

Legally speaking...

Did you know?

Revised July 2013

This fact sheet contains legal information, not advice and is accurate as at the above date. For legal advice, please contact a lawyer.

Subject: Human Rights

BC HUMAN RIGHTS TRIBUNAL - FILING A COMPLAINT

In British Columbia, the BC Human Rights Code is the law that prevents and prohibits discrimination in certain areas of activity. You can complain to the BC Human Rights Tribunal if you think you have been discriminated against contrary to the BC Human Rights Code.

Is there a time limit to file a complaint?

Yes there is. To file a formal complaint in BC, the complaint must be filed with the BC Human Rights Tribunal within six months of the incident.

What is the complaint process?

You need to fill out the **Complaint Form**, and file it within six months of the incident. If the incident happened more than six months ago, you may still file a complaint but the Tribunal will have to decide whether to accept the complaint past the time limit.

The person who files the complaint is the **complainant**, and the person against whom the complaint is made is the **respondent**.

When a complaint is filed and the Tribunal decides it will deal with the complaint, they will send a copy of the Complaint Form to the respondent. They will then ask the respondent to provide you and the Tribunal with a written response on a **Response to Complaint Form** within the time limit allowed by the Tribunal.

Both you and the respondent will have a chance to settle all or part of your complaint at any time

during the Tribunal process. Once a Response to Complaint Form is filed, the parties will be asked to attend a settlement meeting and a pre-hearing conference and hearing dates will be set. If either of you are not able to settle the issue at the settlement meeting, then the case will go to the pre-hearing conference which is to make sure both of you are ready to go to the hearing. At the hearing a member of the Tribunal will make a decision as to whether you were discriminated against. The Tribunal member may give an oral decision which will later be followed by a written decision.

If you disagree with the decision of the Tribunal, you may ask the BC Supreme Court to review the Tribunal's decision. This is called a **judicial review**. This can be a complicated process and you may need legal assistance with this.

For More Information

BC Human Rights Tribunal

1170 - 605 Robson Street, Vancouver

Phone: 604-775-2000

Toll free: 1-888-440-8844

TTY: 604-775-2021

Website: www.bchrt.bc.ca

BC Human Rights Clinic

Vancouver Region

1202 - 510 West Hastings Street

Phone: 604-689-8474

Toll Free: 1-877-689-8474

Fact Sheet: "BC Human Rights Tribunal"



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