effectively managed through monitoring, analysis and responsive and timely decision-making, which is supported with an agile service delivery model. The most significant financial challenge for the HRLSC continues to be maintaining adequate staffing to maintain services and competitive salary levels to retain staff.

FULFILLMENT OF MANDATE LETTER

Ministry Priorities: Promoting Access to Justice

- The HRLSC supports 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.
- The HRLSC carries out the agency's responsibilities as set out in the *Code* and in the Memorandum of Understanding with the Ministry of the Attorney General.

Achievements

- Responded to more than 17,000 inquiries about discrimination, providing legal information
- Provided in-depth legal services to more than 1,900 individuals
- Represented approximately 300 applicants at mediations and hearings
- Maintained high rates of settlement before or at mediations or hearings
- Received consistently high client service ratings and positive media coverage

Ministry Priority: Evidence-based Decision-making

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

Achievements

- Collected and analyzed service data and trends to inform planning
- Sustained operational performance within available resources, despite the pandemic
- Effectively used financial and human resource strategies to support sustainability
- Supported the provincial government by contributing to the COVID-19 Offset Initiative

Ministry Priority: Open Government and Open Data

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

Achievement

- Provided comprehensive open data sets, available on HRLSC's website

Ministry Priority: Cooperation of Three Pillars of Ontario's Human Rights System

- The HRLSC continues to work by the HRLSC with the OHRC and HRTO to improve Ontario's human rights system

Achievements

- Participated in Three-Pillars-Meetings with the HRTO and the OHRC
- Maintained continuous communication with HRTO throughout the year
- Worked in partnership with the OHRC's Community Advisory Group and supported the OHRC's inquiry into racial profiling in law enforcement
- Cross-appointments of HRLSC Board Members with OHRC's Commissioners support synergies between the organizations. An OHRC cross-appointment occurred in July 2020 for one year and a new HRLSC cross-appointment was announced in March 2021 for a period of two years

BOARD OF DIRECTORS AND STAFF

OUR BOARD

Board Member	Position	Term	Total Remuneration 2020-21
Ena Chadha	Board Chair	21-Feb-2018 – 21-Jul-2021	\$ 3,396.00
Mary Joe Freire	Board Chair	30-Jul-2020 – 21-Jul-2021	\$ 14,433.00
Mary Joe Freire	Board Member	20-Feb-2020 – 19-Feb-2021	\$ 3,000.00
Karen Drake	Board Member	17-Aug-2017 – 16-Aug-2020	\$ 1,312.50
Patrick Nadjiwan	Board Member	17-Sept-2009 – 11-Dec-2022	\$ 4,312.50
Martial Moreau	Board Member	26-May-2020 – 25-May-2022	\$ 7,687.50
Evelyn Ball	Board Member	11-Jun-2020 – 10-Jun-2022	\$ 3,750.00
Tamar Witelson	Board Member	8-Feb-2018 – 19-Feb-2022	\$ 3,750.00
Michelle Tan	Board Member	26-May-2020 – 25-May-2022	\$ 5,062.50
Gary Pieters	Board Member	25-Mar-2021 – 24-Mar-2023	\$ -
Total			\$ 46,704.00

OUR STAFF

The HRLSC's staff members bring diverse professional experience and knowledge to our team. This year we wish to honour the many staff members from 2008 to 2020 whose hard work made our Indigenous Services Outreach Committee possible:

- Alicia Campney
- Amy Britton-Cox
- Audrey Doxtator
- Breena Kokopenace
- Brenda Culbert
- Bridget Bowman
- Christina Gray
- Elysia Petrone Reitberger
- Grace Vaccarelli
- Jamie McGinnis
- Kathy Laird
- Kingsley Laurin
- Lori Mishibinijima
- Mairi MacDonald
- Megan Fowler
- Nicole Sylvester
- Quinn Read-Baxter
- Rachel Harmsworth
- Ramona Reece
- Serena Dykstra
- Sharmaine Hall
- Sherry Antone
- Toby Young

HUMAN RIGHTS LEGAL SUPPORT CENTRE
FINANCIAL STATEMENTS
YEAR ENDED MARCH 31, 2021

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 "Centre"), which comprise the statement of financial position as at March 31, 2021, and the statements of operations, 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 Centre as at March 31, 2021, 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 Centre 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 Centre 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 Centre 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 Centre.

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.

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

- 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 Centre.
- 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 Centre 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 Centre 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
To be determined

Chartered Professional Accountants
Licensed Public Accountants

HUMAN RIGHTS LEGAL SUPPORT CENTRE

Statement of Financial Position

March 31	2021				2020 (restated - note 2)		
	General Operations - MAG	Department of Justice Canada	One Time Project Fund	Total	General Operations - MAG	Department of Justice Canada	Total
ASSETS							
Current assets							
Cash	\$ 602,563	\$ 89,741	\$ -	\$ 692,304	\$ 751,654	\$ 148,441	\$ 900,095
Accounts receivable	3,221	-	-	3,221	15,249	-	15,249
HST Recoverable	66,612	3,250	-	69,862	57,522	-	57,522
Prepaid expenses	61,706	4,515	-	66,221	57,144	4,136	61,280
					34,948	(34,948)	-
Interfund balances	(100,428)	(53,822)	154,250	- 08	916,517	117,629	1,034,146
Long-term assets							
Property and equipment (note 5)	72,692	5,486	-	78,178	165,287	8,778	174,065
Intangible Assets (note 6)	4,677	-	-	4,677	18,119	-	18,119
	77,369	5,486	-	82,855	183,406	8,778	192,184
	711,043	49,170	154,250	914,463	1,099,923	126,407	1,226,330
LIABILITIES							
Current liabilities							
Accounts payable and accrued liabilities	355,281	39,706	-	394,987	377,345	26,508	403,853
Accounts payable - MAG	50,335	-	-	50,335	262,901	-	262,901
	405,616	39,706	-	445,322	640,246	26,508	666,754
NET ASSETS							
Operating fund (note 7)	305,427	-	-	305,427	459,677	-	459,677
Department of Justice Canada	-	9,464	-	9,464	-	99,899	99,899
Internally restricted fund	-	-	154,250	154,250	-	-	-
	305,427	9,464	154,250	469,141	459,677	99,899	559,576
	\$ 711,043	\$ 49,170	\$ 154,250	\$ 914,463	\$ 1,099,923	\$ 126,407	\$ 1,226,330

The accompanying notes are an integral part of these financial statements

Approved on behalf of the Board:

Director

Director

HUMAN RIGHTS LEGAL SUPPORT CENTRE

Statement of Operations

Year ended March 31	2021			2020 (restated - note 2)		
	General Operations - MAG	Department of Justice Canada	Total	General Operations - MAG	Department of Justice Canada	Total
Revenues						
Ministry of the Attorney General	\$ 5,185,865	\$ -	\$ 5,185,865	\$ 4,859,799	\$ -	\$ 4,859,799
Department of Justice Canada	-	396,271	396,271	-	339,709	339,709
Other income	310	-	310	10,562	-	10,562
	5,186,175	396,271	5,582,446	4,870,361	339,709	5,210,070
Expenditures						
Salaries and wages	3,621,330	330,443	3,951,773	3,446,220	145,672	3,591,892
Employee benefits (note 8)	713,905	58,355	772,260	733,790	25,327	759,117
Services	505,901	77,633	583,534	390,994	54,333	445,327
Communications	132,613	10,588	143,201	82,123	10,050	92,173
Province wide service delivery	26,833	-	26,833	40,268	-	40,268
Travel	1,488	-	1,488	34,365	28	34,393
Supplies and equipment	69,522	6,395	75,917	56,413	3,303	59,716
Board expenses	46,896	-	46,896	32,223	-	32,223
Amortization	67,687	3,292	70,979	53,965	1,097	55,062
	5,186,175	486,706	5,672,881	4,870,361	239,810	5,110,171
Excess (deficiency) of revenues over expenditures for the year	\$ -	\$ (90,435)	\$ (90,435)	\$ -	\$ 99,899	\$ 99,899

The accompanying notes are an integral part of these financial statements

HUMAN RIGHTS LEGAL SUPPORT CENTRE

Statement of Net Assets

Year ended March 31	2021				2020 (restated note 2)		
	General Operations - MAG	Department of Justice Canada	One Time Project Fund	Total	General Operations - MAG	Department of Justice Canada	Total
Net assets, beginning of year	\$ 459,677	\$ 99,899	\$ -	\$ 559,576	\$ 459,677	\$ -	\$ 459,677
Excess (deficiency) of revenues over expenditures for the year)	-	(90,435)	-	(90,435)	-	99,899	99,899
Interfund transfer (note 1)	(154,250)	-	154,250	-	-	-	-
Net assets, end of year	\$ 305,427	\$ 9,464	\$ 154,250	\$ 469,141	\$ 459,677	\$ 99,899	\$ 559,576

The accompanying notes are an integral part of these financial statements

HUMAN RIGHTS LEGAL SUPPORT CENTRE

Statement of Cash Flows

March 31	2021			2020 (restated - note 2)		
	General Operations - MAG	Departme nt of Justice Canada	Total	General Operations - MAG	Department of Justice Canada	Total
Cash flows from operating activities						
Excess (deficiency) of revenues over expenditures for the year	\$ -	\$ (90,435)	\$ (90,435)	\$ -	\$ 99,899	\$ 99,899
Item not affecting cash						
Amortization	67,687	3,292	70,979	53,965	1,097	55,062
	67,687	(87,143)	(19,456)	53,965	100,996	154,961
Change in non-cash working capital items						
Decrease (increase) in accounts receivable	12,028	-	12,028	(8,216)	-	(8,216)
(Increase) decrease in HST recoverable	(9,090)	(3,250)	(12,340)	239	-	239
(Increase) decrease in prepaid expenses	(4,562)	(379)	(4,941)	57,970	(4,136)	53,834
(Decrease) increase in accounts payable and accrued liabilities	(22,064)	13,198	(8,866)	(8,035)	26,508	18,473
(Decrease) increase in accounts payable - MAG	(212,566)	-	(212,566)	262,901	-	262,901
	(168,567)	(77,574)	(246,141)	358,824	123,368	482,192
Cash flows from investing activities						
Return (purchase) of property and equipment	38,350	-	38,350	(142,808)	(9,875)	(152,683)
Interfund transfers	(18,874)	18,874	-	(34,948)	34,948	-
	19,476	18,874	38,350	(177,756)	25,073	(152,683)
Net change in cash	(149,091)	(58,700)	(207,791)	181,068	148,441	329,509
Cash, beginning of year	751,654	148,441	900,095	570,586	-	570,586
Cash, end of year	\$ 602,563	\$ 89,741	\$ 692,304	\$ 751,654	\$ 148,441	\$ 900,095

The accompanying notes are an integral part of these financial statements

HUMAN RIGHTS LEGAL SUPPORT CENTRE

March 31, 2021

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) Basis of accounting

The Centre maintains an operating fund, Department of Justice Fund and an internally restricted fund.

The day to day activities of the Centre are recorded in the operating fund which is funded by the Ministry of the Attorney General ("MAG").

The Department of Justice Fund ("DOJ") is an externally restricted fund to provide funding for a specialized team to provide free legal advice and public legal education information to individuals across Ontario who have experienced sexual harassment at work. The Centre entered into an agreement with the Minister of Justice and the Attorney General of Canada to fund this project for the period from July 3, 2019 to March 31, 2024.

The internally restricted fund was established, during the fiscal year, by the Board of Directors to fund one time projects. Currently, the Centre has two projects in process - Income Eligibility Criteria and the Justice Technology onboarding costs. This fund is financed by appropriations from the operating fund. During the current fiscal year, the Board of Directors approved a transfer of \$154,250 from the operating fund.

HUMAN RIGHTS LEGAL SUPPORT CENTRE

Notes to Financial Statements

March 31, 2021

1. Significant accounting policies (continued)

(b) 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.

The Centre receives revenue from the Department of Justice Canada. The amounts are recorded as revenue when received or receivable. All of the funds received are restricted as to use for purposes as set out in the funding agreement.

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.

(c) 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.

Notes to Financial Statements

March 31, 2021

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 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.

(e) 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.

Notes to Financial Statements

March 31, 2021

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

(e) **Financial instruments (continued)**

(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.

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.

(f) **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.

Notes to Financial Statements

March 31, 2021

1. Significant accounting policies (continued)

(g) Pension plan

The Centre, through the sponsorship of the 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.

2. Restatement of prior year financial statements

During the 2021 fiscal year, it was determined that a portion of the funding received from the Ministry of the Attorney General for the 2020 fiscal year would be repaid. In addition, accrued liabilities at March 31, 2020 were adjusted for an estimate of accrued professional fees.

Details of the restatement of the comparative financial statements for the matter described above are as follows:

	As previously reported \$	Adjustment \$	As restated \$
Statement of Financial Position – as at March 31, 2020			
Accounts payable and accrued liabilities	407,814	(3,961)	403,853
Accounts payable – MAG	-	262,901	262,901
Net assets	818,516	(258,940)	559,576
Statement of Operations – year ended March 31, 2020			
Ministry of the Attorney General	5,122,700	(262,901)	4,859,799
Services	449,288	(3,961)	445,327
Excess of revenues over expenditures	358,839	(258,940)	99,899
Statement of Cash Flows – year ended March 31, 2020			
Excess of revenues over expenditures	358,839	(258,940)	99,899
Decrease in accounts payable and accrued liabilities	22,434	(3,961)	18,473
Increase in accounts payable – MAG	-	262,901	262,901

3. Financial instruments

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

Notes to Financial Statements

March 31, 2021

3. Financial instruments (continued)

The financial instruments of the Centre and the nature of the risks to which it may be subject areas 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 \$695,524 (2020 - \$915,344).

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 exposure from that of the prior year.

4. Economic dependence

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

Notes to Financial Statements

March 31, 2021

5. Property and equipment

		2021		
		Cost	Accumulated Amortization	Net
		\$	\$	\$
Computer equipment		506,126	427,948	78,178
Furniture and fixtures		4,150	4,150	-
		<u>510,276</u>	<u>432,098</u>	<u>78,178</u>
		2020		
		Cost	Accumulated Amortization	Net
		\$	\$	\$
Computer equipment		544,475	370,410	174,065
Furniture and fixtures		4,150	4,150	-
		<u>548,625</u>	<u>374,560</u>	<u>174,065</u>

6. Intangible assets

		2021		
		Cost	Accumulated Amortization	Net
		\$	\$	\$
Client tracking tool		668,030	663,353	4,677
Computer software		141,059	141,059	-
		<u>809,089</u>	<u>804,412</u>	<u>4,677</u>
		2020		
		Cost	Accumulated Amortization	Net
		\$	\$	\$
Client tracking tool		668,030	652,924	15,106
Computer software		141,059	138,046	3,013
		<u>809,089</u>	<u>790,970</u>	<u>18,119</u>

HUMAN RIGHTS LEGAL SUPPORT CENTRE

Notes to Financial Statements

March 31, 2021

7. Operating fund

The Centre has expended grant funds received as follows:

	2021 \$	2020 \$
Revenue - Ministry of Attorney General	5,185,865	4,859,799
Other income	310	10,562
Operating expenses (excluding project expenses)	(5,186,175)	(4,870,361)
Amortization included in operating expenses	67,687	53,965
Return (purchase) of property and equipment	38,350	(142,808)
	106,037	(88,843)

Reconciliation of net assets

	Capital \$	Operating \$	Total \$
Net assets, beginning of year	183,406	276,271	459,677
Excess of revenues over expenditures (expenditures over revenues) for year	(67,687)	67,687	-
Funds transferred from capital fund	(38,350)	38,350	-
Funds transferred to internally restricted fund	-	(154,250)	(154,250)
Net assets, end of year	77,369	228,058	305,427

8. Pension plan

The Centre, through the sponsorship of the 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 7.4% (2020 - 7.4%) of earnings up to the CPP yearly pension maximum entitlement ("YPME") and 10.5% (2020 - 10.5%) 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 \$300,010 (2020 - \$293,536) to the plan which is recorded in "employee benefits" in the statement of operations.

9. Contingent liabilities

The Centre is party to legal proceedings with the Human Rights Tribunal of Ontario which arise from normal operations. Actual liabilities with respect to these actions and proceedings cannot be determined. Management believes that they will be successful and any potential liability will not materially affect the financial position of the Centre. Any ultimate liability in respect of these legal proceedings will be accounted for as an expense in the year incurred.

March 31, 2021

10. Impact of Global Pandemic

During March 2020, the global pandemic of the virus known as COVID-19 led the Canadian Federal government, as well as provincial and local governments, to impose measures, such as restricting foreign travel, mandating self-isolations and physical distancing and the closure of non-essential businesses. The Centre is considered an essential service and continues to serve its clients remotely, while still reflecting the values and commitment of the Centre.

Because of the high level of uncertainty related to the outcome of this pandemic, it is difficult to estimate the impact on the financial position and results of operations for future periods. No adjustments have been made in the financial statements as a result of these events.

11. Comparative figures

The financial statements have been reclassified, where applicable, to conform to the presentation used in the current year.

HILBORN

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Human Rights Legal Support Centre

180 Dundas West, 8th Floor Toronto, Ontario, M7A 0A1

www.hrlsc.on.ca

Twitter: @HRLSC_ON

Facebook: @HRLSCOntario

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