



BRITISH COLUMBIA
HUMAN RIGHTS TRIBUNAL

2024/2025 ANNUAL REPORT

Covering the period April 1, 2024 through to March 31, 2025



The Tribunal's office is located on traditional unceded territories of the Coast Salish peoples, including the territories of the xʷməθkʷəy̓əm (Musqueam), Skwxú7mesh (Squamish), and səliłwətaɣ̓ (Tsleil-Waututh) Nations. The British Columbia Human Rights Tribunal gratefully acknowledges the traditional territories of the many diverse indigenous peoples in the geographic area that we serve.



Message from the Chair

On behalf of the Human Rights Tribunal Team, I present the Annual Report for fiscal year April 1, 2024 to March 31, 2025.

The 2024/5 fiscal year was the Tribunal's first complete year fully staffed under its increased budget. The resource increase is reflected in the continued progress under the backlog strategy as discussed in this report. The Tribunal also closed an unprecedented 2,700 complaints this fiscal. Had case volume remained steady, this would have resulted in a reduction in overall active cases, but the fiscal year saw an unexpected increase in filing volume - from last fiscal's 2,537 to 3,036. Even so, the rate of backlog growth halved from last year.

This progress is positive, but it should not obscure the reality that delays continue across the process. The recent budget increase supports resourcing more proportionate to annual case volume but does not address the backlog of accumulated overflow cases from 2020-24. Unexpected annual volume increases mean that complaint filing continues to outpace complaint closures. While the rate of backlog growth halved despite the volume increase, the backlog still grew. Without the resources to address both the accumulated overflow *and* the increased complaint volume, delays will continue.

The Government has mandated the Tribunal with the just and timely resolution of human rights disputes under the *Code*. Timeliness is a cornerstone of justice and key underpinning of administrative tribunals. Delays not only create barriers to accessible justice but also self-perpetuate – compounding the strain on an already straining system as the Tribunal diverts resources away from resolving cases to servicing delays by answering status inquiries, public complaints, additional delay-related applications, and re-triaging resources. I note in particular *Hitch v Nanaimo Regional District (and others)*, 2025 BCHRT 11 at paras. 27-34, and *Allan v. Columbus Charities Association and others*, 2025 BCHRT 38, where the Tribunal found that there was inordinate delay, though it did not amount to abuse of process. The Tribunal recognizes the challenges these delays pose for parties.

I am acutely aware that the fiscal year closed in a different world than it opened in, with global economic and social challenges shifting quickly, impacting British Columbians across sectors. I appreciate that the Human Rights Tribunal is one important organization among many operating within resource constraints. The fact of these challenges does not change the concurrent fact that without additional resources, the Tribunal will be unable to meaningfully reduce delays. The additional resources required are modest relative to their impact, particularly when situated within the context of the Government's overarching priorities. The Tribunal has shown that it is capable of effectively applying additional funds to yield results. As it stabilizes, this is a critical moment where a relatively small delegation of temporary, targeted funding would yield substantial return.

The Tribunal remains steadfast in its commitment to improving efficiency and accessibility. We have not merely 'thrown more hands' at the volume. We have taken a careful, comprehensive approach that includes organizational restructuring and process reforms to ensure that we come out the other side with an organization more robust and resilient than the one we entered these challenging years with. It is an ongoing challenge, however, given pressures beyond our control.

I remain grateful to the dedicated Tribunal team, the Attorney General and Deputy Attorney General, and the staff at TASD for the ongoing support and hard work. I also acknowledge the parties in our process who bear the brunt of the delays. The Tribunal is now stabilizing, but we are at an inflection point where the decisions made today will determine whether the Tribunal continues its positive momentum and succeeds or returns to a state of crisis. The Tribunal will continue in its commitment to service delivery and continual improvement within its current allocated resources. Ultimately, it will be the Government's role to decide what level of delay is acceptable for resolving human rights complaints under the *Code*.

Emily Ohler K.C., Chair
BC Human Rights Tribunal



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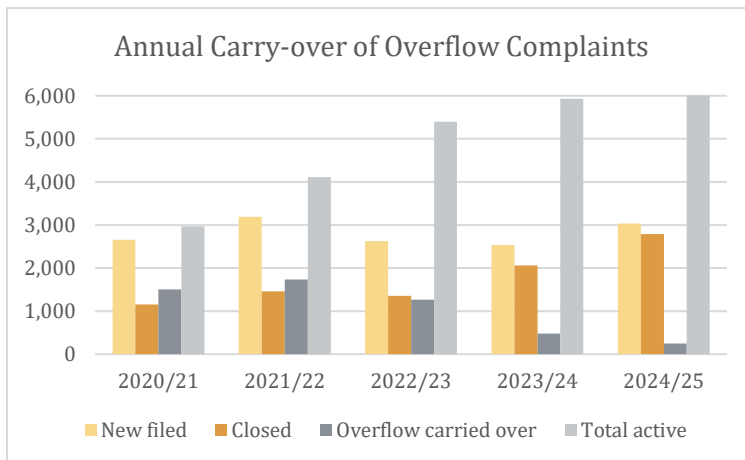


I. Tribunal Backlog Update

DEFINING THE BACKLOG

Backlogs happen when a Tribunal has more cases than it has capacity to process in a timely way.

From 2020-2023, the Tribunal had the capacity to close an average of 1,322 complaints annually, but people filed an average of 2,824. This left the Tribunal processing the overflow complaints from the previous year while multiple years' worth of volume continued to come in each successive year. As this carry-over compounded, so did delays. The Tribunal was forced into a state of perpetual backlog without sufficient resources to match the twin demand of increased volume and compounding overflow. Existing staff and systems were increasingly under strain. By the end of the 2022/23 fiscal year, people had filed roughly 4,500 more complaints than the Tribunal could absorb in just three years.



In the 2023/24 fiscal year, the Government increased the Tribunal's funding. The Tribunal implemented its Backlog Strategy in the second quarter and onboarded new Member and Registry resources in the third. These steps slowed backlog growth significantly, dropping the average overflow carry-over from the previous year even with the new-complaint volume increase.

The Tribunal also applied the new resources to a backlog strategy through which it generally caught up to 2023 in working through the compounded overflow. This marks significant progress by the Tribunal. However, without the additional temporary funds it had requested to address the accumulation of prior years' overflow complaints, its ability to reduce delays is limited. While the Tribunal continues to seek efficiencies, current delays in processing time can be expected to remain. Further, there is no room for the Tribunal to absorb another volume shock.

COMPLAINT PROGRESSION THROUGH THE PROCESS

Backlogs are dynamic, not static. As the large volume of overflow complaints from previous years are processed through one stage of the Tribunal's process, they will move to the next stage, resulting in rolling delays from stage to stage. Having said that, it is important to understand that not all complaints move through the process the same way, and not all complaints move to each stage.



Complaints generally move through the stages of the process as follows.

- **Complaint opening:** When a complainant files a complaint, a Registry Officer enters the complaint into the system, ensures that all of the required fields are complete and administrative information is included, and does a preliminary scan for jurisdiction. The Tribunal processes 100% of complaints through this stage.
- **Screening:** A Tribunal Member reviews the complaint to determine if it is in our jurisdiction, is timely, and could constitute a breach of the *Code* if proven. The threshold is low. The Tribunal makes a screening decision in 100% of complaints, though only issues a screening letter where there is an opportunity to provide more information or where the complaint is dismissed.

Where the Tribunal gives a complainant a chance to provide more information, this builds more time into the screening process, as the Tribunal must explain why the complaint is deficient, what information is required, and then issue a final screening decision on any amendments filed. The percentage of complaints that proceed after screening has fluctuated in recent years.

Last year, the Tribunal changed the way it calculates the number of all complaints filed that proceeded past screening, and reported that in the 2023/24 fiscal, the percentage of complaints that proceeded past screening was 60%. Over the 2024/25 fiscal, that percentage fell dramatically to 32%. This drop is largely attributable to the Covid and screening backlog projects, which saw a large number of complainants opt not to submit amendments needed for their complaints to proceed, resulting in their dismissal.

- **Notice:** Complaints that are not dismissed at screening move to the stage of notice, where the Tribunal notifies the Respondent(s) that the complaint has been filed against them and is proceeding, and provides an opportunity to file a response to the complaint. Only complaints that have progressed through screening proceed to notice. The Tribunal sent 1,214 notices and was working to complete notices on complaints filed in 2023 this fiscal, representing progress on the backlogs as the Tribunal has “caught up” several years in working through aging overflow complaints accumulated at this stage.
- **Mediation:** Once notice is sent to Respondents, the Tribunal offers parties free mediation services at an early settlement meeting. This is resource-intensive to schedule, assign, and run as mediations can often take a full day or more, and parties often adjourn or don’t attend scheduled mediations, leading to additional rescheduling work. In the 2024/25 fiscal, the Tribunal scheduled 1,235 mediations¹, adjourned 578, cancelled 103, and held 554 mediations, down from 607 last year. Of these, the resolution rate was 58%, also down from last year’s 68%. This reflects only the rate of settlement at early settlement meetings (mediations held before the disclosure stage of

¹ One complaint may have several mediations scheduled as dates are adjourned and reset. The Tribunal’s current system cannot yet differentiate between initial and reschedules within this figure.



the process). The Tribunal expects to be able to track the settlement rate of later mediations, called “settlement before hearing”, in the next fiscal.

- **Disclosure & Preliminary Applications:** Complaints that are not resolved at early mediation are assigned to Case Managers, who help guide them through the next stage of the Tribunal’s process. The first of these is disclosure. All complaints that do not resolve at early mediation are subject to disclosure requirements.

Complex or high-conflict complaints may require ongoing management by Members. This may take the form of regular case conferences and/or issuing more detailed directions to parties as they move through the steps of the process. Many complaints involve other preliminary applications during these stages.

In the 2024/25 fiscal year, the Tribunal issued roughly 739 preliminary decisions, not including screening decisions.

- **Case Path Review:** On May 6, 2022, the Tribunal issued a practice direction implementing a pilot project under which it more actively exercises its discretion to refer cases directly to a hearing or invite applications to dismiss a complaint without a hearing under s. 27(1) of the *Code*. Because of delays in the Tribunal’s ability to resource its review of the Case Path Pilot and related issues, the pilot has been extended annually since that time.

After disclosure, complaints go through case path review, where a Tribunal Member determines whether to invite an application to dismiss the complaint without a hearing under s. 27(1) of the *Code*. All complaints that pass their disclosure dates undergo case path review.

Last year, the Tribunal reported that it would be reviewing data associated with the case path pilot this fiscal to inform our process review of how it administers its discretion under s. 27(1) of the *Code*. That work began in March 2025 and continues. In its preliminary review of its case path pilot project, the Tribunal identified that it has offered some or all respondents the opportunity to file a dismissal application in roughly 45% of complaints at the case path review stage. Not all respondents invited to file an application to dismiss elect to do so. In some cases, the complaint settles or is withdrawn. Where applications to dismiss are filed, the Tribunal has dismissed roughly 65% of those complaints.

Respondents may also seek to file a dismissal application or to add grounds of dismissal by filing a Form 7.5. The Tribunal has permitted roughly 45% of those requests for some or all respondents. As above, the complaint settles or is withdrawn in some cases. Where applications to dismiss are filed after a Form 7.5, the Tribunal has dismissed roughly 55% of the complaints.

- **Hearing:** The final stages are hearing scheduling, pre-hearing disclosure, and hearing. The Tribunal automatically makes a mediator available to parties in the pre-hearing months.



The majority of complaints that move downstream resolve without a hearing, meaning that substantially fewer hearings proceed than are scheduled. In the 2024/5 fiscal year, for example, the Tribunal held 61 hearings and adjourned 88. Hearings are resource-intensive for parties and the Tribunal, particularly those spanning multiple days. Negotiated settlements are more cost effective and frequently offer parties more control and latitude to craft customized remedies.

PROGRESS UNDER THE BACKLOG STRATEGY

In July 2023, the Tribunal announced a Backlog Strategy with three prongs: (1) a Covid Case Project; (2) an Outstanding Dismissal Applications Project; and (3) a Screening Inventory Project, which it implemented largely in the third quarter of the 2023/24 fiscal year with the onboarding and training of new adjudicators and staff. The Tribunal has since reduced the rate of backlog growth even with an increase in complaint filing, and made meaningful, steady progress on moving overflow complaints caught in the backlog through its process.

Covid Case Project

The Covid Case Project began with 946 complaints about Covid-related public health measures accumulated primarily at screening. Last fiscal year closed with 547 open Covid complaints across its process stages, and by March 31, 2025 that number had fallen to 251.

Dismissal Application Project

Dismissal applications have been a complex resource challenge for the Tribunal for many years. They are labour intensive. Under the dismissal application backlog project, the Tribunal concentrated adjudicator resources on clearing the backlog of aging dismissal applications that had accumulated over the preceding years. The dismissal application backlog project concluded last fiscal year.

In the 2024/2025 fiscal year, respondents filed 191 new dismissal applications, and the Tribunal issued roughly 200 dismissal decisions. The fiscal year closed with 111 outstanding dismissal applications, of which 54 were not yet assigned to a Tribunal Member.

Screening Inventory Project

At the outset of this project, the Tribunal had 1,830 complaints that required more information to proceed. At the end of this fiscal, the number of complaints remaining at this stage of screening was down to about 343. The Tribunal aims to complete screening of the remaining complaints filed in November and December 2023 by the first quarter of the 2025/26 fiscal year.

When complaints proceed past screening, the next step is for the Tribunal to notify the respondent. The high volume of complaints processed through screening under the Backlog Strategy has added to the backlog at the notice step. However, the Tribunal has made considerable progress in the past 18 months. By the end of this fiscal, the Tribunal had issued 1,214 notices and the queue had caught up to complaints filed in late 2023.



OTHER MEASURES

Mediation Program

In May 2022, the Tribunal launched its internal Mediation Program, significantly increasing its mediation capacity. Over the 2024/5 fiscal year, settlement rates declined somewhat from last year's 68% to 58%, which mirrors the early settlement rate from 2022/23. In 2024, the Tribunal launched a new procurement round for contract mediators and issued new contracts in March 2025, expanding its roster to 20 mediators for the next fiscal year.

Multi-Filer Project

The Tribunal developed a framework for the efficient, accessible screening and management of a large volume of complaints filed by a relatively small number of complainants. Working through these case groups based on oldest-filed complaints, the Tribunal assigned about 607 complaints filed by 53 complainants to Tribunal members under the project this fiscal, resulting in the closure of 258 complaints.

Accommodation Policy

The Tribunal revised its Accommodation Policy through which parties could request specific support for removing barriers to taking part in our process. The process was streamlined with the addition of a referral table explaining where to direct requests for things like extensions of time, interpretation services, accessibility support, or other accommodations.

Freedom of Information Request Policy

Freedom of Information and related documents access requests have increased both with delays and with increased case volume. The work of administering these requests added strain to the Registry staff in previous years. This fiscal, the Tribunal implemented its Freedom of Information Request Policy and onboarded a Document and Freedom of Information Specialist to support its capacity to meet its obligations under applicable legislation and meeting the demand in information requests. This has streamlined these processes, improving efficiency.

SUMMARY

The Tribunal has made significant progress in working through the more than 4,500 overflow complaints that accumulated in its system from 2020-2024. Challenges remain, and the Tribunal continues to monitor the status of backlogs at each stage.

Absent an unexpected volume shock in the 2025/26 fiscal, it is expected that time from complaint filing to screening dismissal or notice will hold steady or, ideally, continue to reduce. Delays can be expected at downstream stages of the process as the system absorbs the overflow complaints moving out of the early stages into case path review and hearing. The Tribunal continues to review its process across each stage to evaluate alternative approaches that may improve accessibility and efficiency. The first half of 2025/26 will focus on screening before turning to a review of the case path pilot in the second half.



II. Expanding our Vision: Improving Services for Indigenous People

The Tribunal has continued to incorporate the recommendations identified in *Expanding Our Vision: Cultural Equality & Indigenous Peoples' Human Rights* (2020) [EOV Report] into its ongoing work to ensure meaningful access and appropriate services for Indigenous people.

ADVISORY COMMITTEE

The Tribunal continues to benefit from the valuable time and contributions of Indigenous voices representing a cross section of organizations, experience, and perspective on its EOV Committee. The Committee meets regularly, providing recommendations and feedback on Tribunal process-related work and identifying issues. EOV Committee members over fiscal 2024-25 were:

- Laura Beaudry, Métis and Cree from the Kapawe'no First Nation, Policy Analyst with the Union of BC Indian Chiefs / articulated student
- Julie Birdstone, Ktunaxa Nation, Council Member for the Aqam Band, and the Governance Manager for Ktunaxa Kinbasket Child & Family Services
- Darrin Blain, First Nation lawyer, Darrin Blain Barristers
- Vicki George, Wet'suwet'en, Senior Advisor, Indigenous Engagement, at the Law Society of BC
- Clint Kuzio, Member, Fish River Cree First Nation, Director of Indigenous Relations, and Program Development at the Cool Aid Society
- Niki Lindstrom, Saulteau First Nations, Director at the First Nations Housing and Infrastructure Council
- Tanya Lovrich, member of the Gitxaala Nation, Blackfish Clan and advocate with the Community Legal Assistance Society
- Veronica Martisius, Mohawk and a member of the Six Nations of the Grand River. Litigation Staff Counsel at the BC Civil Liberties Association
- Elena Pennell, member of Alderville First Nation and Senior Policy Analyst with the Union of BC Indian Chiefs
- Tsee'tsee'watul'wit Sharon Thira, Executive Director, Education & Engagement, Office of the Human Rights Commissioner for British Columbia

Tribunal representatives on the Committee were:

- Devyn Cousineau, Vice Chair, Human Rights Tribunal
- Katherine Hardie, legal counsel, Human Rights Tribunal
- Shawnee Monchalin, citizen of the Métis Nation of Ontario, from the historic Métis community of Sault Ste Marie and legal counsel with the BC Human Rights Tribunal
- Emily Ohler, Chair, Human Rights Tribunal
- Amber Prince, Member, Sucker Creek (Cree) Nation, Member, Human Rights Tribunal

The Tribunal is grateful to Committee members who have so generously given of their time and acknowledges their work, expertise, and contributions.



EXPANDING OUR VISION: IMPLEMENTATION PROGRESS OVER FISCAL 2024-25

Indigenous Navigators now Case Managers of Indigenous Services

The Tribunal changed the title of this important role from Indigenous Navigator to Case Manager of Indigenous Services following feedback from incumbents in the role and people interacting with the role. The intention of the title change is to clarify that this role does not provide advocacy support to parties, works with both parties on a complaint file, and to clarify that there is no hierarchy within Registry as between Indigenous Navigators and Case Managers.

The key distinguishing feature of this role from Case Managers is the provision of distinct services related to ensuring a layer of cultural safety and support for Indigenous parties accessing the Tribunal's dispute resolution services. See: bchrt.bc.ca/indigenous-peoples-and-human-rights.

Process Review

The Tribunal continues to seek input from the EOV Committee in relation to the ongoing process review, though there has been only slow progress on this project as mentioned earlier in this report. As the Tribunal moves forward with completing the review and reform of its screening process in the next fiscal year, it will seek feedback from the Committee in any redesign of the distinct approach to screening complaints filed by Indigenous complainants that it has been taking for the past several years.

INDIGENOUS PARTIES AT THE TRIBUNAL

In this fiscal year, 435 of new complainants self-identified as Indigenous and requested contact from a Case Manager of Indigenous Services. This number represents about 14% of the Tribunal's new complaints and an increase from last year.



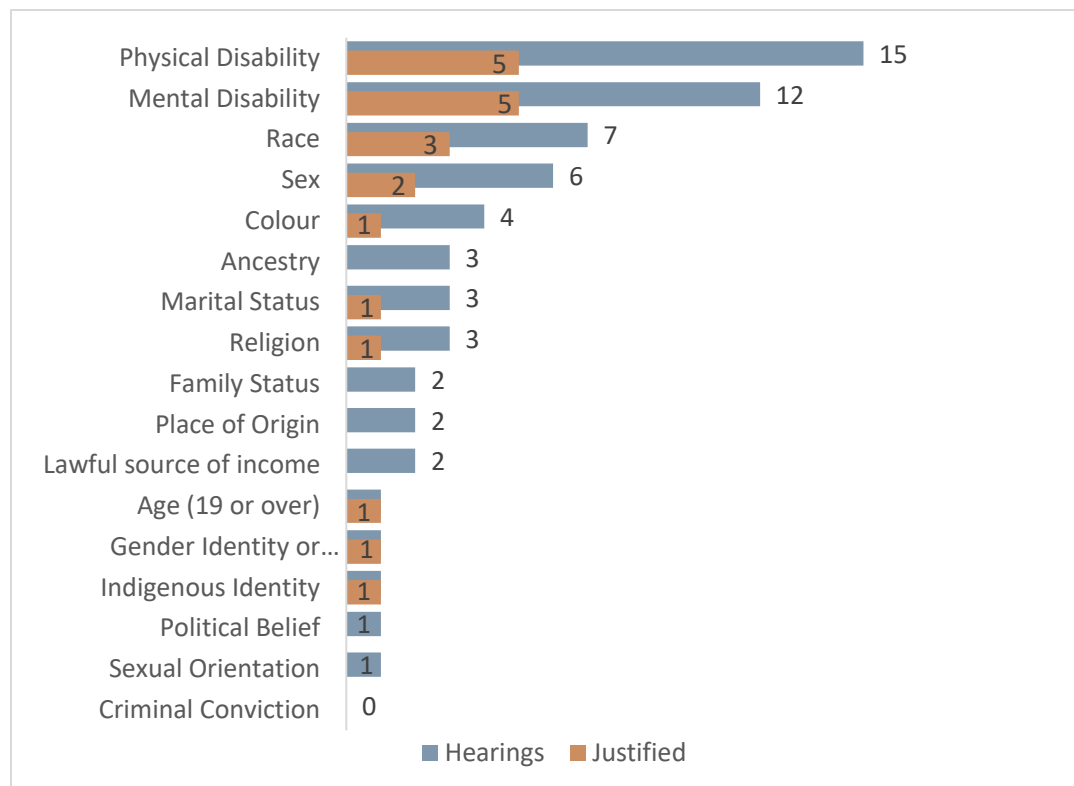
III. Preliminary Decisions, Hearings and Final Decisions

After a hearing of a complaint on its merits, the Tribunal issues a final decision. In the 2024-25 fiscal year, the Tribunal held 61 hearings and issued 35 final decisions. This is up from last year's 47 and 29 respectively². Not all hearings that started this fiscal year concluded. Some continued into the next fiscal year.

In the 2024-25 fiscal year, complainants succeeded fully or in part in 11 of the 34 complaints heard. Expressed as a percentage, this means that 32% of complaints decided at a hearing were found to be justified, marking a decrease from the previous fiscal year which resulted in findings of a breach of the Code in 65% of final decisions. Percentages have fluctuated over the years. In the past 5 years, the highest rate was in 2022-23 at 74% of hearings resulting in a finding of a *Code* breach, and the second lowest was in 2020-21 at 46%.

GROUNDINGS AND AREAS OF DISCRIMINATION IN FINAL DECISIONS

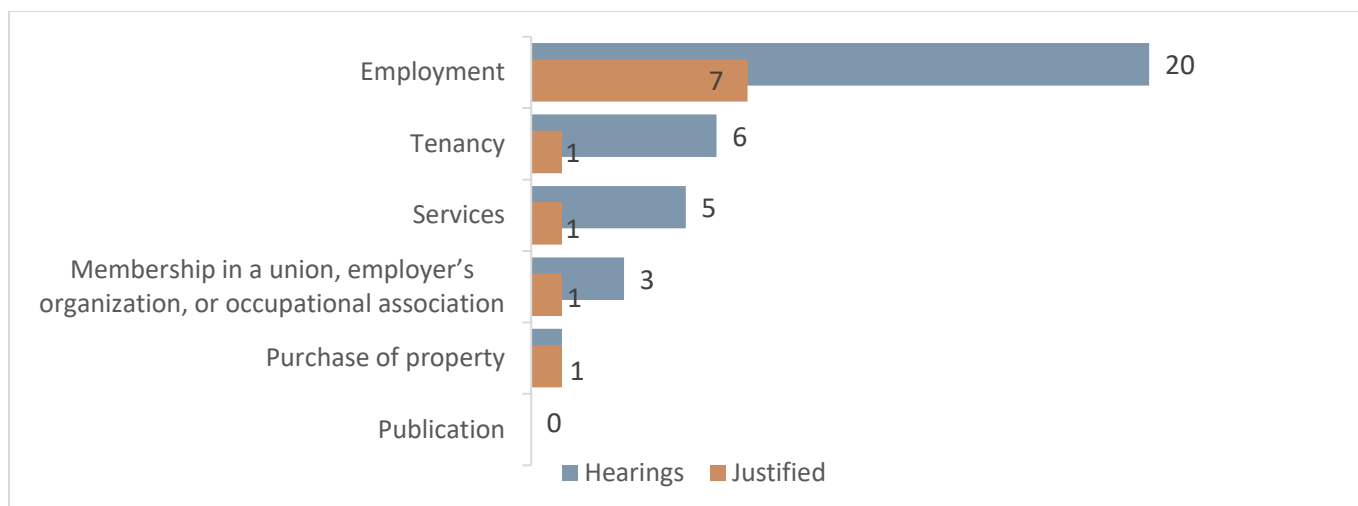
Hearings often involve complaints alleging discrimination on multiple grounds. The final decisions dealt with the following grounds of discrimination:



² The previous annual report contained an error in this number which will be corrected.



The final decisions dealt with the following areas of daily life:



CASE HIGHLIGHTS

Tribunal delay

Chow v. Save-on-Foods Ltd Partnership (No. 2), 2024 BCHRT 95: The Tribunal found that a 2.5-year delay in giving notice to a proposed respondent was not inordinate in the context of the complaint.

Hitch v. Nanaimo (Regional District) and others, 2025 BCHRT 11: The Tribunal found that a 31-month delay in giving the respondent notice of a complaint was inordinate but the evidence did not support that it was an abuse of process.

Allan v. Columbus Charities Association and others, 2025 BCHRT 38: The Tribunal found that a four-year delay in giving the respondent notice of a complaint was inordinate but the evidence did not support that it was an abuse of process at this stage.

Disclosure at screening stage

Sun v. Vancouver City Savings Credit Union (No. 3), 2025 BCHRT 25: The Tribunal explained when it will order disclosure during the screening stage of its process.

Constitutional jurisdiction

Chilliwack Teachers' Association v. Neufeld (No. 3), 2024 BCHRT 232: The Tribunal held that s. 7 of the *Human Rights Code*, prohibiting discriminatory publications, applies to publications on the internet.

Ethier v. Greater Victoria Harbour Authority, 2024 BCHRT 260: The Tribunal explained its approach to determine jurisdiction in a complaint alleging discrimination in services.

No evidence motions

In three cases, the Tribunal dismissed a complaint following a no evidence motion:



- *X v. BC Ministry of Children and Family Development*, 2024 BCHRT 333
- *Dahl v. Langley Lions Housing Society and others (No. 2)*, 2025 BCHRT 15
- *Garnier v. Flavelle Sawmill Co. Ltd. (No. 3)*, 2025 BCHRT 45

Artificial intelligence in submissions

Duarte v. City of Richmond, 2024 BCHRT 347: The Tribunal cautioned about the responsible use of artificial intelligence in drafting submissions.

Final decisions of note

Shahadat v. Northern School of Spa Therapies (No. 3), 2024 BCHRT 120: The Tribunal found anti-Muslim discrimination in services and ordered remedies.

The Applicant v. Independent Investigations Office of British Columbia (No. 2), 2024 BCHRT 204: The Tribunal found discrimination against a Métis person during a job application process, and ordered remedies.

Gibbons v. CML Contracting, 2024 BCHRT 220: The Tribunal found age discrimination in employment and ordered remedies.

Sparvier v Brighton Beach Properties Ltd, 2024 BCHRT 281: The Tribunal found discrimination in the purchase of property, based on marital status, and ordered remedies.

The Pharmacist v. College of Pharmacists of British Columbia and another, 2024 BCHRT 291: The Tribunal found that a doctor discriminated against the Pharmacist based on stereotypes about people with substance use disorders and ordered remedies. The Tribunal dismissed the complaint against the College of Pharmacists. The decision is under judicial review.

Jickling v. Sweet Meadows Market (No. 2), 2024 BCHRT 325: The Tribunal found that the symptoms associated with COVID-19 were a disability under the *Human Rights Code*. It found discrimination in employment based on disability and ordered remedies. The decision is under judicial review.

Anderson and others v. Vancouver Board of Parks and Recreation and another, 2024 BCHRT 334: The Tribunal dismissed a group complaint of discrimination arising out of changes to car access in Stanely Park and Beach Avenue during the COVID-19 pandemic.

Wiebe v. Olsen, 2025 BCHRT 14: The Tribunal found discrimination in tenancy based on gender identity and ordered remedies. The decision is under judicial review.

Sarba v. Ruskin Construction Ltd. and others (No. 2), 2025 BCHRT 74: The Tribunal found anti-Black discrimination in employment and ordered remedies.



IV. Public Interest Disclosure Act

The Tribunal did not receive any disclosures as defined under the *Public Interest Disclosures Act* over the reporting period. The Tribunal is unaware of any disclosures in which it, its staff, or its members (past or present) is alleged to have committed any wrongdoing.



V. Judicial Reviews and Appeals

The *Human Rights Code* does not provide for appeals of Tribunal decisions. Instead, a party may apply for judicial review in BC Supreme Court, under the *Judicial Review Procedure Act*.

Judicial review is a limited type of review. Generally, the court considers the information that the Tribunal had before it and decides if the Tribunal made a decision within its power. The court applies standards of review in s. 59 of the *Administrative Tribunals Act [ATA]* to determine if the Tribunal's decision should be set aside. If the Tribunal's decision is set aside, the usual remedy is to send it back to the Tribunal for reconsideration.

A decision on judicial review may be appealed to the BC Court of Appeal. There is a further appeal to the Supreme Court of Canada if that Court agrees to hear it. There is a 60-day time limit for judicial review of final decisions set out in the *ATA*.

This year, the Tribunal received 22 petitions for judicial review filed in the BC Supreme Court, up from 10 petitions last year; and four notices of appeal filed with the BC Court of Appeal, versus two last year. There were no leave applications filed with the Supreme Court of Canada.

JUDGMENTS ON PETITIONS AND APPEALS

The BC Supreme Court issued five judgments regarding petitions from Tribunal decisions. The Court:

- dismissed a petition as premature,
- dismissed a petition on (1) a screening decision as late filed under s. 57 of the *ATA* and (2) a reconsideration decision on the basis that it was neither procedurally unfair nor patently unreasonable,
- remitted a decision denying an application to dismiss a complaint under s. 27(1)(d)(ii) and (f) of the *Code* for reconsideration (and dismissed the petition in part, regarding a decision denying an application under s. 27(1)(c) of the *Code*),
- remitted a decision dismissing a complaint under s. 22(3) of the *Code* for reconsideration and confirmed the test for counsel error in filing a complaint past the statutory deadline,
- dismissed a petition on a decision denying an application to dismiss under s. 27(1)(c) of the *Code* on the basis that it was not patently unreasonable.

The BC Court of Appeal:

- upheld the Tribunal's decision dismissing a complaint at the screening stage under s. 27(1)(b) of the *Code*, and
- denied leave to appeal an application for document disclosure in the context of judicial review.



JUDGMENTS ON OTHER MATTERS

The courts dismissed two applications under R. 22-1(4) of the *Supreme Court Civil Rules* seeking production of documents on judicial review.

JUDGMENTS UNDER APPEAL

There are three BC Supreme Court decisions under appeal:

- *Sefcikova v. Read Jones Christoffersen Ltd*, 2024 BCSC 2266
- *Gardezi v. British Columbia (Attorney General)*, 2025 BCSC 61
- *Vancouver Island Health Authority v. Safaei and British Columbia Human Rights Tribunal*, 2025 BCSC 340

HIGHLIGHTS

Skerry v. British Columbia (Human Rights Tribunal), 2024 BCCA 345

This was an appeal from a judicial review of a Tribunal screening decision refusing to accept a complaint for filing under s. 27(1)(b) of the *Code*. The chambers judge found that the Tribunal's decision was not patently unreasonable or procedurally unfair. The BC Court of Appeal dismissed the appeal.

The appellant raised new arguments and sought to adduce new evidence on appeal. The Court confined the evidence to the record and exercised its discretion to hear a new argument not made to the chambers judge. The Court confirmed that a complaint must set out sufficient facts – as opposed to beliefs – that, if proved, could establish a contravention of the *Code*. It further confirmed that to be unfair in a way that raises concern on appeal or review, a tribunal's process must be fundamentally flawed in the sense that it denies a party the right to participate in the process. The Court determined the Tribunal's decision was not patently unreasonable or procedurally unfair.

O.W. v British Columbia (Human Rights Tribunal), 2024 BCSC 1797 (leave to appeal denied, 2025 BCCA 226)

This was a decision about an application for document disclosure in the context of a judicial review of a Tribunal decision. The petitioner sought a broad array of document disclosure from the Tribunal. The Court dismissed the application.

The Court affirmed the principles regarding applications for document production in the context of a judicial review, as recently summarized by the Court of Appeal in *Chestacow v. British Columbia (Workers' Compensation Appeal Tribunal)*, 2023 BCCA 389. The Court confirmed that an order for document production in a judicial review proceeding is exceptional, given the nature of the court's supervisory role on judicial review and the limited scope of evidence admissible. The Court also confirmed that tribunals are protected by the presumption of regularity and the principle of deliberative secrecy and, in the context of allegations of a denial of procedural fairness or bias, a sufficient evidentiary basis for the allegation is required. An applicant must demonstrate that the disclosure will be admissible and relevant based on more than mere speculation.



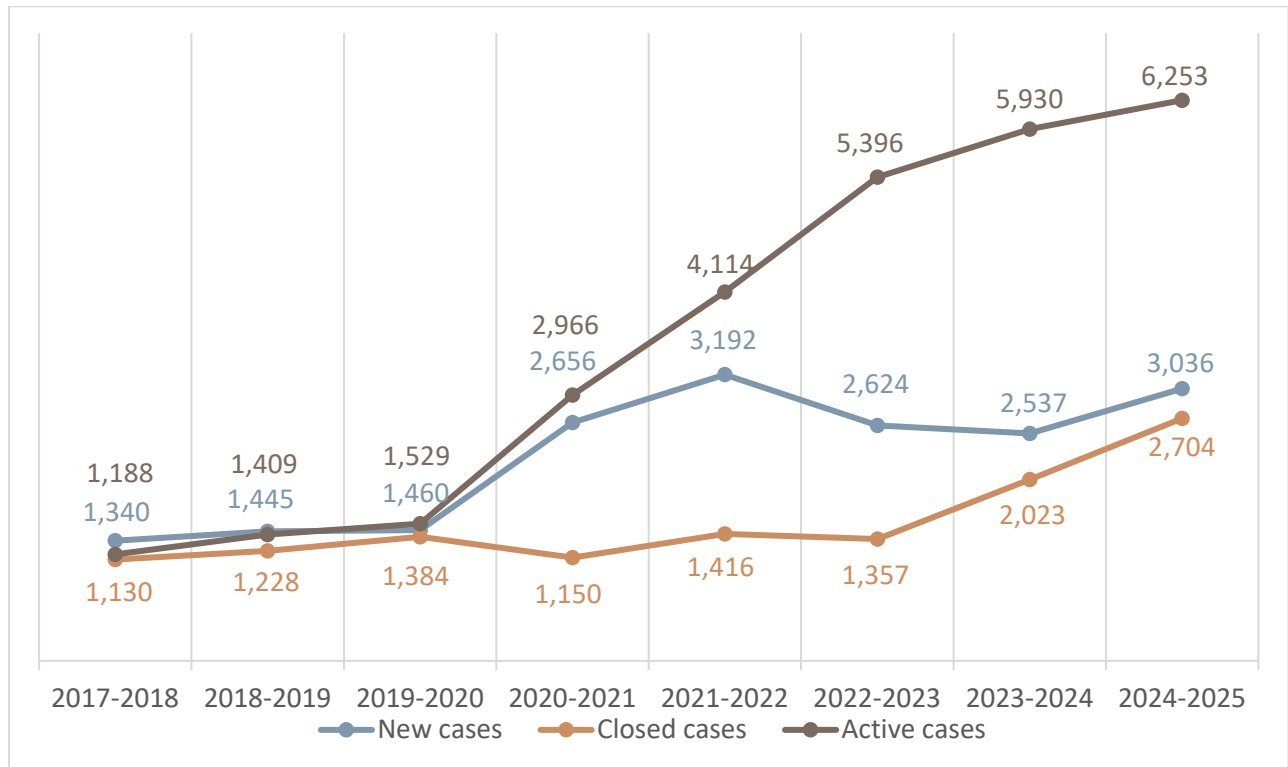
VI. Financial Disclosure: Tribunal Operating Costs

In Fiscal 2023/24, the Tribunal expensed \$7,082,880 and reported a surplus driven by delays in hiring processes. This fiscal, the Tribunal's operating expenses totalled \$8,258,452. Although expenditures were on budget compared to the original delegation of \$8,256,000, the Tribunal again posted an underspend primarily because of late additional funding to cover new costs related to salary increases negotiated and implemented across Government.

Description	Expenditures	Delegated budget	Variance
Salaries	\$5,804,781	\$5,800,000	\$4,781
Supplementary Salary Costs	\$17,477	\$1,000	\$16,477
Employee Benefits	\$1,476,760	\$1,473,000	\$3,760
Fees for Temporary Members	\$107,625	\$102,000	\$5,625
Travel	\$4,856	\$10,000	-\$5,144
Professional Services	\$572,148	\$600,000	-\$27,852
Information Services	\$170,501	\$150,000	\$20,501
Office and Business Expenses	\$104,304	\$120,000	-\$15,696
Subtotal	\$8,258,452	\$8,256,000	\$2,452
Additional coverage for salary increases negotiated and implemented by the Government		\$537,000	
TOTAL	\$8,258,452	\$8,793,000	-\$534,548



Appendix 1: Complaint Volume



NEW CASES FILED 2024-2025

The Tribunal is a direct-access tribunal meaning that people who believe they have experienced discrimination can file a complaint directly with the Tribunal against the person or organization they say discriminated against them. The Tribunal does not investigate, but functions like a court only less formal. It is responsible for setting and administering the steps in the human rights process to resolve complaints.

People filed a total of 3,036 new complaints with the Tribunal this fiscal year marking the second highest new-filing volume in the Tribunal's history.

ACTIVE COMPLAINTS

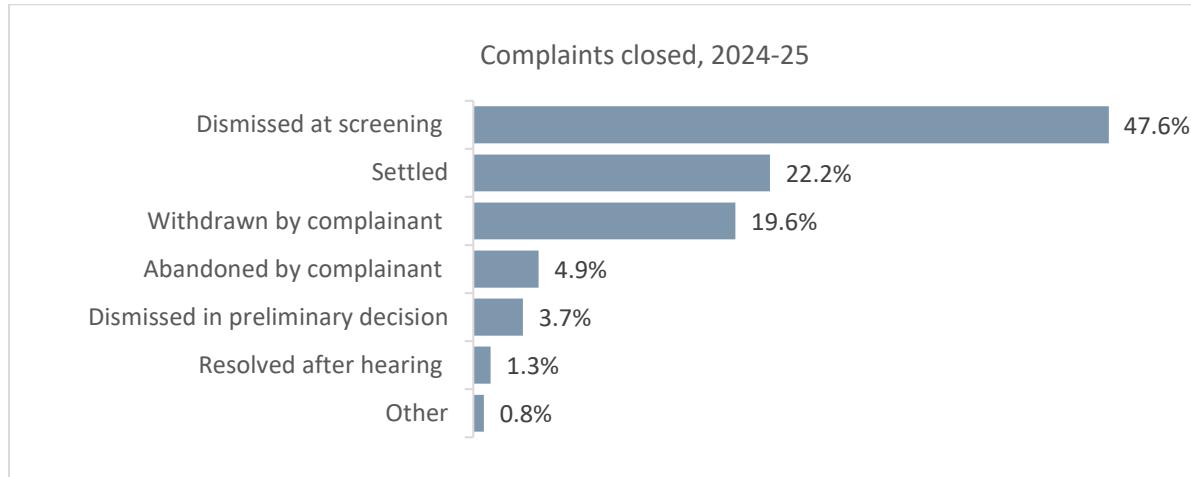
Unsurprisingly, the fiscal year started with an all-time high number of active complaints and ended with a greater number still: 6,253 active complaints at March 31, 2025. However, the Tribunal did halve the rate of backlog growth from the previous fiscal year even with an increase in filing volume of 500 as mentioned earlier in this report.

The additional active complaints this fiscal year are mainly in the early stages of our process. The existing inventory continues to present a challenge for the coming fiscal year and will become more acute if new-filing volume holds steady or increases.



COMPLAINTS CLOSED 2024-2025

Human rights complaints close for a number of reasons. They may be dismissed at the screening stage; resolved by the parties independently or through a Tribunal-facilitated mediation; or resolved by a Tribunal decision. The Tribunal closed 2,704 complaints in the 2024-25 fiscal year. A summary of the complaints closed is below.

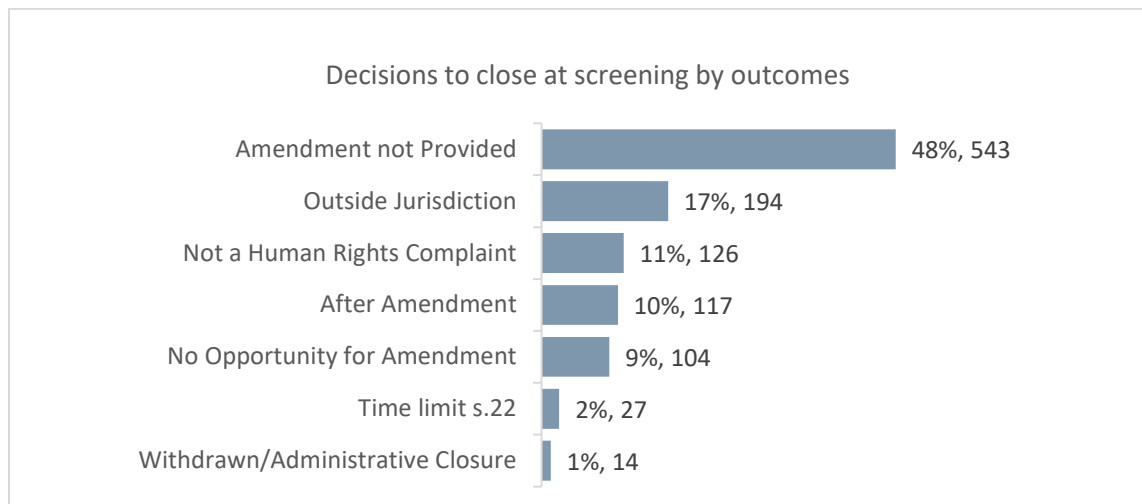


Dismissed at screening

Screening ensures complaints are within the Tribunal's jurisdiction, are timely, and set out a possible contravention of the *Human Rights Code*. This fiscal year, roughly 32% of screened complaints proceeded past screening. 68% of complaints were dismissed at screening. As noted earlier in this report, this number appears higher than in past years due in large part to the screening backlog project.

Proceeded past screening, 32%, 595

Dismissed at screening, 68%, 1,286





Appendix 2: Complaints by Areas and Grounds of Discrimination

The *Code* protects people from discrimination in eight areas of life on the basis of 16 protected characteristics, or “grounds”. The protected areas of life are employment, service, publication, tenancy, membership in unions and associations, employment advertisements, wages, and purchase of property. The *Code* also prohibits retaliation against a person who has or may have involvement in a complaint or inquiry by the Commissioner. The protected grounds are physical disability, mental disability, sex (including sexual harassment and pregnancy), race, place of origin, colour, ancestry, age (19 and over), family status, marital status, religion, sexual orientation, gender identity and expression, political belief, unrelated criminal conviction, and lawful source of income. Not all grounds apply to all areas. A complaint may also include more than one area or ground of discrimination. For instance, an employment-based complaint may also include the area of wages; a race-based complaint may also include grounds of ancestry, colour and place of origin.

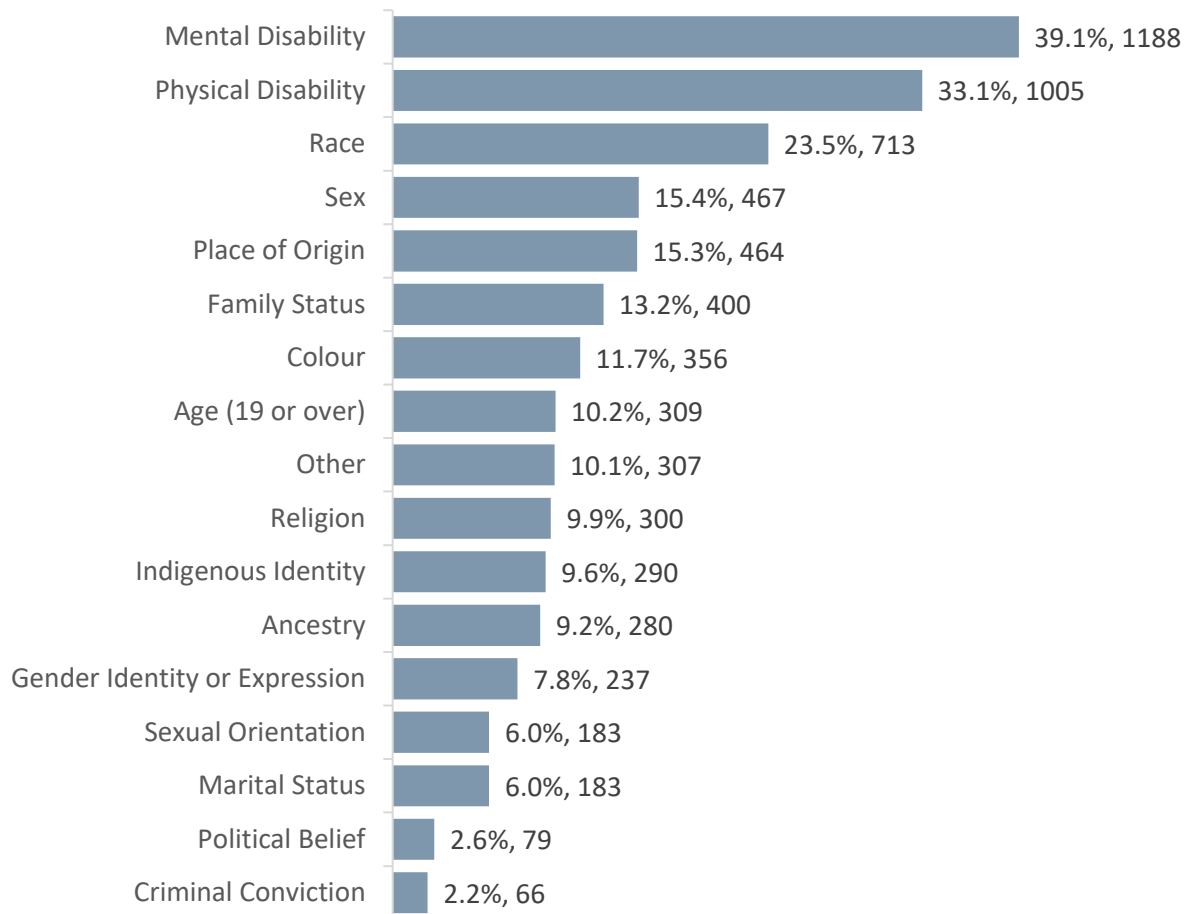
This fiscal, the Tribunal changed how it calculates the percentage of areas and grounds among complaints. When a complaint is entered into the Tribunal’s case management system, the system creates a separate “claim” for each ground and area within a single complaint. This means that a single complaint can contain multiple “claims.”. For example, if 10 complaints each include 5 grounds, the system creates a claim for each ground resulting in 50 claims for the ten complaints. In past years, the Tribunal assessed the percentage of each ground from among all grounds and areas or “claims.” This year, the Tribunal calculated the percentage of each ground and area from the total number of complaints filed rather than from the total number of all grounds and areas across all complaints. As a result, these percentages should not be compared to previous years as the formula has changed.

COMPLAINTS BY GROUNDS OF DISCRIMINATION

In the 2024-25 fiscal year, mental disability was the most common ground of discrimination (39.1%); followed by physical disability (33.1%); race (23.5%); sex (15.4%); place of origin (15.3%); family status (13.2%). Notably, many complaints allege more than one ground.

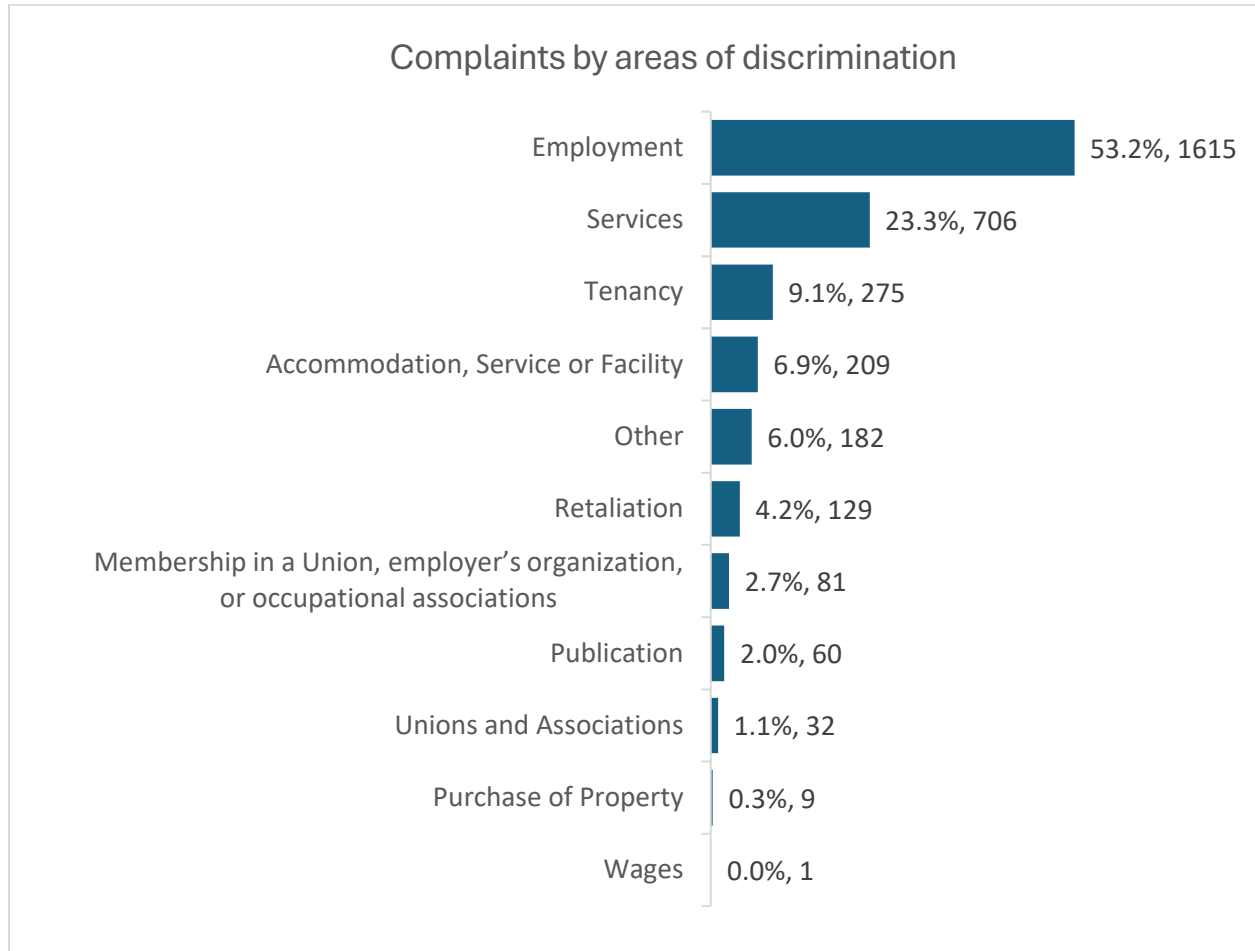


Complaints by grounds of discrimination





COMPLAINTS BY AREAS OF DISCRIMINATION





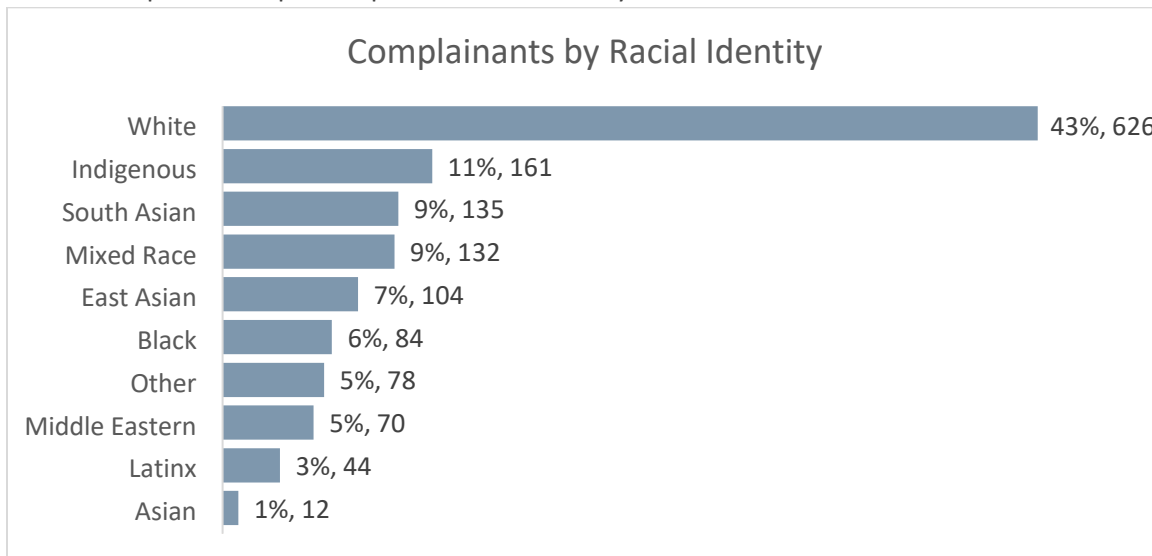
Appendix 3: Who is filing complaints?

COMPLAINANTS' DEMOGRAPHIC INFORMATION

At the end of June 2020, the Tribunal began collecting demographic information from complainants on a strictly volunteer and confidential basis. Approximately 54% of complainants opted to provide some demographic information. Based on this data, the Tribunal can report on who is accessing and using its process between April 2024 and March 2025 as set out below.

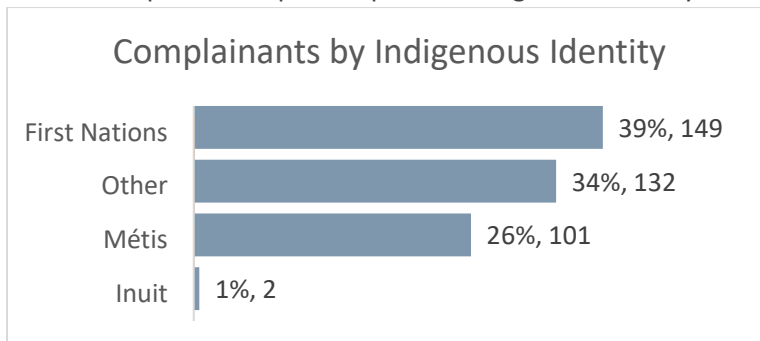
Racial Identity

47% of complainants opted to provide racial identity information.



Indigenous Identity

13% of complainants opted to provide Indigenous identity information.



Immigration Status

49% of complainants opted to provide immigration status information.



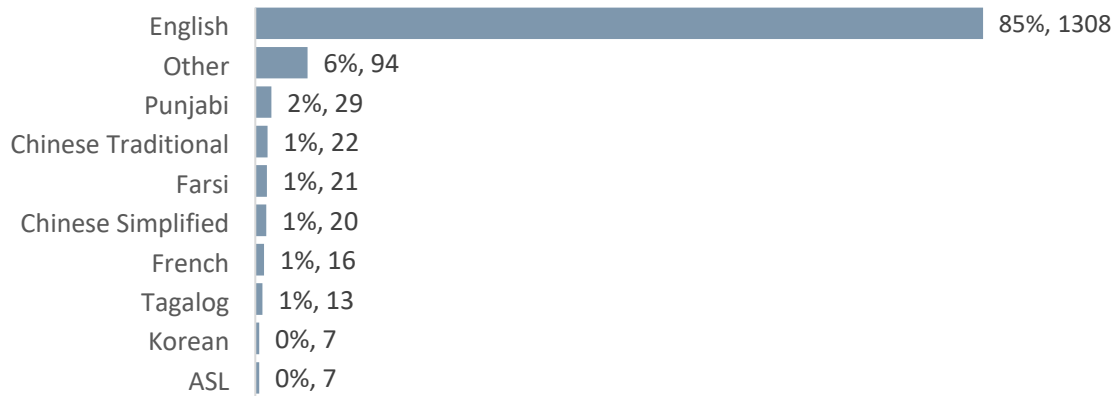
Complainants by Immigration Status



Language

50% of complainants opted to provide language information.

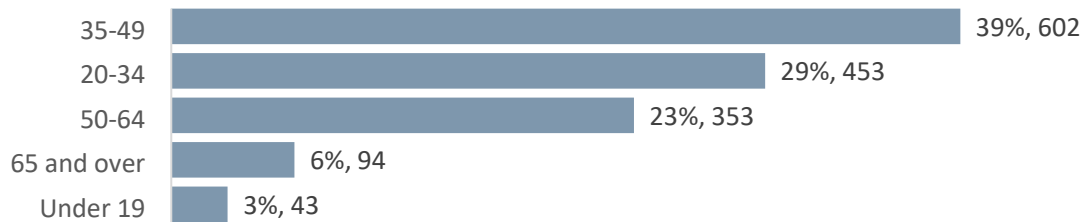
Complainants by Language



Age

51% of complainants opted to provide age information.

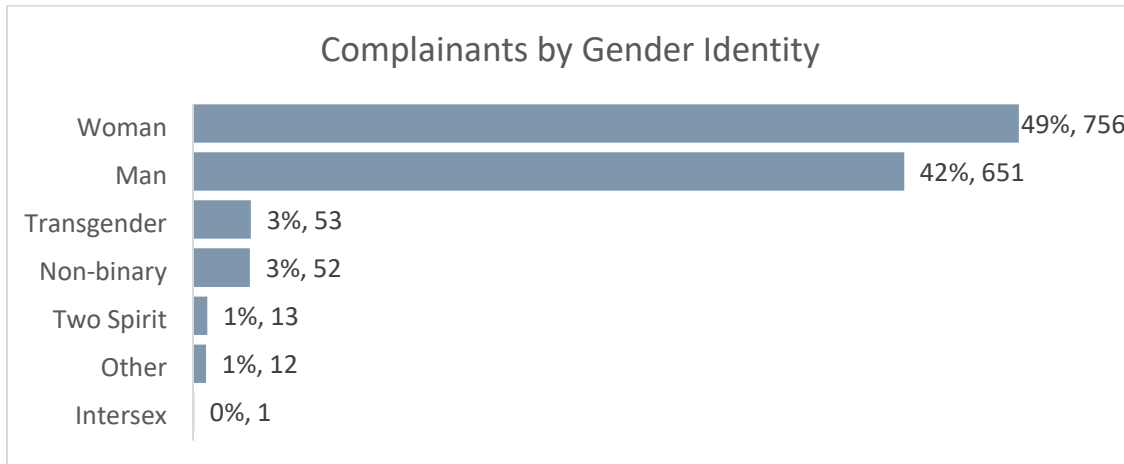
Complainants by Age





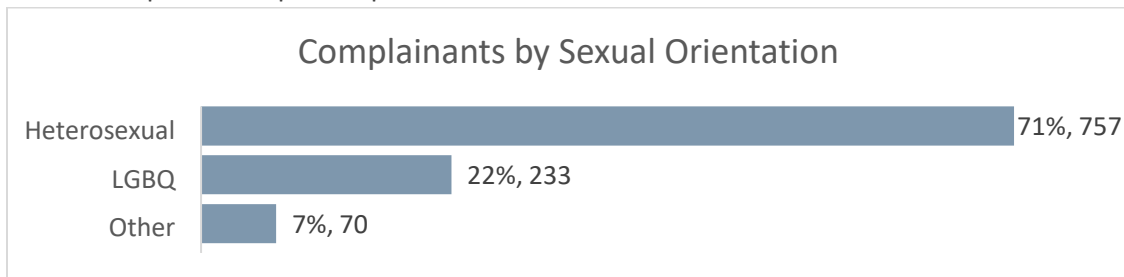
Gender Identity

51% of complainants opted to provide gender identity information.



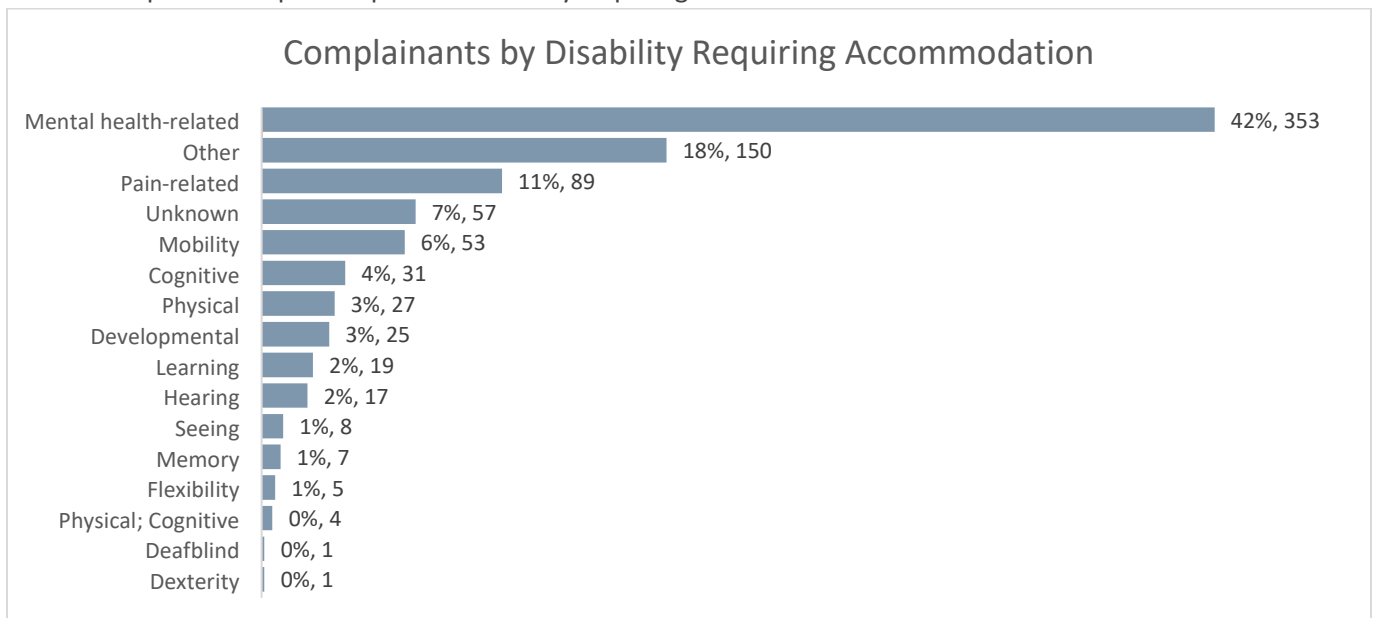
Sexual Orientation

35% of complainants opted to provide sexual orientation information.



Disability Requiring Accommodation

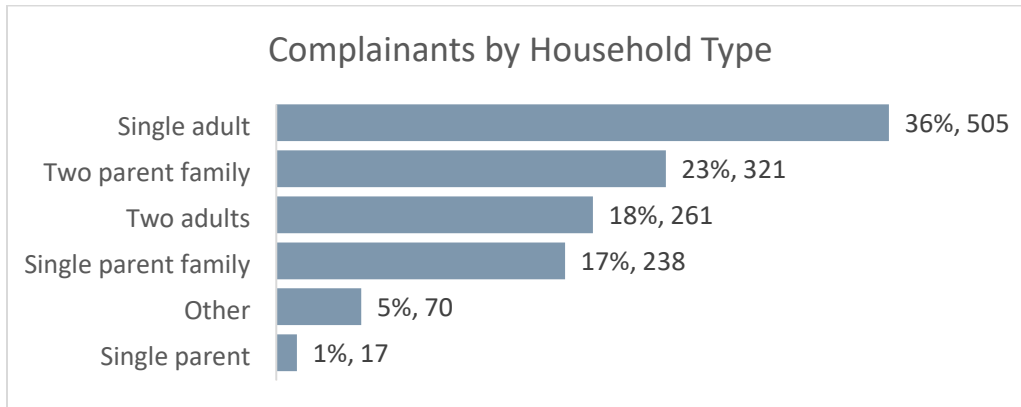
28% of complainants opted to provide disability requiring accommodation information.





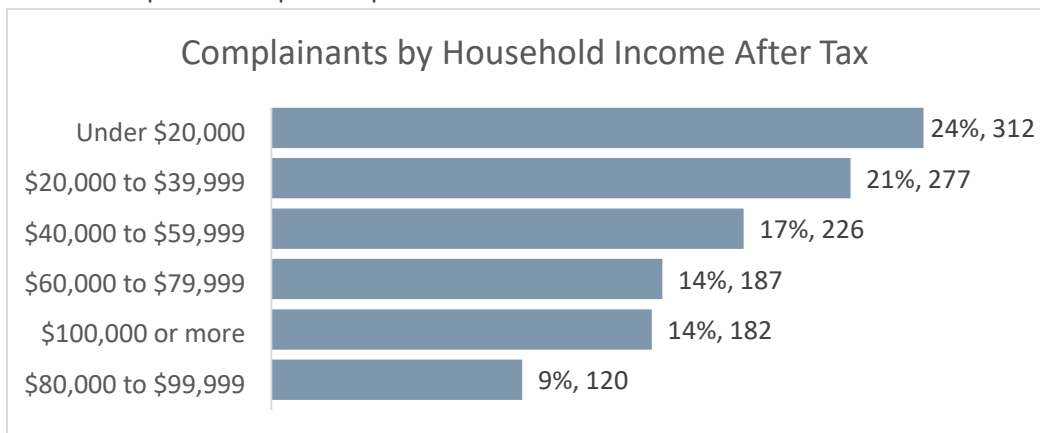
Household Type

46% of complainants opted to provide household type information.

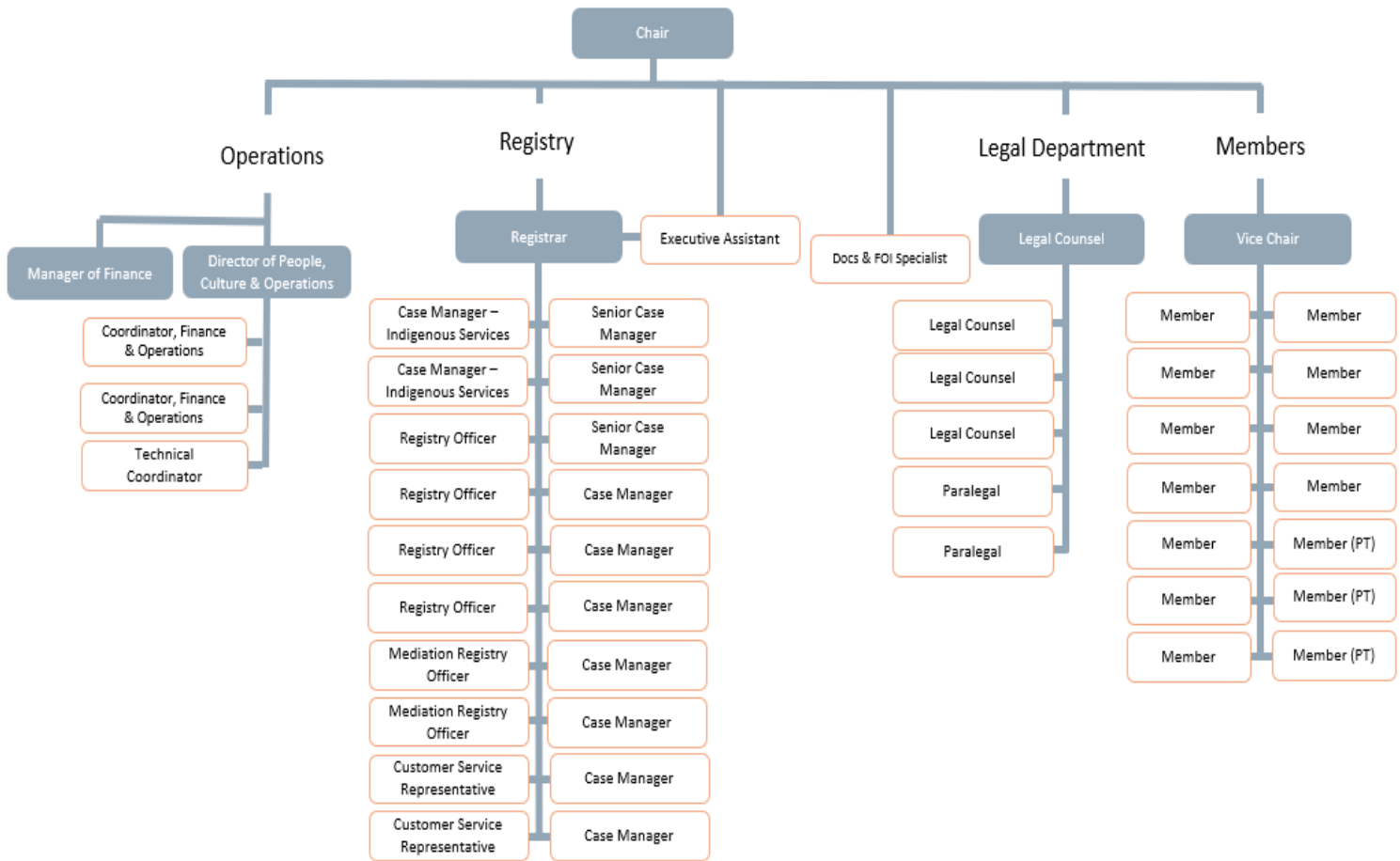


Household Income After Tax

43% of complainants opted to provide household income after tax information.



Appendix 4: Tribunal Organization Chart



Appendix 5: Tribunal Team

Tribunal members are administrative law judges who mediate, case manage, adjudicate, and make decisions on human rights complaints. Our staff are an integral part of our professional team. They support our adjudicators and serve our public to the highest standards of integrity and professionalism. The 2024-25 fiscal year saw turnover due to retirements and movement to other organizations. It also again saw growth with the addition of new Registry staff and the creation of new positions due to the increase in Tribunal funding.

Chair

Emily Ohler, K.C. (Chair & Member)

Vice Chair, Case Management and Assignment

Devyn Cousineau (Vice Chair & Member)

Tribunal Members

Steven Adamson
Ijeamaka Anika
Shannon Beckett
Kylie Buday
Jonathan Chapnick
Robin Dean
Jessica Derynck
Theressa Etmanski
Christopher Foy (partial year)
Beverly Froese
Steven Perks (partial year)
Sonya Pighin (partial year)
Amber Prince
Andrew Robb
Laila Said-Alam
Kathleen Smith
Karen Snowshoe (partial year)
Edward Takayanagi

Legal Counsel

Katherine Hardie
Heather Hoiness
Shawnee Monchalin
Joana Thackeray

Legal Department Staff

Anne V. (partial year)
B. H.
Brianna M. (partial year)

Finance and Operations

Alexander W.
Craig R.
Gayle M.
Marc L. (partial year)
Rene D.
Shikha S. (partial year)
Sofia R.
Youkang Y.

Registrar-Legal Advisor

Rose Chin

Registry Staff

Adrien F. (partial year)
Anne-Marie K. (partial year)
Britt S.
Carla K.
Cheryl B.
Daniel V.
Elena S. (partial year)
Heidi F. (partial year)
Joanne N. (partial year)
Ken T. (partial year)
Kerry J.
Lorne M.
Luana M.
Malu F. (partial year)
Margarita B.
Mattie K.
Maxine J.
Meagan S. (partial year)
Naomi P.
Natasha N.
Nicole S. (partial year)
Nikki M. (partial year)
Pedro G.
Sandy T.
Sarah H.
William G. (partial year)