



# DISCRIMINATION & HARASSMENT COUNSEL PROGRAM

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PREPARED FOR FOLA SPRING PLENARY  
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# Discrimination & Harassment Counsel Program

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Lai-King Hum



Fay Faraday



Natasha Persaud



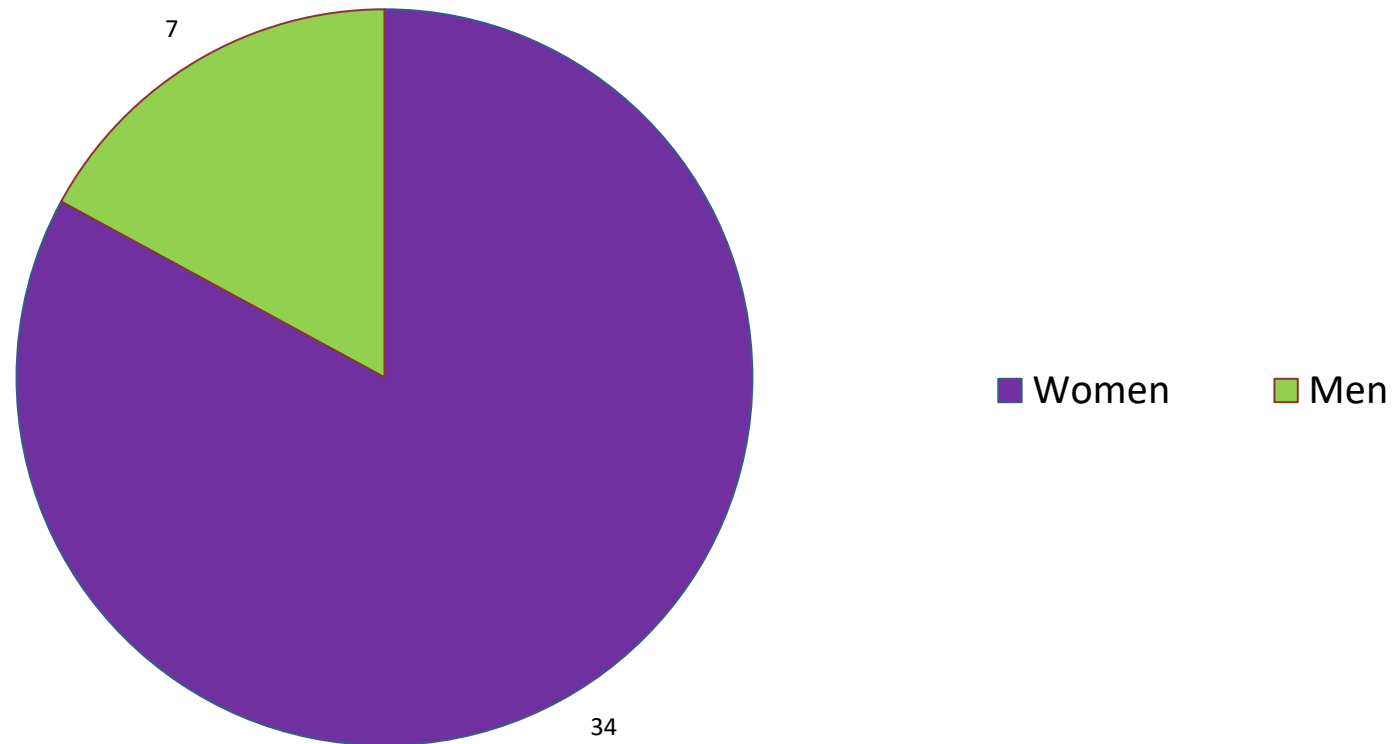
# Role of the DHC: Supporting the LSO's Regulatory Function

- ▶ Supports the LSO's core regulatory function by supporting compliance with anti-discrimination and anti-harassment provisions in lawyers' and paralegals' rules of conduct
  - ▶ Rule 6.3 and 6.3.1 of lawyers' *Rules of Professional Conduct*
  - ▶ Rule 2.3 of the *Paralegal Rules of Conduct*
- ▶ Supports accountability of the self-governing legal professions
- ▶ Helps restore trust in legal profession where trust has been eroded by abuses of power through discriminatory or harassing behaviour by professionals.

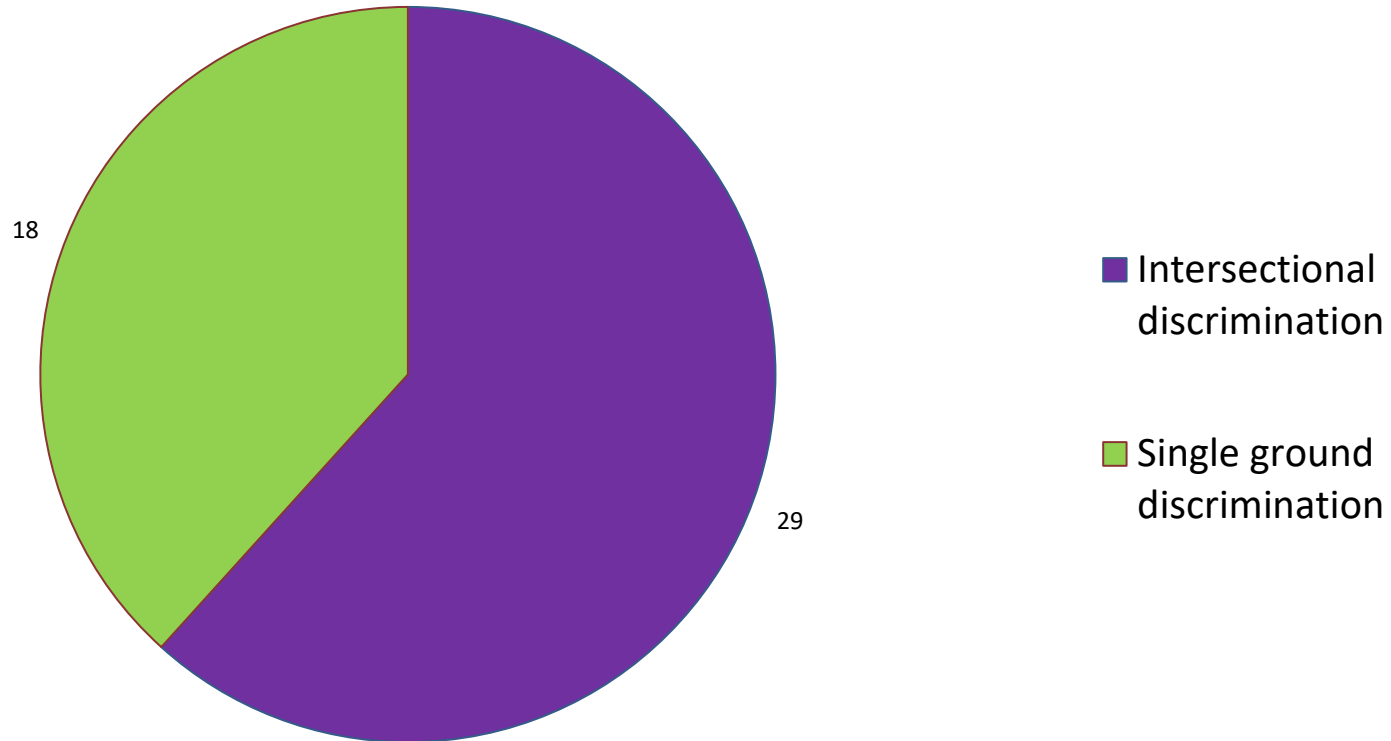
# Role of the DHC: Supporting the public and the professions

- ▶ The DHC provides a range of confidential services to individuals who have concerns or complaints about discrimination or harassment by lawyers or paralegals licensed in Ontario, or by students in the Ontario licensing process.
- ▶ The DHC provides anonymized statistical data to the Law Society of Ontario so that the regulator can better understand the dynamic and nature of concerns about discrimination and harassment that are being raised in the legal professions and address possibly systemic issues of discrimination and harassment in the legal professions. This statistical data is released publicly to support public accountability of a profession that is self-governing.

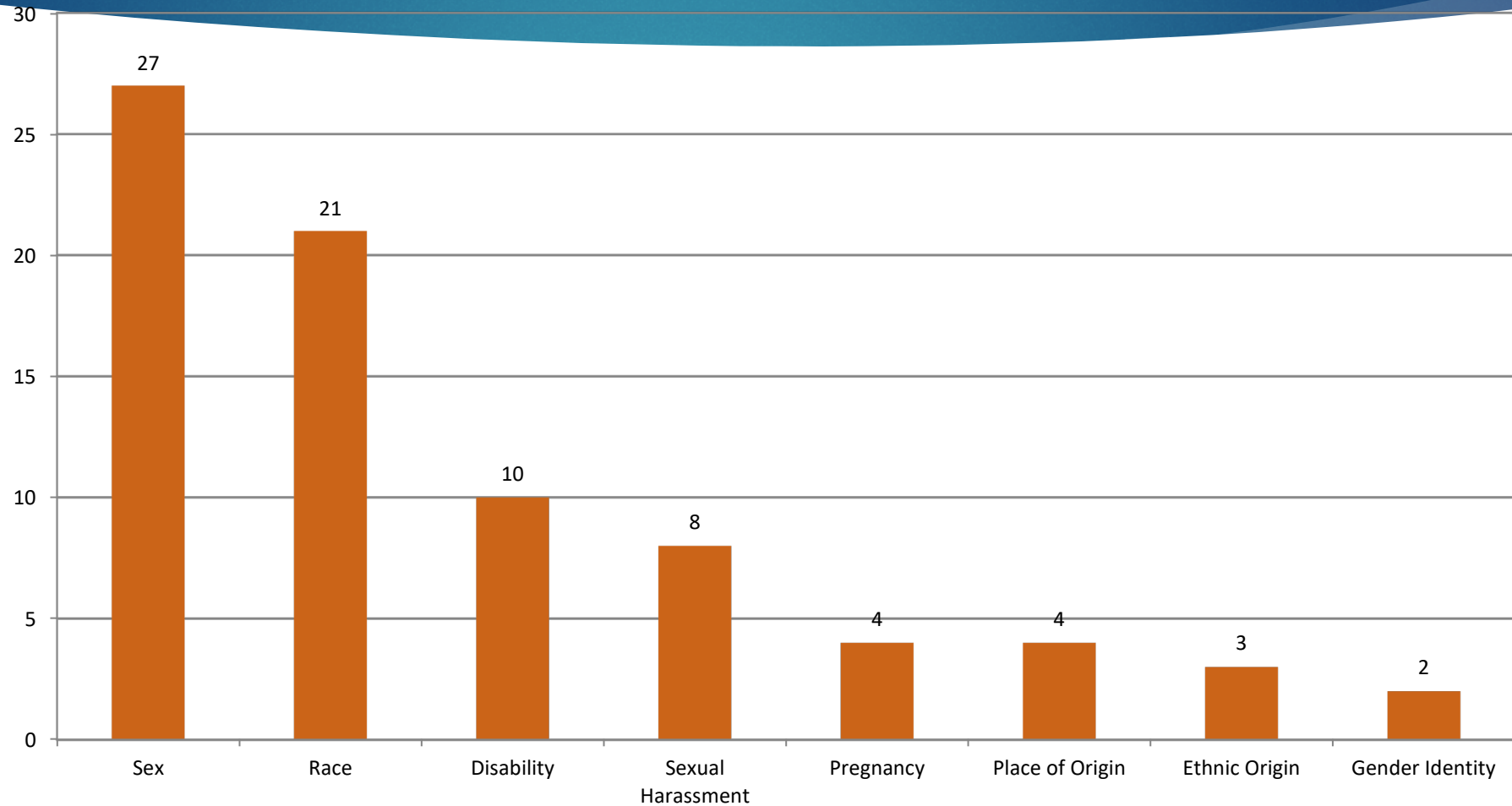
# Gender: Claims by members of the legal professions, 2021



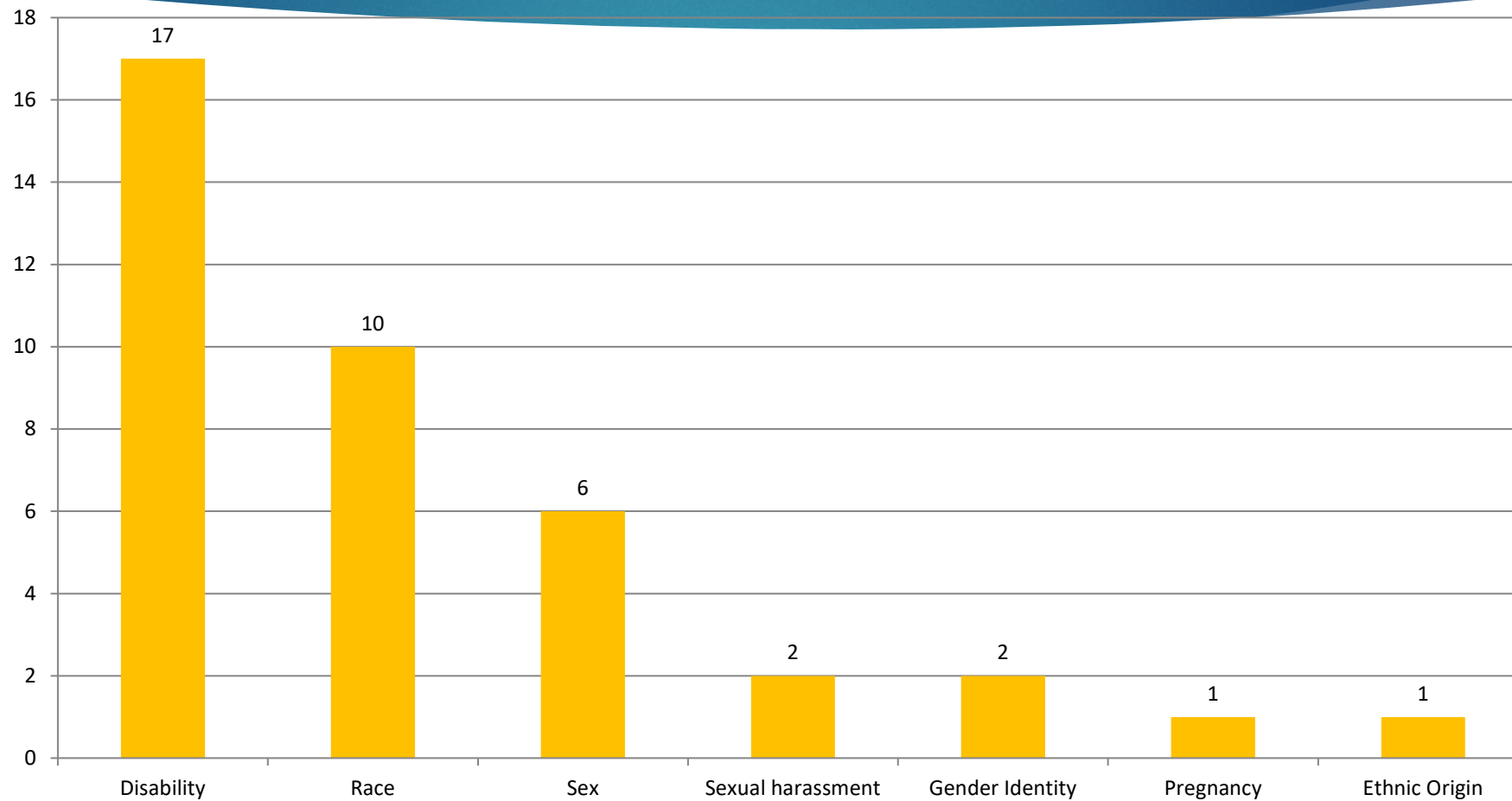
# Intersectionality: Claims by members of the legal professions, 2021



# Grounds of discrimination & harassment



# Claims by clients 2021





# International Bar Assoc.

## *Us Too? Bullying and Sexual Harassment in the Legal Profession 2019*



**Bullying is rife in legal workplaces, affecting:**

**1 in 2 female respondents and  
1 in 3 male respondents.**



**Sexual harassment is  
also common, with:**

**1 in 3 female respondents and  
1 in 14 male respondents**

having been sexually harassed in a work context.

International  
Bar Assoc.

*Us Too?*  
*Bullying and*  
*Sexual*  
*Harassment*  
*in the Legal*  
*Profession*  
**2019**

Targets do  
not report. In:



**57% of bullying cases and  
75% of sexual harassment cases,**  
the incident is never reported.



Targets don't report due to:  
**the status of the perpetrator,**  
**fear of repercussions and the incident**  
**being endemic to the workplace.**



# International Bar Association

## *Us Too?*

**Targets are leaving unsupportive workplaces.**  
**65% of respondents who have been bullied and**  
**37% of respondents who have been sexually harassed**  
left or are considering leaving their workplaces.



# International Bar Association

## *Us Too?*

**Policies and training do not appear to be having the desired impact. Respondents at workplaces with policies and training are just as likely to be bullied or sexually harassed as those at workplaces without.**





# PROBLEM SOLVING STRATEGIES

# Tackling the Challenges

## Three broad areas to work on:

1. Client facing strategies
2. Internal workplace management
3. Advocacy before tribunals and in the broader community