

PEOPLE WITH DISABILITIES SIGNIFICANT HISTORICAL EVENTS

People with disabilities have struggled for acceptance and equality for centuries now. They have been discriminated against, mistreated, misunderstood, oppressed, persecuted and sometimes killed due to prejudice, intolerance and indifference. The timeline below highlights some of the long struggle for equality in Canada while highlighting some of the victories.

“There are only two kinds of people in society: those who have a disability now, and people with disabilities in waiting—i.e. those who will get one later. “ M. David Lepofsky, *The Long, Arduous Road To A Barrier-Free Ontario For People With Disabilities: The History Of The Ontarians with Disabilities Act — The First Chapter*

1839

The Ontario government passed "An Act to Authorise the Erection of an Asylum within this Province for the Reception of Insane and Lunatic Persons." This legislation gave the Government of Ontario the authority to establish the first provincial asylum for people with a developmental disability.

1876

The Government of Ontario opened its first institution for people with a developmental disability just outside of Orillia on the shores of Lake Simcoe. By 1968, at the height of its operations, the facility had 2,600 residents. It was called the ‘Orillia Asylum for Idiots’.

1928

About 2,832 adults and children were sterilized in Alberta between the passing of the Sexual Sterilization Act in 1928 and its repeal in 1972. This Act gave the Alberta Eugenics Board the right to make decisions to sterilize people living in government-run institutions without their consent and without their knowledge of what was happening. Alberta was the first part of the British Empire to legislate involuntary sterilization.

1930

Eugenics Society of Canada is founded in Ontario.

1933

The Sexual Sterilization Act of B.C., similar to Alberta’s, was enacted. The Act was repealed in 1979, but the practice continued in the community for a number of years until the Supreme Court of Canada made a decision in *E. (Mrs.) vs. Eve* (1986). It is uncertain how many people were sterilized during this time.

1939

World War II began. The Nazi euthanasia program (code name Aktion T-4) was instituted to eliminate “life unworthy of life” for those that were “sick and disabled”.

1940-44

Nine-hundred and eight patients were transferred from an institution for retarded and chronically ill patients in Schoenbrunn, Germany to the euthanasia installation at Eglfing-Haar to be gassed. A monument to the victims stands in the courtyard at Schoenbrunn.

1941

Hitler suspended the Aktion T4 program that killed nearly one hundred thousand people. Euthanasia continued through the use of drugs and starvation instead of gassings.

1948

Dr. Guttman organized the 1948 International Wheelchair Games to coincide with the 1948 London Olympics. His dream was of a worldwide sports competition for people with disabilities to be held every four years as “the equivalent of the Olympic Games.” Twelve years later, his dream became a reality.

1955

The call for deinstitutionalization in Canada started in Saskatchewan when the Saskatchewan Association for Community Living (SACL) was created.

1958

Creation of the Canadian Association for Community Living

1960

The first Paralympic Games were held in Rome, Italy, and involved 400 athletes from 23 countries.

Early 1960’s

Ontario Human Rights Code was passed. It prohibited discrimination in employment, housing, and access to services and facilities on grounds such as race and religion, but not against people with disabilities.

1970

Ontario becomes the first province to pass a law guaranteeing a blind person the legal right to be accompanied by a specially trained dog guide in all facilities open to the public.

1972

Repeal of the Sexual Sterilization Act of Alberta in 1972 that ended Alberta’s eugenic sterilization program (Canada’s last remaining legislated eugenics program).

1974

Nova Scotia amends its Human Rights Act to prohibit employment discrimination against the physically handicapped, unless the handicap prevents an acceptable job performance.

1976

The Developmental Services Act is passed in Ontario. Canada hosts its first Paralympic Games in Toronto. Council of Canadians with Disabilities, which was formerly known as the Coalition of Provincial Organizations of the Handicapped, was founded by people with disabilities.

1977

Canada’s Federal Government Passes the Canadian Human Rights Act. This particular act prohibited discrimination based on race, national or ethnic origin, colour, religion, sex, sexual orientation, marital status, disability or conviction for an offence for which a pardon could have been granted in federal jurisdictions. In contrast to the Charter, this act was a much narrower document that solely dealt with equality rights.

1979

The Ontario Government introduces its proposed “Handicapped Persons Rights Act” into the Ontario Legislature for First Reading. It was a freestanding disability rights law. It did not propose to amend the existing Ontario Human Rights Code. Ontario Coalition for Human Rights for the Handicapped was formed. The 1933 Sexual Sterilization Act of B.C is repealed.

1980

The Trudeau Government (L) appointed a Special Committee on the Disabled and the Handicapped to undertake a review of federal legislation pertaining to persons with disabilities.

1981

The UN International Year of Disabled Persons began. During the year, governments were encouraged to sponsor programs bringing people with disabilities into the mainstream of their societies. The first ever report on disability issues in Canada, the Obstacles Report was released and “put forward 130 recommendations on all aspects of public policy including human rights, income security, assistive devices, transportation and communications.”

1982

The Canadian Charter of Rights and Freedoms declared physical or mental disability as a prohibited reason for discrimination; this was the first time that such a right was guaranteed in the Constitution of a country. Resulting from this process was the brand new Ontario Human Rights Code, passed into law and proclaimed in force in 1982. Its reforms included, among other things, Canada's most comprehensive package as of that time of statutory protections against disability discrimination. The Independent Living Centre of Waterloo Region was the first Independent Living Centre in Canada, founded by Mennonite Central Committee (MCC) in 1982.

1985

The Canadian Human Rights Act was enacted. It banned discrimination against people due to their physical or mental disability. Furthermore, the Act requires federally regulated employers to prevent discrimination and to provide access and support to individuals with disabilities.

1986

The Employment Equity Act was introduced by the Mulroney government (PC). It sought to achieve equality in the workplace, correcting the conditions of disadvantage for persons with disabilities as well as women, native people, and visible minorities. In the landmark case of E. (Mrs.) vs. Eve (1986), the Supreme Court of Canada set limits on the non-therapeutic and therapeutic sterilization of mentally incapable (incompetent) patients.

1987

Under the Mulroney government (PC), the House of Commons established a Standing Committee on the Status of Disabled Persons. The Mulroney government strengthened accessibility requirements for persons with disabilities in national transportation under the National Transportation Act (now the Canada Transportation Act), working closely with the Council of Canadians with Disabilities.

1991

The Mulroney government (PC) announced a 5 year National Strategy for the Integration of Persons with Disabilities, a cross-government initiative to bring persons with disabilities into the social and economic mainstream.

1992

Following the end of the Decade of Disabled Persons, the UN proclaimed December 3 International Day of Persons with Disabilities. This day is still celebrated today with each year focusing on a different issue pertaining to persons with disabilities. In Alberta, Leilani Muir wins a landmark legal case in 1996 for wrongful sterilization and confinement.

1994

NDP MPP Gary Malkowski, (North America's first elected parliamentarian who is deaf) brought forward the Ontarians with Disabilities Bill. Thus began the 7 year grass-roots movement that culminated in the 2002 Ontarians with Disabilities Act.

1996

Federal Task Force on Disability Issues appointed by Chretien government (L). BC became the first province in Canada to close all its large institutions for people with developmental disabilities.

1997

The Chrétien government (L) created the Opportunities Fund for persons with disabilities that aimed to provide incentives to "help persons with disabilities prepare for, obtain and maintain employment or self-employment".

1998

The Chrétien government (L) released In Unison: A Canadian Approach to Disability Issues, which sought to provide "a blueprint for promoting the integration of persons with disabilities in Canada" and largely focused on disability supports, employment, and income. The Standing Committee on Human Resources Development and the Status of Persons with Disabilities (HUMA) under the Chrétien government (L) created a Subcommittee on the Status of Persons with Disabilities (SPER). In *Eldridge v. British Columbia (Attorney General)* [1997] 2 S.C.R. 624, the Supreme Court of Canada ruled that sign language interpreters must be provided in the delivery of medical services where doing so is necessary to ensure effective communication.

2001

Under the Chrétien government (L), the Office for Disability Issues was formed. One of its main purposes was "to foster coherent policies and programs in the federal jurisdiction and across all jurisdictions". In *R. v. Latimer* [2001] 1 S.C.R. 3, the Supreme Court of Canada ruled that Robert Latimer's crime of murdering his disabled daughter Tracy Latimer could not be justified through the defence of necessity. Furthermore, the Supreme Court of Canada found that despite the special circumstances of the case, the lengthy prison sentence given to Mr. Latimer was not cruel and unusual, and therefore not a breach of section 12 of the Canadian Charter of Rights and Freedoms.

2002

Ontarians with Disabilities Act was enacted to "support the right of persons of all ages with disabilities to enjoy equal opportunity and to participate fully in the life of the province". The joint People First of Canada (PFC) and Canadian Association for Community Living (CACL) Task Force was formed in 2002.

2003

In *Starson v. Swayze*, 2003 SCC 32, [2003] 1 S.C.R. 722, the Supreme Court of Canada ruled that Mr. Starson had the right to refuse psychiatric medication because the Consent and Capacity board did not have enough evidence to support its finding that Mr. Starson was incapable of deciding on treatment.

2005

The Accessibility for Ontarians with Disabilities Act, 2005 enacted for the purpose of improving accessibility standards for Ontarians with physical and mental disabilities to all public establishments by 2025. Some employers began taking steps to bring their organizations into compliance in 2005.

2005/2006

In the 2006 Federal Disability Report released under the Harper government (C), mentions that the Government of Canada plans on moving forward with a National Disability Act. Harper first announced the possibility of a National Disability Act in his Policy Declaration during the 2005/2006 election.

March 30, 2007

Canada signs the UN Convention on Rights of Persons with Disabilities. This UN convention sought to create a more inclusive society by requiring member nations to make the following obligations: adopt legislation to promote the human rights of PWDs, develop accessible goods, services, and technology, and adopt legislative or other measures to abolish discrimination. Council of Canadians with Disabilities wins VIA Rail accessibility case at the Supreme Court of Canada.

2008

The Canadian Transportation Agency ordered Air Canada, Air Canada Jazz and WestJet to adopt a One-Person-One-Fare Policy for persons with severe disabilities on flights within Canada.

On March 31, 2009

The documentary *The Freedom Tour* was simultaneously shown in over 30 locations in Ontario to mark the closing of the final three institutions in that province that warehoused individuals with intellectual disabilities. From the opening of the first institution in 1876 to the closure of the last ones in 2009, over 50,000 people with a developmental disability had lived in these institutions.

2010

Canada hosts the Paralympic Games in Vancouver and places 3rd overall with 19 medals, including 10 gold. Canada ratifies UN Convention on the Rights of Persons with Disabilities (CRPD) and by doing so pledges to be governed by the CRPD, which articulates an international human rights framework for addressing the exclusion and lack of access people with disabilities have encountered in Canada and in all societies.

2012

Landmark Canadian Supreme Court ruling says mentally disabled adults can give reliable court testimony.