

# Town alters flag-flying policy

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By ending the flag flying service or issuance of proclamations it avoided placing council in the position of making moral judgments, avoided the awkwardness of having two organizations wanting to fly the flag at the same time, and avoided placing council in the position of endorsing organizations, which may be offensive to some sectors of the community.

According to Perlin's report, "Since notice was given of the policy change in 1997 the requests have all but stopped. The only request, which has been somewhat continuous and persistent has been from HOPE ...Indeed HOPE continues to insist that council's failure to raise the Pride flag during Pride Week is discriminatory contrary to the Human Rights Code."

Perlin noted the 1997 flag policy has "stood the test of time" and other organizations have found the opportunity to talk about their organization or event during a televised council meeting as a good substitute or have found other ways to promote their organizations.

Perlin provided council with four options: the status quo; wide-open flag raisings (requiring the hiring of a full-time staff person to manage the request, \$60,000 to \$80,000); offering either a flag raising or a proclamation (\$20,000 to \$40,000 for a part-time person), and finally the fourth— and the one chosen—the status quo with the exception of the "human rights amendment" clause.

Resident Dan Zabukovec in a presentation to council Tuesday said, he was opposed to the Town flying the Pride flag as it would "probably be a big mistake. It would set a precedent for any other special interest group, despite their motivation, to gain leverage and demand their flag be displayed."

Zabukovec, who said he has discussed this with other groups, said he's concerned a council decision could be swayed by the possibility of legal costs if losing a human rights case. He said the status quo policy treats everyone the same and thus negates any human rights issue.

Raj Anand, a human rights lawyer, hired to review the Town's policy agreed— by treating all organizations similarly, the 1997 policy was not contrary to the Ontario Human Rights Code.

But, he said, there has been a growing expectation by the Ontario Human Rights Commission that municipalities must go beyond that and demonstrate they are not discriminatory by furthering the rights of minori-

ties. Anand said while the opportunity to publicize their organization at a council meeting is a positive step, since most Ontario municipalities fly the Pride flag, the Commission would expect Halton Hills to follow the established practice. Or if Halton Hills did not fly the flag, it would have to give the organization "a leg up" by organizing an annual human rights festival or picnic or sponsor numerous events related to human rights.

Wards 1&2 Regional Councillor Clark Somerville, chair of the Corporate Affairs committee, pointed to that summation as key to the decision to change the policy.

"It won't open the door (to other groups demanding their flags be flown)," he said Wednesday, "It's a human rights amendment. ... Our town has changed since 1997 and we have to recognize how our community is changing and how we have to be inclusive of everyone and that they be made to feel welcome here."

Somerville called for a recorded vote and the mayor and all councillors stood in favour— except for Acton Councillor Mike O'Leary, who had left the council chambers during the flag policy discussion, and Ward 2 Councillor Bryan Lewis, who was absent for the meeting.

In an interview Wednesday, HOPE executive director Marcus Logan said the policy change is "awesome news".

"In making this change, it (council) is demonstrating respect, acceptance, and inclusion for all our residents, and for this we can certainly be proud of our community leaders."

Logan said his organization never indicated to the Town that it would take this matter to the Ontario Human Rights Commission but Domenic Padula, who has represented HOPE in a delegation to council on at least two occasions, did file an individual complaint with the Ontario Human Rights Commission in February 2007. Perlin said, that complaint, which was received by the Town in June, stated the Town's refusal to raise the Pride flag in 2005 and 2006 was in violation of the Human Rights Code involving sexual orientation. Perlin said the cost to fight Padula's complaint would have been in the \$40,000 to \$50,000 range.

With the approval of the amended policy, the complaint has now been settled, Perlin said.

HOPE and the Halton Pride committee invite the public to two events in Oakville to help celebrate Halton Pride Week which ends Sunday. Call the HOPE offices at 905-632-4551 or e-mail info@haltonpride.org for more information.



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