

THE CANADIAN HEARING SOCIETY
LA SOCIÉTÉ CANADIENNE DE L'OUÏE



**The Canadian Hearing Society's Submission to
the Standing Committee on Justice Policy on Bill
107, The Proposed Ontario Human Rights Code
Amendment Act**

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Submitted by:

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1. CHS Profile

The Canadian Hearing Society (CHS) is an agency which has worked with and for people who are deaf, deafened and hard of hearing for 66 years. We operate in 28 offices across Ontario. CHS strives to develop high quality and cost-effective services in consultation with national, provincial, regional and local consumer groups and individuals.

We offer a broad range of services which include a number of health care and social services including audiology, speech-language pathology, hearing aid fitting and dispensing, hearing care counselling, general support and mental health counselling. We offer a large number of other related services which have developed as the needs of our consumers have developed. These services include Ontario Interpreter Services, Employment Services, Information Services, Literacy and Basic Skill Development, and others. A complete range of our services can be found on our website (www.chs.ca). The broad range of services we offer provides support to our mission which is: to promote the independence of people who are deaf, deafened and hard of hearing and to promote the prevention of hearing loss.

All CHS offices see consumers who:

- have communication barriers with duty counsel who do not know sign language nor are familiar with deaf, deafened and hard of hearing issues and communication needs
- have communication difficulties given time constraints in court and often confusing procedures
- lack education resulting in a lack of poor understanding of the legal process
- report that most legal aid offices do not have staff who know sign language and/or lack understanding of deaf, deafened and hard of hearing individuals' communication needs
- complain that lawyers who accept legal aid certificates do not know sign and are unwilling to pay for qualified sign language interpreters (although Ontario Interpreter Services will provide interpreters for free)
- have a great deal of frustration with the scarcity of qualified sign language interpreters or qualified real time captioners resulting in delays of meetings or court hearings
- have minimal understanding of the Ontario Human Rights Commission and the Human Rights Tribunal's complaint and investigation procedures and request assistance in navigating the entire process, from intake to prosecution
- raise concerns about situations not covered by legal aid: wills and estates, civil litigation, tax law, human rights, employment, divorce, real estate matters

2. CHS's Longstanding Role in Advocating for Human Rights Reform

CHS has been actively involved for many years in advocating for effective legal protection for the rights of persons who are deaf, deafened or hard of hearing. From 1980-82, CHS was an active member of the Coalition on Human Rights for the Handicapped. That Coalition successfully fought to get the rights of persons with disabilities added to the Ontario Human Rights Code.

From 1995 to 2005, CHS was an active member of the Ontarians with Disabilities Act Committee. That coalition successfully advocated for the enactment of the Ontarians with Disabilities Act 2001 and the Accessibility for Ontarians with Disabilities Act 2005. We are now similarly involved with the ODA Committee's successor, the Accessibility for Ontarians with Disabilities Act Alliance 2005.

3. Communication Accessibility Issues/Concerns at Ontario Human Rights Commission and Human Rights Tribunal

For deaf, deafened and hard of hearing complainants and respondents, full participation in the human rights complaint process is fundamentally linked to ensuring clear, accurate, professional two-way communication. When the appropriate accommodations are not in place, participation by this population is de facto compromised. When accurate, professional accommodation is not provided at the very beginning of the human rights process, the very evidence, statements and facts on which a case is predicated will be compromised, thus setting the stage for a potential miscarriage of justice

The Ontario Human Rights Commission (OHRC) lacks clear policies and procedures for providing access and accommodation for deaf, deafened and hard of hearing participants in the human rights complaint process. There are major barriers and gaps in accessibility for deaf, deafened and hard of hearing individuals to the services of the Ontario Human Rights Commission and Human Rights Tribunals of Ontario (HRTO).

- 1) American Sign Language (ASL) and la langue des signes Quebecoise (LSQ) interpreters, real-time captioners, computerized notetakers, assistive listening devices and other means of communication assistance are not being provided, even for the most essential services. These forms of access are being denied despite a clear statement from the Supreme Court of Canada in the *Eldridge* case that equal access is guaranteed by Section 15(1) of the Charter. Recently, the Government of Ontario committed to the implementation of Accessibility for Ontarians with Disabilities Act to ensure that communication access will be in place.
- 2) For some deaf, deafened and hard of hearing individuals, English is a second language and the lack of plain language in most human rights undertakings is a real barrier.
- 3) Many deaf, deafened and hard of hearing OHRC complaints encounter attitudinal barriers from OHRC personnel who demonstrate anti-ableism/anti-audism bias in their interactions with this population. The frustration that can arise when communication is not clear and easy, can give rise to discriminatory behaviour.

- 4) Most legal clinic offices, lawyers and paralegals are not able to assist deaf, deafened and hard of hearing individuals who have limited literacy skills and do not understand OHRC intake forms. There is a lack of funding for communication access accommodations.
- 5) Many deaf, deafened and hard of hearing individuals, especially those who are marginalized, face communication barriers during the process of filing a complaint, intake, interviews, mediation and investigation process.

4. Challenges Facing Deaf, Deafened and Hard of Hearing OHRC Complainants

Historically, OHRC and HRTO face chronic funding limitations that lead to unnecessary delays in the handling of human rights complaints. We are aware of a number of deaf, deafened and hard of hearing OHRC complainants who have experienced these delays. In addition, they must wait for a longer period than average because of the need to book sign language interpreters/captioners. Some reported fearing the cancellation or postponement of scheduled OHRC meetings due to lack of availability of appropriate communication accommodation. Cancelling or postponing OHRC or HRTO sessions would mean an additional wait of at least three to six months just to set up another meeting or hearing.

Limited financial resources and insufficient numbers of staff lead to problems with the effectiveness of the OHRC. For example, in some human rights cases involving deaf and hard of hearing complainants, the OHRC lawyers have been so backlogged that deaf and hard of hearing complainants have been forced to hire their own lawyers to ensure they have high quality legal services. Ideally, the Ontario Human Rights Commission should provide the best resources and maintain quality legal services to support their human rights complaints during the investigation processes and at the HRTO hearings.

In some cases, deaf, deafened and hard of hearing OHRC complainants are not able to afford qualified lawyers to represent their complaints while respondents -- who are often well-resourced governments or large companies -- are able to afford expensive and well qualified lawyers to represent them. The change proposed in Bill 107 to not do investigations presents a serious barrier for deaf, deafened and hard of hearing complainants. Many legal aid services across Ontario will not take on human rights cases leaving these complainants with no representation when trying to fight big companies or governments.

Another issue is the potential conflict of interest that can arise due to the current reporting structure. As it stands, the OHRC reports to the Ministry of Attorney General which could compromise complainants' cases against a specific ministry's policies or procedures. The OHRC should report directly and independently to the Ontario legislature.

5. CHS's Overall Response to Bill 107

In general, CHS is pleased that the government wants to improve and strengthen the Ontario Human Rights system. However, CHS has very serious concerns with the direction of the Government's reforms set out in Bill 107, and with the process by which this bill has been brought forward.

On February 20, 2006, shortly after the Government first announced its plans for the Human Rights Code, CHS wrote Premier McGuinty to raise initial concerns. CHS President and CEO Kelly Duffin's March 13, 2006 letter to Premier McGuinty included the following:

"We are writing in support of the concerns and recommendations put forward by the Accessibility for Ontarians with Disabilities Act Alliance (AODAA) in their letter to you dated February 27, 2006 regarding proposed reforms to the Ontario Human Rights Code....

"...While we support your goal of improving the process, we share the AODAA's concern that the proposed changes announced February 20, 2006 could have the effect of introducing new barriers for victims of discrimination, including those with disabilities. In the spirit of leadership with which your government developed the AODA, we join the AODAA in calling for public consultations before any reforms are made to the Ontario Human Rights Code. To ensure that people with disabilities are included in those consultations we also advise that the provision of access – including sign language interpreting and real-time captioning – will be essential.

"The AODA held the promise of being meaningful legislation in moving Ontario to becoming a more equitable society. The way the letter and spirit of that legislation is reflected in subsequent initiatives – including reforms to The Ontario Human Rights Code – will be a clear signal about the government's ongoing commitment to people with disabilities in this province. We urge you to remove and not increase the barriers."

We regret that CHS was not consulted by the Attorney General before he announced his plans for reforming the Human Rights Code. We also regret that the Government did not take up the proposal to hold an open, accessible public consultation before introducing Bill 107. In contrast, the Government had held excellent consultations in 2003-2005 as it developed Bill 118, the Accessibility for Ontarians with Disabilities Act.

CHS endorses and agrees with the concerns about Bill 107's contents which the AODA Alliance has thoroughly set out in its draft submission to the Standing Committee on Justice Policy, available at: www.aodaalliance.org

CHS also agrees with the proposed amendments set out in the AODA Alliance's draft submission. We will not repeat the contents of that document, but instead set out some of our key concerns and recommendations.

6. Problems with Bill 107

The Government's plan for the Human Rights Commission as set out in bill 107 has very serious problems. First, Bill 107 takes away important rights the *Human Rights Code* has guaranteed for decades, like the right to public investigation of human rights cases, the right to public prosecution where evidence warrants, the right to fair procedures at the Human Rights Tribunal, the right to appeal to court from the Tribunal, and freedom from Tribunal user fees.

Second, in important ways, Bill 107 doesn't do what the Government says it does. Contrary to Government claims, it doesn't guarantee a public hearing and publicly-funded lawyer to all discrimination victims. It doesn't create the promised new Human Rights Legal Support Clinic to serve all 11 million Ontarians. It gives the Government absolute power to fund public legal assistance as little as it wants, or to refuse to fund it.

Third, by this bill, the McGuinty Government betrays an important understanding with Ontario's disability community. Dalton McGuinty promised effective enforcement in his new *Accessibility for Ontarians with Disabilities Act*, the AODA. The Government said last year that we do not need a new enforcement agency in the AODA, since the Ontario Human Rights Commission investigates and prosecutes disability discrimination complaints. Now, the Government unfairly turns around and plans to rip out most of the Human Rights Commission's teeth. Bill 107 merely re-invents an old Disability Secretariat within the commission, but gives it no investigation powers.

CHS does not believe the status quo is acceptable. However, it urges the Government not to take steps that will make things worse.

The Government's plan would force discrimination victims, like persons with disabilities, to investigate their own complaints. Most organizations won't voluntarily cooperate with such investigations. Deaf, deafened and hard of hearing persons will face incredible barriers if they try to investigate their own case. The Government's plan could force discrimination victims to hire their own lawyer to present their case to the Tribunal. Tribunal hearings can go on for days and days. With no lawyer, a discrimination victim will be completely out-matched. The organization complained against will often have a lawyer to vigorously oppose them. Bill 107 doesn't guarantee that discrimination victims will always have a lawyer at a Tribunal hearing to prosecute their case.

The Government says this new system is quicker. Yet its plan doesn't get rid of the long line-up to enforce human rights. It just moves the line-up from the Human Rights Commission's door to the Ontario Human Rights Tribunal door.

It is not an improvement to privatize the enforcement of human rights. We need the Human Rights Commission strengthened. Instead, Bill 107 will weaken it.

If a person is the victim of discrimination by the Ontario Government, the Government will use taxpayers' dollars to pay its lawyers to defend itself, vigorously. However, Bill 107 will take away the Human Rights Commission to prosecute a discrimination victim's case and will force discrimination victims to hire their own lawyers, or hope that the Government will give sufficient funding to new legal supports.

7. Recommendations

CHS would prefer that the Government started from the beginning to consult with the public, including persons who are deaf, deafened or hard of hearing, on how to most effectively reform the Human Rights Code. CHS would be pleased to help the Government with any such consultation. Our recommendations for Bill 107 are offered here only as an alternative, if the Government decides to go ahead with this bill instead of starting over again with designing reforms to the system.

If the Government proceeds with Bill 107, CHS asks that the bill be amended to achieve the following:

- (a) to ensure Bill 107 does not take away any rights the Human Rights Code now gives
- (b) to ensure Bill 107 does what the Government says it does, and
- (c) to ensure Bill 107 does not breach the Ontario Government's understanding with Ontario's disability community over enforcement of the Accessibility for Ontarians with Disabilities Act, regarding continued availability of the Human rights Commission's investigation/enforcement powers.

Without taking away from all the many important recommendations for amendments set out in the AODA Alliance's draft submission, CHS specifically mentions these:

1. If the Government insists on implementing its "direct access" proposal, the bill should be amended to let complainants choose to take their case right to the Human Rights Tribunal, or to opt for the Human Rights Commission to investigate their case, and to prosecute if evidence warrants. People should have the right to choose to use the Commission's process investigation/prosecution.
2. The bill should be amended to strengthen, not weaken, the Human Rights Commission's enforcement powers, including expanding its role to monitor and enforce Tribunal orders, and to plan for removal and prevention of barriers in the human rights process.
3. The bill should be amended to protect discrimination victims from financial barriers like user fees.
4. The bill should be amended to ensure that cases now in the human rights system are completed under the current Code, and don't have to start all over under Bill 107.

5. If the Human Rights Commission's full mandate over investigation and prosecution in any case involving disability rights isn't preserved, the bill should be amended to establish a strong, effective independent enforcement agency under the Accessibility for Ontarians with Disabilities Act, including power to receive, investigate and prosecute disability discrimination cases.
6. The bill should be amended to give the Disability Rights and Anti-Racism Secretariats meaningful enforcement powers

Our additional recommendations in this paper will focus specifically on the needs of persons who are deaf, deafened and hard of hearing.

It is our hope that your consultations, and the legislative and policy decisions that will eventually result from them, will serve to help all persons with disabilities, including deaf, deafened and hard of hearing persons, while also increasing public awareness to remove the stereotypical thinking and negative attitudes toward deaf, deafened and hard of hearing people.

For the public consultation process to be accessible, the government must understand that deaf, deafened and hard of hearing consumers require more lead time to contact, arrange and confirm support services, such as sign language interpreters and real-time captioners. These support services enable deaf, deafened and hard of hearing people to prepare their submissions and presentations and to express their ideas in their own language or by a means accessible to them. Limited literacy levels mean that some consumers require more time to read and understand Bill 107 and its implications

These additional recommendations need to be reflected in amendments to Bill 107:

- a) through policy development and awareness/sensitivity training, confront and eradicate anti-ableist/anti-audist attitudes and behaviours in the Ontario Human Rights Commission and Human Rights of Tribunal of Ontario including proposed the Disability Rights Secretariat;
- b) OHRC and HRTO hire trained and specialized OHRC and HRTO staff who communicate using sign language and have the knowledge, understanding of and sensitivity to deaf, deafened and hard of hearing needs during the process of intake, screening, scheduling mediation meetings and investigation of human rights complaints;
- c) establish clear policies and procedures for providing access and accommodation for deaf, deafened and hard of hearing complainants and respondents in human rights complaint process (e.g. assisting them to understand OHRC intake forms and correspondence, assisting them to fill in the OHRC intake forms and providing necessary information as requested by OHRC intake officials and investigation officers),

- d) adopt policies and procedures for communication access provision for applicants and appointees at the OHRC,HRTO and and proposed Disability Rights Secretariat
- e) provide regular, mandatory awareness training to all levels of personnel staff of the OHRC, HRTO and Disability Rights Secretariat, about the communication needs of deaf, deafened and hard of hearing complainants and how to meet these needs.

Conclusion

CHS strongly endorses the immediate need for establishing an enforceable and effective *Ontario Human Rights Amendment Act*. Bill 107 needs to include an enforcement mechanism, quality assurance, and sufficient resources to ensure that qualified accommodation measures are available (e.g. sign language interpreting, real time captioning). The legislation needs to have authority and be suitably funded so that proper systems can be set up to monitor and enforce the Ontario Human Rights system by strengthening OHRC.

Bill 107 will clearly be inadequate unless amendments as recommended by the AODA Alliance are made before third reading. Bill 107 falls significantly short of what is needed to strengthen and improve the effectiveness in Ontario Human Rights systems.

CHS is prepared to work closely with OHRC or any future Ontario Human Rights system to develop appropriate policies and provide awareness training for human rights personnel to ensure deaf, deafened and hard of hearing individuals can be full participants in any human rights proceedings in which they may be involved.

Appendixes:

- 1) Deaf, Deafened and Hard of Hearing Consumer Profiles**
- 2) Legal Agreements, Policies and Legislation on Duty to Accommodate**

APPENDIX 1: Deaf, Deafened and Hard of Hearing Consumer Profile

In looking at the language and communication needs of people who are deaf, deafened or hard of hearing, it is important to note that 10% of the population acknowledges some form of hearing difficulty (Statistics Canada). For Ontario that translates to more than 1.2 million people with hearing loss, approximately 125,000 of whom are deaf. From a health perspective, it is also important to note that hearing loss is the fastest growing disability in North America, largely due to the fact that aging is the number one cause of hearing loss and seniors are expected to represent 16% of the population by 2021.

When access and accommodation needs are not met, there is no equal opportunity for deaf, deafened and hard of hearing Ontarians. In every aspect of the daily dialogue of life, whether big – education, health, employment, social, legal, family, attitudes – or small – ordering a pizza, watching a movie, calling a cab – the barriers faced by deaf, deafened and hard of hearing individuals are ever-present.

Often described as the “invisible” disability, deafness and hearing loss pose a significant and very complex barrier because unlike other disabilities, deafness and hearing loss create a barrier to communication. The ability to understand and be understood is the essence of communication and connections. When this ability is absent, people withdraw, become isolated and are relegated to the fringes of society. This isolation can lead to loss of self-esteem, depression, family breakdown, increased exposure to safety risks, lower levels of education and literacy, and increased unemployment.

While our consumer groups share many commonalities, it is important to acknowledge their differences. To understand the distinct supports and accommodation needs of deaf, deafened and hard of hearing Ontarians, it is important to understand their respective communication methods. The chart on this and the next page presents some general access preferences.

	Primary Communication Method	Communication Supports
Culturally Deaf Ontarians	American Sign Language (ASL) or Langue des signes québécoise (LSQ)	Sign language interpreters Real time captioning Technical devices, including TTYs (text telephones), visual alerting devices
Oral deaf Ontarians (early onset)	Spoken language during childhood/ teen years. Most use sign language in later life	Real time captioning Speech reading Technical devices, including cochlear implants
Deafened Ontarians (“deafened” refers to a profound hearing loss experienced by people who have grown up hearing)	Spoken language for themselves, but cannot understand others’ speech	Real time captioning Speech reading Technical devices, including cochlear implants
Hard of hearing Ontarians	Spoken language	Real time captioning Speech reading Technical devices, including hearing aids, FM systems

While people sometimes imagine that barriers can be entirely removed by providing a sign language interpreter, this is not the case. Oral deaf, deafened, and hard of hearing individuals do not use sign language and have different access needs. Furthermore, even for Deaf individuals who could benefit from sign language interpreting, the chronic shortage of interpreters means they have infrequent access to this service. Interpreting is only funded for necessary services and even then the short supply means that interpreters for appointments with doctors or lawyers must be made weeks in advance and even then, an interpreter may not be available. There is no funding for interpreters in daily or social activities, such as family reunions or staff barbecues, so such access must be paid for by the individual requiring the service and most often, this would be unaffordable.

When an interpreter is not available, writing notes is a common fall-back strategy in interactions between Deaf and hearing individuals. However, written English can present its own barriers to Deaf Ontarians. In Ontario, for instance, the reading average of a deaf individual graduating from a provincial school is at the grade 3 to 4 level, “which is not a reflection of the cognition of this group but on the educational practices used to teach literacy to a group who cannot hear the equivalent spoken sounds.”¹

Written rather than signed communication is the preferred access method for oral deaf, deafened, or hard of hearing Ontarians but there is currently no funding for the captioning that would meet their needs.

Technologies and Assistive Listening Devices

Technology and assistive listening devices are critical components in every deaf, deafened and hard of hearing citizen’s arsenal of strategies to facilitate communication with the hearing world. The range of technical devices is growing in step with the extraordinary pace of technological innovation: digital hearing aids, cochlear implants, text messaging devices (e.g. Blackberries), TTYs (text telephones), visual alerting devices (e.g. baby monitors, fire alarms, door bell signalers), FM and Infrared systems, vibrating watches and alarm clocks. Technology plays a critical role in leveling the playing field for deaf, deafened and hard of hearing Canadians.

Too often these devices are so costly as to be beyond the means of many people with hearing loss. Though governments provide some subsidies for some devices, there is frequently considerable lag time between new devices arriving on the market and their approval for subsidy.

In addition, government contracts with service providers do not always allow for the provision of technology and assistive listening devices for either the service providers or their clients.

¹ Dr. Cathy Chovaz McKinnon, Clinical Psychologist, in her submission to the Romanow Commission, 2001.

Professional and Qualified Sign Language Interpreters

American Sign Language (ASL) and la langue de signes québécoise (LSQ) interpreters facilitate communication and are knowledgeable in the language and culture of both culturally Deaf and hearing people.

There is critical shortage of professional qualified sign language interpreters. The shortage is even more severe in remote and rural areas. This shortage makes it difficult and frequently impossible for deaf people to access such necessary services as seeing a doctor. According to Clinical Psychologist Dr. Cathy Chovaz McKinnon “It is common for Deaf individuals not to have a family doctor given the huge barriers inherent even in phoning for an appointment, let alone trying to communicate with the doctor. As such, Deaf individuals tend to ignore their health care until such time that the problem is quite serious compromising the individual as well as requiring a more costly response from the medical professionals such as emergency care.”

There is only a handful of college interpreter programs across Ontario and many of them have closed in recent years.

Professional and Qualified Real-Time Captioners

Real-time captioners provide oral deaf, deafened and hard of hearing Ontarians with a simultaneous verbatim text of what is being said. There is an even more serious shortage of these highly specialized professionals.

In addition, most people, including government, are unfamiliar with this technology and the need for it. For instance, government meetings or public consultations often include the provision of sign language interpreters which is often thought to be sufficient not only for deaf attendees, but for those who are deafened or hard of hearing. However these groups do not use sign language. Because they rely on English and oral communication, real-time captioning is their necessary mode of access.

Appendix 2: Legal Agreements, Policies and Legislation on Duty to Accommodate

FEDERAL

- **Canadian Association of the Deaf, et. al. v. Her Majesty the Queen [2006]:**
This recent Federal Court of Canada decision requires that all Federal Government programs, offices and services provide sign language interpreters “upon request.” The ruling makes explicit the right to access government for Deaf Canadians and reinforces the legal precedent set by the *Eldridge* decision.
<http://decisions.fct-cf.gc.ca/en/2006/2006fc971/2006fc971.html>
- **Canadian Human Rights Commission Memorandum of Understanding with Treasury Board Secretariat [2006]:**
The MOU formalizes the consultation and collaborative process between the Treasury Board and the CHRC with respect to ensuring accessibility to Government of Canada telephone communications for all Canadians, particularly those who are Deaf, deafened, hard of hearing or have a speech impediment. The MOU is in response to the CHRC report, *No Answer: A Review of Government of Canada Telephonic Communication with People who are Deaf, Deafened, Hard of Hearing or Have a Speech Impediment* (2005).
http://www.chrc-ccdp.ca/proactive_initiatives/tty_ats/chrc_mou_tbs-en.asp?highlight=1
- **No Answer: A Review of Government of Canada Telephonic Communication with People who are Deaf, Deafened, Hard of Hearing or Have a Speech Impediment [2005]**
The report addresses the Government of Canada’s failure to adequately accommodate the needs of Canadians who cannot use the regular government telephone system, particularly for Canadians who are Deaf, deafened, hard of hearing, or have a speech impediment. The report recommended that the Government of Canada develop a strategy to provide telephonic services for people with hearing loss or a speech impediment, specifically referencing the duty to accommodate as provided by the Canadian Human Rights Act. **The report also recommended that the government review other communication issues**, including the availability of American Sign Language/langue des signes quebecoise (ASL/LSQ) services, the provision of real-time captioning at federal meetings and consultations, consideration of the special needs of hard of hearing people, and captioning of federally sponsored television feeds, videos and the audio portions of websites.
http://www.chrc-ccdp.ca/proactive_initiatives/tty_ats/toc_tdm-en.asp
- **Eldridge v. British Columbia (Attorney General) [1997]:**
The responsibility of governments to provide sign language interpreters was dealt with by the Supreme Court of Canada in the leading case of *Eldridge v. British Columbia (Attorney General)* 151 DLR (4th) 577. While *Eldridge* dealt specifically with the right to sign language interpreters in the health care system, the principles set out apply more generally to services provided by government, or provided by non-government organizations carrying out specific government objectives.
<http://scc.lexum.umontreal.ca/en/1997/1997rcs3-624/1997rcs3-624.html>

- **The Canadian Charter of Rights and Freedoms [1982]:**
The Charter is explicit in its provision for sign language interpreters during any proceeding in which Deaf Canadians are involved (see Section 14 and 15.1).
<http://laws.justice.gc.ca/en/charter/index.html>
- **Canadian Human Rights Act [1976/77]:**
The Act extends the laws of Canada to “give effect...to the principle that all individuals should have an opportunity equal with other individuals to make for themselves the lives that they are able and wish to have and to have their needs accommodated...without being hindered in or prevented from doing so by discriminatory practices based on...disability.”
<http://laws.justice.gc.ca/en/h-6/text.html>

ONTARIO

- **Accessibility for Ontarians with Disabilities Act [2005]:**
Ontario unanimously passed the Accessibility for Ontarians with Disabilities Act (AODA) in June 2005. The legislation promises to create, implement and enforce standards of accessibility with respect to goods, services, facilities, accommodation, employment, buildings, structures and premises for the 16 per cent of Ontarians with disabilities, including people who are deaf, deafened and hard of hearing.
www.e-laws.gov.on.ca/DBLaws/Statutes/English/05a11_e.htm
 - ✓ Ministry of Community and Social Services Accessibility Plan 2005-2006
<http://www.mcass.gov.on.ca/mcass/english/ministry/accessibilityPlans/2005.htm>
 - ✓ Ministry of Community and Social Services Guide to AODA
http://www.mcass.gov.on.ca/mcass/english/pillars/accessibilityOntario/what/aoda_guide.htm
- **Ontario Human Rights Commission’s Policy and Guidelines on Disability and the Duty to Accommodate [2000]**
The Ontario Human Rights Code explicitly states that everyone has the right to be free from discrimination. The Policy and Guidelines outline the details and give practical measures for workplaces, public transit, health services, restaurants, shops and housing to provide Ontarians with a disability equal treatment and barrier free access.
<http://www.ohrc.on.ca/english/publications/disability-policy.shtml>
- **Ontario Human Rights Code [1990]**
The Code protects Ontarians from discrimination based on disability or other characteristics (e.g. race, ancestry, family status, sexual orientation, etc.) and endeavours to create a “climate of understanding and mutual respect for the dignity and worth of each person so that each person feels a part of the community and able to contribute fully to the development and well-being of the community and the Province.”
http://www.e-laws.gov.on.ca/DBLaws/Statutes/English/90h19_e.htm