

REQUIRE MORE OF HUMAN RIGHTS COMMISSIONS

Presence: Human Rights Commissions have existed in Canada since the sixties when Ontario led the way in setting up such bodies. They have their roots in anti-discrimination legislation adopted by the provinces after World War II. At the present time, there is human rights legislation in all the provinces and at the federal level.

Process: Human rights legislation allows an individual who feels that he has been discriminated against to apply to the Human Rights Commission for redress. The Commission examines the complaint and attempts to conciliate the positions of the complainant and the respondent. If conciliation is not possible, a Human Rights Tribunal will be named to hear both parties and to make a finding on the issue which binds both parties in the same way that a court judgement does.

Human Rights Commissions also engage in a number of educational activities to help improve human relations and to inform Canadians of their rights under the anti-discrimination legislation. Many witnesses before the Committee have criticized Human Rights Commissions as slow, isolated and inaccessible. There is no doubt that human rights legislation has an important place in the struggle against inequality and injustice in Canada. Dale Gibson of the Manitoba Human Rights Commission has described Commission staffs as "the footsoldiers in the war against discrimination on both the enforcement and educational fronts". The Committee agrees with the sentiments expressed by Mr. Gibson.

Outreach: Some Commissions are not known to the population groups they serve - they must institute effective outreach programs where these do not exist and strengthen already existing ones. Human Rights Commissions must be in the storefronts where the people are and not housed in often inaccessible or unknown quarters. If these suggestions are taken seriously and followed, Human Rights Commissions will be more effective at assisting the disadvantaged.

Constraints: There is no doubt that Human Rights Commissions must do more with what they already have. Many of them have, because of budgetary constraints, begun to fall behind in the tasks already allocated to them. Some of them are seriously underfunded and understaffed. This is a problem which is exacerbated by the difficulties experienced by the Canadian economy. It is to be expected that as Human Rights Commissions become busier, the problem of chronic underfunding and understaffing will become more serious. The Committee urges both federal and provincial governments to provide Human Rights Commissions with a level of funding and staffing commensurate with the increased workload they can be expected to assume in the immediate future.

Acute: The problems of racism and racial discrimination have become more acute in recent years. It can be expected that these types of problems will become more intractable in years to come and that they will take up more and more of Human Rights Commissions' time and resources. These problems will demand special expertise and conciliation techniques.

RECOMMENDATION

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