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Urban Alliance on Race Relations rejects the ‘direct access’ model to the Ontario Human Rights Commission

On this March 21, the International Day for the Elimination of Racism, we call on the Ontario government to rescind the proposed changes to the Ontario Human Rights Commission. The creation of a “direct access model” would remove the commission’s power to investigate and prosecute claims of discrimination and deny citizens the right to a public investigation of complaints of discrimination.

While we recognize improvements are needed to address the backlog of complaints in the current system, we strongly oppose a move to the proposed model, which would facilitate the development of a two-tiered system.

“The Attorney General’s proposed plan would force victims of discrimination to conduct their own human rights investigation and hire their own lawyer to present their case to the Ontario Human Rights Tribunal. Currently, that is the job of the Ontario Human Rights Commission. It should not fall on the shoulders of vulnerable people,” says Sri-Guggan Sri-Skanda-Rajah, President of the Urban Alliance on Race Relations.

This is concerning for marginalized citizens who already face huge barriers to a fair judicial process, many of whom are unable to afford to pay the legal fees for a human rights lawyer.

“We call on the government to maintain the right to a public investigation of proper complaints of discrimination. Legal aid is not a viable solution for legal representation because legal Aid is not a viable solution for legal representation. Many people will not qualify and even for those that do qualify, most clinics do not provide this type of service. A ‘direct access’ model will not speed up the complaints process – it will just lead to a longer backlog system like the one we have in the court system. The protection of human rights should not only be available to those that can afford it,” says Tam Goossen, past present of the Urban Alliance on Race Relations.

There is no doubt that the commission is in need of reform. Investigations by the commission are not always effective or efficient. However, this is largely due to the lack of commitment by the Ontario government to adequately fund the commission. Removing the ability of the commission to function as a gatekeeper is not going to address this ongoing resource problem. Rather, the Government should strengthen and appropriately fund the Ontario Human Rights Commission, not dismantle it.

Any reform should only occur after the Government holds a thorough and meaningful consultation with the public on how to fix the Ontario Human Rights Commission. The commission plays a critical role in assisting individual victims of discrimination and is important to all Ontarians.

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