

**Canadian Hard of Hearing Association
Press Release
Ottawa, Ontario, Canada**

**Subject: Federal Court of Canada Decision on the Provision of Sign Language
(The Canadian Association of the Deaf, James Roots, Gary Malkowski, Barbara LaGrange and Mary Lou Cassie vs. The Queen)**

On August 11, 2006, the Honourable Mr. Justice Mosley of the Federal Court of Canada rendered a judgment regarding access to government by persons who use sign language (2006 FC 971). The Canadian Hard of Hearing Association (CHHA) supports the court's decision and congratulates the applicants. This decision will benefit 300,000 Canadians with hearing loss who use sign language as their primary means of communication (e.g., American Sign Language or Langue des signes québécoise). For them, the court's decision is a positive step as it provides for visual interpretation (i.e. professional sign language interpretation) when they seek access to government services.

It is however important to understand that the decision does not deal whatsoever with the access needs of a much greater segment of the Canadian population of persons who have hearing loss, those who are hard of hearing or deafened. The needs of these persons were not at issue before the court.

Persons who are hard of hearing or deafened use a spoken language, such as English and French, as their principal means of communication. They seek full integration in mainstream society. Generally it is estimated that there are at least three million Canadians who are hard of hearing or deafened. Their interests are represented by the Canadian Hard of Hearing Association, which is the only national organization in Canada dealing with access for persons who are hard of hearing or deafened. The Canadian Hard of Hearing has provincial chapters and local branches from coast to coast.

In evaluating the potential impact of the Federal Court's decision, it is necessary to define the difference in identity between persons who are Deaf and persons who are hard of hearing or late-deafened. This difference is not based on the individual's degree of hearing loss but rather on the individual's choice of language and communication skills. Persons who are Deaf generally use sign language as their primary language; whereas people who are hard of hearing or late-deafened primarily use a spoken language - with the help of coping strategies and technological supports. The ruling deals only with sign language interpretation - it does not deal with the training of personnel in communicating with persons who are hard of hearing or deafened, nor does it deal with the technological supports needed for effective communication with persons who are hard of hearing.

There is much confusion in the media, the public and among Canadians with hearing loss as to the impact of the Federal Court's decision. The Canadian Hard of Hearing

Association is pleased for the court's recognition of the needs of the 1% of Canadians who are Deaf. However three million Canadians with hearing loss, who are hard of hearing or late-deafened and who do not rely on sign language, are saying: "Our needs are different."

The Canadian Hard of Hearing Association (CHHA) will continue to work with the Government of Canada, as it has done in the past, to ensure equal access for all Canadians with hearing loss.

For further information please contact:

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