

Form 1 – Complaint Form

For office use only

Use *Guide 2 – Making a Complaint* to help you fill out this form. The Guide explains what you need to write in each section of your complaint.

If you are using a computer, use 12 pt font. If you are not using a computer, print your answers and use a dark pen. The Tribunal must be able to read what you put on this form.

If you need more space, attach extra pages and put the letter of the section you are completing at the top of each page.

You must complete each section on this form. If you do not fill out all sections, the form may be returned to you which will delay the Tribunal process.

A Complainant(s) [Who is making this complaint?] Do not put addresses in this section.

| | |
|--------------------------|------------------------|
| 1. First Name Anemone | Last Name Cerridwen |
| 2. First Name | Last Name |

B Respondent(s) [Who are you complaining about? A Respondent may be a person, company, organization, or association. See the attached Information Sheet called *How to Name a Respondent.*] Do not put addresses in this section.

| |
|--|
| 1. Name of 1 st Respondent Vancouver Film School |
| 2. Name of 2 nd Respondent |
| 3. Name of 3 rd Respondent |

Important information about sections C, D, and E:

You must complete these sections to tell the tribunal how the BC Human Rights Code applies to your situation.

The Code does not deal with discrimination in all circumstances, just discrimination in the nine situations listed in section C (called the **areas of discrimination**).

Also, the Code only prohibits some kinds of discrimination (called **grounds of discrimination**). The grounds of discrimination are listed in section D.

You must complete sections C and D and explain, in section E, why you chose the ones that you did.

If you complain about something that happened in an area not listed in section C, or you complain about a ground of discrimination not listed in section D, your complaint will be rejected, because the Tribunal does not have any power to deal with other types of complaints.

C Area of discrimination**D Grounds of discrimination**

Check **only** the area(s) that apply to your complaint:

For each area you selected, check **only** the ground(s) that apply to your complaint:

employment (related to work or a job and includes being hired or fired, pay rates, benefits, and how you are treated at work)

- | | | |
|---|--|--|
| <input type="checkbox"/> race | <input type="checkbox"/> religion | <input type="checkbox"/> age (19 or over) |
| <input type="checkbox"/> colour | <input type="checkbox"/> marital status | <input type="checkbox"/> criminal conviction |
| <input type="checkbox"/> ancestry | <input type="checkbox"/> family status | <input type="checkbox"/> sexual orientation |
| <input type="checkbox"/> place of origin | <input type="checkbox"/> physical disability | <input checked="" type="checkbox"/> sex (includes pregnancy and sexual harassment) |
| <input type="checkbox"/> political belief | <input type="checkbox"/> mental disability | |

services (provided by restaurants, stores, strata councils, schools, government programs and others)

- | | | |
|--|--|---|
| <input type="checkbox"/> race | <input type="checkbox"/> religion | <input type="checkbox"/> mental disability |
| <input type="checkbox"/> colour | <input type="checkbox"/> marital status | <input type="checkbox"/> age (19 or over) |
| <input type="checkbox"/> ancestry | <input type="checkbox"/> family status | <input type="checkbox"/> sexual orientation |
| <input type="checkbox"/> place of origin | <input type="checkbox"/> physical disability | <input type="checkbox"/> sex (includes pregnancy and sexual harassment) |

tenancy (means renting space and includes refusal to rent space that is available for rent, being evicted, and the terms and conditions of renting)

- | | | |
|--|--|---|
| <input type="checkbox"/> race | <input type="checkbox"/> marital status | <input type="checkbox"/> age (19 or older) |
| <input type="checkbox"/> colour | <input type="checkbox"/> family status | <input type="checkbox"/> source of income |
| <input type="checkbox"/> ancestry | <input type="checkbox"/> physical disability | <input type="checkbox"/> sexual orientation |
| <input type="checkbox"/> place of origin | <input type="checkbox"/> mental disability | <input type="checkbox"/> sex (includes pregnancy and sexual harassment) |
| <input type="checkbox"/> religion | | |

employment advertisement (means an ad for a job)

- | | | |
|---|--|---|
| <input type="checkbox"/> race | <input type="checkbox"/> religion | <input type="checkbox"/> age (19 or older) |
| <input type="checkbox"/> colour | <input type="checkbox"/> marital status | <input type="checkbox"/> sexual orientation |
| <input type="checkbox"/> ancestry | <input type="checkbox"/> family status | <input type="checkbox"/> sex (includes pregnancy and sexual harassment) |
| <input type="checkbox"/> place of origin | <input type="checkbox"/> physical disability | |
| <input type="checkbox"/> political belief | <input type="checkbox"/> mental disability | |

C Area of discrimination (continued)**D Grounds of discrimination (continued)**

| | | | |
|--|--|--|---|
| <input type="checkbox"/> publication (means making something public by a statement, notice, sign, symbol, emblem or other representation that is discriminatory or is likely to expose anyone to hatred or contempt) | <input type="checkbox"/> race | <input type="checkbox"/> religion | <input type="checkbox"/> mental disability |
| | <input type="checkbox"/> colour | <input type="checkbox"/> marital status | <input type="checkbox"/> age (19 or older) |
| | <input type="checkbox"/> ancestry | <input type="checkbox"/> family status | <input type="checkbox"/> sexual orientation |
| | <input type="checkbox"/> place of origin | <input type="checkbox"/> physical disability | <input type="checkbox"/> sex (includes pregnancy and sexual harassment) |

| | | | |
|--|--|--|---|
| <input type="checkbox"/> purchase of property (means buying land, or commercial or residential property that appears to be for sale and includes the terms and conditions of buying) | <input type="checkbox"/> race | <input type="checkbox"/> religion | <input type="checkbox"/> sexual orientation |
| | <input type="checkbox"/> colour | <input type="checkbox"/> marital status | <input type="checkbox"/> sex (includes pregnancy and sexual harassment) |
| | <input type="checkbox"/> ancestry | <input type="checkbox"/> physical disability | |
| | <input type="checkbox"/> place of origin | <input type="checkbox"/> mental disability | |

| | |
|--|------------------------------|
| <input type="checkbox"/> lower rate of pay (means where male and female employees do similar work but get different pay) | <input type="checkbox"/> sex |
|--|------------------------------|

| | | | |
|--|---|--|---|
| <input type="checkbox"/> membership in a trade union, employer's organization, or occupational association (includes not letting you be a member, suspending or expelling you, or the way you are treated as a member) | <input type="checkbox"/> race | <input type="checkbox"/> religion | <input type="checkbox"/> age (19 or older) |
| | <input type="checkbox"/> colour | <input type="checkbox"/> marital status | <input type="checkbox"/> criminal conviction |
| | <input type="checkbox"/> ancestry | <input type="checkbox"/> family status | <input type="checkbox"/> sexual orientation |
| | <input type="checkbox"/> place of origin | <input type="checkbox"/> physical disability | <input type="checkbox"/> sex (includes pregnancy and sexual harassment) |
| | <input type="checkbox"/> political belief | <input type="checkbox"/> mental disability | |
| | | | |

| | |
|--------------------------------------|--|
| <input type="checkbox"/> retaliation | <input type="checkbox"/> for filing a human rights complaint under the BC <i>Human Rights Code</i> , being named in a complaint, giving evidence, or assisting in a complaint. |
|--------------------------------------|--|

E Details of the discrimination

Start with the first thing that happened. For each incident, give the day, month, and year it happened, if possible. If something happened over a period of time, give the period of time.

For each date or period of time, answer these questions:

1. What happened?
2. Where did it happen?
3. What did each respondent do on that date? Make sure it is clear who they are and what they did or said.
4. How is what happened connected to the area(s) you checked in section C?
5. How is what happened connected to the ground(s) you checked in section D?

Use Guide 2 and sample complaints available on the Tribunal's website for examples of answers.

Do not attach the papers you will use to prove your complaint to this form except copies of an employment advertisement or publication that you say is discriminatory. Keep all your papers together. You will need them at a later date.

| DATE | ANSWER THE 5 QUESTIONS FOR EACH DATE |
|---|--|
| <p>First audition: applied for part June 15, 2008; audition date June 21, 2008.</p> | <p>1. I applied for the role of Marceline in the VFS student film "Growing Your Own Garden". Then I was sent the script, which involved my character being in the room while the other female character (her daughter) is groped: "Sawney grabs the daughters buttocks firmly as she passes. He examines what he has caught in his grasp." (page 6). When I went in to audition, I was also asked to try out for the role of the daughter, though there was no groping in the audition. 2. Auditions posted on internet at http://www.vancouveractorsguide.com/auditions.shtml; scripts sent to me by email after I applied for parts; all communication by email; audition (where I was asked to read for role of daughter) at VFS, 1380 Burrard St (4th Floor Boardroom), Vancouver. 3. The students auditioned me for roles in a film, written by a student but approved by Vancouver Film School, which involved unnecessary sexualized content.</p> |
| | <p>4. It involved an acting job in a student film. The students were doing the film as part of their education, supervised by Vancouver Film School, but I was applying for a role in a film - I would have been an employee, not a student. 5. Had I been hired, I would have had to either be groped, watch someone else be groped, or somehow negotiate a rewrite. I believe this amounts to sexual harassment.</p> |
| <p>Second audition: applied for part June 29, 2008; audition date July 5, 2008 (cancelled July 4 by email).</p> | <p>1. I applied for the role of Alice in the VFS student film "Spiderwebs". I was invited to audition and sent the script. It included this: "ALICE: "Did you miss me?" She rolls over on top of him and kisses him. DAVID: "I missed this." He wraps his arms round her waist. Alice laughs." (page 2). When I asked about this, the contact person (Reiko Montemayor) said in an email that I did not have to do this in the audition itself, and if I were to be considered for the part, they would consider perhaps changing it, but I was too stressed out by the content to go to the audition, and so cancelled my appointment. 2. All contact over the internet/by email. 3. The students were going to audition me for a role in a film, written by a student but approved by Vancouver Film School, which involved unnecessary sexualized content.</p> |
| | <p>4. It involved an acting job in a student film. The students were doing the film as part of their education, supervised by Vancouver Film School, but I was applying for a role in a film - I would have been an employee, not a student. 5. Had I been hired, I might or might not have been able to get a rewrite, but in the meantime I had this sexualized content hanging over my head and it made it impossible for me to continue with the audition. I believe the sexualized content in the job description amounts to sexual harassment, regardless of intentions.</p> |

E Details of the alleged discrimination (continued)

| DATE | ANSWER THE 5 QUESTIONS FOR EACH DATE |
|--|---|
| First internet contact (through form on VFS website): July 4, 2008 (no reply). Letter to VFS: July 15, 2008. Email back from Marty Hasselbach: July 22, 2008. Second email to Mr. Hasselbach: July 24, 2008 (no reply). | 1. I emailed VFS, then wrote a letter when I got no reply to the email. Marty Hasselbach (the managing director of the school) got back to me. He said: "While I appreciate the concerns set out in your correspondence I really don't have anything to say that will provide comfort. The students write the projects and generally adhere to a NC14 type rating, however we are also careful not to censor the ideas if their important to the stories. We hope that you will find an opportunity to act in one of the films and that the content is suitable for your taste. Please check back because there over 180 films produced each year." I emailed him back again hoping VFS would be open to changing their policy, but haven't heard back. 2. By email. |
| | 3. I made a complaint about student film script content and was told the school doesn't censor the students unless it's worse than NC14 (I'm not sure what the local rating equivalent is: A14 or R?). In other words, the school allows sexualized content in the film scripts. 4. It involved acting jobs in student films. The students do these films as part of their education, supervised by Vancouver Film School, but I would have been an employee, not a student. 5. The Vancouver Film School does not prevent students from making films with sexualized content, even though the performers are usually someone other than the person who wrote the script, so the performers don't have creative control and are basically just employees. I believe that sexualized content in film scripts amounts to sexual harassment. |
| | |
| | |
| | |

If there was more than one incident please attach extra pages, put the date of the incident and answer the 5 questions for each incident.

F Is the complaint filed in time?

There is a 6 month time limit for filing a complaint.

Did everything happen in the last 6 months?

Yes: Your complaint is filed in time. You do not need to answer section G. Go to section H.

No: Your complaint **may** be filed over the time limit. You must answer the following questions **and** complete **section G**.

Note: Your answers will show the tribunal if your complaint involves continuing discrimination (called a "continuing contravention" in the *Human Rights Code*). It is filed in time if the last incident was in the last 6 months.

Was there continuing discrimination?

Yes, it was an ongoing situation or Repeated incidents of the same kind

No

If yes, explain how there was an on-going situation. Or, if there were separate incidents, say how they were similar or related and how much time was there between each incident. If there are gaps between the incidents, say what was happening.

G Request to file complaint after the 6 month time limit.

If your complaint is not filed in time, the tribunal can only accept it if it decides that accepting the late complaint is in the public interest and will not cause significant unfairness to anyone.

Your answers will tell the tribunal why it should accept your complaint late. Attach any information that supports your answers. (For example, if you have a medical reason for filing the complaint late, attach your medical letter. You may also attach extra pages for your answers.)

Answer these questions:

1. How late is your complaint?

(How long is it past the 6 month time limit ?)

2. Why did you file your complaint late? (Note: You must give the reasons why you were late. It is not enough just to say you didn't know about your rights under the *Human Rights Code*.)

3. Are there any other reasons why the Tribunal should accept your complaint?

4. Why do you believe there will be no significant unfairness to anyone because of the delay? (For example, it may be unfair if a respondent has lost contact with their witnesses because of the delay. If a respondent knows about a complaint before it is filed, they can keep evidence. If you believe the respondent(s) already knew about the issues in your complaint, say when and how they knew.)

Check here if you are attaching papers supporting your request to have your complaint accepted after the time limit.

H Are you involved in another proceeding dealing with the same incident(s) described in section E?

No: Go to section I.

Yes: Answer these questions.

1. What kind of proceeding is it? (for example: a union grievance, a court case)

2. Do you want the Tribunal to wait until the other proceeding is finished before dealing with this complaint? Yes No

Explain why:

I Are you making a Representative Complaint on behalf of a person who can't make the complaint on their own? [Please see the Information Sheet called *What is a Representative Complaint?*]

Yes: Complete **Form 2 – Representative Complaint Form - Individual** and send it to the Tribunal with this form.

No

J Are you making a Representative Complaint on behalf of a group or class of persons? [Please see the Information Sheet called *What is a Representative Complaint?*]

Yes: Complete **Form 2 – Representative Complaint Form – Group or Class** and send it to the Tribunal with this form.

No

Go to next page.

K Read the following statement and sign and date it:

I declare the above information is true to the best of my knowledge. I understand that a copy of this form will be sent to the Respondent(s).

x _____ August 17, 2008
Signature Date

Anemone Cerridwen

Name of Complainant (Print)

x _____
Signature Date

Name of Complainant (Print)

L How are you filing this form?

by email to: BCHumanRightsTribunal@gov.bc.ca by mail, fax, hand, courier or process server

You must send the **whole form** to the Tribunal. Do not leave any pages out when you send the form to the Tribunal, even if you did not write on them.

If you are **filing by email**, you must send a signed and dated copy of this form to the Tribunal within 21 days of the date you emailed this form or the Tribunal may refuse to accept your complaint. Check here if you want the Tribunal to send you a copy of this form for your signature.

M Would you like an early settlement meeting? This is a free service where you have confidential discussions with a Tribunal mediator and the Respondents to try to settle your complaint before any other steps are taken.

Yes No

Note that the personal information contained in this form (except sections N and O) may be disclosed to members of the public in the following circumstances:

1. If the Tribunal publishes a preliminary decision (including on its website);
2. If the complaint has not settled three months before the date scheduled for hearing (including on the Web site);
3. At a hearing;
4. In a final decision of the Tribunal (including on the website);
5. In a judicial review concerning a complaint;
6. If someone makes a successful application under the *Freedom of Information and Protection of Privacy Act*.

The Tribunal may take steps to protect your personal privacy if you make a request, but only if it decides that your interests outweigh the public interest in access to the Tribunal's proceedings.

N What is the address of each Respondent you named in section B?

| | | | |
|--|-----------------------|---------------------|------------------------|
| 1. Name of 1 st Respondent Vancouver Film School | Phone 604.685.5808 | Fax 604.685.6389 | |
| Street address 200-198 W. Hastings Street | City Vancouver | Province BC | Postal Code V6B 1H2 |

| | | | |
|---------------------------------------|-------|----------|-------------|
| 2. Name of 2 nd Respondent | Phone | Fax | |
| Street address | City | Province | Postal Code |

| | | | |
|---------------------------------------|-------|----------|-------------|
| 3. Name of 3 rd Respondent | Phone | Fax | |
| Street address | City | Province | Postal Code |

O What is your postal address for delivery in British Columbia?

| | | | |
|--|---------------------------|----------------|------------------------|
| 1. Your name or name of lawyer or agent Anemone Cerridwen | | | |
| Street address 5, 1437 Matthews Avenue | City Vancouver | Province BC | Postal Code V6H 1W7 |
| Home Phone (optional) 604-734-1998 | Business Phone (optional) | Fax (optional) | |

| | | | |
|---|---------------------------|----------------|-------------|
| 2. Your name or name of lawyer or agent | | | |
| Street address | City | Province | Postal Code |
| Home Phone (optional) | Business Phone (optional) | Fax (optional) | |

A copy of your complaint will be sent to the respondents named in section B. If you do not want your phone number sent to them, do not put it on this form. Call the Tribunal to provide your phone number or put it on a separate piece of paper.

Checklist:

- Have you filled in all sections of the complaint? Please check that each section is completed.
- Have you returned all pages of the complaint, even if you have not written on them?
- Have you included the full mailing address with postal codes for all of the parties?
- Have you included specific dates when events occurred?
- If you are filing a representative complaint have you completed the right Form 2?

The information in this sheet is meant to assist a person who wants to file a complaint under s. 21 of the *BC Human Rights Code* and rule 10 of the Tribunal's *Rules of Practice and Procedure*. This information is not intended as a substitute for the *Code* or the *Rules*. This information is not legal advice. If you have legal questions, you should see a lawyer.

Who do I name? The Tribunal can only consider human rights complaints and order a remedy against a person you name as a Respondent. Therefore, you should name all persons who are legally responsible for what you believe is discrimination. For example, you may name the individual who you believe discriminated against you and the company or business they work for or run.

Who may be named as a Respondent? Respondents may be an individual or an organization. This includes the owner of a business (unincorporated), a company, partnership, society, BC government Ministry, professional organization, or union.

What information do I need to give? You must give the name and address for the Respondent(s) you name on your complaint form. **If you do not give the correct name and address for the Respondent, the Tribunal may not be able to proceed with your complaint.**

Naming individuals. To name a person, give their first name and last name. Do not use titles such as Mr., Mrs., Ms., or Dr. If possible, check the spelling of the name and the address by looking up the name in the telephone directory.

Naming a BC Government Ministry. The correct way to name the provincial government is **Her Majesty the Queen in right of the Province of British Columbia as represented by the Ministry of** [put in the name of the Ministry involved].

Naming a business or society. A business name and address may be on a Record of Employment, pay stub, T-4 slip, business card, letterhead, in the local telephone directory, and in advertisements. To check the correct name and address, you may contact the local licensing department in the town where the Respondent operates.

- In Vancouver, call 604-873-7568. If you know the name of the business, its address, or its telephone number, the licensing department will tell you the legal name of the business and its address.
- Outside of Vancouver, call the municipal office listed in the blue pages of your telephone directory. You should then ask to speak to the licensing department.

What if I have trouble knowing who the correct Respondent is? If you need help, you can contact the Human Rights Coalition toll free at 1-877-689-8474 or other organizations listed in the Tribunal's guides.

INSTRUCTIONS ON SUBMITTING THIS FORM

You must **print this document** before closing down the program or hitting the “reset” button as all data will be lost unless you have Adobe Acrobat Professional.

If you want copies for your records, **print two** or photocopy.

You must **send this document to the Tribunal**. You can send it by fax, mail or hand. You can also press submit below.

- STEP 1:** **PRINT** before submitting or resetting!
(Print two copies – one for the Tribunal and one for your records)
- STEP 2:** **PRESS SUBMIT** to send this document by email
- STEP 3:** **HIT RESET** to clear all data.

A rectangular button with a dark blue background and a thin red border. The text "Submit Form" is centered in white, serif font.A rectangular button with a dark blue background and a thin red border. The text "Reset Form" is centered in white, serif font.