

April 7, 2006

Hon. Michael Bryant  
Attorney General of Ontario  
Ministry of the Attorney General  
720 Bay Street  
Toronto, Ontario  
M5G 2K1

Dear Minister Bryant,

The Learning Disabilities Association of Ontario (LDAO) has participated in many consultations over the last few years regarding the development of the Ontarians with Disabilities Act (ODA), the Accessibility for Ontarians with Disabilities Act (AODA), and various policy documents of the Ontario Human Rights Commission (OHRC). Most recently we responded to the OHRC consultation "Reviewing Ontario's Human Rights System", and I have attached our submission for your information.

The Learning Disabilities Association of Ontario is the provincial association representing the interests of persons with learning disabilities throughout Ontario. Originally founded in 1963 to assist parents of children with learning disabilities to obtain access to special education services, the LDAO has expanded its mandate to include adolescents and adults who have learning disabilities, in postsecondary and employment sectors.

When an Ontarians with Disabilities Act was first proposed, LDAO took the position that a more proactive approach would be to enhance the capacity of the OHRC to carry out its mandate by providing additional staffing and funding. As the ODA and then the AODA were brought forward for consultation, LDAO continued to advocate for a strong role for the Ontario Human Rights Code and the OHRC. This role is especially important since there is no current mechanism in the AODA for an individual or organization to launch a complaint about non-compliance with an accessibility standard.

LDAO has serious concerns about the proposed changes to the Human Rights complaints process. The following statements identify our concerns, as outlined in our responses to the OHRC consultation:

Any reforms to the OHRC and the HRTO must maintain the types of supports that vulnerable members of the public require in order to proceed with human rights complaints. For persons with learning disabilities and individuals who are marginalized in society, procedural simplicity is more important than an overly legalized system which they may not understand. Many complainants would not qualify for the legal aid

certificate, and even if they did, the time allotted for legal aid is often not adequate for individuals with learning disabilities who need help with organizing documents and formulating written responses.

The Learning Disabilities Association of Ontario agrees that there is a need to improve the present process of dealing with Human Rights complaints, especially in terms of time delays. However we are not sure that the present proposal is the best way to address the issues. We would ask that community organizations who deal with individuals with disabilities as well as other disadvantaged groups be consulted for input before the proposed legislation is introduced, in much the same way as there was consultation before the legislations for the ODA and the AODA were introduced to the Legislature. Such organizations have valuable experience to share from the perspective of individuals they serve who have used the Human Rights system.

We all share the goal of creating a society where human rights are respected. It is important to share perspectives on how that goal can best be achieved. We would welcome the opportunity to discuss our concerns with you and your staff.

Sincerely,

Christopher Carew  
Chief Executive Officer  
Learning Disabilities Association of Ontario

c.c. Barbara Hall, Chief Commissioner  
Ontario Human Rights Commission