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Justice

Hearing impaired being overlooked: group

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A recent Federal Court of Canada ruling requiring federal government departments to provide free sign-language services on request is being received as good news for deaf Canadians across the country.

But organizations representing the hard of hearing say they've been left out, because most people with hearing loss who are not totally deaf don't use sign language.

Myrtle Barrett, president of the Canadian Hard of Hearing Association (CHHA), Newfoundland and Labrador division, and a director on the national board, says her organization is pleased that the Canadian Association of the Deaf (CAD) succeeded in its court challenge.

"Unfortunately," she said, "this ruling has no benefit whatsoever for people who identify as hard of hearing, a group conservatively estimated at 3.2 million Canadians, because the vast majority of them neither use nor understand sign language."

CAD and four individual applicants pursued the case against the federal government, arguing that its sign-language policy denied them the opportunity to fully participate in government programs.

Mosley agreed that, "As Canadians, deaf persons are entitled to be full participants in the democratic process and functioning of government."

He went on to say, "It is fundamental to an inclusive society that those with disabilities be accommodated when interacting with the institutions of government."

The court ruling makes several references to deaf and hard of hearing or hearing disabled persons.

Unfortunately, Barrett said, these people are lumped into one group but their needs are different.

"Hard of hearing people, represented in Canada by the Canadian Hard of Hearing Association, use speech and residual hearing to communicate, augmented by a variety of strategies such as amplification, speech reading, listening devices and print interpretation such as closed captioning and real-time captioning," Barrett said.

"Therefore, when the ruling restricts the definition of visual interpretation to sign language, the overwhelming majority of hard of hearing Canadians are shut out."

Barrett said people who are deaf and who use American Sign Language or the French sign language, Langue des signes Québécoise, deserve this ruling.

"However, the ruling also identifies hard-of-hearing people as benefiting and this is not the case."

Barrett said people who are hard of hearing should be given the same benefit in terms of sound and visual technology to allow them full access to and participation in the workplace, educational settings, the community at large and access to government services.

While the recent ruling may make it easier for people who are hard of hearing to eventually have print interpretation as a similar option to sign language to access government services, Barrett said at this point the ruling does nothing to support their needs.

"While there are similarities between these two groups, there are profound differences as well, and to ignore them is a great injustice to all people with hearing loss," Barrett said.

The CHHA is hopeful these problems can be solved with increased education, information and dialogue.

Barrett said the demographics of people with hearing loss show that this is a rapidly growing group, due to the aging population and rising incidence of permanent noise-induced hearing loss.

Industrial and recreational noise is the latest cause of hearing loss and deafness, she said.

Barrett was left with impaired hearing following a viral illness. That progressed to deafness and she now uses a combination of lip reading and sign language to communicate.

Barrett said most people she knows who have lost hearing but are not deaf, don't use sign language.

The CHHA will be looking at its options and may appeal the intent of the federal court ruling to also allow access to government services for hard of hearing individuals who use alternate forms of interpretation.

Barrett said the organization will also work to improve public education to better define hard of hearing and deafness.

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Hearing loss defined

According to the Canadian Hard of Hearing Association, more people have a hearing loss than any other type of disability. One in 10 Canadians of all ages, and half of those over 65, have a hearing loss.

A small percentage of people are born with impaired hearing, while many people lose some hearing with age.

The exact cause of hearing loss varies and often the cause is unknown. At birth, it can be hereditary, and at any age, common causes are diseases, the side-effects of drugs, noise damage, ear infection and trauma from an accident or assault.

Industrial and recreational noise has been attributed in recent years to hearing loss and deafness.

Sounds exceeding 85 decibels can damage hearing and lead to permanent hearing loss. A sound level of 125 decibels can actually cause pain.

Some noise levels from typical sound sources are:

Talking, 40 decibels;

Video arcade, 90 decibels;

Lawn mower, 105 decibels;

Motorcycle, 110 decibels;

Stereo, 118 decibels;

Rock concert, 135 decibels;

Jet takeoff, 140 decibels.

Source: Canadian Hard of Hearing Association, Newfoundland and Labrador website: www.chha-nl.nl.ca

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