

# Human rights activists oppose McGuinty's planned changes to system

by Sarah Jordison

When the McGuinty Liberals introduced Bill 107, they claimed it would make our human rights system stronger, faster and more effective, to better serve the people of our province. But will it?



Janice Gairey, OFL Human Rights Director

The same human rights activists and victims of discrimination who have called for reforms to Ontario's Human Rights Commission (OHRC) for more than a decade are now the biggest critics of the McGuinty government's proposed changes to Ontario's human rights system in Bill 107.

"The problem is the Bill doesn't do what the government says it will. Worse, it takes away fundamental rights we now have entrenched in the Human Rights Code," says David Lepofsky, a prominent disability activist and OHRC claimant.

Royland Moriah of the African Canadian Legal Clinic says Bill 107 will make things worse for African Canadians. "Respondents are often corporate or government bodies with the money to fund the best lawyers and resources

they need for their defence. Bill 107 puts complainants at an immediate disadvantage because it takes away the guarantee of support for claimants, it gets rid of public investigators and gives the Tribunal even greater latitude to dismiss cases," he says.

Under the current system, someone who feels their rights have been violated files a claim with the Human Rights Commission. The commission, armed with the legal powers of search and seizure, investigates the case and if warranted provides mediation services to settle the case. If the case cannot be settled through mediation the commission provides a lawyer, who is an expert in human rights, to prosecute the case before the Human Rights Tribunal.

The real issue is that the current system is underfunded, resulting in delays.

"The commission simply doesn't have the funding to manage all the claims brought before it," says Terry Downey, former OHRC investigator, now vice-president of the Ontario Federation of Labour. She says this means the commission can't handle all the cases it should.

"The people who work at the Commission have been advocating for change for years," says Downey.

But not this kind of change. If Bill 107 does pass, rights will be severely diminished.

The widespread opposition to the bill was heard loud and clear at public hearings held in August 2006 in London, Ottawa and Thunder Bay.

"Rather than in effect getting rid of the Commission, we need changes that ensure meritorious claims aren't dismissed," Lepofsky says. "We need a system where claimants are supported through the



Tim Brown, Chair of OPSEU's Aboriginal Circle

process, investigations are done thoroughly in a timely manner and the resources are there to handle caseloads."

More than 60 prominent human rights activists and organizations have signed a letter to McGuinty outlining their concerns.

**A copy of the letter and complete list of signatories can be found at [www.protectyourrights.ca](http://www.protectyourrights.ca)**



John Rae, OPSEU Disability Rights Caucus  
All photos by Greg Bennett

**PROTECT  
HUMAN  
RIGHTS**  
**STOP  
BILL  
107**  
[www.defendhumanrights.org](http://www.defendhumanrights.org)