



New Brunswick Human Rights Commission

Dr. Patrick Malcolmson **An ongoing disappointment**

To sort of develop that question in light of, you know, was there something that was sort of disappointing: I don't think that the Commission is yet as independent as it ought to be of government. That's been a long-standing issue. And the budgetary process of the Commission is also something that we had spoken of in our report, but I think something that still needs to be sort of further looked at. The issue of how effective can the Commission be, is, of course, tied to money. And at the time I was at the Commission, we struggled with, you know, maintaining the budget, because that's your responsibility when you're in one of these jobs. But at the same time, if you have cases that are going to boards of inquiry and you have to hire lawyers and so on and so forth, you necessarily are going to incur costs. So that remained a sort of struggle, I think, that we had, and it was a disappointment that we weren't able to move the Commission to a more independent basis. Saying that, I'm not suggesting that the government directly interferes in the work of the Commission. In my five years at the Commission, that was never the case, and it's probably the case that the people who work at the Commission, and the people who are appointed to the Commission, they would be relatively immune to pressure anyways. I'm a tenured professor, so you know, how are you going to pressure me? And so, I think, you know, is there sort of everyday pressure from the government—don't look at this or don't look at that? No, that's not the case. Is there a perception that there might be, on the part of the public, given that you're not a free-standing, independent organization—you're still within Labor, and so on and so forth. Yeah, I think probably that's true. And, of course, we did have disappointed complainants, so if we turn down a case, they would then say, "Oh, that's because the government told you what to do." So you kind of leave that open for people to be cynical about the Commission, because it doesn't have that kind of independent status, right?.