

Upon receiving such application, the Executive Officer will complete the review and notify the requester of the decision, reasons for the decision, and notice of the requester's right to apply to the Information Commissioner for an external review of the Executive Officers decision in accordance with Part 6 of the PATI Act.

Section I: Information Statement: Copies and Updates [s5(2,3,4,5)]

Every public authority shall update its Information Statement at least once a year, and make it available for inspection by the public at reasonable times by [s5(1-5), PATI Act]:

Date Information Statement was updated: [January 31, 2019]

Locations of Information Statement:

Confirm copies of Information Statement are available at the following sites:

Office of the Human Rights Commission Yes

The Bermuda National Library; Yes

The Bermuda Archives; Yes

Available electronically, Yes

Independent website for public authority (www.humanrights.bm). Yes

Have you published a notice in the Gazette indicating the places where the information statement is available for the public? Yes

With the Information Commissioner. Yes

Sign and Date:



Lisa M. Reed, Executive Officer

[January 31, 2019]

The Commission's PIO is Ms. Sara Clifford, Education and Relationship Officer. Applications may be:

<p>Submitted in Person Human Rights Commission Mechanics Building, 3rd Floor 12 Church Street Hamilton, HM 11 Tel: 441-295-5859</p>	<p>Submitted By Post Human Rights Commission PO Box 734 Hamilton, HM CX</p>	<p>Submitted By Email HumanRights@gov.bm The subject line should state –“PATI Request”</p>
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Process to Request Information Through PATI

Pursuant to Section 13 of the PATI Act, the request must:

- Be made in writing to the authority that holds the record;
- Identify the record or contain sufficient information to enable the authority to identify the record;
- Specify the form or manner the requester wishes to be given access.

Once a request is received and validated, an acknowledgement letter will be sent to the requester acknowledging receipt of the application and that an Information Officer will process the request in accordance with the PATI Act.

Reasonable Accommodation and PATI

The Commission is committed to providing services which embrace diversity and which promote equality of opportunity. Pursuant to Schedule 1 of the Act, the Commission offers reasonable assistance when requested to applicants with disabilities. Where a requester has asked that the information provided is in an accessible format, the Commission will make reasonable attempts to honour that request.

Section H: Any Other Information [s5(1)h]

Fees and Charges:

The purpose of this Information Statement is to make the maximum amount of information readily available at minimum effort and cost to the public. There is no charge to the public for requesting information under PATI, however there may be costs to reproduce documents pursuant to the Government Fees Regulations 1976.

Rights of Review

If you are dissatisfied with the response received, the PATI Act provides requesters with the right to appeal a decision via an internal review and external review process. In accordance with Part 5 of the PATI Act, internal review applications should be made to the Executive Officer within 28 days after the date of the initial decision.

- Minutes of meetings of the Commissioners
- Minutes of meetings of the Officers
- Personnel files relating to the employees of the Commission
- Policies and procedures
- Research reports, including surveys, research material and statistical data
- Tribunal files
- Strategic plans and business plans
- Training materials

The following types of documents are publicly available at the Offices of the Commission:

- Annual budget and quarterly financial performance reports
- Annual reports
- Brochures and Pamphlets
- Forms for services including applications
- Intake and investigation statistics
- Media statements

Section E: Administration (all public access) manuals [s5(1)e]

Administrative Manuals

The following manuals are used by the Commission to guide its processes:

- Financial Instructions
- Code of Practice
- Collective bargaining agreement
- Civil Service Conditions of Employment and Code of Conduct

Section F: Decision-making documents [s5(1)f]

The above documentation referred to in Section E.

The Human Rights Act, to providing the functions and jurisdiction of the Commission also establishes decision-making protocols to be followed by the public officers of the Commission.

Section G: The Information Officer [s5(1)g]

How to Contact the Information Officer

In accordance with the PATI Act, applications for access to information must be in writing and directed to the Information Officer. The Commission's PATI Information Officer (PIO) is responsible for validating and processing all PATI requests received by validating requests. The PIO will liaise with the requester, relevant decision maker or internal reviewer and third parties, in order to process requests in accordance with the PATI Act.

The Commission's strategic priorities are to:

- Maximize the protection of human rights;
- Provide impactful awareness and education;
- Demonstrate operational excellence; and
- Increase knowledge and capacity.

The Commission is committed to:

- Building organisational capacity in order to perform as a modernised regulatory body ensuring that complaints are dealt with swiftly and fairly;
- Provide educational information to the public to ensure that all segments of the community are knowledgeable about human rights issues and, as well, are empowered to seek redress where offences may have occurred; and
- Create meaningful partnerships with stakeholders to advance equality and human rights in Bermuda.

The Human Rights Commission works with individuals, organisations, industries, schools, community groups, the Government of Bermuda and the public at large to promote understanding of human rights and their rights and responsibilities under the Act. To that end, the Commission provides the following services:

- Education about the Act;
- Fair and timely investigation of complaints of discrimination;
- Dispute resolution services by way of conciliation and mediation;
- Training and consultancy services about human rights, anti-discrimination practices and complaint mechanisms; and
- Assistance under Section 18 for complaints referred to a Human Rights Tribunal.

Section D: Records and documents held [s5(1)d]

Classes of Records Held

The HRC creates and receives a large number of documents and records in the course of its work. Documents held by the Commission fall broadly into the categories described below. The listing of these categories does not necessarily mean all documents are accessible in full or in part under the PATI Act.

Document Types

The types of documents held by the HRC include:

- Accounting and financial reports
- Annual reports
- Complaint and enquiry records
- Corporate files containing correspondence, memoranda, etc.
- Documents relating to the functions of the Commission and its statutory authority
- Investigation files
- Legal documents including legal advice, documents filed in courts and Tribunals, contracts and correspondence with parties to a complaint

- Convention on the Elimination of Discrimination Against Women
- Convention on the Rights of Persons with Disabilities
- Convention on the Elimination of Racial Discrimination

Section B: Functions, powers, duties of the Authority [s5(1)b]

Functions, Powers and Duties

The Human Rights Act, 1981 was enacted by the Bermuda Legislature in December 1981 and, shortly thereafter in early 1982, the Human Rights Commission was established to administer the Human Rights Act.

As conferred by Section 14 of the Act, the functions of the Human Rights Commission are to:

- Encourage an understanding of the fundamental rights and freedoms of the individual guaranteed by Chapter 1 of the Constitution and of the principle that all members of the Community are of equal dignity, have equal rights and have an obligation to respect the dignity and rights of each other;
- Promote an understanding of, acceptance of and compliance with the Act;
- Develop, conduct, research and arrange educational programmes designed to eliminate discriminatory practices;
- Encourage organizations within the Community and individual persons to carry on activities which will attract all members of the Community whatsoever;
- Encourage and co-ordinate any activities which seek to forward the principle that every member of the Community is of equal dignity and has equal rights; and
- Use its good offices for the conciliation, mediation and settlement of any complaints or grievances arising out of acts of unlawful discrimination and, where in its opinion such good offices are inappropriate, institute prosecutions for contraventions of the Act.

The Commission may also issue guidelines for the information of the public in relation to any matter relevant to its functions and, codes of practice for the elimination of racial discrimination and the promotion of racial equality.

Section C: Services and Programmes [s5(1)c]

Strategy and Summary of Services Provided

Vision

The Commission envisions a community that honours and protects human rights for all.

Mission

The mission of the Commission is to eliminate discrimination through advocacy, education and enforcement.

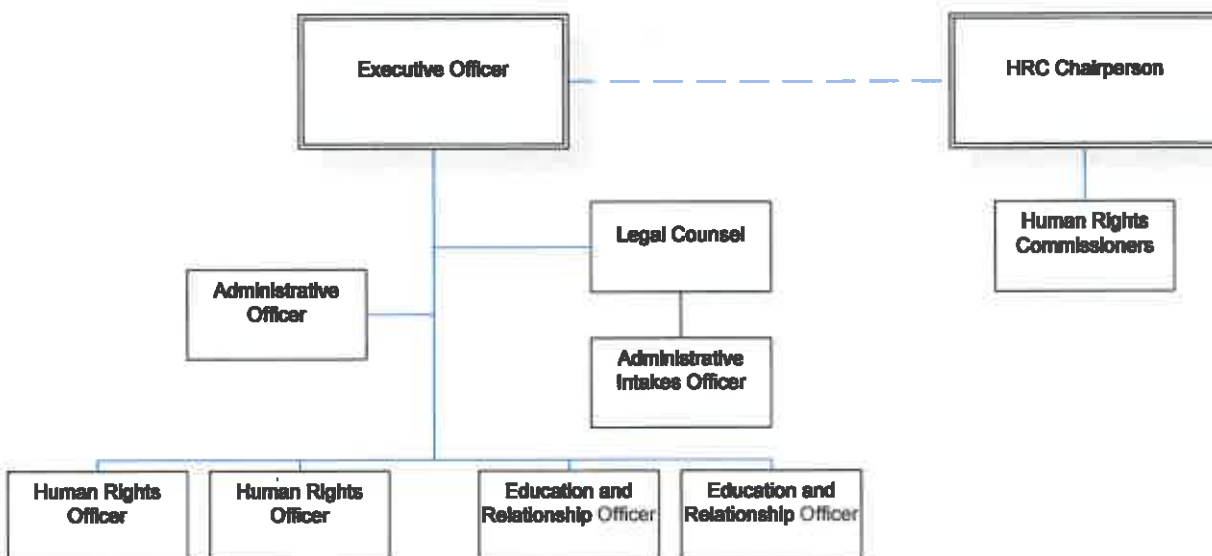
Core Values

The dedicated staff of the Commission hold these values as the foundation on which we perform our work and conduct ourselves. We believe in fairness, confidentiality, effectiveness, courage, personal responsibility and accessibility.

Appointment Committee. The Selection and Appointment Committee exists separately from the Commission, selecting and appointing Human Rights Commissioners pursuant to independent processes external to the Commission. The office of the Commission is further staffed by seven full-time public officers.

The working relationship between the Executive Officer and the Chairperson of the Human Rights Commissioners is a constructive partnership which enables interdependence and a culture of shared responsibility, while providing distinct lines of decision-making and authority. The Executive Officer has the statutory power to investigate complaints, collect evidence, and determine whether a complaint is without merit or falls outside the jurisdiction of the Commission. The Executive Officer is also responsible referring complaints to a Human Rights Tribunal. The Tribunal (which is composed of Human Rights Commissioners) will hear a complaint and has the power to determine whether the Act has been contravened and to impose penalties on non-compliant parties to complaints.

Human Rights Commission - Organisational Structure Chart



Governing Legislation and International Covenants

- The Bermuda Constitution Order 1967
- The Human Rights Act, 1981 (the "Act")
- Commissions of Inquiry Act 1935 (sections 8 – 13 only)
- The European Convention on Human Rights
- Convention on the Rights of the Child
- The Universal Declaration on Human Rights
- International Covenant on Economic, Social and Cultural Rights
- International Covenant on International and Political Rights

The Commission may not grant a request if it is:

- information which is exempt under Sec. 4(1)(b) of the PATI Act or which is otherwise protected from disclosure;
- information that does not exist or cannot be found after all reasonable steps have been taken to find it;
- information that is not held, or which has been disposed of in accordance with a legally authorized disposal schedule;
- information which is in draft form.

When a request for information is not fulfilled, the requester will be informed with an explanation of the decision and, as well, information on how to request a review of the decision.

Section A: Structure, Organisation and Legislation [s5(1)a]

Structure, Organisation and Governing Legislation

Role

The Commission has a statutory remit to protect and promote human rights under the Human Rights Act, 1981. The Commission's mandate is to both educate and promote the principles of non-discrimination and equality and to investigate and endeavour to settle allegations of discrimination.

Structure (see organisation chart)

Prior to 2015, the Commission operated as a Unit within the Department of Human Affairs and was dependent on a separate Board of Inquiry for the adjudication of human rights complaints.

In 2015, the Commission was transferred to a Non-Ministry Section to establish the public's direct access to the resolution of human rights complaints. This transfer also bolstered the independence and neutrality of the Commission as a National Human Rights Institution and strengthened the Commission's ability to effectively fulfil its statutory mandate. The Commission currently receives an operational grant from the Government of Bermuda and is administratively accountable to the Minister responsible for human rights.

The Executive Officer of the Commission is appointed by the Governor, acting upon the recommendation of the Public Service Commission. The Executive Officer is the Head of the Public Authority for the purposes of the PATI Act and has operational responsibility for the Commission. Under the Financial Instructions issued by the Ministry of Finance, the Executive Officer is also the Accounting Officer and is therefore solely responsible for the expenditure of the funds allocated to the Commission.

A body of up to twelve Human Rights Commissioners (including a Chairperson and Deputy Chairperson) are responsible for the adjudication of human rights complaints and the governance of the Commission. The Human Rights Commissioners are appointed for limited terms of three years by the Selection and

Human Rights Commission: PATI Information Statement

Purpose of the Public Access to Information Act, 2010

The purpose of the Public Access to Information Act, 2010 (“PATI Act”) is to give members of the public (“requesters”, which can include any third parties) the right to obtain access to information held by public authorities to the greatest extent possible, subject to exceptions that are in the public interest or for the protection of the rights of others.

Its purpose is to also:

- Increase transparency, and eliminate unnecessary secrecy, with regard to information held by public authorities;
- Increase the accountability of public authorities;
- Inform the public about the activities of public authorities, including the manner in which they make decisions; and
- Have more information placed in the public domain as a matter of routine.

In creating a right of public access, pursuant to the provisions of Section 5(1) of the PATI Act, the legislation requires each public authority to make available details about the kind of information it holds and provide information as to how they may be accessed by preparing an information statement.

Human Rights Commission Information Statement

This information statement provides an overview of the Bermuda Human Rights Commission (“Commission” or “HRC”) as follows:

- Organisation structure;
- Governing legislation;
- Functions, powers and duties of the Commission;
- Vision, mission and core values;
- Summary of services provided;
- Classes of records held;
- Decision-making processes; and
- Public Access to Information arrangements including contact information for the persons designated to respond to requests.

PATI Exemptions and Information That May Be Withheld:

Pursuant to Section 4(1) of the PATI Act, records relating to the exercise of quasi-judicial functions of the Commission or records obtained or created in the course of carrying out certain functions of the Commission are exempted.