

# Finding our roots: Growing in community



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Annual Report 2021/22 and Service Plan 2022/23-  
2024/25

September 2022

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536 - 999 Canada Place

Vancouver, BC V6C 3E1

1-844-922-6472 | [info@bchumanrights.ca](mailto:info@bchumanrights.ca)



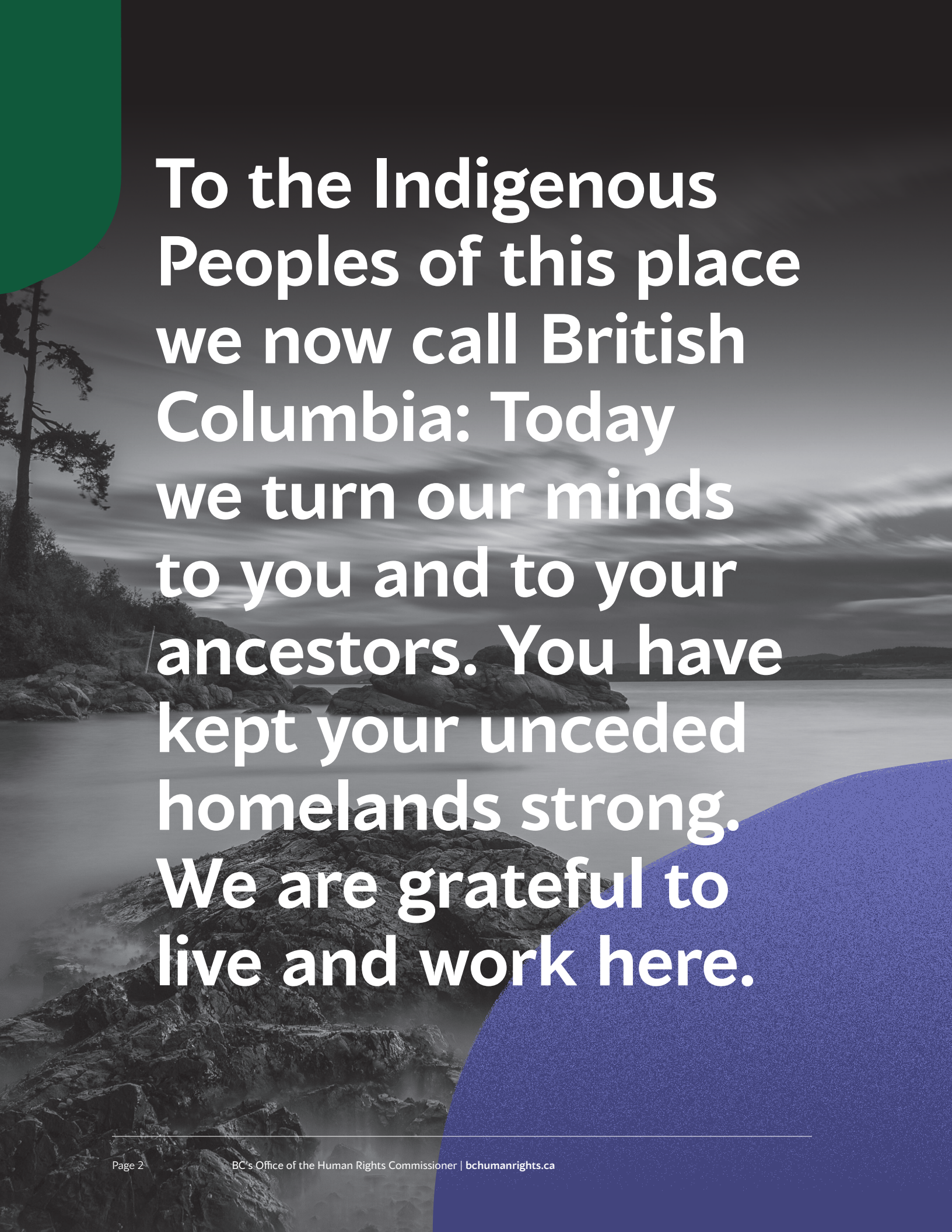
British Columbia's  
**Office of the Human Rights  
Commissioner**

# Finding our roots: Growing in community

Annual Report 2021/22 and Service Plan 2022/23-2024/25



British Columbia's  
**Office of the Human Rights  
Commissioner**



**To the Indigenous Peoples of this place we now call British Columbia: Today we turn our minds to you and to your ancestors. You have kept your unceded homelands strong. We are grateful to live and work here.**



**September 2022**

The Honorable Raj Chouhan  
Speaker of the Legislative Assembly  
Parliament Buildings  
Victoria, BC V8V 1X4

Dear Mr. Speaker,

It is my pleasure to present BC's Office of the Human Rights Commissioner's 2021/2022 Annual Report and 2022/23-2024/25 Service Plan to the Legislative Assembly.

This document reports on the period from April 1, 2021 to March 31, 2022 and highlights activities underway and planned for April 1, 2022 to March 31, 2025. It has been prepared in accordance with Section 47.23(1) of *the Human Rights Code*.

Sincerely,

A handwritten signature in black ink, appearing to read "K. Govender".

**Kasari Govender**  
B.C.'s Human Rights Commissioner  
Province of British Columbia

cc: Kate Ryan-Lloyd  
Clerk of the Legislative Assembly

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If you are unsure about terminology used in this report, we invite you to visit our Human Rights Glossary at: [bchumanrights.ca/glossary](https://bchumanrights.ca/glossary).



# Message from the Commissioner

## We find ourselves in precarious times.

During our current Inquiry into hate in the pandemic, we have heard about the impact of both the rise of populism and the fear and anxiety of living in pandemic times culminating in the rise of hate during COVID-19. As pandemic protections have worn on all of us, we have seen the Canadian flag being wielded as a symbol of division and rampant individualism. British Columbia has faced record floods and fires, reminding us that climate change can no longer be ignored, and neither can its disproportionate impact on already marginalized and vulnerable communities. The unmarked graves of children who died in residential schools continue to be uncovered. We are preparing our annual report in the wake of abortion rights being wiped out in the US.

The list goes on. And the work of human rights and change-making does as well. Doing the work of human rights requires endless optimism while staring inequality and injustice in the face. If we don't believe change is possible, we will be immobilized by the state of the world – instead, I am deeply grateful to work with an inspiring team of optimists, to do this work on lands that have been cared for since time immemorial by Indigenous peoples who have never given up their right to self-determination, and to do so alongside so many in community who form the groundswell of change-making.

**This year, I am particularly proud of our work to stand up against hate and the rise of white supremacy,** our growing suite of educational materials to help British Columbians understand their rights and responsibilities, our work to turn our recommendations on collecting and using data for social change into government action, our ongoing efforts to ensure that public health measures reflect human rights obligations and our incisive research and recommendations on addressing systemic racism in policing in B.C.



***“Doing the work of human rights requires endless optimism while staring inequality and injustice in the face.”***

*—Kasari Govender, B.C.’s Human Rights Commissioner,*

**On Human Rights Day in December 2021, I had the opportunity to speak to a group of Grade 4 students about what equality means to them.**

One child said, “People who are lesbian have the right to like each other and trans people have the right to be whatever gender they want”. Another said, “We should be able to practice our own traditions without getting made fun of.” Another said, “We should all be treated equally because on the inside, we’re all the same.” While progress for human rights may not be linear, or as fast as we might like, the next generation gives us plenty of reason to hope.

Through these opportunities to connect with school children, through the direct request management with thousands of British Columbians who have reached out to our office, and through the thousands more who have accessed our materials, it is clear how deeply British Columbians care about human rights issues and what an important and increasing demand there is for human rights education, reform, and promotion across the province.

Through the eyes of our young people, human rights are clear and essential, something they should be able to take for granted. In our office, we are striving to make their vision a reality.

Sincerely,



**Kasari Govender**  
B.C.’s Human Rights Commissioner

# 2022 / 2021 at a glance



# By the numbers



145,000

Views of our COVID-19 resources

20,000+

Calls and emails from the public on human rights issues

1234

Media mentions



AND

777

Mentions of the Commissioner



21,000+

Views of "intro to human rights" video

193,238

Visits to our website

13,000+

Social media followers



3,000+

45

Special programs managed, allowing duty bearers to prioritize historically marginalized groups

People heard the commissioner speak via 23 keynotes, panels, etc.



52,535

Downloads of our reports, guidance, fact sheets and informational posters

# BC's Office of the Human Rights Commissioner

## Our vision

A province free from inequality, discrimination and injustice where we uphold human rights for all and fulfill our responsibilities to one another.

## Our mandate

To address the root causes of inequality, discrimination and injustice in B.C. by shifting laws, policies, practices and cultures. We do this work through education, research, advocacy, inquiry and monitoring.

## Our role

B.C.'s *Human Rights Code* states that the Commissioner is responsible for promoting and protecting human rights in B.C. In the course of fulfilling this mandate, the Commissioner can do the following:

- **Identify** and promote the elimination of discriminatory practices, policies and programs
- **Develop**, deliver and support research and education about human rights
- **Create** policies, guidelines and recommendations to prevent discrimination and ensure policies, programs and legislation are consistent with B.C.'s *Human Rights Code*
- **Promote** compliance with international human rights obligations
- **Approve** special programs to improve conditions of disadvantaged individuals or groups
- **Intervene** in human rights proceedings before the BC Human Rights Tribunal or other courts and tribunals
- **Assist** complainants in human rights proceedings, as appropriate, to create systemic change
- **Conduct** human rights inquiries and issue reports and recommendations
- **Make** special reports to the Legislative Assembly about human rights in B.C.
- **Inquire** into matters referred to B.C.'s Human Rights Commissioner by the Legislative Assembly

## B.C.'s human rights system

B.C.'s *Human Rights Code* prohibits discrimination based on personal characteristics (such as race, sex, religion, gender identity and disability; these are also known as "protected grounds") in these areas of daily life: housing, employment, services, publications and membership in unions and associations.

Our Office has broad powers to address systemic discrimination in all areas covered by the *Code* and to take action to promote and protect human rights in the province. BCOHRC is also charged with promoting compliance with international human rights obligations.

Our Office is one part of a three-part system of human rights protection and oversight in our province.

### Human rights system



#### BC HUMAN RIGHTS CLINICS (AND OTHERS)

- Assists Individuals to bring a complaint before the BC Human Rights Tribunal



#### BC HUMAN RIGHTS TRIBUNAL\*

- Hears and decides complaints from individuals



#### BC'S OFFICE OF THE HUMAN RIGHTS COMMISSIONER

- Addresses root causes of discrimination

## Our approach

### Guiding principles

We are guided by the following principles, both inside and outside the organization:

- We operate on the basis of **nothing about us without us**, and we centre the perspectives and rights of those most marginalized and those whose rights are at stake.
- We take a **decolonizing approach** to all our work and recognize that human rights can be held by individuals or groups.
- We understand that all of us have **intersectional identities** and experience discrimination and privilege in diverse ways.
- We believe that the protection and promotion of human rights is essential to a functioning **democracy** and are committed to a vision of **democracy** in which the rights of the majority do not trample upon the rights of those in the minority.
- When engaging with community, we move at the **speed of trust**.
- The **urgency of climate change**—and the important relationship between the natural environment and human rights—guides us in the work we do.
- Entrenched problems require **bold actions**. Acting boldly means taking risks, and sometimes we will make mistakes.
- We are **strategic and proactive** in creating change, and balance immediacy with sustainability.
- **Accessibility** of information, space and services is essential to the realization of human rights. Our work will be designed for a range of abilities, cultures, languages, education levels, learning styles and viewpoints.
- In all our relationships, we strive to be **trauma-informed and culturally safe**.

### Human rights-based approach

Indivisibility, inalienability and universality of rights

Intersectional equality and non-discrimination

Meaningful participation, inclusion and empowerment

Transparency and accountability

Rule of Law

### Decolonizing approach

**Decolonization is the dismantling of the process by which one nation asserts and establishes its domination and control over other nations' land, people and culture.**

Decolonization is central to human rights work. The approach requires we recognize both collective and individual rights and responsibilities. It applies the four 'R's for building respectful relationships: reciprocity, reflexivity, responsibility and relevance. Principles include:

- Equality and non-discrimination
- Listening, learning and honouring Indigenous world views, including the value of reciprocity and working in relationship
- Self-reflecting as a mechanism to expose systems of bias
- Recognizing and addressing intergenerational trauma as a direct result of colonization
- Recognizing and supporting self-determination
- Dismantling or transforming laws and institutions designed to oppress Indigenous Peoples and Indigenous ways of knowing and being
- Restoring a respectful relationship to land



# 2021/22 strategic priority highlights

Reimagining human rights in B.C., our five-year strategic plan for 2020/21 to 2024/25, is the roadmap for the Office's efforts to support and advance human rights across B.C.

Our six strategic priority areas are:



Discrimination under B.C.'s *Human Rights Code*



Decolonization



Hate and the rise of white supremacy



Poverty as a cause and effect of inequality and injustice



Human rights protections for those detained by the state



Creating a strong and sustainable organization

In 2021/22, COVID-19 continued to occupy a central place in our work as we supported people and policy makers across B.C. to understand their rights and responsibilities during the pandemic. The impacts of the pandemic have disproportionately affected Black, Indigenous<sup>1</sup> and other racialized people,<sup>2</sup> as well as those living in poverty<sup>3</sup> (including the working poor), who experienced both poorer health outcomes and worse socio-economic outcomes, such as job loss.<sup>4</sup>

Against this backdrop, we present some of the key issues we have seen develop and the targeted actions we took to address them in 2021/22.

<sup>1</sup> <https://www.fnha.ca/Documents/FNHA-COVID-19-Public-Health-Response-Community-Situation-Report-November-5-2020.pdf>

<sup>2</sup> <https://thetyee.ca/News/2021/05/07/Vancouver-COVID-Hotspots-Frontliners-Minorities/>

<sup>3</sup> <https://www.cbc.ca/news/canada/british-columbia/trespass-policy-complaint-1.6068483>

<sup>4</sup> <https://www.genderandcovid-19.org/wp-content/uploads/2021/06/Women-in-a-COVID-19-recession-Canada-and-economic-impacts.pdf>



# Discrimination under B.C.'s *Human Rights Code*

A key reason that BCOHRC exists is to ensure that the rights guaranteed by B.C.'s *Human Rights Code* are protected and respected. We all have the right to be free from discrimination in employment and housing, when accessing services and in union membership. Under the *Code*, we are protected from discrimination on the basis of a number of grounds such as gender, race, Indigeneity and disability. We are committed to improving access to protections of the human rights system by improving B.C.'s *Human Rights Code* and by countering systemic discrimination in our institutions—like in schools and in policing and healthcare settings.

## 2021/22 highlights

- **Provided human rights system information** and referrals to 20,000+ members of the public who contacted BCOHRC via phone and email. <sup>1</sup> This number is nearly 10x the public requests we received in 2020/21, when we reported 2,000+ requests
- **Intervened in *Gibraltar Mines Ltd v Harvey***, a case critical to addressing discrimination on the basis of family status
- **Managed 45 special program applications**, which allow duty bearers to prioritize historically marginalized groups in employment, tenancy and other protected areas in the *Code*
- **Kicked off our Employment Equity project**, examining how employers across B.C. can support equity in the workplace, by sitting down with over 25 public, private and non-profit organizations to hear about their needs for guidance materials
- **Delivered a series of workshops** on rights and responsibilities under the B.C. *Human Rights Code* to more than 450 people in places all across B.C.
- **Brought together the most comprehensive analysis** of policing and arrest data in B.C.'s history to inform our recommendations to address systemic racism in policing to the Special Committee on Reforming the Police Act



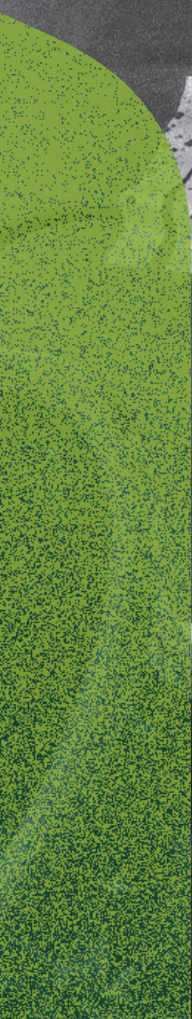
## By the numbers

- At least **1 in 10 people** in B.C. say they believe they have experienced discrimination in the past year and at least 1 in 5 know someone who has<sup>1</sup>
- **41% of respondents** in a provincial poll said they often or sometimes avoid posting comments to social media platforms because they are worried about receiving discriminatory or hateful comments in response<sup>2</sup>
- Most people who have— or who know someone who has— experienced discrimination in the last year said it happened in employment, in a store or restaurant, or in an outdoor public space<sup>3</sup>

<sup>1</sup> Research.co conducted an online survey of 800 B.C. adults for BCOHRC in December 2021. The data has been statistically weighted according to Canadian census figures for age, gender and region. The margin of error is +/- 3.5 percentage points, nineteen times out of twenty.

<sup>2</sup> Ibid.

<sup>3</sup> Ibid.





 FEATURE

## Working to end systemic racism in policing

The time for debate about whether systemic racism exists in policing is over—particularly, but not exclusively, as it effects Indigenous and Black people in British Columbia. It is time to act.

In 2020, the Legislative Assembly of B.C. appointed the all-party Special Committee on Reforming the Police Act (SCORPA) to examine the *Police Act*.

In early 2021, the Commissioner issued requests and orders to produce data to five police services: Vancouver Police Department, Nelson Police Department and the Surrey, Duncan and Prince George RCMP detachments. The Commissioner requested demographic data for a 10-year period on mental health/well-being checks, arrests and detentions and strip searches.

***Through orders and information requests, the Commissioner was successful in securing what we believe to be the largest release of policing data in Canada.***

Dr. Scot Wortley, professor of criminology in the Centre for Criminology and Sociolegal Studies at the University of Toronto analyzed the policing data, revealing a disturbing pattern of systemic discrimination.

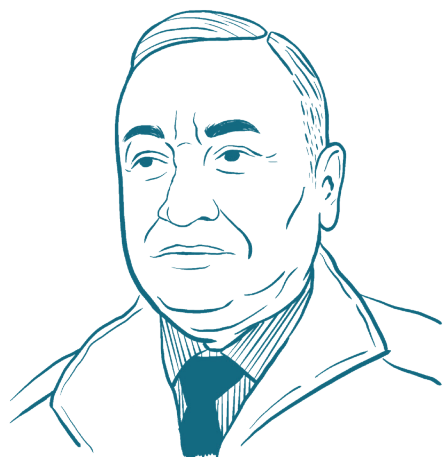
### **Among the findings:**

- Indigenous People are highly overrepresented in arrests or chargeable incidents in all five police services studied. For example, in Vancouver, Indigenous men are 17.3 times more likely to be arrested than their presence in the population would predict.
- Black people are highly overrepresented in arrests or chargeable incidents in three of the five jurisdictions examined: namely, Vancouver, Surrey and Nelson. Hispanic and Arab/West Asian people are also overrepresented in many police jurisdictions.
- People with mental health issues have more frequent interaction with police services, which in turn also has a greater impact on Indigenous, Black and Arab/West Asian people. For example, in Nelson, Black people are 4.7 times more likely to appear in mental health incidents involving police than their presence in the general population would predict.

Indigenous women are either grossly or significantly overrepresented in arrest statistics in most jurisdictions examined in B.C., despite the fact that women are generally underrepresented in arrest statistics. In many cases, their arrest rate exceeds that of white men.

The Commissioner made submissions, [Equity is Safer: Human rights considerations for policing reforms in British Columbia](#), to SCORPA on November 24, 2021. In these submissions, the Commissioner made 29 recommendations about reforms to address a disturbing pattern of discrimination in policing in BC.

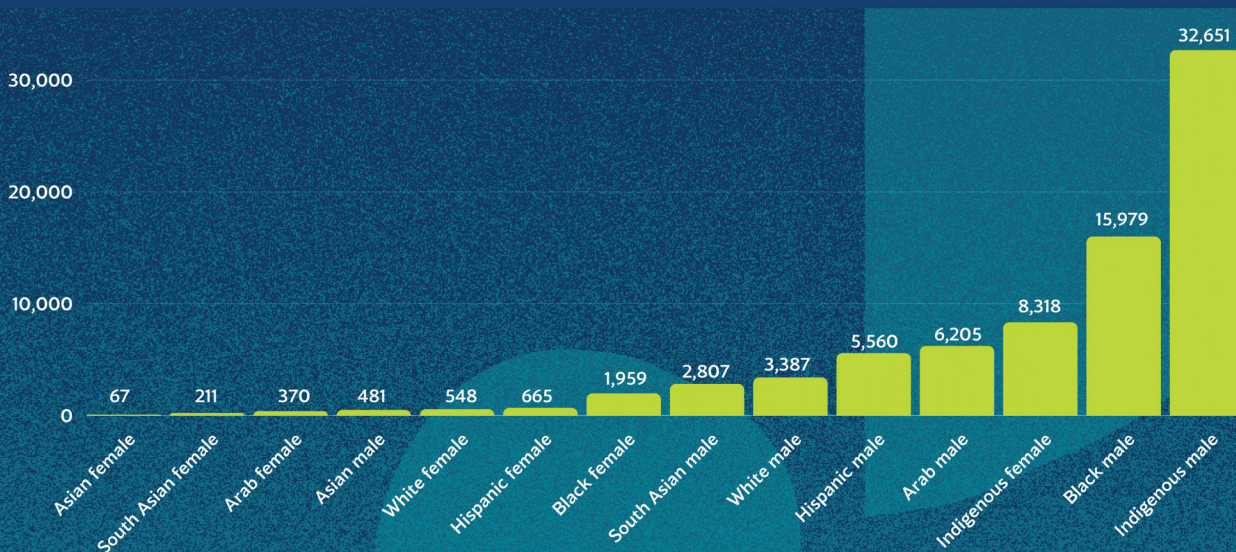
While this report analyzes data and numbers, it is critical to acknowledge that the data is about individuals, particularly Indigenous, Black and other racialized individuals who experience significant and long-term harm, trauma and mental health impacts as a result of police interactions and involvement in the criminal justice system. BCOHRC is calling for immediate and sustained action to address the structural discrimination behind these numbers and to redress the harms caused by it.



***“It’s going to take incredibly strong commitment, leadership and decisive action to fully eradicate the racist attitudes inherent in all police forces within B.C. and right across Canada. First Nations must be true partners in changing policing in B.C. The Commissioner’s recommendations give us a basis for badly needed action. Importantly, those recommendations start with a government-to-government relationship with First Nations on changes to the Police Act. ”***

— Grand Chief Stewart Phillip, President of the Union of BC Indian Chiefs

### Vancouver Police Department, Average Annual Arrest Rates (per 100,000), by Race and Gender, 2011 to 2020



Scot Wortley, "Racial Disparities in British Columbia Police Statistics: A Preliminary Examination of a Complex Issue," (Vancouver, B.C.: British Columbia's Office of the Human Rights Commissioner, 2021), 281-282, 285, [https://bchumanrights.ca/wp-content/uploads/Wortley\\_Sep2021\\_Racial-disparities-police-statistics.pdf](https://bchumanrights.ca/wp-content/uploads/Wortley_Sep2021_Racial-disparities-police-statistics.pdf).

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FEATURE

## Special Programs

“Burnaby Public Library (BPL) began hiring under a BCOHRC Special Program in the fall of 2021. Our small 10-person management team is mostly white and we want the team to more closely reflect Burnaby’s racial diversity and meet the needs of our community where more than 50% of people are immigrants and more than 50% speak a language other than English at home. Since the program started, we’ve hired for 3 positions, and in each case had a stellar field of Black, Indigenous, and Person of Colour candidates. We’ve heard from applicants for these and other positions that the Special Program was evidence of BPL’s commitment to anti-racism and was one of the reasons that they applied to work with us.”

— Beth Davies, Burnaby Public Library







# Decolonization

Historical and ongoing colonialism, including the dispossession of lands, has a devastating impact on Indigenous People and communities. Our Office is committed to supporting self-determination of Nations by listening deeply to Indigenous Peoples. We are working to change and improve structures that impede the full, equal and just participation of Indigenous Peoples in all aspects of economic, social, cultural and political life.

## 2021/22 highlights

- **Following the advocacy of BCOHRC** and other organizations, Indigenous identity was newly added to B.C.'s *Human Rights Code* as an area of someone's identity that is protected against discrimination
- **BCOHRC's 'Grandmother's perspective' report**, which applies a community-based data governance approach to the collection and ownership of disaggregated data, was broadly adopted in B.C.'s new *Anti-Racism Data Act*, which successfully became law in early 2022. The term 'Grandmother's perspective' was coined by Elder Gwen Phillips of the Ktunaxa Nation, who is a champion for the First Nations' Data Governance Initiative, working to equip Nations with the capacity to govern and own their own data. BCOHRC is grateful to Gwen for her contributions to the Office's report and recommendations
- **Commissioner Govender continued her commitment** to deep listening and engagement with Indigenous communities and leaders across the province, sitting down with representatives from more than 15 First Nation and Metis communities in the last year including Taku River Tlingit First Nation, Tk'emlups te Secwepe'mc, Tl'azt'en Nation, Kwakiutl First Nation, Kwikwetlem First Nation, Hupačasath First Nation and many other communities and representative organizations
- **BCOHRC's 'Elders gathering'** for the Inquiry into hate in the pandemic, which took place on March 17, 2022, sought to bring to life our commitments to decolonization by ensuring that Indigenous partners are not only included in the Inquiry through participation in hearings and ceremonies, but that space is created for their leadership in setting priorities and recommendations for change
- **Commissioner Govender was featured** as a keynote speaker at the First Nations Education Steering Committee Speakers Series, speaking with nearly 200 attendees about addressing anti-Indigenous racism in the education system and catalyzing positive change in B.C. schools



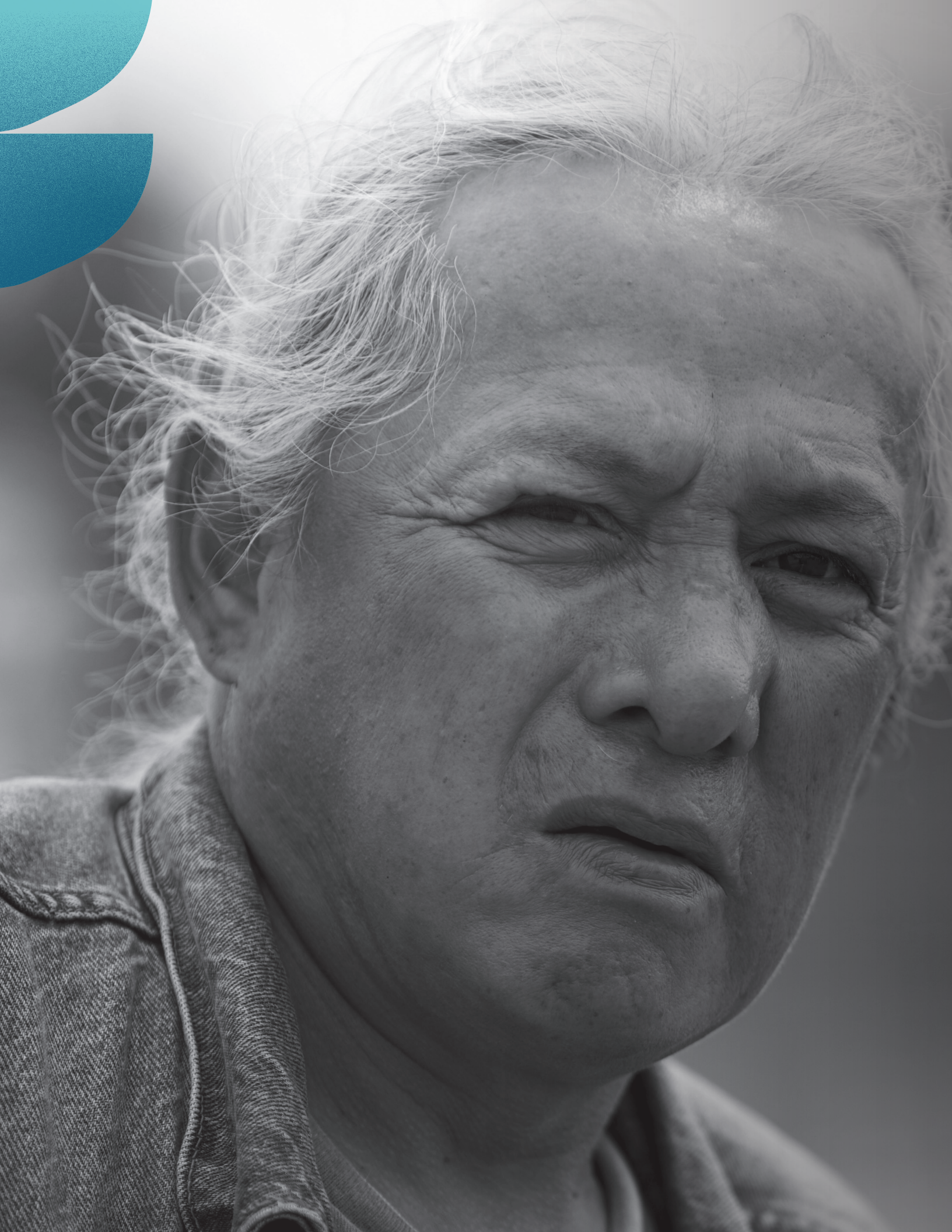
## By the numbers

- There are **34 distinct Indigenous languages** across B.C., including more than 60 dialects. B.C. has the largest number of Indigenous languages in the country. Language revitalization is a key practice of Indigenous cultural resurgence. While numbers of fluent speaker are down, numbers of people learning an Indigenous language are up!<sup>1</sup>
- The **crisis** of Indigenous children being removed from their communities into state foster care continues— In 2022, First Nations, Métis, Inuit and urban Indigenous children outnumbered non-Indigenous children in B.C. government care by a ratio of almost **three to one** even though they make up only 10 per cent of the total population of children in B.C.<sup>2</sup>
- The government of B.C. released the Action Plan for the implementation on the Declaration on the Rights of Indigenous Peoples in March, 2022. The plan outlines **89 actions for the government of B.C.** to take. As an oversight body with a commitment to decolonization and the full realization of the *Declaration Act*, BCOHRC will work to ensure that the commitments of the action plan are implemented<sup>3</sup>

1 First Peoples Cultural Council. Report on the Status of B.C. First Nations Languages, 2018. <https://fpcc.ca/-content/uploads/2020/07/FPCC-LanguageReport-180716-WEB.pdf>

2 CBC News, "B.C.'s funding system 'broken' for Indigenous children in provincial care: report by BC's Representative for Children and Youth". <https://www.cbc.ca/news/canada/british-columbia/funding-allocation-mcfd-1.6401290>

3 CBC News. 2022. B.C.'s funding system 'broken' for Indigenous children in provincial care: report. <https://www.cbc.ca/news/canada/british-columbia/funding-allocation-mcfd-1.6401290>





## **Improving Indigenous Peoples' access to the human rights system**

A key element of BCOHRC's work on decolonization has been to increase the accessibility and relevance of the human rights system for Indigenous Peoples.

Indigenous People continue to face significant human rights issues here in B.C. as a result of colonization and the ongoing dispossession of Indigenous Peoples from their lands and cultures—from over incarceration to the continued overrepresentation of Indigenous children in care. Yet, according to recent research conducted in 2019, Indigenous People are largely not accessing the human rights system to resolve their human rights issues.

Indigenous People report feeling that the discrimination and exclusion they face in their daily lives is reflected and replicated in the human rights system itself, for example in structures that do not reflect their collective rights or foundational beliefs. While Indigenous Peoples have always been protected by B.C.’s *Human Rights Code* under the protections against discrimination based on race or ethnicity, it is clear that Indigenous People carry an abiding sense of exclusion from the very system that is supposed to serve them.

***“There can be no true justice where Indigenous People feel that there is no recourse for violations of their basic human rights.”***

*— Ardith Walpetko We’dalks Walkem, QC<sup>1</sup>*

The addition of Indigenous identity as an explicitly protected ground in the *Human Rights Code* is one important step towards Indigenous Peoples being able to see themselves as included within the protections of B.C.’s human rights system. Alongside Indigenous leadership and the B.C. Human Rights Tribunal, BCOHRC has been calling for this change since 2019. On November 17, 2021, B.C.’s government introduced Bill 18, which added Indigenous identity to the *Code*. On November 25, 2021 the bill became law.

The addition of Indigenous identity to the *Code* marks an important step on the journey to transforming B.C.’s human rights system to make it more inclusive and accessible to Indigenous Peoples—but there is much more to be done. Given the overrepresentation of Indigenous People living in poverty, the inclusion of ‘social condition’ as protected ground is also essential to ensuring that the human rights system reflects and includes the experiences of Indigenous People. The exclusion of social condition from the *Human Rights Code* means that discrimination on the basis of poverty or homelessness is currently not prohibited by law. The addition of social condition in the *Code* will be a key next step to ensure that our human rights system is effective in addressing the kinds of discrimination commonly faced by Indigenous People in B.C.

<sup>1</sup> Ardith Walpetko We’dalks Walkem, QC, *Expanding our Vision: Cultural Equality & Indigenous Peoples’ Human Rights*, <http://www.bchrt.bc.ca/shareddocs/indigenous/expanding-our-vision.pdf>





# Hate and the rise of white supremacy

Combating hate in all its forms—from hateful speech to hateful violence—requires addressing fear and ignorance through a variety of mechanisms for social change. We are committed to engaging in activities that build empathy, curiosity and connection across difference, while using the Commissioner’s powers to issue orders, make recommendations and advance public inquiries to meaningfully redress incidents.

## 2021/22 highlights

- **Launched the Inquiry into hate** in the pandemic—the only independent inquiry of its kind in the world—examining hate in our communities during the COVID-19 pandemic, including:
  - **Conducting** an online survey into experiences of hate that heard from more than 2500+ people
  - **Working** with 15 community liaison organizations to help reach communities impacted by hate incidents to participate in the Inquiry
  - **Gathering** 10 Knowledge Holders to hold an opening ceremony for the Inquiry that grounded our process in community needs and voices
  - **Hearing** from over 100 participants in our Inquiry hearings, representing more than 60+ organizations
- **Developed ‘Hate Speech Q&A’ guidance**, designed to help people better understand human rights law as it applies to hate. Along with “Top 5 things B.C.’s Human Rights Commissioner wants you to know about hate speech”, these resources have been viewed more than 2000+ times
- **Spoke about institutional racism** and hate to lawyers across B.C. in a session titled ‘Confronting racism in the criminal justice system”, reaching nearly 500 people
- **Partnered with the BC Association of Broadcasters** to launch a province wide anti-hate campaign for tv, radio and print called **Never Accept Hate (#NAH)**. The campaign will run for a year all across British Columbia and leverage private sector partnerships to achieve more than \$2.5 million in advertising visibility



## By the numbers

- More than **one-in-four** British Columbians (26%) witnessed hate incidents during the pandemic—including 50% of those aged 18-to-24<sup>1</sup>
- About **one-in-six (16%)** have been affected by hate incidents directed at their community during the pandemic—including 29% of respondents of East Asian origin and 32% of respondents of Southeast Asian descent<sup>2</sup>
- Almost **one-in-ten** British Columbians (**9%**) directly experienced a hate incident during the pandemic—including 20% of Indigenous respondents and 15% of East Asian respondents<sup>3</sup>

<sup>1</sup> Research.co conducted an online survey of 800 B.C. adults for BCOHRC in December 2021. The data has been statistically weighted according to Canadian census figures for age, gender and region. The margin of error is +/-3.5 percentage points, nineteen times out of twenty. <https://hateinquiry.bchumanrights.ca/1-in-4-british-columbians-have-experienced-or-witnessed-hate-incidents-since-start-of-pandemic/>

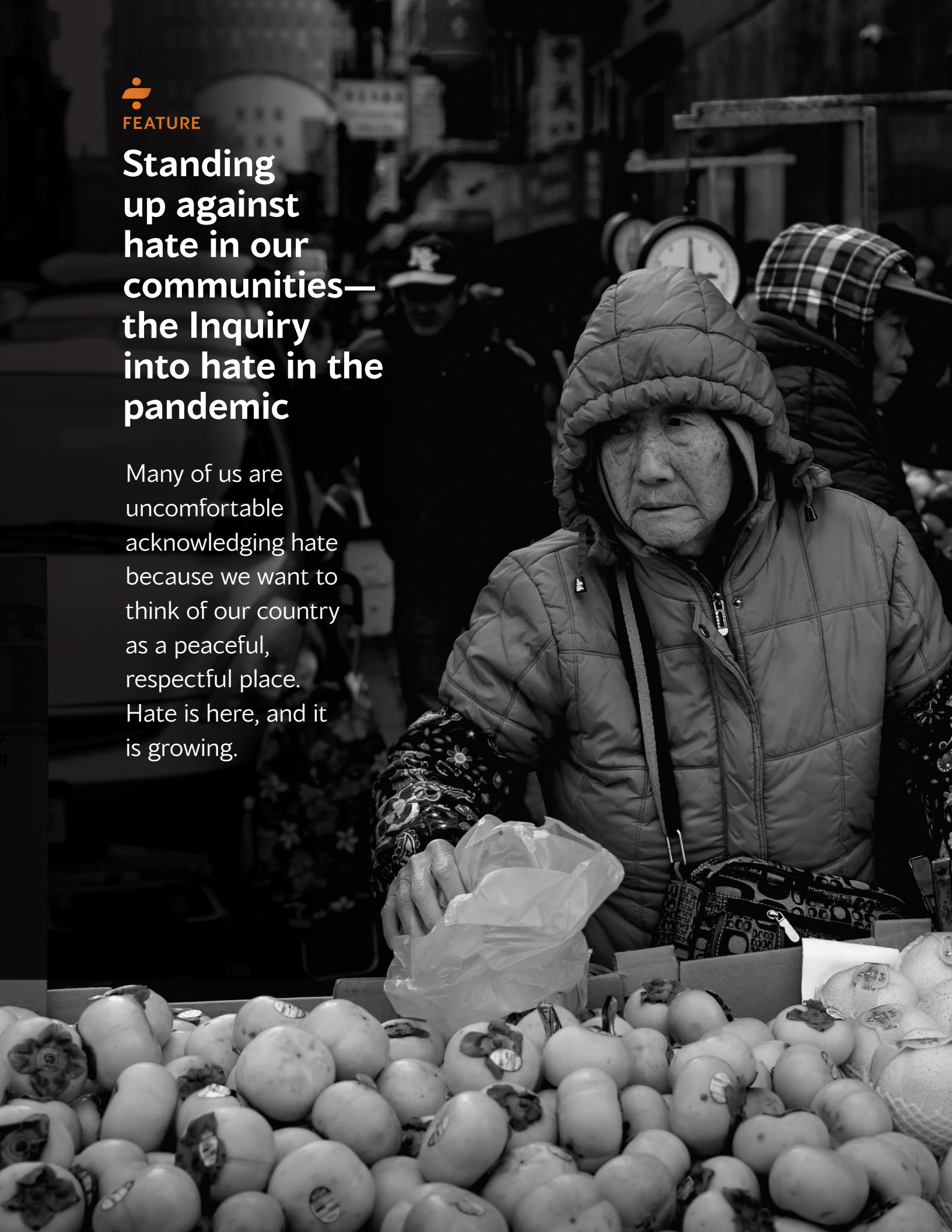
<sup>2</sup> IBID.

<sup>3</sup> IBID.



# Standing up against hate in our communities— the Inquiry into hate in the pandemic

Many of us are uncomfortable acknowledging hate because we want to think of our country as a peaceful, respectful place. Hate is here, and it is growing.





Over the course of the pandemic, disturbing reports of hate incidents have emerged from across British Columbia. BCOHRC has been monitoring hate incidents as part of our core strategic priority work on hate and white supremacy. Since early 2020, there has been a significant increase in reported hate-related incidents in B.C., highlighting an urgent need to better understand the reasons and responses to hate in our communities.

In August of 2021, BCOHRC officially launched the Inquiry into hate in the pandemic. The intent of the inquiry is to examine hate in all its forms: not only racism and racial hate, but also hate directed at groups protected under B.C.'s *Human Rights Code*. For example, hate perpetuated on the basis of religion, gender identity, disability, Indigeneity, sexual orientation, poverty or homelessness.

A public inquiry is an official review of major events or issues to establish facts and make recommendations for change. It is an opportunity to delve deeply into the human rights implications of a particular incident or issue, to gather factual and expert evidence, to hear directly from people impacted through witness statements or surveys and to make recommendations to address the human rights issues raised. An inquiry is not a court of law and cannot make legal findings of guilt or liability or compel governments to accept inquiry recommendations.

To mark the official beginning of hearings, BCOHRC hosted an Opening Ceremony that centered the voices of ten people from communities impacted by incidents of hate during the pandemic. Since the launch of the hearings, BCOHRC has received more than 100 submissions from over 60 organizations. We have partnered with five prominent scholars to develop research on the roots of hate, the experience of online hate, the impacts of the pandemic on domestic violence and Indigenous legal responses to hate. We have heard from more than 2500+ people through a province wide survey—translated into more than 11 languages— and learned a lot about people's experiences through province-wide polling.

***“The public inquiry will allow the many communities impacted by hate to be more than just a statistic and build a brave space to be in right relations with one another.”***

*— Zara Chaudhry, Project Manager, The Inclusion Project*

Through the course of 2022, the Inquiry will continue to gather evidence and formulate recommendations to address, eliminate or prevent hate incidents during times of crisis and beyond. Recommendations are expected to be released in early 2023.

“Through this process we have come to see more clearly the deep impact that incidents of hate have had on our communities, but **we are not powerless in the face of hate.** As B.C.’s Human Rights Commissioner, and as a racialized woman who has dedicated her life to struggling for greater justice and equality, I believe that this inquiry is an important step against hate and discrimination.”

—Kasari Govender, B.C.’s Human Rights Commissioner



# Poverty as a cause and effect of inequality and injustice

Women, gender diverse people, Indigenous People, people with disabilities, seniors and people of colour are more likely to live in poverty.<sup>1</sup> While domestic protections lag behind, the high rates of poverty in the province violate B.C.'s obligations to respect people's right to an adequate standard of living as enshrined in international law. We are committed to working towards effective and meaningful domestic protections for economic rights, engaging with poverty as a human rights issue and dismantling discrimination against people living in poverty.

## 2021/22 highlights

- **Intervened in *Gibraltar Mines Ltd. v. Harvey*** at the BC Supreme Court, a case about family status discrimination with important implications for the employment rights of people across B.C.—especially women
- **Conducted consultations and convened meetings** with provincial anti-poverty and shelter organizations to prepare submissions on the provincial Homelessness Strategy, which is expected in fall 2022
- **Delivered a keynote address** for the Homelessness Services Association of BC about our work to protect people from discrimination based on poverty and social condition
- **Participated in coalition work** to secure 10 days of paid sick leave for workers across B.C.
- **Continued our work** to see social condition added as a protected ground to B.C.'s *Human Rights Code*

<sup>1</sup> Populations Disproportionately Impacted by COVID-19." City of Vancouver, Social Policy and Projects Research and Data Team. January 2021. p. iii



## By the numbers

- **1 in 5 B.C. children<sup>1</sup>** are still growing up in poverty, which is approximately 156,000 children
- Workplace discrimination continues to impact women's economic safety. **14% of women<sup>2</sup>** in B.C. report experiencing unfair treatment in the workplace, with 9% reporting that it has resulted in loss of potential employment
- Only **14% of the lowest-income Canadian workers<sup>3</sup>** had paid sick leave, compared with 74% of the highest-income workers

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1 First Call child and youth advocacy coalition. *2021 child poverty report card*. [https://stillin5.ca/wp-content/uploads/2021/11/First\\_Call\\_Report\\_Card\\_2021\\_Nov\\_23\\_web.pdf](https://stillin5.ca/wp-content/uploads/2021/11/First_Call_Report_Card_2021_Nov_23_web.pdf)

2 Results are based on an online study conducted by Researchco. from April 1 to April 5, 2022, among 650 adults in British Columbia who are employed full time or part time. The data has been statistically weighted according to Canadian census figures for age, gender and region in British Columbia. The margin of error, which measures sample variability, is +/- 3.9 percentage points, nineteen times out of twenty.

3 David Macdonald. *COVID-19 and the Canadian workforce: Reforming Ei to protect more workers*. Canadian Centre for Policy Alternatives. <https://policyalternatives.ca/publications/reports/covid-19-and-canadian-workforce>



FEATURE

## Fighting poverty by working to end family status discrimination in employment

In April 2021, B.C.'s Human Right Commissioner applied to intervene in *Gibraltar Mines v. Harvey*. The case involved a human rights complaint from Ms. Harvey, a welder employed at Gibraltar Mines. Ms. Harvey alleged that her employer discriminated against her by refusing to allow her or her husband—an electrician employed at the same worksite—to change their schedules to accommodate their childcare responsibilities.



At the time in question, both the complainant and her husband worked the same 12-hour shift. She alleged she was discriminated against on the basis of family status because the company would not provide her or her husband with reasonable accommodation so she could meet her childcare and family responsibilities when she returned to work after maternity leave.

The employee brought her complaint to the BC Human Rights Tribunal. Gibraltar Mines applied to have the complaint dismissed, but the Tribunal denied the request to dismiss the complaint. Gibraltar mines then filed for a judicial review of the Tribunal's decision to allow the complaint to be heard. The British Columbia Supreme Court heard the review, which included arguments about the proper interpretation of B.C.'s *Human Rights Code*'s protections against family status discrimination in employment.

### ***The B.C. Supreme Court's decision, released in March 2022, was a disappointing outcome for ensuring gender equality in the workplace in B.C.***

The court found that allegations of discrimination involving family status are only valid when the employer has changed the terms and conditions of the workplace, resulting in a serious interference with a substantial parental obligation. In the case of *Gibraltar Mines Ltd. v. Harvey*, the parents were working the same 12-hour shift prior to having their child, so there was no change in work conditions by the employer.

In other provinces, families who face conflicts between their work schedules and parenting obligations do not have to show their employer changed their terms of employment to make a discrimination case. In Alberta, for example, family status discrimination cases don't hinge on whether a company has unilaterally changed the terms of employment thereby causing childcare issues. The threshold for caregivers to prove discrimination is more restrictive in B.C. and makes it harder for parents, and women in particular, to achieve equality in the workplace.

The case has been appealed to the B.C. Court of Appeal and the Commissioner has applied to intervene in the appeal.

***“We are continuing to intervene in this case to ensure that the Human Rights Code provides meaningful protections for women and parents who face discrimination at work on the basis of their caregiving responsibilities at home. Without these kinds of workplace protections against discrimination, women and children in B.C. will continue to face disproportionate rates of poverty.”***

— Kasari Govender, B.C.'s Human Rights Commissioner





# Human rights protections for those detained by the state

BCOHRC believes that we all have the right to be free from arbitrary detention, abuse of power and other unfair treatment if we are detained by the police, in correctional centres, under community supervision or in mental health systems. We seek to ensure public bodies are held accountable for treating people in their custody in accordance with human rights protections.

## 2021/22 highlights

- **Pushed for culturally safe and trauma-formed approaches** to substance-use care, including writing to the Minister of Mental Health and Addictions to oppose legislative amendments that would allow for involuntary admission to mental health facilities for youth facing substance-use problems, in the absence of robust and well-funded voluntary mental health services. In early 2022, B.C.'s government announced that it would not proceed with their proposal to bring back involuntary youth stabilization care, and would instead look to develop a more comprehensive approach that does not require involuntary admission<sup>1</sup>
- **Joined the Ombudsperson** in calling for the establishment and funding for an independent legal advice service for young people detained under B.C.'s *Mental Health Act* as recommended in **Committed to Change: Protecting the Rights of Involuntary Patients under the *Mental Health Act***
- **Advocated for improvements** to the conditions of detention in B.C. correctional facilities. In August 2021, concerns were brought to the Commissioner about unsafe and unsanitary living conditions in North Fraser Pretrial Centre. The Commissioner met with BC Corrections, Correctional Health Services, and the Investigations and Standards Office to raise these concerns. Subsequently, BC Corrections did some deep cleaning and worked with correctional staff to ensure there is a documented cleaning and quality assurance process
- **Called for the end of immigration detention** in B.C. jails. In November 2021, the Commissioner wrote to the Minister of Public Safety and Solicitor General calling for the province to terminate their agreement with Canada Border Services Agency that allows for immigrants and refugees to be held in B.C. jails while awaiting their immigration decisions. In January 2022, the Minister announced a review of the agreement. In March 2022, the Commissioner made submissions calling for the end of immigration detention in B.C. jails. Results of the Minister's review are expected to be released in summer 2022

<sup>1</sup> CBC news. April 2022. B.C. scraps controversial plan to involuntarily treat youth who overdose. <https://www.cbc.ca/news/canada/british-columbia/bc-involuntary-youth-treatment-overdose-1.6436522>



## By the numbers

- Detentions of children and youth **increased by 162%** under the *Mental Health Act* from 2008/09 to 2017/18<sup>2</sup>
- In 1998 the Government of B.C. created a provincial Mental Health Advocate after findings from the Office of the Ombudsperson showed a “significant gap in advocacy” for mental health patients. However, the BC Mental Health Advocate office was abolished in 2001 despite an external evaluation that concluded the office should be retained<sup>3</sup>
- People who suffer from both mental health and substance use issues made up 32% of the B.C.’s provincial prison system in 2017—**up from 15% in 2009**<sup>4</sup>. Despite these increases, critical health supports remain badly needed in B.C.’s correctional facilities

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<sup>2</sup> BC’s Representative for Children and Youth. Detained: Rights of Children and Youth under the Mental Health Act, p. 5 and 29. [https://rcybc.ca/wp-content/uploads/2021/01/RCY\\_Detained-Jan2021.FINAL\\_.pdf](https://rcybc.ca/wp-content/uploads/2021/01/RCY_Detained-Jan2021.FINAL_.pdf)

<sup>3</sup> Dr. Nick Poushinsky. Report of the Evaluation of the Role of the Mental Health Advocate for British Columbia. December 28, 1999, p 8.

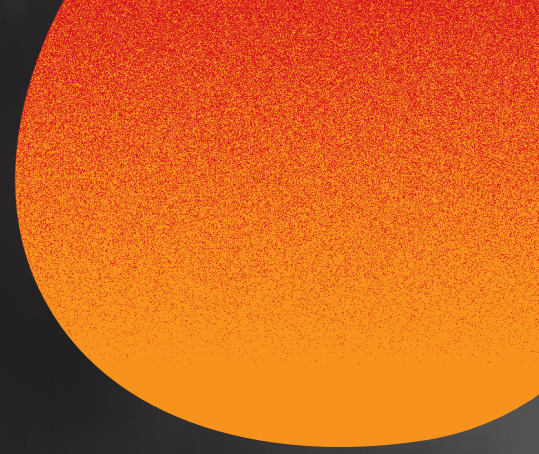
<sup>4</sup> CBC News, ed., “Prisoners in B.C. Struggling with Mental Health and Substance Use Issues up Significantly, Study Finds,” December 5, 2021.



FEATURE

# Ending immigration detention in B.C. jails

In 2021, BCOHRC joined Human Rights Watch, Amnesty International and a diverse coalition of partners in calling for the end of immigration detention in B.C. jails. In this section, Samer Muscati of Human Rights Watch reflects on the importance of the issue and the value of BCOHRC's collaboration.







COMMUNITY PARTNER  
CONTRIBUTION

**Samer Muscati,  
Human Rights Watch**

Immigration detainees are held for strictly administrative reasons under immigration law, most commonly because a border officer believes they may not appear for an immigration or refugee proceeding.<sup>1</sup> Nevertheless, they endure some of the country's most restrictive confinement conditions, including maximum security provincial jails and solitary confinement.

There is no legislative limit to the length of time immigration detainees can be held, so migrants and asylum seekers face the risk of indefinite detention. This violates international human rights law and can result in devastating impacts on health and well-being.<sup>2</sup> Evidence shows that racialized people and those with disabilities experience harsher treatment and may be detained for longer periods of time.

The voices of people held in immigration detention continue to fuel our work to end this practice:

***"I fled to Canada to seek protection. I was arrested without charges and my belongings were taken, including the batteries for my hearing aids. Without them I was in silence."***

*— Abdelrahman Elmady, a man with hearing disability who was held in three B.C. jails in 2017*

1 Amnesty International and Human Rights Watch, "I Didn't Feel Like a Human in There: Immigration Detention in Canada and Its Impact on Mental Health," 2021, <https://www.amnesty.org/en/documents/amr20/4195/2021/en/>

2 BC's Office of the Human Rights Commissioner. Submission to the Minister of Public Safety and Solicitor General regarding immigration detention in provincial correctional facilities. 2022. <https://bchumanrights.ca/publications/immigration-detention/>

***“I was seven when I came to Canada from Afghanistan. I’ll never forget the border officers handcuffing my parents...Now I’m studying to become a refugee lawyer so that others can have a better Canadian story.”***

— “Amina”, held in a detention facility as a child in 2007

Human Rights Watch and Amnesty International, along with a diverse coalition of partners, have been working from coast to coast through the Welcome To Canada campaign, to call on provinces to end their immigration detention contracts with the Canada Border Services Agency. These contracts allow for federal authorities to incarcerate immigration detainees in provincial jails, contrary to international human rights standards.

This year, we are grateful for the decision by BCOHRC to issue their own call for an end to immigration detention in B.C. jails. I believe that having the voice of B.C.’s Human Rights Commissioner on this issue will give a powerful boost to our advocacy on this issue in B.C. and across the country.

In November 2021, BCOHRC wrote to B.C.’s Minister of Public Safety and Solicitor General. Early in the new year, the Minister announced a review of the province’s contract with the Canada Border Services Agency, making B.C. the first province in the country to re-consider this practice. [In February, the Commissioner made submissions directly to the Minister as part of the Province’s official review process.](#) The submissions were comprehensive and the conclusions that the Commissioner shared in her submissions are damning.

The Commissioner’s submissions clearly state that immigration detention in B.C. jails is a violation of the right to substantive equality, discriminating against people with disabilities and racialized people. It is also a violation of the right not to be arbitrarily detained.

***It’s time for B.C. and Canada to truly welcome people seeking safety or a better life. The Commissioner’s work on immigration detention, as one part of a groundswell of action across the country, is an important step on the road to ending this decades-long cruel and unnecessary practice of jailing migrants and asylum seekers. The Province of B.C. has an opportunity to be a leader. Their decision is expected in the summer of 2022.”***

— Samer Muscati, Associate Director of Disability Rights, Human Rights Watch



# Creating a strong and sustainable organization

BCOHRC has a sixth, operational, strategic priority: to create a strong and sustainable organization capable of generating progressive impact on human rights in B.C. This includes building and sustaining a dynamic, healthy, diverse and inclusive team, establishing operational systems and processes in alignment with our goals and guiding principles.

## 2021/22 highlights

- **Hired 25 people** using a recruitment process focused on equity, inclusivity and accessibility; attracting a large and diverse pool of highly qualified candidates
- **Developed an internal education program** to deepen staff knowledge around crucial human rights issues and practices, including office wide trainings on accessibility best practices
- **Ensured that all new and existing BCOHRC staff** completed Indigenous cultural safety training and had opportunities to continue their education in decolonizing practices
- **Developed a specialized counselling policy**, which expands mental health supports for BCOHRC staff to better meet their needs, to ensure that we couple our recruitment of staff with lived experience of discrimination with adequate supports for those staff, and to shift the conversation about mental health benefits as a critical health support
- **Launched our first Workplace Environment Survey** and participated in the Public Service Workplace Environment Survey
- **Worked on developing a framework** to ensure alignment between policies and our guiding principles. This included working with experts in policy, equity, diversity and inclusion and directly with Indigenous People specializing in community engagement
- **Worked closely with Simon Fraser University** on a sustainable procurement practices research project to look at ways to minimize our ecological footprint and understand the human rights impacts on the full life cycle of the items we purchase for our organization



## By the numbers

- BCOHRC works to represent **communities across B.C.** We currently have staff working in Vancouver, Victoria, Kelowna and Prince George
- Staff at BCOHRC speak more than **12 languages**, including Somali, Urdu, Punjabi, Khmer and many others
- In less than three years, BCOHRC will have gone from a staff of 0 people to a **team of nearly 40**

# Our 2021/22 impact

To measure the impact of our work and its consequences for human rights across B.C., BCOHRC has developed an evaluation and impact framework centered on five concepts:

- Building respectful and accountable relationships
- Creating accessible and relevant public education materials
- Providing recommendations to decision-makers on ways to improve systemic human rights issues
- Developing legal arguments to influence case law
- Building human rights-based policies, practices and culture

In each section below you can see highlights from a few key pieces of work that inform our impact evaluation for 2021/22.

## Building respectful and accountable relationships

To build trust, we must show accountability. This is the premise under which our office works to establish relationships with partners across B.C. This commitment extends from our first interactions with people who call or email our Office to the communities we consult, partner and co-create with. In 2021/22, we heard from more people than ever before, and we look forward to continuing to expand and deepen our networks as we grow together towards a province free from discrimination and steeped in respect for our rights and responsibilities.

### Public requests for information and referrals

Public education through one-to-one information sharing and referrals are an important part of our work. We see every request from the public as an opportunity for human rights education. Although we are not a direct service organization for the public, we are committed to responding to and offering referrals to every member of the public who contacts us.

In the 2021/22 period, BCOHRC received more than 20,000 incoming calls and emails from members of the public with questions, comments and issues. This is a ten-fold increase from the number of calls and emails received the year before at close to 2,100 total. Of these, 95-98% of people who contacted BCOHRC with a question or concern were referred to an agency or service to support them.

**Most frequently, people were referred to the Human Rights Clinic or the Human Rights Tribunal, Access Pro Bono and the lawyer referral service. The majority of inquiries this year were related to questions about COVID-19 masking and vaccination mandates, followed by concerns about discrimination under the *Code* relating to disability and racism.**

**TOP INQUIRIES**  
COVID-19 masking  
Vaccination mandates  
Concerns about discrimination based on disability and race.

**TOP REFERRALS**  
Human Rights Clinic  
Human Rights Tribunal  
Access Pro Bono  
Lawyer Referral Service



A photograph of a man and a woman in a close embrace. The man, on the right, is bald with a blue headband and a light blue shirt. He has his eyes closed and a gentle smile. The woman, on the left, has long brown hair and is wearing a red and gold patterned headscarf. She is wearing a white long-sleeved shirt. They are outdoors, with a blurred background of trees and a building. A dark blue semi-transparent overlay covers the bottom half of the image, containing white text.

## FEATURE

# No Wrong Door initiative

We believe that people should be able to knock on any door in B.C.'s human rights system and be assisted to find their way to the right place. Whether individuals contact the BCOHRC, BC Human Rights Tribunal or BC Human Rights Clinic, all three institutions are committed to working together to ensure that individuals receive support and referral to help them navigate the system. We call this commitment the 'No Wrong Door' initiative.

In 2021/22 this initiative expanded from the BC Human Rights Tribunal and the BC Human Rights Clinic to include other legal clinics operating in the province. Together, we will work to improve access to human rights by breaking down barriers to accessing the human rights system.

## Our community engagement work

BCOHRC's engagement approach is grounded in the four 'R's for building respectful relationships: reciprocity, reflexivity, responsibility and relevance.<sup>1</sup> Building off this approach, BCOHRC has met with and hosted events for nearly 1000 people in 2021/22.

In 2021/22, this work included:

- [Participating in 23 external speaking engagements, panels, keynotes and conferences on all aspects of human rights, reaching 3,000+ people](#)
- Consulting with 23 organizations on our [submissions on reforming the Police Act](#). This work involved implementing the 'Grandmother's perspective' approach to community governance over disaggregated data collection and ownership by recommending the involvement of a community governance committee in developing data standards for police services
- Convening human rights educators from across Canadian human rights commissions to discuss and share best practices in public education
- Bringing together frontline staff from the BC Human Rights Tribunal and BC Human Rights Clinic to coalesce on ways to better serve the public through a 'No Wrong Door' approach—which means that wherever people turn to for help in the human rights system, they will not be turned away but instead supported to get to the right place in the system
- [Hosting workshops on B.C.'s Human Rights Code](#) for more than 450 people
- Hosting an event on [hate speech in B.C.](#) for more than 160 people

<sup>1</sup> These criteria are adaptations of the four key principles (known as the 4Rs) for participating in Indigenous research—respect, reciprocity, relevance and responsibility—as initially described in 1991 by Kirkness, V.J. & Barnhardt, R. (1991). First Nations and Higher Education: The Four R's—Respect, Relevance, Reciprocity, Responsibility. *Journal of American Indian Education*, 30(3): pp. 1-15



*"Hello,*

*Thank you very much for your reply, the additional information you provided and your suggestion to also follow up with my MLA and the actual [Public Health Officer's] PHO's office.*

*I'm grateful for all of you at the BCOHRC doing important work to raise awareness of human rights and social justice issues.*

*I appreciate your response and good customer/citizen service approach from your organization.*

*Take good care, we really are "all in this together!"*

*— Sebastien S.*

In 2021/22, the Commissioner reached more than 3,065 people through external speaking engagements. A few of her presentations included speaking with Senior Citizens Organizations of British Columbia (COSCO) at the 'Living in the 21<sup>st</sup> Century: A Seniors' Strategy' conference, the Campbell River School District teacher's conference and the International Association of Official Human Rights Agencies annual conference.

The Commissioner continued to work to advance human rights within the public sector through her presentations at the 'Equity and Inclusion—Moving to Action' conference, her keynote address on International Human Rights Day to the BC Lottery Corporation.



## Our Indigenous engagement work

To work in true partnership with—and to be led by— Indigenous leaders and communities, is the core of our decolonial approach to human rights work.

These partnerships do not come quickly or easily. Relationships of trust and reciprocity are built over the long term. The Commissioner began meeting informally at the outset of her term, while the Office developed a three-year trajectory for building relationships with Indigenous communities across B.C. Over the course of the Commissioner's initial five-year mandate, she has set an ambitious target to meet with dozens of Indigenous communities every year—and ultimately with community leaders from every First Nation in B.C.—to ensure our work reflects decolonizing principles and supports the needs of Indigenous Peoples across the province.

In 2021/22, BCOHRC met with fifteen Indigenous communities and representative organizations. The Commissioner had the honour of speaking with:

- the Assembly of First Nations of BC
- the Urban Native Youth Association
- the Taku River Tlingit First Nation
- the Gitanyow First Nation
- the Tl'azten First Nation
- the Kwakiutl First Nation
- Saik'uz First Nation
- Kwikwetlem Chief and Council
- Gitxaala First Nation
- the ʔaq'am First Nation
- the Hupačasath First Nation

The Commissioner also delivered speeches and presentations at the First Nations Education Steering Committee and the First Nations Summit sessions.

The Memorandums of Understanding developed with the First Nations Leadership Council and the First Nations Education Steering Committee continue to guide our relationships and help us to work in partnership in a good way.

***“Decolonizing our laws, systems and society, is one of my Office’s core strategic priorities. Effective human rights work – especially the work of decolonization – begins with building respectful relationships. Transformative social change won’t happen without it.”***

*— Kasari Govender, B.C.’s Human Rights Commissioner*

## Creating accessible and relevant public education materials

As an organization with a broad mandate to educate and engage with people and organizations province wide, BCOHRC uses a wide variety of educational content to reach our audiences with the right information in order to influence attitudinal and behavioural change.

In 2021/22, we launched 16 new educational products on subjects as diverse as facilitators' guides on systemic racism to policy guidance to help people navigate COVID-19 rights and responsibilities. Here's a deeper look at just three of these educational products.



***“Thank you so much for the materials you have been producing on [human rights] during the pandemic, especially on vaccines and masks - super useful for me as a service provider giving referrals, a human rights complainant representative, daughter and friend.”***

*— Event participant*

# Housing in B.C.'s *Human Rights* Code and how the law relates to you

Online, Nov. 16, 2021, 3:00-4:30 p.m. PST



British Columbia's  
Office of the Human Rights  
Commissioner

## Code workshops and intro to human rights videos

For over seventeen years, the absence of a human rights commission in B.C. meant that there was a significant unmet need for fundamental public education about the B.C. *Human Rights Code*. Nowhere is the thirst for this information more apparent than in the enthusiastic public response to the Office's *Code* workshops and human rights system video offerings.

Our '[Intro to human rights](#)' video has now been viewed more than 21,000 times. Coupled with the [Learner's Kit](#) and [Educator's Guide](#), these videos provide an important entry point for learning about human rights protections and responsibilities here in B.C. In 2021/22 we were hard at work developing a second video in the series that helps to disambiguate the specific roles of the BC Human Rights Tribunal, BC Human Rights Clinic and BC's Office of the Human Rights Commissioner. The next video is expected to be launched in summer 2022.

Since the [Code Workshops](#) were launched in May 2021, more than 450 people have attended. The workshops have focused on specific aspects of the *Code*, including housing, service provision and employment, and are aimed at helping rights holders and duty bearers to understand their rights and responsibilities in these arenas. The workshops themselves are small group sessions intended to facilitate conversation and questions from participants. However, there has been such significant demand for the sessions that they have now been translated into 11 languages and will be made available as digital offerings in 2022.

***“The session is really helpful especially for immigrants or someone who is not aware of their own rights. I hope that more of this kind of sessions may be offered to educate and benefit more people. By knowing about our own rights, then we can help others as well when situation arises. Thank you for organizing and offering the session. I have learned a lot about it within a very short time frame.”***

— Code workshop participant, May 2021



## Hate speech Q&A

Hate speech comes in many forms. It can include hatred rooted in racism, misogyny, homophobia, transphobia, antisemitism, Islamophobia and white supremacy. But for many people, understanding the protections that exist for hate speech here in B.C. can be difficult. Since BCOHRC was reestablished in 2019, the Office has consistently heard from people across the province about the difficulties they face in identifying when harmful speech rises to the legal definition of hate speech and what they can do about it.

In September of 2021, the Office launched a new [Hate Speech Q&A](#) tool to help communities across B.C. better understand the complex landscape of hate speech laws. The resource was launched during a public event attended by more than 160 people and has now been viewed approximately 2000 times.

***“Learning about the new tool on your website was really helpful. I am really interested in better understanding the law but am also generally overwhelmed by massive texts and so avoid searching out and interpreting laws. I feel like I get too deep “in the weeds” and typically feel just as confused after reading about laws as I did when I started. This tool is really well laid out.”***

*—Event participant*

## PHOTO-VIDEO 'I love my human rights' video series

The ['I love my human rights' video series](#) features the voices of everyday people in British Columbia, each with an extraordinary human rights story to tell. The series title was inspired by our first storyteller, B.C. artist and disability self-advocate Teresa Pocock, who in 2014 created the slogan for her successful public campaign to defend her right to choose where she lived. At the heart of the series is the knowledge that individual stories help to connect us. They can build empathy and compassion across difference, and they can help us to see a person or issue from a new perspective.

***“Empathy and emotional connection can be powerful corrosive agents against hate and discrimination.”***

*— Kasari Govender, B.C.'s Human Rights Commissioner*

In 2021/22, BCOHRC had the honour of profiling three individuals in newly launched videos: Brandon Yan, Danny Ramadan and Anthony Brown. This year, storytellers explored themes of queer identity, migration stories and the deep roots of Black people in British Columbia.

Each video is accompanied by a conversation guide to assist groups like businesses, organizations or classrooms to explore themes in the “I love my human rights” series. To launch these videos, BCOHRC hosted Facebook Live events featuring the storytellers in conversation with the hosts and audience. For our newest video featuring Anthony Brown, two amazing young representatives from the high school group ‘Daily Dose of Blackness’ joined Anthony for an intergenerational conversation about not only the history of Black people in B.C., but also the future. Learn more about these storytellers below.



### **BRANDON YAN**

Brandon Yan is the Executive Director of Out On Screen, a B.C. film and education non-profit that produces the Vancouver Queer Film Festival, and Out In Schools. In this video, he shares his experience grappling with his identity as a queer man of mixed Chinese-White heritage—including the discrimination he has faced and the happiness he has found.

***“Understanding white supremacy and internalized racism is key to not only supporting oneself but also other communities we need to stand in solidarity with.”***



### **DANNY RAMADAN**

Danny Ramadan is a Syrian-Canadian author and LGBTQ+ refugee advocate. In this video, he shares his experience coming out and finding community, working as a journalist during the Arab Spring and Syrian civil war, being arrested and forced to leave Syria and starting over in Canada as a writer, public speaker and activist.

***“It’s a lot of fun to see what a person who has always been denied freedom is capable of doing when offered that freedom.”***

### **ANTHONY BROWN**

Anthony Brown is a documentary filmmaker and seventh generation Black Canadian. In this video, Brown shares the importance of valuing and showcasing Black peoples contributions to British Columbia.

***“Black history in B.C. is important because it’s never been told, and it’s time that it gets showcased.”***





***“It was special to stand up for something important and to do it with my friends. Viola Desmond worked hard for the rights of Black Canadians and to me, that means everything!”***

*— Sequoia (10 years old)*

#### FEATURE

## **‘What equality means to me’– as told by 10 year olds**

To celebrate International Human Rights Day on December 10, 2021 and to recognize Black History Month, BCOHRC had the pleasure of partnering with a truly fantastic elementary school class. Together, the class shared their views on what equality means to them. In one very special segment, Emily and Sequoia talked more about the life of Black Canadian civil rights icon Viola Davis, and what her story means to them. You can find [Emily and Sequoia’s video here](#).

## Providing recommendations to the B.C. government and other duty bearers on ways to prevent, reduce, mitigate or ameliorate systemic human rights issues

Working with duty bearers of all kinds is one important way to root out systemic discrimination in the province. As an independent officer of the Legislature, B.C.'s Human Rights Commissioner provides guidance and recommendations to elected officials and government leaders as well as employers, landlords and service providers in other sectors on ways to ensure these systems cease to disadvantage and discriminate against marginalized communities.

The Office is also focused on preventing human rights violations before they occur. Through our work on educating and engaging with duty bearers and holding those in power to account, we aim to increase the number of duty bearers that use our recommendations and materials in their teaching, training, policies and practices.

### Disaggregated data collection becomes law

By making systemic inequalities in our society visible, data can lead to positive change. For decades, racialized communities, scholars and activists have been calling for the collection of data that reflects the specific experiences of people along lines of race, gender, age, sexual orientation and more. This kind of data is often called disaggregated data, and its collection is one important tool for making public policy more equitable. Since 2020, BCOHRC has been calling for the province of B.C. to develop legislation to collect disaggregated data. In 2022, that goal was realized.

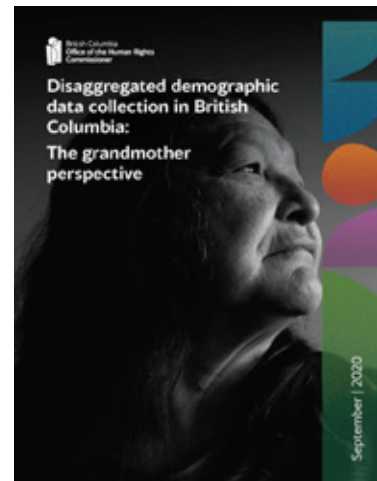
**Disaggregated Data:**  
Disaggregated data is data that provides sub-categories of information, for example, by race, gender, occupation or educational status. These are sometimes called demographic categories. Disaggregated data can reveal inequities.

In June, 2020, [B.C. Premier John Horgan issued a letter](#) with a request to B.C.'s Human Rights Commissioner and Information and Privacy Commissioner to make recommendations concerning the collection of race-based, Indigenous and other disaggregated data to address systemic discrimination. In September 2020 BCOHRC released Disaggregated demographic data collection in British Columbia: The grandmother perspective, including translated summaries in nine languages.

The “grandmother perspective” is an approach offered by Gwen Phillips of the Ktunaxa Nation, a BC First Nations Data Governance Initiative Champion, who proposes that only the data needed to nurture communities be collected. To learn more about the process and contents of the report, see our [2020/21 Annual Report on p.57-62](#).

***“A grandmother collects her grandchildren’s stories like pencil marks on the wall, measuring their growth. Data can also tell a story – one that helps us to understand people’s needs at a community level. Policy makers, too, need good information to design good law, policy and services.”***

— Kasari Govender, B.C.’s Human Rights Commissioner



In a [2022 article](#) in the Globe and Mail, Commissioner Govender wrote, “Over the last two years, the public calls for disaggregated data collection have grown louder. Protests against police brutality, a growing awareness of the ways in which racism impacts health outcomes including from COVID, and a movement to push back on the mainstream emergence of white nationalism have brought systemic racism into the forefront of people’s minds. While data may not be the most glamorous call to action, it may be one of the most fruitful.”

The *Anti-Racism Data Act*, introduced and passed by the Government of B.C. in 2022, facilitates the collection of personal information for the purposes of identifying systemic racism and advancing racial equity. It marks a significant milestone in our Office’s ability to see our recommendations reflected in law and an important marker of our province’s growth towards a more equal society.

B.C.’s Human Rights Commissioner applauded the introduction of the *Anti-Racism Data Act*, while urging the government to remember that race-based data only tells part of the story. To address systemic racism, and many other forms of oppression and discrimination, data collection must be intersectional. For example, we know that racist stereotypes are one of the barriers contributing to the wage gap. But we also need to understand that racialized women experience a wage gap that is very different than racialized men. Ignoring these gendered differences silences and omits the experiences of racialized women. We need to truly understand the scope and complexity of the wage gap in order to solve it; intersectional data collection and analysis is key to that end.

The next milestone to measure will be whether we are able to use data collected under the *Anti-Racism Data Act* to create real change. Implementation requires using intersectional data and a meaningful community governance model to turn information into action.

A close-up photograph of a woman with dark, curly hair wearing a beige fabric face mask. She is looking slightly upwards and to the right. The background is blurred. A dark blue semi-transparent overlay covers the bottom left portion of the image, containing white text.

## FEATURE

# COVID-19 guidance on proof of vaccination requirements and the ending of B.C.'s mask mandate

Since March of 2020, significant BCOHRC resources have been dedicated to issuing policy guidance to employers, landlords, service providers and individuals about how to ensure human rights are protected in relation to urgent public health priorities. Our work in 2020/21 included BCOHRC's [Policy statement on the COVID-19 pandemic](#) (available in seven languages), and our guidance document and poster on [a human rights approach to mask-wearing during the COVID-19 pandemic](#).

In 2021/22, BCOHRC released our [guidance on a human rights approach to proof of vaccination requirements](#), clarifying the position of the Human Rights Commissioner that duty bearers can in some circumstances legitimately implement a vaccination status policy such as a proof-of-vaccination requirement—but only if other less intrusive means of preventing COVID-19 transmission are inadequate for the setting and if due consideration is given to the human rights of everyone involved.

***“For those considering implementing a vaccine status policy, it is important to ensure such policies do not violate people’s human rights, particularly the rights of those without equal access to the vaccine. That said, while not mandatory in most contexts, getting vaccinated against COVID-19 is an important way we can all help keep each other—especially the most marginalized and medically vulnerable people among us—as safe as possible.”***

*— Kasari Govender, B.C.’s Human Rights Commissioner*

In October, 2021 Commissioner Govender spoke with the United Nations Social Forum Panel: COVID-10 and Civil and Political Rights about our work here in British Columbia. Since their launch, BCOHRC’s COVID-19 resources have been viewed more than 145,000 times.

In March of 2022, B.C.’s Human Rights Commissioner also called on the Public Health Officer to continue B.C.’s masking mandate. In a letter to Dr. Bonnie Henry, B.C.’s Human Rights Commissioner highlighted the inequitable impacts of ending the mask mandate and urged the Public Health Officer to ensure that all actions respect the human rights of people with disabilities, including those who are immunocompromised. The Commissioner noted that by lifting the requirement to wear masks, many seniors and people with disabilities will feel they must isolate themselves from society or risk their health. Indigenous peoples and racialized people are overrepresented in high-transmission work environments and as such are at greater risk. As the Commissioner stated in the letter: “The hasty end to the provincial mask mandate will have profoundly unequal effects across society. Some of us are more vulnerable than others to the virus, and public health policy must consider these disproportionate impacts.”



**For accurate COVID-19  
human rights info from our  
Office, visit our website at:  
[bchumanrights.ca/covid-19](https://bchumanrights.ca/covid-19)**



British Columbia's  
Office of the Human Rights  
Commissioner

## Developing legal arguments to influence case law

BCOHRC aims to improve human rights laws and systems in B.C. through the exercise of our legislative powers to hold public legal inquiries and to intervene in court cases that may have a systemic impact on human rights in B.C. This means that the Office can participate in cases to assist the court or the tribunal hearing the case to understand issues related to systemic discrimination and legal principles that otherwise might not be raised by the complainant or the responding parties. In 2021/22, BCOHRC intervened in two court cases: *Gibraltar Mines v. Harvey* and *Neufeld v. British Columbia Teachers' Federation (BCTF)* on behalf of *Chilliwack Teachers' Association*.

In April 2021, counsel for the Commissioner filed her first application to intervene in *Harvey v. Gibraltar Mines Ltd.*<sup>1</sup> The case involves parents who both worked the same shift for the same employer and sought a change to their work schedule in order to access child care for their toddler. The Court accepted the Commissioner's application to intervene on May 14, 2021. To learn more about our intervention in this case, see p. xx.

<sup>1</sup> <https://bchumanrights.ca/news/b-c-human-rights-commissioner-seeks-to-tackle-family-status-discrimination-in-first-intervention/>



**Case study: Legal interventions-Neufeld v. British Columbia Teachers' Federation (BCTF) on behalf of Chilliwack Teachers' Association**

In September 2021, B.C.'s Human Rights Commissioner applied to intervene before the Supreme Court of British Columbia in *Neufeld v. British Columbia Teachers' Federation (BCTF) on behalf of Chilliwack Teachers' Association*. In October 2021, the court granted the Commissioner's request to intervene.

The Commissioner's arguments center on whether the BC Human Rights Tribunal has jurisdiction to hear complaints involving allegations of hate speech and discriminatory publications that are published on the internet. The BCHRT adjudicates many types of discrimination complaints, but when it comes to section 7 of the *Code* (discriminatory publications), the law is not clear about jurisdiction. The Commissioner argues that complaints about online hate are within the scope of B.C.'s *Human Rights Code* and the jurisdiction of the BC Human Rights Tribunal (BCHRT).

***“Online hate is exploding. It is critical that victims of hate speech and discriminatory publications know whether the BCHRT can hear and decide their complaints or if they must file their complaint with the Canadian Human Rights Commission, especially if the hate speech occurs in real life as well as online. This confusion can and does lead to people being told they cannot file a complaint about online conduct with either the BCHRT or the federal human rights commission. This is unacceptable. That’s why my office is intervening in this case.”***

— Kasari Govender, B.C.'s Human Rights Commissioner

When this issue is heard, counsel for the Commissioner intend to argue that there is no constitutional reason that the Tribunal cannot hear complaints about discriminatory publications and hate speech in B.C. that happen to occur online. This is a pressing issue given what we know about hate speech online and how it affects British Columbians.

The Supreme Court of B.C. is expected to hear *Neufeld* in 2022.



## Building human rights-based policies, practices and culture

Across all of our operations, we strive to embody human rights values and our organizational guiding principles in our policies (what we say), practices (what we do) and culture (who we are). We do this to model workplace best practices for other employers in both the public and private sector and to recruit and retain the diverse and talented staff needed to execute our mandate. Piloting operational policies and practices grounded in human rights links directly to our mandate as lessons learned from our internal experience will inform future policy recommendations and guidance for employers.

2021/22 marks BCOHRC's third year of operations. This year we recruited and onboarded 25 employees, remaining continuously focused on ensuring accessible and equitable recruitment approaches. This includes 12 permanent staff, nine staff hired on a temporary basis, and four short-term student placements. BCOHRC now has a presence in four regions (Vancouver Island, the Lower Mainland, the Okanagan and the North).

### Human rights integration into policies and practices

BCOHRC continued its work in creating a strong and sustainable organization through policy and procedure development. In 2021/22, two new policies of note are a flexible work policy and a specialized counselling policy.

Our flexible work policy aimed to integrate wellness considerations specific to the COVID-19 pandemic into all of our ways of work, enabling staff to work with their supervisors to determine flexible work arrangements including working hours and place of work (remote and in-office work).

Our specialized counselling policy provides access to timely and expert support services to employees who may, because of personal experience and/or the difficult nature of the office's work to address the root causes of inequality, discrimination and injustice, require additional support.

In keeping with the guiding principles of decolonization, being trauma-informed and culturally safe, supports that offer group-based and communal care are also under development to augment the individualized counselling approach.

### Building a thriving culture

Finally, to support leadership accountability, organizational growth, and employee engagement, two staff surveys were conducted in 2021/22. The first was an internal survey that focused on employee engagement with particular focus on employee experiences during the pandemic. Additionally, BCOHRC participated in the BC Public Service Workplace Environment Survey, administered every two years, where valuable insights regarding BCOHRC employee engagement, alongside of those elsewhere in the BC Public Service, will be gained. These insights will be incorporated into work and strategic planning and ongoing evaluation measures so that learning will translate into action.



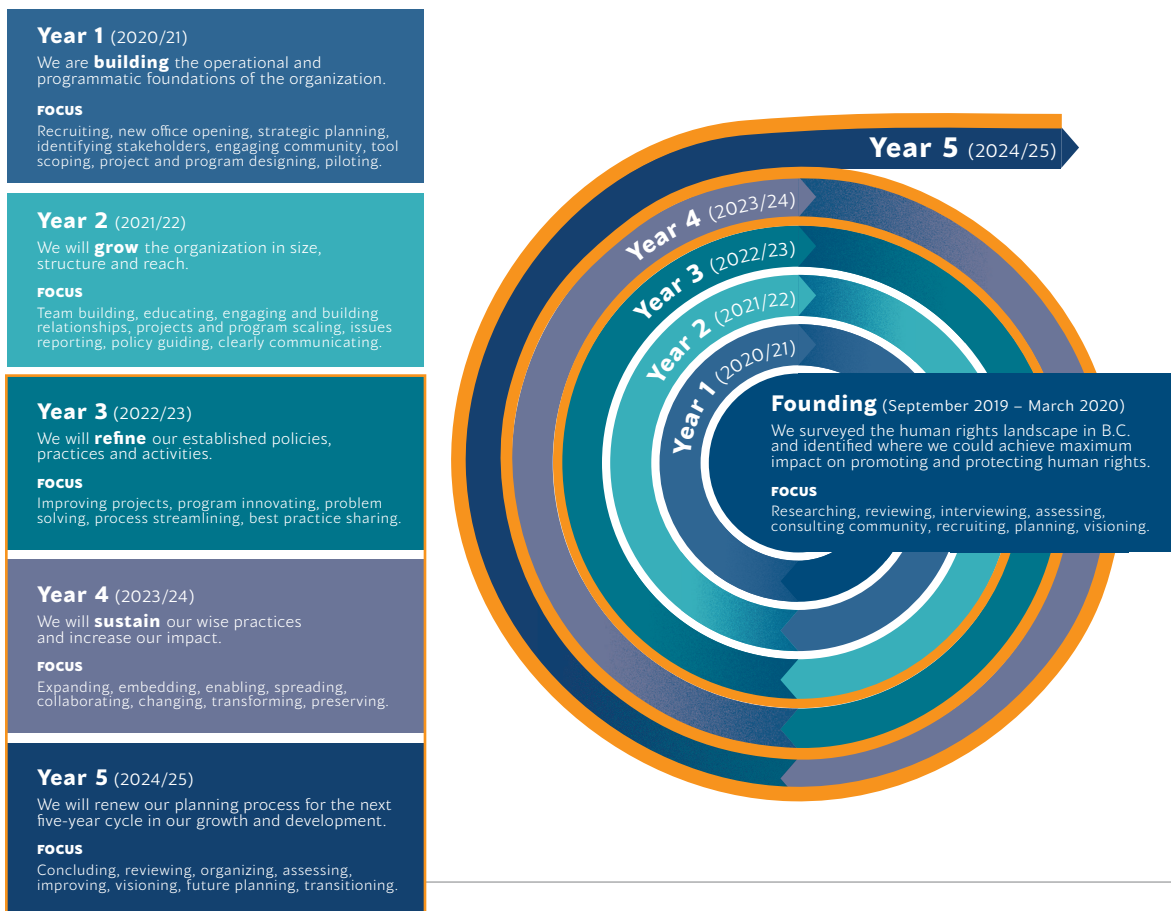
# Service Plan 2022/23 – 2024/25

## Refining and sustaining our operations and programs

In 2022/23 we are focusing on refining our established policies, practices and activities. In 2023/24 we will sustain our wise practices and increase our impact, and in 2024/25 we will be renewing our planning process for the next 5 year cycle in our organizational development.

We are in the middle of our five-year [Strategic Plan 2020/21 – 2024/25](#). This plan is the foundation for all our work and outlines our vision, mandate, theory of change, guiding principles, strategic priorities and approach to understanding our impact on promoting and protecting human rights in the province. Our evaluation framework addresses the complexity of assessing social change by recognizing that the process of evaluation is as important as the outcome.

Ultimately, our work is to improve the realization of human rights on this land now known as British Columbia. Whether we are putting into place the building blocks of a sustainable organization, supporting our team of human rights professionals to do their best work, educating the public, engaging in conversations about human dignity with diverse British Columbians, seeking to better understand the most pressing human rights issues of our day or advocating for changes to law and policy, our quest for meaningful equality lies at the heart of our work and of the tasks detailed in this service plan.



# Evaluation framework

BCOHRC's evaluation framework guides our work and assists in understanding our impact on human rights in B.C.

BCOHRC has accessible mechanisms for holding respectful relationships and accountability to all stakeholders

Key performance indicators:

- Type of mechanisms in place.



Discrimination



Hate



Detention









Decolonization



Poverty



Organization







2022/23 current and planned activities	2023/24 – 2024/25 future activities	STRATEGIC AREAS					
							
Plan and implement Baseline Project activities in first four communities designed to engage with community members and better understand the human rights issues they face.	Implement Baseline Project activities in next eight communities.	●	●	●	●	●	
Implement next phase of BCOHRC's system for managing public requests for information and referrals and identify trends in systemic rights issues.	Ongoing and continuous improvement.	●	●	●			●
Implement early collaborative measures emerging from survey of 'no wrong door' bodies, including BC Human Rights Tribunal and BC's Human Rights Clinic. Ensure learnings from frontline peer group is integrated into plans.	Continue and grow collaborative efforts.	●	●	●			●
Continue Commissioner relationship building with Indigenous leadership, communities and organizations.	Ongoing.	●	●	●			●
Continue implementation of work plans and collaborative work stemming from signed Memorandums of Understanding (MOU) with the First Nations Leadership Council and First Nations Education Steering Committee.	Continue to implement activities outlined in work plans.		●				
Develop a unique photo library using decolonial practices to partner with Indigenous photographers.	Ongoing		●				
Complete website updates, continue population of Inquiry microsite, and develop a Baseline Project microsite and community recommendations database.	Ongoing continuous improvement.	●	●	●	●	●	●

Submit annual report to the Legislative Assembly and report biannually to the Select Standing Committee on Finance and Government Services.	Ongoing.						
Continue public speaking engagements for Commissioner to speak directly to the public, professional communities, and subject matter experts about human rights and the work of BCOHRC.	Ongoing.						
Ongoing implementation of effective and robust media engagement strategy.	Ongoing						

### BCOHRC has a suite of publicly accessible educational and guidance resources and forums

#### Key performance indicators:

- #/type of resources publicly accessible.
- Extent to which resources are accessible.
- # forums.
- # forum attendees.
- Extent to which forums are accessible

2022/23 current and planned activities	2023/24 – 2024/25 future activities	STRATEGIC AREAS					
							
Continue to deliver public education materials and workshops on the <i>Human Rights Code</i> (tailored to rightsholders and duty bearers in various sectors), including the development of Indigenous specific content to be delivered to Indigenous audiences	Ongoing.						
Deliver a provincial public awareness campaign focused on the rights of people with disabilities, a key area of human rights covered under B.C.'s <i>Human Rights Code</i> .	Ongoing and continuous improvement. Engage in additional public awareness campaigns as identified.						
Launch a follow up video to Human Rights 101 on B.C.'s human rights system, and launch of new "I love my human rights" videos profiling human rights champions	Continuation of "I love my human rights" storytelling series (one to three videos per year)						
Publish factsheets and policy guidelines on employment equity	Ongoing factsheets and policy guidance on other key human rights issues.						

Develop and pilot educational materials on the meaning and impact of systemic discrimination, including an educational video and workshop.	Ongoing development of new materials on systemic discrimination, to be determined in collaboration with community-based educators						
Develop and launch educational materials about the rights of people who use guide dogs, aimed at service providers to help them understand their obligations under human rights law.	Educational development may continue, depending on outcomes of first materials.						
Conduct an accessibility audit of communications materials including websites.	To be determined.						

## BCOHRC provides recommendations to the B.C. government and other duty bearers on ways to mitigate and/or improve systemic human rights issues

### Key performance indicators:

- #/ type/ date of recommendations provided by BCOHRC.







2022/23 current and planned activities	2023/24 – 2024/25 future activities	STRATEGIC AREAS					
Issue report and recommendations in our Inquiry into hate during the pandemic, based on ongoing analysis of the data and evidence submitted.	Advocate for implementation of recommendations.						
Align policy priorities with initial results from Baseline Project engagements with initial 4 communities and launch of recommendations database.	Analysis of preliminary findings and further piloting with additional communities.						
Continue to administer special programs and implement initial improvements based on review of processes.	Continue implementation of improvements to the system for administering special programs and ongoing administration.						
Monitor recommendations made to the Attorney General to amend the <i>Human Rights Code</i> to include social condition as a protected ground, and continue advocacy for change.	To be determined.						
Evaluation of first inquiry procedures and implementation of improvements.	Continual evaluation and improvements as we undertake further inquiries.						

Initial research and identification of second public inquiry.	Initiation and completion of further inquiries.	●					
Monitor the B.C. government's action plan on the implementation of the <i>Declaration on the Rights of Indigenous Peoples' Act</i> including consultation with Indigenous leaders to amplify their concerns/support.	Ongoing.		●				
Monitor implementation of recommendations to the Special Committee on Reforming the Police Act (SCORPA) including in alignment with the <i>Declaration on the Rights of Indigenous Peoples' Act</i> .	To be determined.		●			●	
Analyze and monitor current government initiatives and legislation related to human rights, including initiatives concerning anti-racism, mental health detention and treatment, gender-based violence, pay equity and homelessness.	Ongoing monitoring and recommendations to be determined.	●	●	●	●	●	

## BCOHRC develops legal arguments to influence case law

### Key performance indicators:







- #/ type/ date of arguments made to tribunals and courts.

2022/23 current and planned activities	2023/24 – 2024/25 future activities	STRATEGIC AREAS					
							
Intervene in <i>Harvey v. Gibraltar Mines</i> at the BC Court of Appeal (leave to intervene granted June 2022)	To be determined.	●					
Intervene in <i>Neufeld v. British Columbia Teachers' Federation (BCTF)</i> on behalf of Chilliwack Teachers' Association at the BC Supreme Court (leave to appeal granted in October 2021)	To be determined.	●		●			
Submit applications for leave to intervene in additional cases	To be determined.	●					
Ongoing monitoring of Human Rights Tribunal and other tribunal and court cases for potential interventions	Ongoing.	●					

**BCOHRC has a culture and a suite of policies and practices that align with the guiding principles, including human rights-based and decolonizing approaches**

**Key performance indicators:**

- % of all BCOHRC staff who agree with statements on culture, policies, principles and values
- Duration of tenure at BCOHRC (retention); reported reasons for joining/ staying/ leaving.
- Use of leave days.
- # / % of staff who report professional development opportunities are equitable, are useful.
- # / type of professional development opportunities completed by staff.

2022/23 current and planned activities	2023/24 – 2024/25 future activities	STRATEGIC AREAS					
							
Implement BCOHRC's 2022/23 annual work plan and plan for 2023/24 work	Ongoing.						●
Full implementation of evaluation plan.	Ongoing.						●
Continue to build BCOHRC's organizational policy base.	Ongoing.						●
Continual improvements to security, risk and crisis planning.	Ongoing.						●
Ongoing implementation and improvement of BCOHRC's records management, project management, risk management and procurement management frameworks.	Ongoing.						●
Continue to assess, monitor and improve on equity, diversity and inclusion through recruitment practices, ongoing improvements of BCOHRC's employee handbook, ongoing workplace environment surveys, launch 360 reviews of senior management.	Ongoing.						●
Research and implement Future of Work strategy to guide post-pandemic workplace decisions, including a review of our staff wellness policies.	n/a						●

Ongoing development and implementation of internal education offerings to ensure staff are supported in ongoing human rights learning.	Ongoing.						
Launch and pilot Policy and Practices Framework.	Ongoing.						
Develop and implement internal communications strategy to ensure effective knowledge sharing among staff	Ongoing.						

# Budget and expenditures

Funding for BC's Office of the Human Rights Commissioner comes from a voted appropriation of the Legislative Assembly of B.C. We hold ourselves to the highest standard in directing our investment of public resources. In principle and practice, this means:

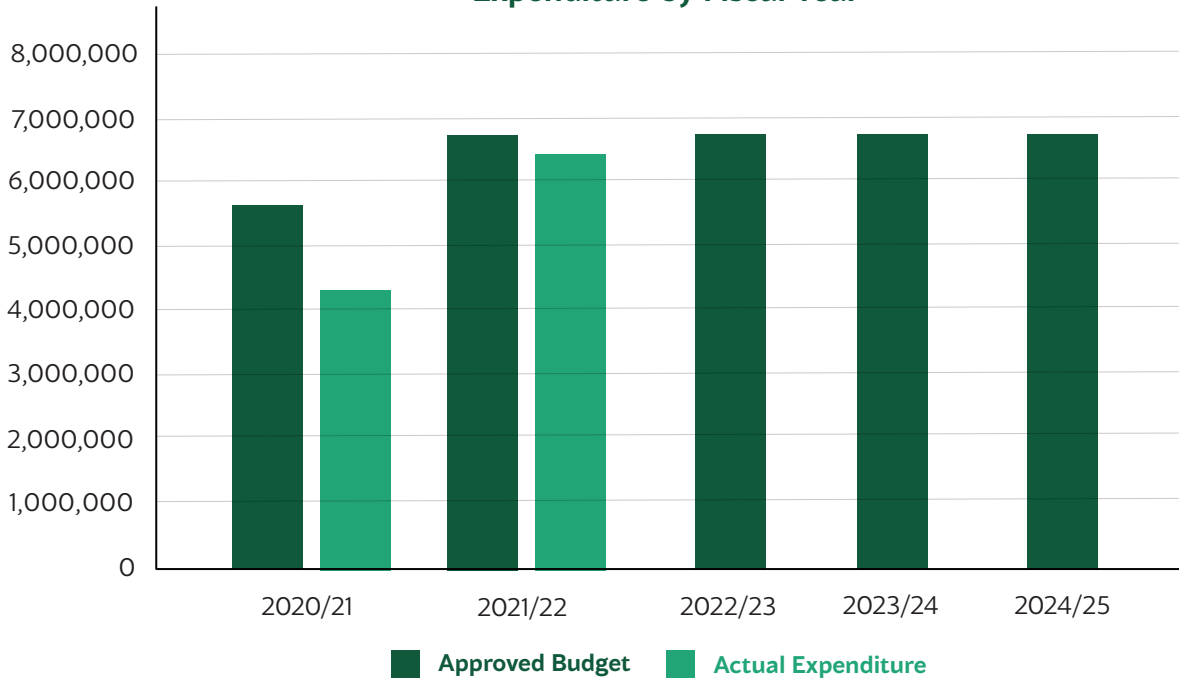
- We adhere to provincial legislation and policies related to spending
- We focus on maximizing the impact our budget has on promoting systemic equality by directing our resources to evidence-based projects that are reflective of what rights holders and duty bearers have identified as their most significant rights issues
- We focus our resources where we can enhance the rights of the most marginalized, and we are committed to continual evaluation and improvement
- We are transparent and accountable through regular reporting to the Treasury Board and the Office of the Comptroller General. We also provide regular program reports to the all-party Select Standing Committee on Finance and Government Services of the Legislative Assembly

## Our finances

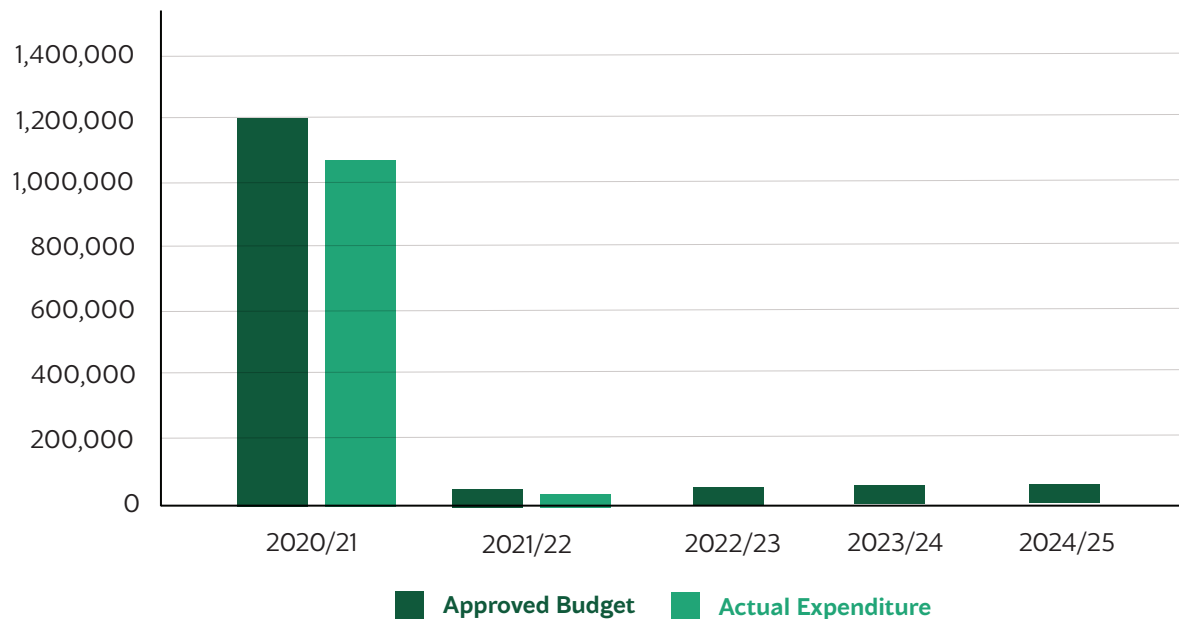
The 2021/22 operating budget for BC's Office of the Human Rights Commissioner was \$6.815 million and the capital budget was \$35,000. Actual operating expenditures were \$6.490 million, returning approximately \$0.325 million to general revenue. Operating savings are primarily attributed to one-time hiring delays. Going forward, in the period covered by our service plan, we have been approved an operating budget of \$6.809 million in 2022/23, and the Select Standing Committee on Finance and Government Services recommends to the Legislature that the appropriation for the operating expenditures of the Office of the Human Rights Commissioner be \$6.826 million in 2023-24; and \$6.839 million in 2024-25 and a capital budget of \$35 thousand per year.

## Our budget

**Approved Operating Budget to Actual  
Expenditure by Fiscal Year**



**Approved Capital Budget to Actual Expenditure  
by Fiscal Year**







# Public Interest Disclosure Agreement

## Disclosure Act: Annual report about disclosures for BC's Office of the Human Rights Commissioner

*The Public Interest Disclosure Act (PIDA)*, B.C.'s new whistleblower protection law, came into force on Dec. 1, 2019.

One of the requirements is that, "each year, a chief executive, or a delegate of the chief executive, must prepare a report on all disclosures of wrongdoing that have been made in that year in respect of the ministry, government body or office for which the chief executive is responsible, including disclosures made to the Ombudsperson, if a designated officer of the relevant ministry, government body or office has been notified about the disclosures or investigations."

In accordance with the following sections of PIDA, for the reporting period of Dec. 1, 2021 to March 31, 2022, the following information is reported:

Section 38 (1)

Disclosures of wrongdoing in respect of BC's Office of the Human Rights Commissioner 0

Section 38 (2)

- |  |   |
|--|---|
| (a) the number of disclosures received, including referrals of disclosures,  |   |
| and the number acted on  | 0 |
| and not acted on   | 0 |
| (b) the number of investigations commenced as a result of a disclosure   | 0 |
| (c) in the case of an investigation that results in a finding of wrongdoing  | 0 |
| (i) a description of the wrongdoing  |   |
| (ii) any recommendations, including those made by the Ombudsperson, and  |   |
| (iii) any corrective action taken in relation to the wrongdoing or the reasons why no corrective action was taken; |   |
| (d) any other information prescribed by regulation.  | 0 |

Kasari Govender  
B.C.'s Human Rights Commissioner

# Appendix

## Commissioner presentations

This fiscal year, Commissioner Kasari Govender attended 23 external presentations, where she gave keynotes, speeches and engaged in panels and dialogue at the invitation of community, reaching 3,000+ attendees. These included:

- **April 14, 2021:** First Nations Education Steering Committee Speaker Series
- **April 30, 2021:** BC Legislative Intern Program
- **May 11, 2021:** BC Barry Sullivan Law Cup
- **May 13, 2021:** Racism(s), Latin America, and Identity Panel- Vancouver Public Library
- **June 06, 2021:** Confront racism in the criminal justice system- Continuing Legal Education Society of BC
- **June 10, 2021:** First Nations Summit Session
- **June 21, 2021:** Islam Unravelling Indigenous Peoples' Day Event
- **August 28, 2021:** Senior Citizens' Organizations of British Columbia (COSCO) Conference: "Living in the 21st Century: A Seniors' Strategy"
- **September 24, 2021:** Homelessness Services Association of Canada (ISSA) Conference Panel
- **October 10, 2021:** United Nations Social Forum Panel: COVID-19 and Civil and Political Rights
- **October 12, 2021:** First Call Child and Youth Advocacy Meeting
- **October 29, 2021:** BC Council of Administrative Panels (BCCAT) Learning Conference
- **October 29, 2021:** Equity and Inclusion—Moving to Action, Ministry of Citizens' Services UniverCITZ Staff Learning Conference key address
- **November 01, 2021:** Office of the Ombudsperson Internal Training Session
- **December 06, 2021:** International Human Rights Day keynote address—BC Lottery Corporation
- **December 07, 2021:** International Association of Official Human Rights Agencies
- **January 07, 2022:** BC Legislative Intern Program—2022 cohort
- **February 09, 2022:** Equity is Safer presentation—African Descent VPD Advisory Committee
- **March 01, 2022:** Hospital Employees Union—Equity Conference
- **March 11, 2022:** Equity meeting—University of Victoria Faculty of Law
- **March 15, 2022:** Equity is Safer presentation—BC Association of Police Boards





British Columbia's  
**Office of the Human Rights  
Commissioner**

536 - 999 Canada Place Vancouver, BC V6C 3E1  
1-844-922-6472 | [info@bchumanrights.ca](mailto:info@bchumanrights.ca)



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