Ontario
Deaf
Foundation

September 28, 2018

The Honourable Jody Wilson-Raybould
Minister of Justice
House of Commons
Ottawa, Ontario
K1A 0A6

Dear Minister:

As the International Week of the Deaf is coming to a close this week, we would like to remind your ministry of the outstanding need to amend the *Criminal Code*. This matter regards the need to protect sign language conversations from interception by recording devices without the consent of the signers.

Currently, law protects private voice conversations from the use of surreptitious surveillance technology for the purpose of recording conversations without consent. However, last year the Canadian Hearing Society's blatant use of the private investigators to videotape the ASL (American Sign Language) conversations of strikers on the picket line without consent demonstrates the apparent inequality of law.

The Charter of Rights and Freedoms states that the law is to be applied equally and with fairness and to all, "Every individual is equal before and under the law and has the right to *the equal protection and equal benefit of the law* without discrimination and, in particular, without discrimination based on race, national or ethnic origin, colour, religion, sex, age or mental or *physical disability*."

Please find enclosed a copy of our letter of May 10, 2017 to the Honourable Qualtrough, who was then the Minister of Sport and Persons with Disabilities. The letter was forwarded to your ministry since the *Criminal* Code lies in your jurisdiction. As well, we are providing the Ontario Deaf Foundation's perspective paper so you may acquaint yourself with the heart of the issue.

We would like to request that you commence the necessary steps towards the amending the *Criminal Code* so that both spoken and signed conversations will be *equally* protected.

Yours sincerely,

John Hemingway
President

cc Mr. Scott Duvall, M.P. for Hamilton Mountain
    Mr. James Roots, Executive Director, Canadian Association of the Deaf
    Mr. Donald Prong, Executive Director, Ontario Association of the Deaf