

**REPORT OF THE ACTIVITIES OF
THE DISCRIMINATION AND HARASSMENT COUNSEL
FOR THE LAW SOCIETY OF UPPER CANADA**

For the period from July 1, 2005 to December 31, 2005

and

Summary of Data since January 1, 2003

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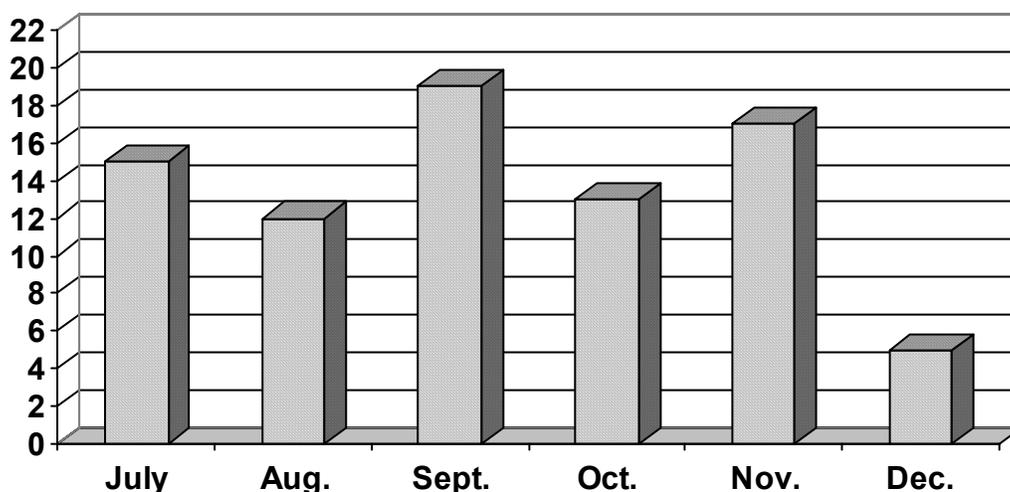
PART I

**SUMMARY OF ACTIVITIES
JULY 1 TO DECEMBER 31, 2005**

Overview of New Contacts with the DHC Program

Number of New Contacts

1. During this reporting period (July 1 to December 31, 2005), 81 individuals contacted the DHC Program with a new matter¹. The volume of new contacts was distributed as follows:



Method of Communication

2. The DHC toll-free telephone line remains the most common way in which individuals initiate contact with the Program, but the use of email has increased over time. In this reporting period, 28 individuals (35%) used email to make their initial contact with the program, 52 people (64%) used the telephone, and 1 used regular mail.

Language of Communication

3. During this reporting period, the DHC only communicated with one caller in French. All of the remaining contacts with the Program were in English.

¹ Individuals who had previously contacted the Program and who communicated with the DHC during this reporting period with respect to a previous matter are not counted in this number.

Summary of Discrimination and Harassment Complaints

Number of Complaints

4. Of the 81 new contacts with the DHC Program, 29 individuals raised specific complaints of discrimination or harassment by a lawyer, law firm, legal department or legal clinic in Ontario.²

Public / Profession Ratio

5. Of the 29 new discrimination and harassment complaints, 22 were from the public and 7 were from members of the legal profession.³

² This number includes only those complaints that are based on prohibited grounds of discrimination enumerated in the *Ontario Human Rights Code* and LSUC's *Rules of Professional Conduct*. Complaints of discrimination or harassment by lawyers that are not based on any human rights grounds are outside the mandate of the DHC Program and are referred to as such later in this report.

³ One lawyer initiated contact with the DHC on behalf of a secretary in his office who had experienced sexual harassment by another lawyer in the same firm. Although the DHC spoke with both the male lawyer and the female secretary, these calls have only been counted as one new contact with the Program and have been classified as a public complaint by a woman in the data of this Report.

Complaints from within the Legal Profession

Student Complaints

6. Articling students made 2 of the 7 complaints from within the legal profession during this reporting period.

Male / Female Ratio

7. Of the 7 complaints from within the legal profession, 5 were made by women (4 lawyers and 1 articling student).

Context of Complaints

8. All of the complaints from within the legal profession arose in the context of the complainants' employment.⁴

Nature of Complaints

9. The 7 complaints from within the legal profession were based on one or more of the following prohibited grounds of discrimination: sex (including gender identity), disability, and sexual orientation.
10. Five (5) complaints were based on sex as a ground of discrimination. Of these:
 - 1 female associate complained that she suffered employment-related reprisals by male partners in her law firm after she complained about sexual harassment by a male client;
 - 1 female associate in a law firm complained about sexual harassment by a male associate in her office;

⁴ One Tribunal member complained about another Tribunal member. This matter is classified as an "employment" complaint in the data of this report since it is workplace related.

- 2 government lawyers complained about discrimination in their employment (promotion/advancement) arising from their pregnancy and/or maternity leave; and
 - 1 trans-identified male articling student⁵ in a government office complained about sex discrimination at work.
11. One complaint was based on sexual orientation: a lesbian articling student in a law firm complained about discrimination by her female principal at work.
12. One complaint was based on disability: a male government lawyer with multiple physical disabilities complained that his manager (another lawyer) was refusing to provide him with appropriate accommodation.
13. In summary, the number of complaints in which each of the following prohibited grounds of discrimination was raised are as follows:
- sex 5
 - sexual orientation 1
 - disability 1

⁵ I have deliberately used “trans-identified male” (as opposed to “transsexual”) because this was the complainant’s preferred self-description.

Public Complaints

Male / Female Ratio

14. Of the 22 members of the public who contacted the DHC Program with a complaint of discrimination or harassment during this reporting period, 14 were women (64%) and 8 were men (36%).

Context of Public Complaints

15. Of the 22 complaints from members of the public:
- 8 were individuals complaining about a lawyer with whom they work;
 - 7 were clients complaining about their own lawyer⁶ or about a lawyer they had attempted to retain;
 - 2 were litigants complaining about counsel for the opposing party in their case;
 - 2 were witnesses for the prosecution in criminal proceedings who complained about Crown Attorneys;
 - 1 was a paralegal student who complained about an instructor;
 - 1 man complained about corporate counsel with whom he had had business dealings; and
 - 1 woman complained about a lawyer with whom she was acquainted.⁷
16. Thus during this reporting period, 36% of public complaints arose in the context of the complainant's employment, and 32% of complaints involved clients.

⁶ Complaints by grievors about union counsel are classified as "client" complaints in DHC data.

⁷ The nature of her relationship with the lawyer has not been disclosed in order to protect her anonymity.

Nature of Public Complaints

17. The 22 public complaints were based on one or more of the following prohibited grounds of discrimination: sex, race, ancestry, ethnic origin, disability, religion, sexual orientation and record of offences.⁸
18. Eleven (11) of the public complaints involved discrimination based on sex.
19. Of the 11 sex discrimination complaints, 4 involved male complainants:
 - 1 paralegal student complained about sexual harassment by a female lawyer who was his instructor;
 - 1 physician called on behalf of a male patient who was sexually assaulted by a court appointed (male) counsel as a youth;
 - 1 law clerk complained about sex discrimination by a male lawyer at his workplace; and
 - 1 process server complained about sexual harassment (and harassment based on perceived sexual orientation) by a male lawyer in his office.
20. Of the remaining 7 sex discrimination complaints by women:
 - 2 legal secretaries complained about sexual harassment by male lawyers in their workplace;
 - 1 law clerk complained about gender-based abusive behaviour and harassment by a male lawyer in her workplace;
 - 1 woman complained about sexual/racial harassment by a male lawyer with whom she was acquainted;
 - 1 woman complained about an employment reprisal committed by in-house counsel in her workplace after she made a sexual harassment complaint about a male supervisor;
 - 1 client complained that her male lawyer sexually harassed her; and
 - 1 sexual assault survivor, who was a witness in a criminal proceeding, complained about sexist treatment by a male Crown Attorney.

⁸ "Record of offences" as narrowly defined in the Ontario Human Rights Code.

21. Five (5) public complaints involved discrimination based on race and/or ancestry. Of these,
- 1 Chinese woman complained about sexual/racial harassment by a white male lawyer with whom she was acquainted;
 - 1 south Asian man complained about another south Asian corporate lawyer who made racist remarks to him (the men were of different ethnicities)⁹;
 - 1 client of middle-Eastern descent complained about racist remarks made by a white female lawyer that she had retained;
 - 1 First Nations woman involved in litigation complained that opposing counsel in her case (a white male) was discriminating against her based on her aboriginal ancestry; and
 - 1 white man involved in litigation complained that opposing counsel in his case (a white male) made a racial slur.
22. Three (3) public complaints were based on disability as the ground of discrimination. Of these,
- 1 woman complained that lawyers at a legal clinic were failing to accommodate her psychological and cognitive disabilities;
 - 1 man complained, on behalf of his deaf brother, that a lawyer who was representing them discriminated against his brother based on his hearing impairment; and
 - 1 legal secretary complained that a supervising lawyer at her workplace harassed her based on her physical disability.
23. Two (2) public complaints involved sexual orientation as a ground of discrimination:
- 1 gay male police officer complained about homophobic harassment by a Crown Attorney; and
 - 1 heterosexual male process server complained that a male lawyer in his office harassed him based on the (mis)perception that he is gay.

⁹ Their ethnicities are not revealed in order to protect the anonymity of the complainant.

24. Two (2) public complaints involved religion as a ground of discrimination:
- an Irish grievor complained that the union's lawyer discriminated against him based on his Catholic faith; and
 - an Evangelical Christian woman complained that a lawyer refused to represent her because of her faith.
25. One complaint was based in part on ethnicity: the aforementioned Irish Catholic grievor complained about discrimination by the union's lawyer based on both his religion and his ethnicity.
26. One individual complained about employment discrimination by a government lawyer based on his record of conviction (for a provincial offence).
27. In summary, the number of public complaints in which each of the following grounds of discrimination were raised are as follows:¹⁰
- sex 11
 - race 5
 - disability 3
 - sexual orientation 2
 - religion 2
 - ethnicity 1
 - ancestry 1
 - record of offences 1

¹⁰ The sum of the numbers in this paragraph exceeds 22 because some complaints involved multiple grounds of discrimination.

Examples of Recent Discrimination and Harassment Complaints

28. The following are examples of some of the elements of the discrimination and harassment complaints received by the DHC during this reporting period:
- a physically disabled legal secretary with modified employment duties and modified hours of work reported that she was called a “princess” by a woman lawyer in her office because of her accommodations;
 - a Chinese woman complained that a male lawyer with whom she was acquainted licked his lips suggestively and told her that he could “have” any Chinese woman and has “had” many Chinese women because he is white;
 - a lesbian articling student complained that she was outed at work by her female principal, to whom she had confidentially confided her sexual orientation.
 - a woman of middle-Eastern descent complained that a female lawyer she had retained questioned her about her inter-racial relationship, implying disapproval;
 - a woman involved in family law litigation complained that her male lawyer asked her to have sex with him and said that he could not continue representing her if she rejected him;
 - a male paralegal student complained that his female instructor (who is a lawyer) touched him affectionately and asked him if he was married and whether he was happily married;
 - a heterosexual male process server employed by law firm complained that a male lawyer in his office called him “pussy” and “faggot” and made lewd jokes ending with the lawyer touching his (the complainant’s) penis through his pants;
 - a pregnant lawyer working in a government office reported that, when she expressed interest in a promotion, she was asked how many children she planned to have, and when she requested pay for duties that she had assumed on an acting basis, she was denied the higher rate of pay on the basis that she was going on maternity leave and therefore would not be doing the acting job for long;
 - a female associate in a law firm complained that she was pulled off files and was denied advancement opportunities after she reported to the partnership that a male client had been sexually harassing her;

- a disabled government lawyer complained that his male manager (also a lawyer) was refusing to modify his job duties and to purchase adaptive devices to accommodate his medical restrictions;
- a trans-identified male articling student in a government office complained about gender-based employee appearance expectations in his workplace that required him to conform to conventional masculine appearance at work;
- a South Asian man complained that a corporate lawyer called him a “petty ethnic” and criticized him for operating his business “like a Third World idiot” (the respondent was also South Asian but from a different ethnic background); and
- a gay male police officer reported that a male Crown Attorney called him “faggot” and “homo” in front of other lawyers at a social gathering in a public place.

Demographic Survey of Complainants

29. Individuals who communicated with the DHC by telephone about complaints of discrimination or harassment were asked whether they would be willing to participate in a short demographic survey to enable the DHC to record anonymous statistical data about them.
30. During this reporting period, 20 surveys were conducted. Fourteen (14) public complainants and 6 members of the Law Society (including 2 students members) were surveyed and they identified as follows:

Gender/Sex	11	female
	8	male
	1	trans-identified
Age	6	were 25-34 years old
	9	were 35-49 years old
	3	were 50-64 years old
	2	undisclosed
Race / Ethnicity	1	Arab (Lebanese)
	1	Black
	2	Chinese
	1	Latin American
	12	White / Caucasian
	1	Other (Hungarian Gypsy)
	1	Other (Moroccan & Israeli)
	1	undisclosed
Sexual Orientation	3	lesbian / gay
	14	heterosexual
	3	undisclosed
First Language	17	English
	1	Cantonese
	1	Magyar (Hungarian)
	1	Spanish
Disability	4	identified as disabled

Region of Residence	9	Greater Toronto Area
	3	Southwestern Ontario
	2	Central Ontario
	3	National Capital Region
	1	Northern Ontario
	1	Winnipeg
	1	undisclosed

Services Provided to Complainants

31. Complainants who contacted the DHC were advised of the various avenues of redress open to them, including:
- reporting to the police (where criminal conduct is involved);
 - filing an internal complaint or a grievance within their workplace (including, where appropriate, contacting their union or employee association for assistance);
 - filing a complaint with a human rights commission (usually the Ontario Human Rights Commission, but sometimes the Canadian Human Rights Commission);
 - making a complaint to the Law Society; and
 - contacting a lawyer for advice regarding other possible legal actions (eg. wrongful dismissal, defamation).
32. Complainants were also provided with information regarding each of these options, including:
- what (if any) costs might be involved in pursuing an option;
 - whether legal representation is required to pursue an option;
 - how to file a complaint or make a report (eg. whether it can be done electronically, by telephone, or in writing; whether particular forms are required, etc.);
 - the process involved in each option (eg. investigation, conciliation, hearing, etc.);
 - what remedies might be available in different fora (eg. compensatory remedies in contrast to disciplinary penalties, reinstatement to employment versus monetary damages, etc.); and
 - the existence of time limits for each avenue of redress (complainants were typically advised to immediately seek legal advice regarding the applicable statutory time limits in their circumstances).

33. Complainants were not only advised of the options available to them, but also that the options were not mutually exclusive.
34. Complainants were given information about who to contact in the event that they decided to pursue any of their options.
35. In some cases, upon request, strategic tips were provided on how to handle a situation without resort to a formal complaints process (eg. confronting the offender, speaking to a mentor, writing a letter of complaint to the managing partner of the law firm in question).
36. In some cases, complainants were directed to relevant resource materials available from the Law Society, the Ontario Human Rights Commission, or other sources.
37. In some cases, complainants were referred to support services, such as OBAP (the Ontario Bar Assistance Program) or LINK (short term professional counselling for lawyers).

Mediation Services

38. In addition to being advised of the above-noted options, where appropriate, complainants were offered the mediation services of the DHC Program.
39. Where mediation was offered, the nature and purpose of mediation were explained, including that it is a confidential and voluntary process, that it does not involve any investigation or fact finding, and that the DHC acts as a neutral facilitator to attempt to assist the parties to reach a mutually satisfactory resolution of the complaint.
40. One formal mediation was conducted during this reporting period. Most complainants who rejected the offer of mediation expressed a desire to have their complaint investigated and/or a preference for an adjudicative approach to the resolution of their complaint. Some also expressed a belief that the respondent would not be willing to participate in mediation, though they did not authorize the DHC to contact the respondent to inquire about their willingness.
41. In a number of cases, at the request of the complainant, the DHC intervened informally and communicated with the respondent in an effort to resolve the complaint, without invoking a formal mediation process.

Summary of General Inquiries

42. Of the 81 new contacts with the DHC during this reporting period, 19 (23%) involved general inquiries relating to equity issues within the Program's mandate.
43. These inquiries included:
 - inquiries by the media regarding the DHC program, its mandate and services;
 - questions from the public and from lawyers and law students about the scope of the DHC Program's mandate;
 - inquiries from lawyers about the confidentiality of the DHC program and whether communications with the DHC are privileged;
 - calls from lawyers who had suffered discrimination or harassment and were seeking a referral to support services (eg. addiction counselling, depression counselling, suicide prevention, stress management counselling, etc.);
 - questions from lawyers about the mediation service offered by the DHC;
 - inquiries from the public and from law firms about educational workshops provided by the LSUC and/or the DHC;
 - requests from the public for promotional materials regarding the DHC Program;
 - law students and other researchers seeking access to data collected by the DHC; and
 - inquiries about the LSUC *Rules of Professional Conduct* and equity issues.

Promotional Activities

44. No new promotional activities for the Program were undertaken during this reporting period.
45. Regular bi-weekly English and French advertisements for the DHC Program continue to appear in the Ontario Reports.
46. French, English, Chinese and braille brochures for the Program continue to be circulated to legal clinics, community centres, law firms, government legal departments, and faculties of law.
47. We continue to maintain a website for the DHC Program.

Alternate Discrimination and Harassment Counsel

48. In June 2005, two new Alternate Discrimination Counsel were appointed by convocation: David Bennett and Lynn Bevin. Both are experienced mediators with considerable human rights experience.
49. Both Alternates had an opportunity to assume the DHC duties during this reporting period, in order to provide coverage for Ms. Petersen during her vacation periods and during an unexpected medical leave of absence.
50. The transition to/from the Alternates was smooth and allowed for continuity of service. The DHC and the Alternates regularly consult each other and coordinate their efforts in order to ensure consistency in their approaches to inquiries and complaints.

Matters Outside the DHC Mandate

51. Of the 81 new contacts with the DHC during this reporting period, 33 related to matters outside the scope of the Program's mandate.
52. The majority of contacts that related to matters outside the Program's mandate involved either complaints of discrimination or harassment against non-lawyers (eg. employers, doctors, the police) or complaints against lawyers that did not involve any equity or human rights issues (eg. client billing disputes, complaints of poor representation, allegations of fraud, complaints by litigants of aggressive lawyering by opposing counsel).
53. In addition, several individuals called the DHC to seek legal representation and/or a referral to a lawyer for a human rights case.
54. Two individuals wished to complain about discrimination by a lawyer outside Ontario (one in Saskatchewan and one in the Northwest Territories).
55. One person was complaining about race discrimination by a paralegal.
56. Two individuals contacted the DHC regarding discrimination complaints against judges: one involved a race discrimination complaint and the other involved a complaint of homophobia.
57. Individuals who contacted the DHC with matters outside the scope of the Program's mandate were, whenever possible, referred to another organization for information or assistance, such as the Law Society, a human rights commission, a judicial council, or the Lawyer Referral Service.
58. An explanation of the scope of the DHC Program's mandate was provided to these individuals.
59. Although there is a relatively high volume of these "outside mandate" contacts, they typically do not consume much of the DHC's time or resources, since we do not assist these individuals beyond their first contact with the Program.

PART II

**SUMMARY OF DATA
JANUARY 1, 2003 TO DECEMBER 31, 2005**

Overview of Contacts with the DHC Program

Number of Contacts

60. There has been a total of 594 new contacts with the DHC Program since January 1, 2003. There were 180 contacts in each of 2003 and 2005, and 234 contacts in 2004.
61. Thus the Program has received an average of 16.5 new contacts per month over the past 3 years.

Method of First Contact

62. Throughout 2003 and the first half of 2004, approximately 80% of new contacts were made by telephone, with the remainder by email.
63. In the 12 months that followed, email communications increased from 20% to 30%, with only 68% of new contacts being made by phone (and 2% by fax).
64. In the last six months of 2005, the use of email as a method of communication increased again: 28 individuals (35%) used email to make their initial contact with the program, 52 people (64%) used the telephone, and 1 used regular mail.

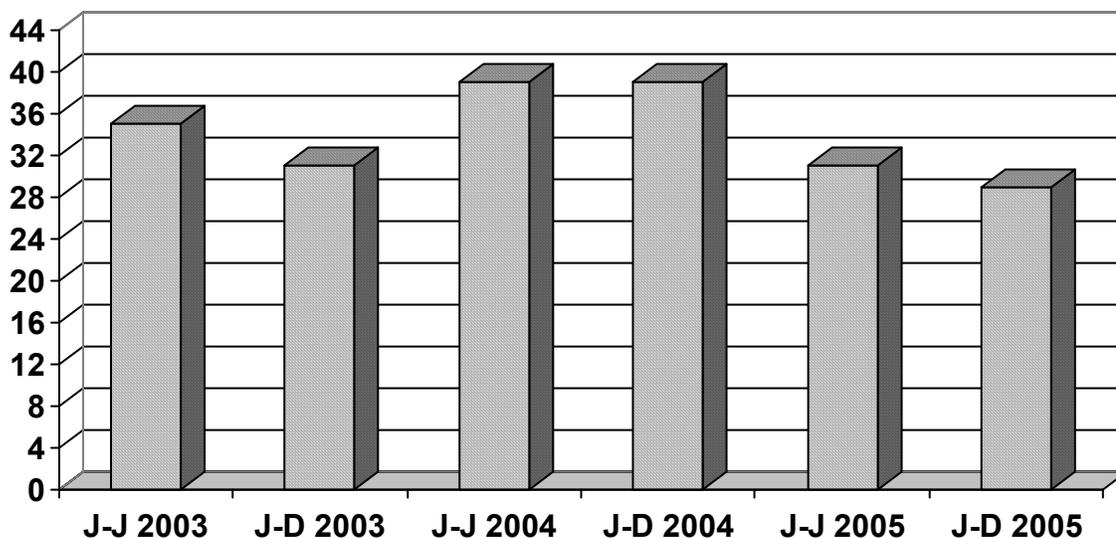
Language of Communication

65. The DHC services are offered in French and English.
66. Since January 1, 2003, 22 individuals have communicated with the DHC in French: 10 in 2003, 6 in 2004, and 6 in 2005.

Overview of Discrimination and Harassment Complaints

Number of Complaints

67. There were a total of 66 discrimination and harassment complaints in 2003, 78 complaints in 2004, and 60 in 2005.
68. Thus the DHC dealt with a total of 204 complaints against lawyers between January 1, 2003 and December 31, 2005:

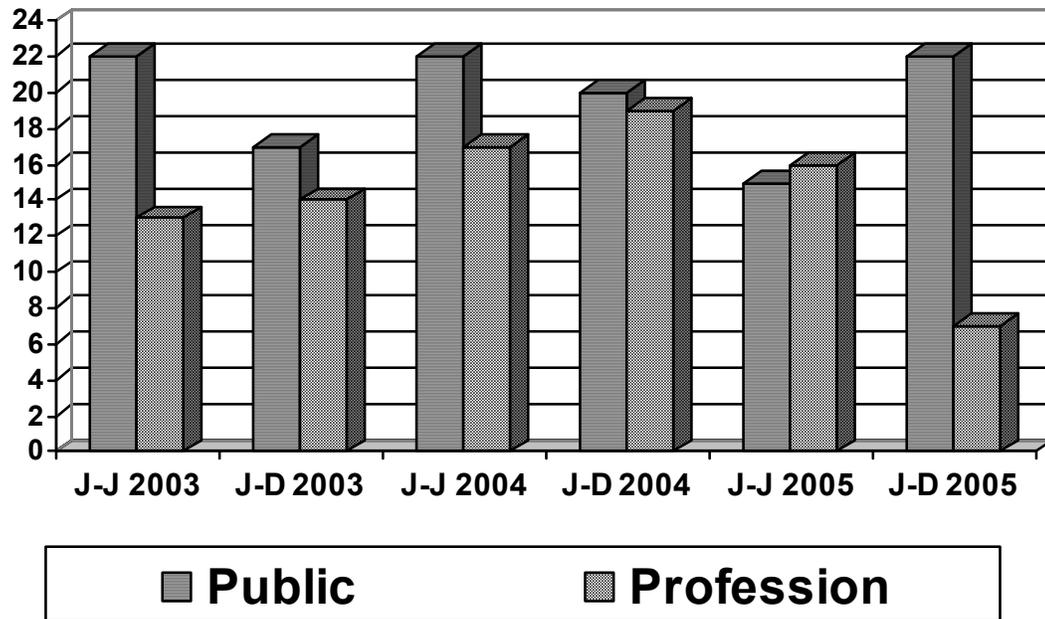


Public / Profession Ratio

69. Since January 1, 2003, there have been 117 discrimination and harassment complaints from the public and 87 complaints from members (or student members) of the Law Society.
70. Thus over the past 3 years, complaints from the public have constituted on average 57% of all discrimination and harassment complaints raised with the DHC.
71. In all but one of the reporting periods since January 1, 2003, the proportion of complaints from the public has been higher than the proportion of complaints from within the legal profession, though the difference has not been quite as

marked as it was during the last 6 months, in which 76% of complaints came from the public.

72. The ratio of public / professional complaints has been as follows over the past 3 years:



Law Student Complaints

73. A total of 20 students¹¹ have made discrimination and harassment complaints to the DHC Program since January 1, 2003:
- 8 complaints were made by students in 2003, out of a total of 27 complaints from within the legal profession;
 - 6 complaints were made by students in 2004, out of 37 complaints from within the legal profession; and
 - 6 complaints were made by students in 2005, out of 23 complaints from within the legal profession.

¹¹ Either articling students or law students employed during the summer.

74. Student complaints therefore constitute 20% of the discrimination and harassment complaints received from members of the profession over the past 3 years.

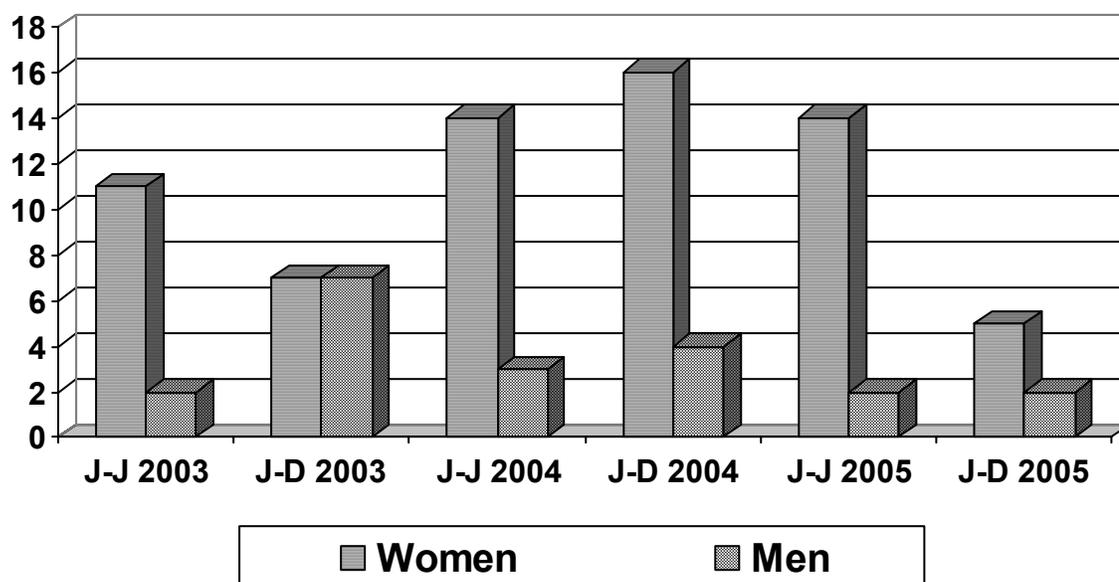
Context of Complaints from Members of the Legal Profession

75. Most discrimination and harassment complaints made by lawyers and law students arise in the context of the complainant's employment or in the context of a job interview:
- in 2003, 85% of complaints from within the profession were employment related;
 - in 2004, 76% of complaints from within the profession were employment related; and
 - in 2005, 91% of the complaints from within the profession were employment related.
76. There have been complaints from lawyers in non-employment contexts, such as complaints about the conduct of opposing counsel, and one complaint about a lawyer who was the vendor of a home purchased by the complainant.

Male / Female Ratio of Complainants within the Legal Profession

77. There has consistently been a higher proportion of complaints from women than men within the legal profession:
- in 2003, 18 out of 27 complaints from within the profession were made by women;
 - in 2004, 30 out of 37 complaints from within the profession were made by women; and
 - in 2005, 19 out of 23 complaints from within the profession were made by women.
78. Thus of the 87 lawyers and law students who reported discrimination and harassment to the DHC since January 1, 2003, 67 (77%) were women.

79. The gender distribution of public complaints has been as follows:



80. Discrimination and harassment complaints from law students are also predominantly made by women:

- in 2005, 4 of the 6 student complainants were women;
- in 2004, 5 of the 6 student complainants were women; and
- in 2003, 5 of the 8 student complainants were women.

81. Thus over the past 3 years, 70% of the discrimination and harassment complaints from law students have been made by women. There have been a total of 20 students complaints, 14 from women.

Context of Complaints from Members of the Public

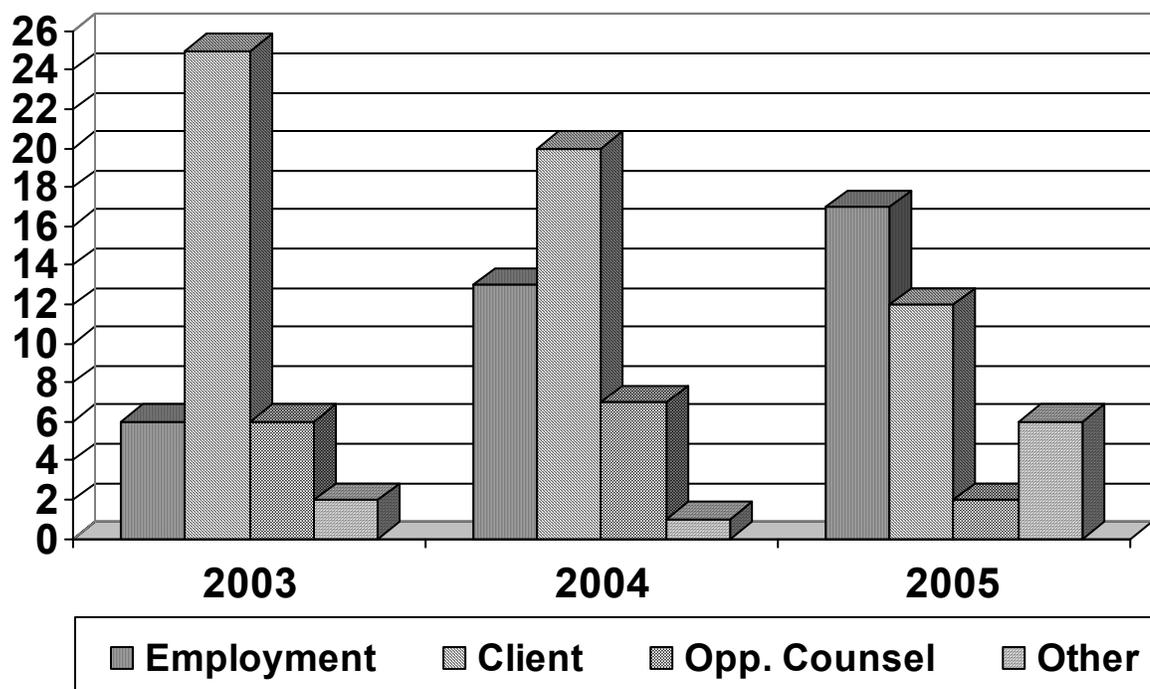
82. There has been an increase over time in the number of public complaints that are employment-related:

- in 2003, only 15% of public complaints related to the complainant's employment;
- in 2004, 32% of public complaints were employment related; and

- in 2005, 44% of public complaints were employment related.
83. Conversely, there has been a decrease over time in the number of complaints from clients:
- in 2003, 64% of public complaints involved clients;
 - in 2004, 49% of public complaints involved clients; and
 - in 2005, only 35% of public complaints involved clients.
84. There has consistently been a small number of complaints by litigants against opposing counsel:¹²
- in 2003, 15% of public complaints involved litigants complaining about opposing counsel;
 - in 2004, 17% of public complaints involved litigants complaining about opposing counsel; and
 - in 2005, 2 complaints (out of 37 public complaints) involved litigants complaining about opposing counsel.
85. There have also been a few public complaints in other contexts, such as litigants complaining about discriminatory conduct by a Tribunal member, an individual complaining about a government lawyer who was providing a public service, and witnesses in criminal proceedings (including police officers) complaining about Crown Attorneys.

¹² These include complaints by criminal defendants against Crown Attorneys.

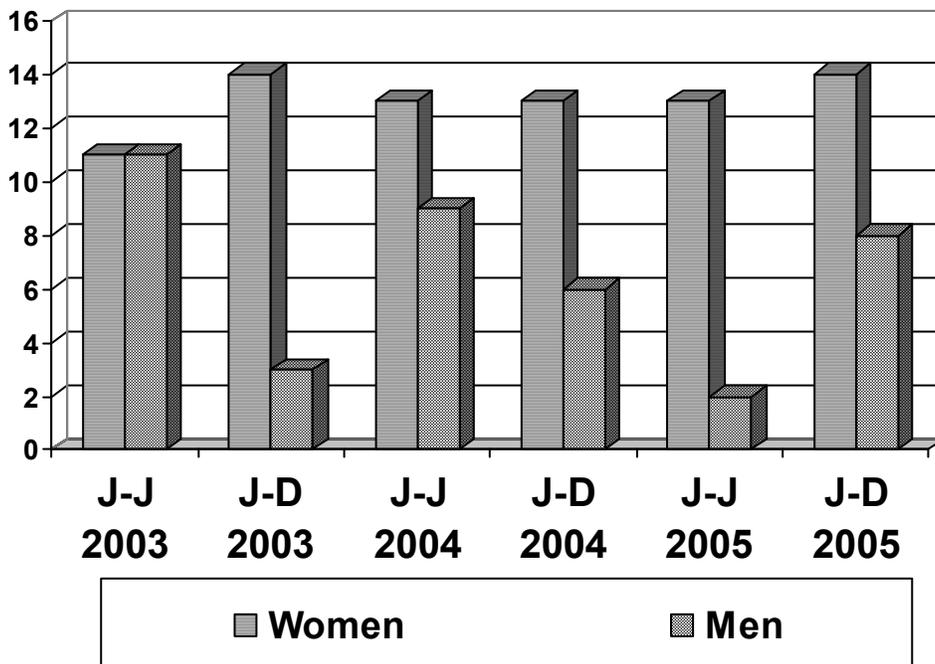
86. In summary, the contexts in which public complaints have arisen over the past three years are as follows:



Male / Female Ratio of Complaints from the Public

87. Since January 1, 2003, there has consistently been a higher proportion of public complaints from women than men:
- in 2003, there were 25 complaints from women out of a total of 39 public complaints;
 - in 2004, 26 of the 41 public complaints were made by women; and
 - in 2005, 27 of the 37 public complaints were made by women.
88. Thus of the 117 members of the public who have made discrimination and harassment complaints to the DHC over the past 3 years, 78 (67%) were women.

89. The gender distribution of public complaints has been as follows:



**Grounds of Discrimination Raised
in Discrimination and Harassment Complaints
from January 1, 2003 to December 31, 2005**

90. There was a total of 204 discrimination and harassment complaints against lawyers between January 1, 2003 and December 31, 2005.
91. Of these,
- sex was raised as a ground of discrimination in 111 complaints (54%);
 - race was raised as a ground of discrimination in 39 complaints (19%);
 - disability was raised as a ground of discrimination in 38 complaints (19%);
 - sexual orientation was raised as a ground of discrimination in 12 complaints (6%);
 - religion was raised as a ground of discrimination in 7 complaints (3%);
 - age was raised as a ground of discrimination in 6 complaints (3%);
 - family status was raised as a ground of discrimination in 5 complaints (2%);
 - national / ethnic origin was raised as a ground of discrimination in 5 complaints (2%);
 - ancestry was raised as a ground of discrimination in 2 complaints (1%); and
 - record of offences was raised as a ground of discrimination in 1 complaint.¹³

¹³ The sum of the numbers in this paragraph exceeds 204 and the percentages in this paragraph do not add up to 100% because many of the complaints involved multiple grounds of discrimination.

Breakdown of Sex Discrimination Complaints 2003-2005

92. Of the 111 complaints that were based (in whole or in part) on sex as a ground of discrimination:
- pregnancy was specifically raised in 18 complaints;
 - gender identity was raised in 2 complaints; and
 - sexual harassment was reported in 60 complaints.
93. Ninety seven (97) of the 111 sex discrimination complaints were made by women (including one transsexual woman). Of these:
- 43 were made by lawyers and 6 were made by law students; and
 - 48 were made by members of the public.
94. In each instance, the women who contacted the DHC were reporting that they themselves had been the victim of sex discrimination or sexual harassment by a male lawyer,¹⁴ or that they had suffered employment reprisals after making a complaint of sexual harassment against either a colleague, supervisor or client, or that they had suffered discrimination in their employment due to the fact that they were pregnant and/or had taken a maternity leave.
95. In contrast, a number of the men who complained about sex discrimination raised concerns about the inappropriate conduct of other lawyers toward women that they knew. Some of the male complainants raised concerns about sex discrimination that they themselves had experienced.
96. Of the 14 sex discrimination complaints made by men (including one trans-identified man):
- 6 were made by lawyers and 1 was made by an articling student; and
 - 7 were made by members of the public.
97. Of the 7 sex discrimination complaints from men within the legal profession:
- an associate complained about a male partner in his law firm who was sexually harassing a female associate;

¹⁴ Usually the respondent was either a lawyer that they had retained to represent them (in the case of public complaints) or a lawyer with whom they worked (in the case of both public complaints and complaints from members of the legal profession).

- a lawyer complained about another male lawyer in his firm who was sexually harassing a female secretary in their office;
- a lawyer complained about sexist remarks made by another male lawyer during discovery proceedings involving a female witness;
- a trans-identified articling student in a government office complained about sex discrimination to which he was subjected at his workplace;
- a gay male lawyer complained about sexual harassment by a supervising female lawyer in a government office (he made two separate complaints regarding independent incidents that occurred months apart); and
- a gay male lawyer complained about sexual harassment by a male partner in his law firm.

98. Of the 7 public complaints of sex discrimination made by men:

- a police officer complained about sexist remarks made by a male Crown Attorney regarding a female police officer and female defence counsel;
- a man called on behalf of a female friend who was sexually assaulted by her male lawyer;
- a litigant in a family law matter complained about anti-male sexist remarks made by his ex-wife's female lawyer;
- a heterosexual process server complained about sexual harassment by a male lawyer at his workplace;
- a law clerk complained about sex discrimination by a male lawyer at his workplace;
- a physician reported that one of his gay male patients had been sexually abused by a court-appointed male lawyer as a youth; and
- a heterosexual paralegal student complained about sexual harassment by a female lawyer who was his instructor.