

Sign language ruling by the Federal Court of Canada

On August 11, 2006 the Honourable Mr. Justice Richard Mosley of the Federal Court of Canada ruled that all government services must be made available to Deaf citizens at the expense of the government departments. This ruling will enable Deaf persons who use Sign Language as their main means of communication access to government services such as the Passport Office, RCMP Detachments, border crossings and other federal establishments. Justice Mosley states that “as Canadians, deaf persons are entitled to be full participants in the democratic process and functioning of government.” He also wrote that “It is fundamental to an inclusive society that those with disabilities be accommodated when interacting with the institutions of government.” While this ruling is a positive step forward for the Deaf Community of Canada (260,000 Canadians), this ruling does not assist the many hard of hearing Canadians (3 million) who use a spoken language such as English or French but need some communication supports, such as an environment conducive to speech reading, print interpretation or an assistive listening device. Canadians who are hard of hearing may have mild, moderate, severe or profound hearing loss, they may use hearing aids or cochlear implants – but their focus is on inclusion in mainstream society. The Canadian Hard of Hearing Association (CHHA) is very pleased for the Deaf Community on their victory; however, this ruling is of no direct benefit to Canadians who are hard of hearing, as represented by the Canadian Hard of Hearing Association. The needs of hard of hearing Canadians are not represented in this ruling. This is a situation that CHHA will be examining in the future and hope to work with the federal government on ensuring equal access for all Canadians with hearing loss, not just for Canadians who are Deaf and use sign language.

Louise Normand, Ottawa, ON
CHHA National Board Member