

Gathering Evidence: Document & Witness Disclosure During an Investigation

Gathering evidence is an important part of the human rights complaints process. Evidence (documents or witnesses) lets the other side know what you are relying on to support your version of events. You only need to share relevant evidence. Relevant means that it relates in some way to the complaint. Relevant evidence is shared with the other side unless there is a safety concern (this means that confidential or sensitive information may be shared). You need to tell us if there is a safety concern. Evidence obtained through the disclosure process is confidential between the parties and should not be used for any other purpose.

What to Do:

- Gather any relevant documents that you have in your possession. It doesn't matter if it hurts or helps your case.
- Identify any other documents that you know about, but don't have in your possession. We will help get copies of these documents.
- Get witness statements from people that support your version of events. Witnesses are people that saw or heard what happened or have other important information to share about the complaint. It's ok if you don't have a witness. In some cases, the only witnesses are the Complainant and the Respondent.

Examples of Relevant Documents:

- Job/apartment rental ad
- Job description/list of duties
- Cover letter/resume
- Job competition file
- Internal investigation file/report
- Disciplinary/termination letter
- Contract/signed agreement/lease
- Policies/Procedures
- Rules/by-laws
- Job interview score sheet or matrix
- Employee personnel file
- Payroll/Work schedule information
- Pay stubs/T4
- Financial/corporate information
- Letter/email/text
- Social media screenshot/photograph
- Personal journal/diary
- Witness Statements



NOTE: Do not send full copies of court decisions, legislation, collective agreements, academic or news articles. You can send us an online link instead.

Witness Statements

A witness statement is a written summary of what the witness saw or heard. Witnesses should only talk about relevant events or facts rather than give their opinion about what happened or the people involved.

You Can Either:

- 1.) Give us the name and contact information of your witness. Summarize what you expect them to say to support your version of events. We will contact the witness, if necessary; or,
- 2.) Send us a written witness statement, or have the witness send it to us directly. The statement can be a letter or an email. The witness should write their own statement and sign and date the bottom of the statement. The witnesses' personal contact information is not shared.



HUMAN RIGHTS COMMISSION

Newfoundland and Labrador

For more information, please visit: thinkhumanrights.ca