

Human Rights First:

A plan for belonging in Ontario



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Message from the Chief Commissioner

The Ontario Human Rights Commission (OHRC) and the Ontario *Human Rights Code* (the *Code*) celebrated their anniversary in March 2021 and June 2022, respectively. The OHRC was established as an arm's-length agency of government, to eliminate and prevent discrimination; and to promote and advance human rights in Ontario. The OHRC is one of three pillars of Ontario's human rights system. The other two pillars are the Human Rights Tribunal of Ontario (HRTO) and the Human Rights Legal Support Centre (HRLSC).

The OHRC's statutory mandate is wide-ranging. To achieve its mandate, the OHRC judiciously uses several tools including education, policy development, public inquiries and strategic litigation. In keeping with its mandate, the OHRC engages in strategic planning to set its overall goals and objectives and identify its priorities over a period of time. Today, the OHRC begins a new chapter in its work and is pleased to share its strategic plan for 2023–2025, entitled *Human Rights First: A plan for belonging in Ontario*.

Following many months of broad community consultation and reflection, and building on its previous strategic plan, the OHRC is moving forward with a revitalized strategic plan. It recommits to Indigenous reconciliation to create partnerships with Indigenous communities to advance their human rights priorities.

There is a recommitment to addressing discrimination in the criminal justice and education systems. The far-reaching and ever-evolving nature and impacts of global crises require a greater focus on health and determinants of health, addressing the rise in hate, and the human rights implications of the use of artificial intelligence (AI) – areas that are affecting the most marginalized and vulnerable people in Ontario. To that end, the new plan includes human rights culture through meaningful engagement with rights-holders and duty-holders; and health and well-being to ensure the OHRC continues to focus on poverty and homelessness.

The OHRC is determined to use proactive, collaborative and intersectional approaches to maximize the reach and impact of its work to create a human rights culture in Ontario. These approaches align with its core values: accountability, integrity, relationships, collaboration and social justice.

Globally and locally, there has been a rise in racism and exponentially rising hate. The pandemic amplified the disparities in health, in particular mental health and substance use; unemployment and housing precarity; and homelessness. Also, the OHRC's inquiries have exposed a critical state of systemic racism in the criminal justice and education systems. Although the OHRC is uniquely positioned to promote and protect human rights in the province during these critical times, transforming entrenched systemic discrimination takes time and continuous effort.

The success of this strategic plan requires collective commitment. Thus, the OHRC will continue to build and sustain strategic relationships with its advisory groups and with a broad range of individuals, groups, organizations and institutions, including the HRLSC and HRTO. It will work with all levels of government, employers and other duty-holders to provide meaningful guidance that will facilitate compliance with human rights obligations to foster a culture of human rights accountability.

This revitalized plan reflects why belonging and intersectionality need to be the centre of all human-rights based approaches. It recognizes the complex ways in which social and political identities are braided and can create compounding effects of discrimination for *Code*-protected groups. The ultimate goal is to provide the human rights leadership and guidance that can improve the quality of life for every Ontarian.

Patricia DeGuire
Chief Commissioner

The purpose of our plan

The OHRC plays a leading role in identifying and promoting the reduction of discriminatory practices in the broader public interest. The *Code* administers 17 prohibited grounds of discrimination and harassment and five social areas. The primary aim in renewing the strategic plan was to ensure that OHRC's actions in the short term continue to be relevant, align with current and emerging needs, meet the expectations of OHRC stakeholders, and enable the OHRC to effectively fulfill its mandate while supporting its future growth.

Top of mind when this plan was created was the expansive mandate, emerging and critical issues that require an intersectional approach. Some of those issues include: anti-Black racism, systemic racism in policing and education, unmarked graves of residential school children; the economic, health and mental health impacts of the pandemic on various protected groups; and the prevalence of hate activities. *Human Rights First* sets out the OHRC's priorities for the next three years. It maintains a focus on reconciliation, the criminal justice system and the education system, priorities established under the last plan. Given the far-reaching and ever-evolving nature and impact of the global pandemic, increasing poverty and homelessness and the opioid crisis, this plan introduces an intentional focus on health, mental health and well-being. It also reflects a deep understanding that oppressive systems are interconnected and cannot be understood or addressed in isolation from each other. Intentionally, the focus of the plan is on organizational capacity to effectively fulfill the organization's mandate.

This plan continues the OHRC's direction towards planned action and a results-oriented approach. It will be highly focused on determining how it exercises its functions and powers to be most impactful and relevant to the lives of everyone across Ontario.

Recently, there have been and continue to be many domestic and global issues. At home, the uncovering of mass residential school graves across Canada over the past year has confirmed the critical importance of applying our collective efforts towards reconciliation with First Nations, Inuit and Métis peoples (Indigenous peoples) to address anti-Indigenous racism.

Developing the plan

With the current strategic plan ending in 2022, the OHRC undertook a planning exercise to develop a revitalized plan that will inform its direction for the coming three years (2023–25).

To achieve the aims of the strategic plan, the OHRC assessed the relevance of existing priorities, taking into consideration human rights issues and trends that have emerged since the last plan was developed. The OHRC also assessed the current business and operational environment to identify specific capacities and resources which it needs to achieve its goals and objectives in the short and long term.

The revitalized three-year strategic plan reflects extensive consultations with more than 200 individuals representing diverse communities, organizations, and institutions across Ontario. These consultations included key informant interviews, focus groups, and surveys. Reviewing the perspectives from consultations conducted in the previous strategic planning exercise provided helpful insights in identifying gaps and validating the direction and priority areas the OHRC needed to continue to work on. Many important, intersecting and competing challenges and opportunities were identified for the OHRC to consider. To identify the areas of focus and strategies that will enable it to have the most impact, the OHRC reflected on the questions below:

- What are cross-cutting issues that impact many communities facing systemic discrimination based on Code grounds?
- Where does the OHRC have expertise and bring unique value?
- Where is the OHRC best situated to provide leadership?
- Where can the OHRC be most impactful with rights-holders and with duty-holders?
- Where does the OHRC best amplify the voices and work of others?
- How best can the OHRC apply its limited resources for maximum relevance; that is, what should it pursue to raise awareness about human rights and change discriminatory behaviours?
- How can the OHRC use its information and education, tools and resources to provide practical guidance that turns human rights policies into practice for both rights-holders and duty-bearers?
- What does the OHRC need to do as an institution to be relevant, effective and sustainable?

All people are **rights-holders**. These include members of groups that are protected under Ontario's *Human Rights Code*: people who may face discrimination based on age, ancestry, citizenship, colour, creed, disability, ethnic origin, family status, gender identity, gender expression, marital status, place of origin, race, receipt of public assistance (in housing only), record of offences (in employment only), sex and sexual orientation. Marginalized individuals and groups who are not protected by the *Code* are also rights-holders.

Duty-holders: All people have a responsibility for respecting human rights. Duty-holders are state or non-state actors that have the obligation to respect, protect, promote and fulfill the human rights of rights-holders. Duty-holders have the obligation to set up mechanisms for effective remedies, and meet legal and other obligations relating to human rights issues.

The OHRC is mandated with challenging and addressing persistent inequality in society, with a particular emphasis on addressing systemic discrimination, which involves patterns of behaviour, policies and/or practices that are part of the social or administrative structure of an organization, and that create or perpetuate a position of relative disadvantage for persons protected by the *Code*. With *Human Rights First*, the OHRC will focus on five priorities. Whether they are duty-holders or rights-holders, Ontarians will see themselves in not just one but also in many of these priorities. While specific goals have been identified for each priority, many of them cut across the priority areas and collectively strengthen the OHRC's ability to make a difference.

Vision

An inclusive society where human rights are a lived reality and where all people are valued and treated with dignity and respect, feel a sense of belonging, and take responsibility for promoting and protecting human rights.

Mission

To create a climate of understanding and mutual respect for the dignity of all people by promoting and protecting human rights in Ontario by addressing systemic discrimination.

Values and principles

The OHRC believes that lasting and systemic change requires sustained and courageous action informed by our foundational values. Below are the values to which the OHRC commits to embody in all its work and ways of working:

- **Social justice:** Be courageous, creative, nimble, and steadfast in addressing systemic issues that affect Ontarians and perpetuate inequality, discrimination and injustice.
- **Relationships:** Build and sustain respectful, trusting and constructive relationships with rights- and duty-holders to advance human rights.
- **Collaboration:** Collaborate and partner with groups, organizations and institutions, including the human rights system, to maximize our collective impact.
- **Integrity:** Be principled and independent in advancing and securing substantive equality.
- **Accountability:** Be transparent and accountable to the people of Ontario in pursuing our mandate and being efficient and responsible in our use of resources.

Strategic focus areas

Addressing entrenched systems of discrimination is complex work that requires sustained attention and effort. The OHRC will focus on and measure its impact in five urgent priority areas.

- **Reconciliation:** Build sustaining, respectful and trusting relationships with Indigenous communities (First Nations, Métis, Inuit and urban Indigenous) to advance reconciliation and substantive equality.
- **Criminal justice:** Advance human rights and reduce systemic discrimination in the criminal justice system by requiring accountability and institutional change.
- **Health and well-being:** Address discrimination in the areas of health, housing and employment by enabling duty-holders to act on their human rights obligations.
- **Education:** Strengthen the foundation for human rights in Ontario by addressing discrimination in the education system.
- **Human rights culture:** Promote a commitment to human rights in Ontario through education and engagement.

Indigenous reconciliation

The OHRC recommits to advancing reconciliation. It continues to be dedicated to working on its relationship with Indigenous peoples to address the impacts of colonization and the systems that oppress Indigenous peoples. To that end, it will engage in sustaining and trusting relationships with diverse First Nations, Inuit and Métis communities and groups, with dignity and respect.

The OHRC recognizes the enduring impact of colonialism on Indigenous peoples. It believes a commitment to reconciliation and the vital processes of healing, empowerment and self-governance for Indigenous peoples is of utmost importance and a priority for our collective future. The OHRC accepts and embraces the important role that it must play in addressing critical human rights issues affecting Indigenous communities. It will establish and strengthen its relationships with Indigenous communities and groups; recognize colonialism and address systemic racism, discrimination and inequality.

Goals:

1. Continue to build the OHRC's internal knowledge and understanding of the rich diversity of Indigenous issues, needs, knowledge and laws, and develop our organizational capacity to be trusted and knowledgeable collaborators and partners
2. Strengthen the OHRC's dialogue, relationships and engagement with Indigenous communities across Ontario
3. Work together with Indigenous communities to identify and advance human rights priorities and actions.

The OHRC will work towards the following outcomes:

- The OHRC is a trusted ally to Indigenous communities in the work of reconciliation
- The human rights system is more accessible to Indigenous communities.

Criminal justice

The OHRC recommits to advancing human rights and reducing systemic discrimination in the criminal justice system by requiring accountability and institutional change as a strategic focus area.

This priority area enables the OHRC to retain and further sharpen its focus on the criminal justice system and address several long-standing and cross-cutting issues: the disproportionate number of Indigenous people in this system; systemic anti-Black racism; the disproportionate harms for people with disabilities, particularly mental health disabilities; and discrimination experienced by survivors of violence, community members of diverse sexual orientations, gender identities and gender expressions, and immigrants, migrants, refugees and others with insecure status within these systems.

Also, this area of focus will enable the OHRC to bring attention to new, emerging and critical human rights issues. The OHRC will examine discrimination issues that arise when developing, using and governing artificial intelligence (AI), automated decision-making (ADM) and algorithms by the criminal justice system, including but not limited to data discrimination and racial profiling. The OHRC will also work with the criminal justice system and other government institutions to challenge and address the dramatic increase in hate that has been documented since the onset of the pandemic.

Goals:

1. Reduce discriminatory practices and racial profiling in policing throughout Ontario
2. Reduce discriminatory practices in corrections, including the use of solitary confinement in provincial institutions
3. Build institutional awareness of and capacity to respond to manifestations of hate through the human rights system
4. Identify, raise awareness of and build institutional capacity to address human rights risks resulting from the rapidly increasing use of AI in the criminal justice system.

The OHRC will work towards the following outcomes:

- Police services are addressing the inequitable and disproportionate impacts resulting from discrimination
- Provincial correctional institutions are implementing non-discriminatory practices and the use of solitary confinement is reduced for people with mental health disabilities
- Public institutions are more aware of and know how to use the human rights system to respond to manifestations of hate
- Public institutions are more aware of and better able to address risks to human rights resulting from the use of AI in the criminal justice system.

Health and well-being

The OHRC will address discrimination in the areas of health, housing and employment by enabling duty-holders to comply with their human rights obligations.

The pandemic has markedly exacerbated inequities and discrimination in health, housing and employment. Understanding health as a human right creates a legal obligation for the government to ensure access to timely, acceptable, affordable health care, and improve options included as underlying determinants of health such as housing, income and employment.

This focus area enables the OHRC to purposefully and strategically leverage its relationships, particularly with government duty-holders and employers. In doing so, the OHRC can promote systemic change and address discrimination that contributes to and exacerbates health, mental health and well-being issues for many people, including people with disabilities, Indigenous, and racialized populations, people who are homeless and people with addictions.

Goals:

1. Enhance health-sector duty-holders' understanding of human rights principles and their capacity to act on human rights obligations in health care and public health
2. Provide duty-holders with accessible, relevant, practical and usable human rights guidance and frameworks that will enhance their ability to meet their human rights obligations to reduce discrimination in employment.

The OHRC will work towards the following outcomes:

- Health institutions recognize, understand and make meaningful improvements towards addressing systemic discrimination
- Duty-holders have and use accessible, relevant and practical human rights tools.

Education

The OHRC recommits to addressing systemic discrimination in the education system, and in doing so will strengthen the foundation for human rights in Ontario.

The OHRC will focus on creating an environment where all children in Ontario can reach their full potential. Building on the foundation established by the Right to Read inquiry and its recommendations, the OHRC will engage with government, school boards and education institutions to implement changes that will eliminate systemic discrimination across education settings. Through this work, the OHRC will help make sure all children, youth and young adults in this formative system have a lived experience where in practice human rights are respected.

Goals:

1. Improve the accountability of duty-holders in the education-sector and address systemic discrimination throughout Ontario's education system
2. Enhance post-secondary institutions' capacity to collect human rights data and understand and address discrimination.

The OHRC will work towards the following outcomes:

- Duty-holders in the education system are implementing changes that address systemic discrimination
- Improved opportunities and outcomes for students disproportionately affected by discrimination in Ontario.

Human rights culture

The OHRC recommits to strengthening a human rights culture in Ontario through education and engagement.

Recent events in Canada and around the world have raised serious concern and fear about growing racism, Islamophobia, homophobia, and general xenophobia. The OHRC will address these challenges head-on by fostering a culture across the province that puts human rights at its core. Through this focus area, the OHRC will demonstrate visible leadership and guidance. It will create and deliver to children, youth and adults across Ontario information and education about their human rights and responsibilities. It will reach out and listen to people who are often marginalized and who are most affected by systemic discrimination.

Goals:

1. Enhance public awareness of and access to human rights information, education, community engagement and guidance on applying human rights principles
2. Empowering people to exercise their rights and demand accountability from duty-holders
3. Build public awareness of and capacity to respond to manifestations of hate through the human rights system
4. Raise public awareness of the risks to human rights resulting from the rapidly increasing use of AI.

The OHRC will work towards the following outcomes:

- The public is more knowledgeable about human rights
- People are better able to exercise their human rights with duty-holders
- The public has an increased understanding of hate and knows how to use the human rights system to respond to manifestations of hate
- The public has increased understanding of artificial intelligence (AI) and implications for human rights.

Our operational priority – organizational impact

The quality of the OHRC’s work depends on a strong organizational foundation. Over the coming three years, the OHRC’s operational priority is to build an impactful human rights institution for Ontario. Grounded in its values, the OHRC will build an effective, efficient and sustainable organization to achieve its mandate.

There are two critical elements that together provide the framework for the strategic plan: the OHRC’s substantive strategic focus areas and its operational effectiveness and efficiency. There is an interdependent relationship between these elements, and together they can drive the OHRC towards its vision.

Goals:

1. Foster an inclusive environment that promotes health and wellness and empowers staff to learn, grow and excel
2. Be data-driven, evidence-based and outcome-focused in our planning, monitoring and reporting accountabilities
3. Align and optimize our resources, systems and processes towards achieving our mandate and strategic plan.

The OHRC will work towards the following results:

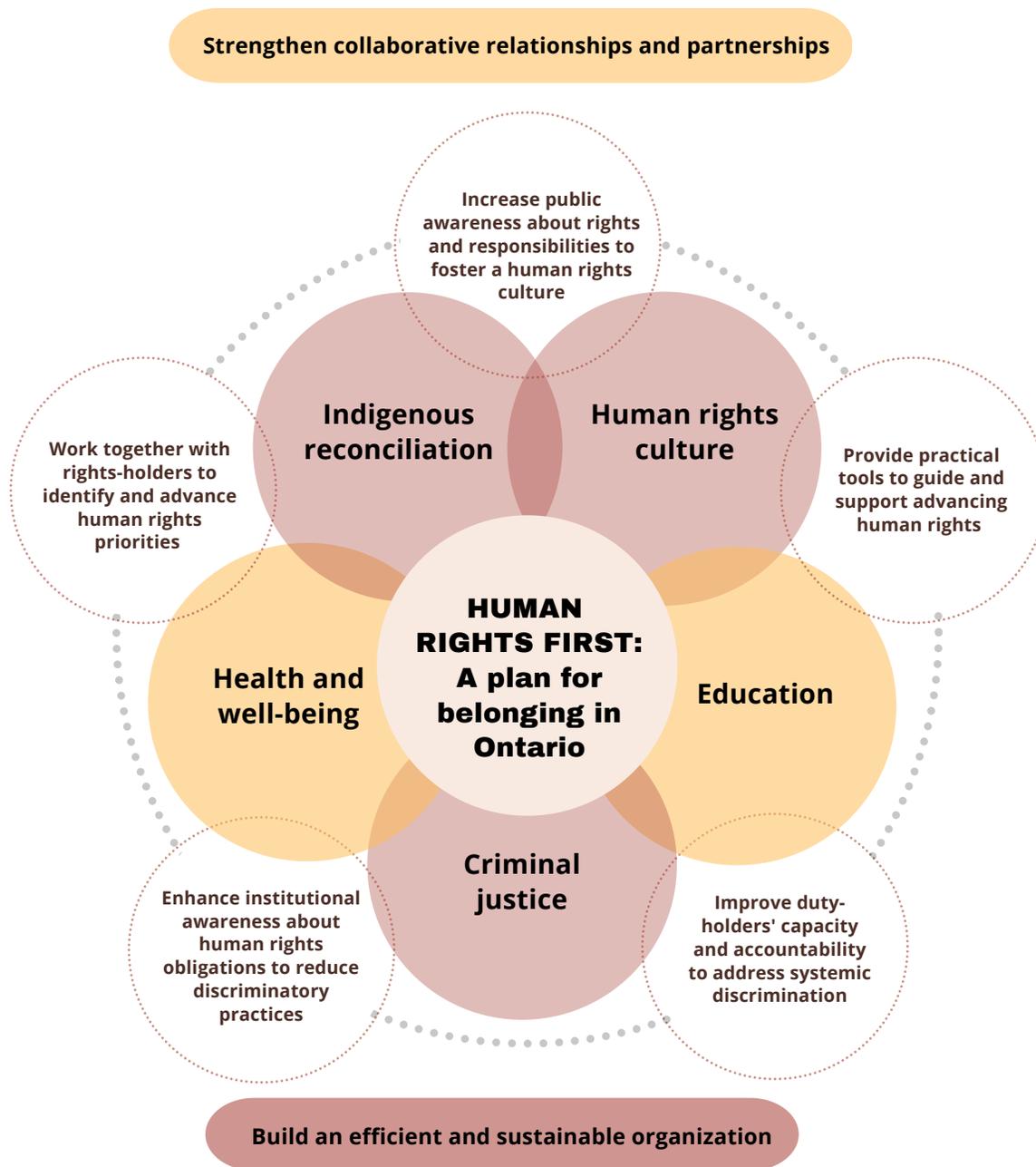
- Improving employee experience and creating and sustaining a strong sense of belonging
- The OHRC is functioning optimally.

Key performance indicators

The human rights issues addressed by the OHRC with this plan are complex. The strategies the OHRC uses to effect systemic change are long-term in nature and involve many stakeholders, partners and collaborators. As a result, measuring human rights work is difficult. To effectively monitor its performance and success in undertaking the strategic priorities, the OHRC has identified measurable markers to show that goals are being achieved and that the OHRC is driving towards its planned results.

	Performance measures	Target
Indigenous reconciliation	<ul style="list-style-type: none"> Percentage of Indigenous partners who agree that the OHRC maintains relevant and effective relationships 	<ul style="list-style-type: none"> 5% increase in the number of Indigenous partners who agree that the OHRC maintains relevant and effective relationships based on the results of the biennial survey
Criminal justice and Health and well-being	<ul style="list-style-type: none"> Percentage of duty-holders who report having accessed relevant and practical human rights tools 	<ul style="list-style-type: none"> 10% increase in the number of duty-holders who report they have accessed relevant and practical human rights tools
Education	<ul style="list-style-type: none"> Percentage of school boards that have a plan to implement the <i>Right to Read</i> recommendations 	<ul style="list-style-type: none"> Year-over-year increase to 100% by year two (75% in year 1 and 100% in year 2) of school boards having a plan to implement the <i>Right to Read</i> recommendations
Public education	<ul style="list-style-type: none"> Public satisfaction with the OHRC's products 	<ul style="list-style-type: none"> 80% satisfaction with OHRC products
Organizational impact	<ul style="list-style-type: none"> Percentage increase in employee experience rates 	<ul style="list-style-type: none"> 2% increase in the overall employee experience rate based on the results of the biennial employee experience survey

Plan on a page



Vision

An inclusive society where human rights are a lived reality and where all people are valued and treated with dignity and respect, feel a sense of belonging, and take responsibility for promoting and protecting human rights

Values

- Social justice
- Relationships
- Collaboration
- Integrity
- Accountability

Mission

To create a climate of understanding and mutual respect for the dignity of all people by promoting and protecting human rights in Ontario and addressing systemic discrimination



Ontario
Human Rights Commission
Commission ontarienne des
droits de la personne