

Accessibility for Ontarians with Disabilities

On January 1, 2010 the Customer Service Standard under the Accessibility for Ontarians with Disabilities Act (AODA), came into effect. The regulation's standard requires public sector organizations such as the Ontario Review Board to provide accessible customer service to persons with disabilities and ensures policies, practices and procedures are consistent with the core principles of independence, dignity, integration and equality of opportunity.

1. Introduction

The Ontario Review Board is a unique tribunal that forms a critical component of the Canadian justice system. While it operates within the province of Ontario, the Ontario Review Board is not governed by provincial legislation but by federal legislation.

Established under Part XX.1 of the *Criminal Code*, the role of the Ontario Review Board is clearly defined as follows:

“A Review Board shall be established or designated for each province to make or review dispositions concerning any accused in respect of whom a verdict of not criminally responsible by reason of mental disorder or unfit to stand trial is rendered, and shall consist of not fewer than five members appointed by the Lieutenant Governor in council of the province...” (Part XX.1)

The Ontario Review Board has jurisdiction over individuals, referred to in the Criminal Code as “accused”, who the Ontario courts have found to be either unfit to stand trial, or not criminally responsible on account of mental disorder for the commission of a criminal offence.

Individuals found to be unfit to stand trial continue to be subject to the jurisdiction of the Ontario Review Board until it finds them fit to stand trial. At that time, they are returned to the court and if the court confirms that verdict, they are dealt with in the normal course.

In dealing with accused found not criminally responsible on account of mental disorder for the commission of a criminal offence, the Ontario Review Board's responsibility is to hold a hearing and to make a disposition for each accused under its jurisdiction. After an initial hearing, each NCR accused is reviewed at least annually and remains under the Board's jurisdiction until they are no longer found to be a “significant threat to the safety of the public”. The Board must take into consideration the “need to protect the public from dangerous persons, the mental condition of the accused, the reintegration of the accused into society and the other needs of the accused”.

These complex factors must be considered at each hearing conducted by the Ontario Review Board. They affect both the liberty of individuals and the safety of the public. The importance of the Ontario Review Board's decisions as they relate to these basic human rights is further underlined by the fact that appeals from the Ontario Review Board's decisions are made directly to the Court of Appeal for Ontario.

Decisions of the Ontario Review Board are referred to as dispositions. Following the hearings, the Ontario Review Board renders one of three dispositions:

- 1) An absolute discharge
- 2) A discharge subject to conditions; or
- 3) Detention in a hospital, subject to conditions.

Virtually all hearings conducted by the Board take place in public hospitals or provincial courthouses.

2. Our Commitment

The Board at all times strives to provide services in a way that respects the dignity and independence of people with disabilities. The Board is committed to ensuring that people with disabilities have the same opportunity to access and benefit from our services in the same place and in a similar way as others, and to the removal of any barriers that may impede full accessibility for people with disabilities. We are guided by the principles of fairness, openness and accountability in every aspect of our work and we welcome comment and input about the accessibility of our services from users.

3. Communication

We are committed to communicating with people with disabilities in ways that take into account their disability. We are committed to providing fully accessible telephone service. If telephone communication is not suitable to someone seeking our services we will offer to communicate by alternate means of communication that apply, such as email or TTY. We are committed to providing accessible decisions, reasons for decision, correspondence, and documents about our mandate, processes and procedures. These documents may be provided in alternate formats upon request; including hard copy, large print, email, electronic versions, Braille, tapes, etc. Our staff have regular contact with persons with disabilities and are committed to communicating with persons with various types of disabilities.

4. Assistive Devices

We are committed to serving people with disabilities who use assistive devices to obtain, use or benefit from our services. Staff are trained to support the use of assistive devices and inform customers of the assistive devices available.

5. Use of support persons

The Board welcomes the participation of support persons who assist people with disabilities. Staff are trained to interact with individuals who use the services of a support person.

6. Use of service animals

The Board welcomes the role of service animals that may assist people with disabilities and support their use.

7. Notice of temporary disruption

In the event of a planned or unexpected disruption the Board will provide customers with notice to the best of our abilities. The notice will be placed at the public entrances of our premises. When possible we will also contact customers directly.

8. Requesting accessible services

a) A person with a disability who has a special need may request an accommodation. The request should be made as soon as possible. Persons should contact the ORB to request the accommodation or for more information at (416) 327-8866, or TTY: (416) 326-7889, or TTY toll free: 1-877-301-0889.

b) The request will be assessed on a case by case basis. The Board will make every effort to respond to the request effectively and in accordance with the principles established under the *Accessibility for Ontarians with Disabilities Act, 2005* and the *Ontario Human Rights Code*.

9. Training for Staff

Ontario Review Board staff have received training on the requirements of the *Accessibility for Ontarians with Disabilities Act, 2005*.

This training reviewed the purpose of the *Accessibility for Ontarians with Disabilities Act, 2005* and the requirements of the Customer Service Standard including “*Welcoming Customers with Disabilities*” and “*May I help you supplementary*”.

This training also included,

How to interact and communicate with people with various types of disabilities
How to interact with a person who requires a support person
How to support the use of a service animal
How to support the use of assistive devices

The requirements of the Customer Service Standard were reviewed against the Ontario Review Board's common practices and procedures as well as against the Board's roles and responsibilities, and administrative obligations, ensuring the Board's mandate of conducting a fair hearing for the accused and providing administrative support to the Board's members is maintained.

10. Feedback process

Our goal is to ensure accessibility to all Ontarians and to meet the expectations of people with disabilities. We welcome your comments regarding how well those expectations are being met by contacting us by telephone, in writing or e-mail.

Telephone: 416-327-8866

TTY/TDD line: 416-326-7889 or 1-877-301-0889

Email: Feedback section on our website: www.orb.on.ca

11. Modifications to this or other policies

We are committed to promoting a fair hearing process to all by respecting the dignity and independence of people with disabilities. Any changes to our current practices and procedures will be made with regard to continuing to promote accessibility for people with disabilities.

12. Questions about this policy

Inquiries may be made to the Ontario Review Board.

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