



## New Brunswick Human Rights Commission

### **Dr. Constantine Passaris** **The Malcolm Ross case**

There is one complaint that was adjudicated for many many years, and that involved David Attis, who resided in Moncton and was Jewish, and sent his children to school—to a public school in the New Brunswick school system. At that time that his son was going to school, there was a teacher in the same school district—but not in the same school—as the son of David Attis, by the name of Malcolm Ross. That teacher, during his off hours, had a very active role in terms of disseminating anti-Semitic information. He did that by writing books, pamphlets, giving interviews in the local newspaper, and there was also one television interview that he gave. David Attis brought a complaint, before I became Chair of the Human Rights Commission, to the Commission, saying that the work of that teacher was harmful to the Jewish community of New Brunswick, and there were grounds that discriminated against his son to receive an education that all the other kids were receiving. Clearly it was a difficult issue. The complaint was brought against School District number 15, which employed Malcolm Ross, a teacher, as employing somebody who was disseminating anti-Semitic literature. It was a difficult complaint. It went through a board of inquiry; it went through a legal process here in New Brunswick and ultimately ended up on the Supreme Court of Canada. In 1996, the Supreme Court of Canada established the final ruling in this case, which upheld the original decision of the New Brunswick Human Rights Commission, which was that, yes, there were grounds for discriminating against this young man in the public school system of New Brunswick, because of the anti-Semitic role and writing that that teacher had exercised in the years leading up to this complaint. That was a good-news story for the Human Rights Commission of New Brunswick and the judgment of the Human Rights Commission in this regard.