



SCOGUI ORIENTEERING

Assistant Scoutmaster Carl Starkes and his patrol from Milton were among the many Scout and Guides groups at the fifth annual "Scogul" camp at Blue Springs Reserve near Acton last

weekend. They studied the use of the compass along with colleagues and friends from Limehouse, Norval, Georgetown and Acton.

Access: Law stretches to meet needs of handicapped citizen

LEGALLY SPEAKING is a regular column written by legally qualified people under the auspices of COMMUNITY LEGAL EDUCATION ONTARIO.

LEGAL RIGHTS OF HANDICAPPED PEOPLE
BY JUDITH KEENE

The main problem of the handicapped is "access" that is, opportunity to "get at" the things most people take for granted, such as an ordinary education or a chance at a job. The handicapped don't want charity or temporary assistance. All they require is a chance to compete fairly with able-bodied people without unnecessary obstacles being placed in their way. Unfortunately, through ignorance and force of habit, able-bodied society does place obstacles in the path of handicapped people. This column will discuss some of those obstacles and what might be done to alleviate them.

The following are probably the main problem areas for handicapped people:

a) physical access: the de-

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sign of most public and private buildings, the average sidewalk and street crossing, and public transit of all kinds from street cars to commercial airlines, makes it impossible for many handicapped people to get about.

b) access to jobs and services - adequate education, employment opportunities and access to "public" accommodation, services and facilities, are all difficult if not impossible for a handicapped person to achieve. In part this is a problem of physical accessibility, but much of the problem is people who discriminate by refusing to give handicapped persons a chance to prove themselves, and legislation which is discriminatory in effect.

LEGISLATIVE CHANGES NEEDED

1. The Canadian Human Rights Act

While physical handicap is mentioned as a prohibited ground of discrimination under the Act, it is not "covered" in respect of all discriminatory practices. Housing, services, goods and facilities provided to the public by corporations or agencies that are federally controlled may legally be denied to the handicapped. The Canadian Human Rights Act does forbid discrimination in employment by reason of handicap, but (an important omission) the Canadian Human Rights Commission has no power to order an employer to make even minor changes in the workplace that would enable a handicapped employee to work successfully, (such as wider doorways, braille typewriters, etc.)

Lobbyists for handicapped persons' rights would like to see the Canadian Human Rights Act altered with both substantive changes as discussed above, and a change in the scope of the Act so that it would affect all Federal legislation. That way, for example, changes would have to be made to the regulations governing Via Rail and Air Canada, two services which have done little to ease the travel problems of many people. The National Building Code might also be affected. (The code governs building, in a way similar to the Ontario Building Code, discussed below).

2. The Ontario Human Rights Code

There is a new Ontario Human Rights Bill (Bill 209) that may become law quite soon. Handicapped people are protected in the Bill, but there is some concern about "loopholes", particularly on the subject of what is expected of an employer. As the Bill stands, there is very little legal pressure on employers to attempt to make even modest and inexpensive changes to the workplace - changes that would make employment truly accessible to the handicapped.

Another concern with Bill 209 is that it does not specifically include education among the public services in which it outlaws discrimination. There is a great concern among handicapped people about the effect of educational segregation - our practice of shunting off to a "special" school any student who doesn't "fit" the traditional classroom. (see below).

3. The Education Amendment Act

The new Education Amendment Act provides in Ontario a clear right to "special" education for those who are judged to need it. However, there are no guarantees anywhere as to

the quality of "special" education. Furthermore, special education has its drawbacks. Many handicapped people feel that educational segregation in a special school can cripple a child socially, making it difficult for him or her to deal with people who don't share his or her handicap. An increasing number of parents of handicapped children are struggling to maintain their sons and daughters in the "normal" school system for this reason. Often this means considerable expense of time and money. These parents may well wonder why no one seems to demand that ordinary schools make relatively small and inexpensive changes to curriculum and classroom so as to fit the school to the child.

4. The Ontario Building Code

Changes to the Code, which governs all building in Ontario, would go a long way toward helping handicapped people in their struggle to live independent lives. Part 5 of the Code was intended to increase the accessibility of certain buildings, but Part 5 applies to very few types of buildings and has many "loopholes" through which builders can avoid compliance with the legislation. Buildings not required to be accessible include all types of housing, (even apartment buildings and Public Housing) all places of employment and, among others, recreational facilities, passenger stations and depots, hotel and motel rooms, boarding houses, barber and hair dressing shops, dry cleaners', dentists' and doctors' offices, laundromats, stores and shops and police stations.

This is the state of the Building Code despite recommendations by study groups struck by the Ontario Ministry of Consumer and Commercial Affairs and by the Ontario Advisory Council on the Physically Handicapped.

WHAT CAN BE DONE

The most effective way of getting legislative change is by making your wishes known to elected representatives. You have a right to find out from your School Board what they propose to do to assist handicapped students. You can also write to the cabinet Ministers responsible for the relevant legislation; the Minister of Community and Social Services, the Minister of Labour (responsible for the Ontario Human Rights Code) and the Minister of Consumer and Commercial Relations (responsible for the Ontario Building Code).

Personally, you can examine your own attitudes to handicapped people as employees, co-workers, or neighbors. A simple readiness to give people a chance would go a long way toward solving the problems of disability.

The information in this article is accurate as of April, 1981. For more information on this and other legal topics contact Community Legal Education Ontario, 111 Queen St. E., Suite 310, Toronto, Ont. M5C 1S2. For legal advice contact your local lawyer or Legal Clinic. Be sure to watch for the next LEGALLY SPEAKING COLUMN.

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About the Hills

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Bonnie Neguchi of Royal Trust's Georgetown office has been recognized as one of the leading real estate agents in Canada. The 175 top agents of Royal Trust were presented with Gold Awards at a congress in Winnipeg June 19 to 22.

UW lecture topics

The University of Waterloo is inviting registrations for its 1981-82 off-campus lecture series, which will bring courses on "Women in the Great Religions", Psychopathology, Social Group Work and "Lifespan Crises" to the Acton Public Library next September through December. For more information, contact the University's Part-time Studies office at (519) 885-1211, extension 3447.

Old dairy reborn

An original milk shed which was Milton's first independent dairy, The Park Farm Dairy, will open July 1 as The Creamery, a combination antique and gift shop. Built by a Mr. McConnell of Milton Heights in 1929 for Edwin Harrop, it became first a milk shed and block-ice storage, then a dairy and now a gift shop. For about 20 years it supplied the town of Milton's 1,500 inhabitants with about 500 quarts of milk daily. The Creamery opens its doors at noon July 1, and will feature a special display of Park Farm Dairy bottles, caps and other artifacts. Hours for the shop will be from noon until 8 p.m. daily. Closed Mondays and Tuesdays.

CWAC reunion

The Canadian Women's Army Corps continues to search for former members for its 40th anniversary reunion Sept. 25 and 26 in Toronto. Corps veterans can obtain reunion brochures detailing plans for the weekend of dining, dancing and reminiscing, by writing Reunion Chairman Shirley Wood Heesaker, 201 Niagara St., Toronto, M5V 1C9.

New MOE lab

Premier Bill Davis will officially open the ministry of environment's new phytotoxicology laboratory in Brampton Friday at 10 a.m. The lab is on the grounds of the Ontario Experimental Facility and Training Centre, Heart Lake Road South between Derry and Steeles.