

January 31, 1986

AGENDA FOR FIRST MEETING OF OPIRG-CILT EDITORIAL ADVISORY BOARD
CONCERNING DISABLED RIGHTS AND THE CANADIAN CHARTER

I INTRODUCTIONS 10 min

- 1.1 Go Around
- 1.2 Explain What OPIRG is
- 1.3 Explain what CILT is (Sandy)

II FORMAT OUTLINE 5 min

- 2.1 Describe briefly the three formats of the project (Diane)

III PURPOSE 5 min

- 3.1 Explain the purpose of the project

IV PROPOSAL AND CONTENT 15 min

- 4.1 Content of the Six Radio Documentaries (Amanda)
- 4.2 Content of the Community Forum (Diane)

V ROLE OF EDITORIAL ADVISORY BOARD 15 mins (Amanda)

- 5.1 Explain our expectations of the role of the board
- 5.2 Discussion on group's expectations of advisory board

VI PROCESS FOR EDITORIAL ADVISORY BOARD 10 min (Diane)

- 6.1 We present our options and preferences
- 6.2 Discussion of these options and/or suggestions for others

VII IMMEDIATE BUSINESS FOR THE BOARD 30 min

- 7.1 Discuss Agenda item IV for criticism and suggestions
- 7.2 Immediate Tasks

VIII Evaluation of Meeting 15 min

- 8.1 Evaluate the meeting and make suggestions for improvements

add people to order cassettes.
cmty forum: bring together disabled cmty to talk abt how to use Charter
5.15: equality clause + disabled rights
-series bble to transcribing hours.

CONCERN

The equality clause of the Canadian Charter of Rights and Freedoms became law on April 17, 1985. Advocacy groups for the handicapped have recognized the need to get information out to their constituents concerning how this section of the Charter could impact on their lives, but resources are extremely limited. At the same time these groups realize that getting the information out is not enough. They want to create a forum for education and discussion on uses of and legal access to the Charter. These discussions could provide the groundwork for consensus on strategies for court actions or political lobbying. Moreover, the more exposure all Canadians have to the discussions the more likely the larger public debate will help break down discriminatory barriers that exist for the handicapped. It is clear that that larger public debate could be extremely important in ensuring that the equality clause court decisions will be complied with.

OBJECTIVES

- 1) To make information available to handicapped Canadians about their "equality rights" under section 15 of the Charter.
- 2) To make information available to all Canadians on the barriers of discrimination for handicapped people.
- 3) To discuss ways in which future Charter decisions on the disabled will impact on their lives.
- 4) To discuss the needed changes in societal attitudes to ensure the equality clause would be complied with.
- 5) To encourage discussion on the possible strategies and resources needed for handicapped people to be able to use the Charter.
- 6) To develop a working relationship between OPIRG-Toronto and the advocacy groups working with handicapped individuals.

CONTENT OUTLINE

The six part radio series will address the following questions:

1. It is recognized that specific areas of concern to the disabled may be targeted for court action under the Charter. What are some of the specific areas, and what would be the possible impact of changes (accessibility, education, employment)?
2. How will the Charter's construction and the intent of the legislators who worked on the wording of the equality clause take concrete form?
 - (a) What are the legal implications of the wording of section 15?
 - (b) What are the potential restrictions on section 15 in light of the Override Provision and the Reasonable Limits Provision?
 - (c) How might the Canadian court interpret this new and totally unprecedented area of constitutionally entrenched equality rights for the disabled?
 - (d) Has section 15 been used in arguments to the courts since April 17, 1985? If so, what were the cases and what was the outcome?
3. What is the relationship between the Ontario Human Rights Code and the Canadian Charter of Rights and Freedoms?
 - (a) When should a disabled person use the regulatory process of the human rights commission as opposed to the Charter of Rights and the litigation process?
4. Has the federal government's and the Ontario government's policies based on "discussion papers" and reports on Section 15 and the disabled met the concerns of the handicapped community?
5. How can the Charter be used by the disabled to encourage the government to change discriminatory legislation? Is political lobbying of those in power an effective way of using the equality clause?
6. How will the Charter's protection of equality rights for the disabled impact on Canadians generally?
 - (a) What barriers now exist for the disabled due to societal prejudice (discomfort, stigmatization, stereotyping, pity, etc)?

7. What legal avenues and resources are being made available to the disabled to pursue their rights under the Charter? Are they adequate?

RESOURCES

The following people have agreed to make themselves available. This is not a comprehensive list it is still growing.

Diane Roberts: Board member of Centre for Independent Living in Toronto

Bill Worrell: Project Coordinator, Nation: People First Project

Peter Park: Disabled activist, past president of the Ontario: People First Project.

Orville Endicott: Legal Advisor and Counsel for the Canadian Association for Community Living, Co-author of "Equality Rights and the Physically Disabled", in Equality Rights and The Canadian Charter of Rights and Freedoms- Ed. Anne Bayefsky and Mary Eberts, 1985.

Gail Czukar: Staff Lawyer for the Advocacy Resource Centre for the Handicapped, member of ARCH's Legal Education Committee

Joanne Doucette: Feminist, Disabled Activist, member of the Disabled Women's Network, currently coauthoring a book on issues of concern to disabled women.

Sandy Carpenter: Disabled activist, Director of the Centre for Independent Living in Toronto.

Anna Ostapa: Member of Blind Organization of Ontario With Self-Help Tactics (BOOST).

As well as the above people OPIRG TORONTO will make the following resources available:

- (1) One staff person's time as needed to deal with the ongoing relationship between the project and the Board.