

SUPREME COURT OF NOVA SCOTIA

Citation: *Wright v. Nova Scotia (Human Rights Commission)*, 2017 NSSC 11

Date: 2017-01-11

Docket: Hfx No. 453841

Registry: Halifax

Between:

Deborah Wright, Bonnie Barrett, Roxanne Barton, Pamela Chandler, Michele Cox,
and The North End Community Health Society ("NECHS")

Applicants

v.

The Nova Scotia Human Rights Commission, The Attorney General of Nova
Scotia representing her Majesty the Queen in Right of the Province of Nova Scotia

Respondents

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Judge: The Honourable Justice James L. Chipman

Heard: December 15, 2016 in Halifax, Nova Scotia

Written Decision: January 11, 2017

Subject: Judicial review of a decision of the Nova Scotia Human
Rights Commission (the "Commission").

Summary: The Commission dismissed the Applicants' claim alleging
discrimination. Notwithstanding that a six month long
investigation took place with the investigator recommending a
referral to a Board of Inquiry, the Commission dismissed the
complaint because "there is no likelihood that an investigation
will reveal evidence of a contravention of the *Act*."

Issues: (1) Whether the Commission's decision was reasonable?
(2) What is the proper remedy?

Result:

The Court found the Commission's decision to be unreasonable. The Court declined to decide the alternative grounds proposed by the Province and/or address the question of whether a *prima facie* case of discrimination has been made out. Rather, the entire matter was referred back to the Commission to be dealt with in accordance with the principles of fairness and transparency but without a new investigation.

***THIS INFORMATION SHEET DOES NOT FORM PART OF THE COURT'S DECISION.
QUOTES MUST BE FROM THE DECISION, NOT THIS LIBRARY SHEET.***