

Ontario Human
Rights Commission

Office of the Chief Commissioner

180 Dundas Street West, 8th Floor
Toronto ON M7A 2R9
Tel.: (416) 314-4537
Fax.: (416) 314-7752

Commission ontarienne
des droits de la personne

Cabinet du commissaire en chef

180, rue Dundas ouest, 8^e étage
Toronto ON M7A 2R9
Tél. : (416) 314-4537
Téléf. : (416) 314-7752



VIA EMAIL: clerk@toronto.ca

February 18, 2014

To: Members of Toronto City Council
Toronto City Hall
100 Queen St. W.
Toronto ON M5H 2N2

**Re: Agenda item CC48.4 - Contract Award - RFP No. 3405-13-3197 - 2014
Municipal Election - Internet Voting Service for Persons with Disabilities**

Dear members of Toronto City Council,

The Ontario Human Rights Commission (OHRC) appreciates the opportunity to have participated in the City of Toronto's recent consultation about internet voting. I am pleased that City Council is considering implementing internet and telephone voting for the upcoming 2014 municipal election. The OHRC supports alternative methods of voting as ways to increase access for people with disabilities to participate in political life. City staff's proposal on how to take steps to increase accessibility reflects the spirit of the Ontario *Human Rights Code*, and may assist the City in meeting its obligations under the *Accessibility for Ontarians with Disabilities Act, 2005*.

It is also in line with Canada's commitments made in the United Nations' *Convention on the Rights of Persons with Disabilities* to increase participation in political and public life for people with disabilities. By ratifying the *Convention*, Canada agreed to take progressive steps to ensure that voting procedures are appropriate and accessible.

The electoral principle of "accessibility" recognizes that persons with disabilities should be able to vote without assistance. Accessibility includes the human rights principles of inclusive design, respect for dignity and accommodation of individual need. Inclusive design means the ideal goal should be as many people as possible, with and without disabilities, are able to use the same voting technology and procedures (on-site or remotely), recognizing that some people with disabilities may still need a different accommodation. The commitment to begin implementing internet and telephone voting for persons with disabilities during the advance voting period is an important first step in realizing these goals.

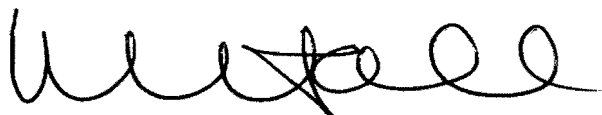
The OHRC understands that voter list disclosure requirements could end up identifying persons with disabilities who register for internet or telephone voting. This could raise

confidentiality concerns under the *Human Rights Code*, which has primacy over other Ontario laws. The issue should be examined more closely.

The OHRC looks forward to reviewing the City's evaluation report after the election so improvements can continue towards making elections more accessible for voters and candidates with disabilities.

If you have any questions or require further assistance, please feel free to contact me, or my staff, Jeff Poirier, Senior Policy Analyst at 416-314-4539.

Yours truly,

A handwritten signature in black ink, appearing to read 'Barbara Hall', with a stylized flourish at the end.

Barbara Hall, B.A., LL.B, Ph.D (hon.)
Chief Commissioner

Copy: The Honourable Linda Jeffrey, Minister of Municipal Affairs and Housing
Ann Hoy, Assistant Deputy Minister, Ministry of Economic Development, Trade
and Employment, Accessibility Directorate of Ontario
Jim Sanders, Chair, Accessibility Standards Advisory Council
Greg Essensa, Chief Electoral Officer, Elections Ontario
David Lepofsky, Chair, AODA Alliance