

**IN THE SUPREME COURT OF CANADA**  
(ON APPEAL FROM THE COURT OF APPEAL FOR ONTARIO)

BETWEEN:

HER MAJESTY THE QUEEN

Appellant  
(Respondent)

– and –

THOMAS SLATTER

Respondent  
(Appellant)

and

CANADIAN ASSOCIATION FOR COMMUNITY LIVING,  
WOMEN'S LEGAL EDUCATION AND ACTION FUND INC.,  
DISABLED WOMEN'S NETWORK CANADA, ARCH DISABILITY LAW CENTRE  
and BARBRA SCHLIFER COMMEMORATIVE CLINIC

Interveners

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**FACTUM OF THE INTERVENER,  
BARBRA SCHLIFER COMMEMORATIVE CLINIC**

(Pursuant to Rules 37 and 42 of the *Rules of the Supreme Court of Canada*, S.O.R./2002-156)

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## **PART I – OVERVIEW AND STATEMENT OF FACTS**

### **A. Overview**

1. This appeal raises concerns about the evidentiary hurdles for some of the most marginalized women in Canada who are at high risk of sexual violence. This Court's decision will either mitigate or exacerbate the accumulated barriers they face seeking help, reporting sexual violence, engaging with the justice system and receiving equal access to justice.
2. All sexual assault survivors confront the myriad barriers to justice. Migrant women (immigrant, refugee, temporary and non-status) who are Deaf and/or living with a disability who are sexually assaulted face additional, intersecting barriers to equality. If broad assertions and stereotypes about them can be raised to question their reliability, they will face one more hurdle to accessing justice.
3. Deaf and disabled migrant women almost always rely on supports and intermediaries to express themselves through the legal process. Suggestions about their vulnerability to influence from others, suspicion of ulterior motives related to immigration, and scrutiny related to their use of interpreters have been raised to challenge the reliability of their evidence.
4. Persistent stereotypes about Deaf and disabled migrant women have subjected them to extra and unwarranted scrutiny. Trial and appellate courts must reject evidence based on stereotypes that create additional, discriminatory hurdles for these marginalized complainants.

### **B. Statement of Facts**

5. The Crown is appealing the Court of Appeal majority decision, which found the trial judge's reasons did not pay adequate attention to the defence proposition that the complainant was suggestible and unreliable because of her intellectual disability.
6. In dissent, Pepall J.A. found that the majority's extensive scrutiny of the trial decision was unwarranted. She held that the trial judge properly considered the issue of the complainant's reliability, which incorporated the sub-issue of suggestibility, in the full context of the record, supporting a finding that the complainant was both credible and reliable.
7. The defence argued the complainant was suggestible and unreliable based on evidence about the complainant's intellectual disability. An expert testified that because of the complainant's disability, she is more likely to be suggestible; suggestibility is more likely when the questioner is

a person in authority; and suggestibility decreases when a person is recalling a personal, emotive event such as sexual assault. The expert also stated that the complainant is a unique individual who should not be stereotyped based on test results.<sup>1</sup>

8. Pepall J.A. cited the record, which showed the complainant was certain in her testimony, other witnesses denied suggesting evidence to her, and there was an absence of any evidence establishing that the complainant had been influenced<sup>2</sup>. Pepall J.A. concluded that the issue of suggestibility had "no air of reality"<sup>3</sup> and was "so lacking in merit"<sup>4</sup> there was "no need to directly advert to it"<sup>5</sup> in the trial judge's reasons.

9. The Barbra Schlifer Commemorative Clinic ("the Clinic") accepts the other facts as stated by the Appellant (paragraphs 11 to 46), and by the Respondent (paragraphs 17-35).

## **PART II – STATEMENT OF ISSUES**

10. The Clinic is addressing only one issue: did the majority of the Court of Appeal err in finding that the trial judge's reasons were insufficient for failing to address the complainant's reliability and suggestibility?<sup>6</sup>

11. The Clinic submits that the proper approach to this issue will consider whether a complainant's reliability can be challenged based on a stereotype or group generalization. Further, the proper approach must reject extra and unwarranted scrutiny based on discriminatory broad assertions and stereotypes, to avoid creating additional barriers to justice, especially for women who are at high risk of violence.

## **PART III – STATEMENT OF ARGUMENT**

12. Sexual assault is a particularly gendered crime: according to both self-reported and police-reported data, the large majority of victims are women.<sup>7</sup> It is a tragic and widely acknowledged

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<sup>1</sup> Appellant's Factum para. 35; Jessica Jones Appellant's Record, Vol. III, pp. 165, 167-168, 188-189.

<sup>2</sup> *R. v Slatter* 2019 ONCA 807, per Trotter J.A., (Pepall J.A. dissenting), paras. 136-139, 141, 164.

<sup>3</sup> *Ibid.*, para. 142.

<sup>4</sup> *Ibid.*, para. 141.

<sup>5</sup> *Ibid.*, para. 141.

<sup>6</sup> *Ibid.* See Appellant's Factum, Statement of Issues, para. 61.

<sup>7</sup> Conroy, S. and Cotter, A. 2017. "[Self-reported sexual assault in Canada, 2014](#)", *Juristat. Statistics Canada Catalogue no. 85-002-X*; Rotenberg, C. 2017. "[Police-reported sexual assaults in Canada, 2009 to 2014: A statistical profile](#)."

reality in Canada that about half a million women are sexually assaulted every year.<sup>8</sup> The fact that fewer than 5% of those assaulted report the attack to the police worsens this tragedy.<sup>9</sup>

13. All survivors of sexual assault are confronted with myriad barriers to coming forward: shame, victim-blaming, taboos and myths about women's sexuality, stigma, social judgment, harassment, retribution, fear of not being believed and the traumatizing experience of being a witness in a sexual assault trial.<sup>10</sup>

14. At the trial itself, all sexual assault complainants are subjected to the difficult experience of describing intimate personal details, under detailed examinations of their memory, truthfulness and the consistency of their statements.

### **Differential Experiences of Migrant Women**

15. Migrant women complainants experience social marginalization based on numerous factors that may include sex, place of origin, ethnicity, race, and religion.

16. In addition, migrant women experience unique forms of violence associated with their immigration status itself, such as threats of being reported to immigration authorities and fear of being deported.<sup>11</sup>

*Many immigrants and refugee women lack awareness of their rights and the sources of support available to them, creating further obstacles to accessing services. This may be especially true for new immigrants, women with precarious citizenship status, or those with no legal status; furthermore, those in Canada as refugees, on temporary work visas, or whose citizenship is pending, may not want to draw attention to themselves out of fear of deportation. Under these circumstances, women may not feel safe to report sexual violence if they feel it will jeopardize their relationships in Canada and/or their ability to stay in the country.<sup>12</sup>*

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<sup>8</sup> [2014 Statistics Canada General Social Survey on Victimization](#). The rate of self-reported victimization appears to be stable from 1999-2014: Research and Statistics Division, "[JustFacts: Sexual Assault](#)" (18 December 2019); "[The Facts About Sexual Assault and Harassment](#)" (2020).

<sup>9</sup> *Ibid.* "Just Facts: Sexual Assault"

<sup>10</sup> Alana Prochuk, "[We Are Here: Women's Experiences of the Barriers to Reporting Sexual Assault](#)" (November 2018), *West Coast LEAF*; Elaine Craig, *Putting Trials on Trial: Sexual Assault and the Failures of the Legal Profession*, McGill-Queens University Press 2018.

<sup>11</sup> Canadian Council for Refugees. [Violence against newcomer women](#).

<sup>12</sup> Shirwadkar, S. (2004). [Canadian Domestic Violence Policy and Indian Immigrant Women. Violence Against Women](#), 10, 860-872; supra Benoit, C. et al.

17. Newcomer women often lack access to information about their legal rights and remedies as a result of isolation and language barriers.<sup>13</sup> In some cases, isolation from supports and services is deliberately created by employers, controlling or abusive partners or other family members. An immigrant woman may experience coercive control in various ways that are unique to her social experiences. Her partner or family may prohibit her from learning English or French, from working, isolating her in the home, threatening to take custody of her children or threatening to alienate her from her cultural community by saying she is a bad wife and mother.<sup>14</sup>

18. It has also been found that intimate partner violence in immigrant communities can reinforce cultural stereotypes leading to the further marginalization of these groups and women in particular. This is another potential barrier to accessing social services when needed.<sup>15</sup>

19. Migrant women are at increased risk of sexual violence arising from isolation and marginalization.<sup>16</sup> Under certain immigration programs, a woman migrant worker's income, mobility and immigration status is dependent on a single employer.<sup>17</sup> Living under a constant threat of termination, loss of income, which often supports family back home, and return to their country of origin, women often have no choice but to endure sexual violence.

20. Some migrant women are particularly vulnerable to abuse because they have no legal status in Canada. Even in crisis, they are often too afraid to access social services in fear of being discovered as non-status and too afraid to call the police for fear that police involvement will lead to deportation.<sup>18</sup>

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<sup>13</sup> Canadian Council for Refugees, "[Violence Against Newcomer Women](#)" (no date, accessed 25 June 2020).

<sup>14</sup> Canadian Council for Refugees, "[How Immigration Status can Affect Women in Situations of Violence or Abuse](#)" (no date, accessed 25 June 2020).

<sup>15</sup> *Ibid.*

<sup>16</sup> Cecilia Benoit, Leah Shumka, Rachel Phillips, Mary Clare Kennedy & Lynne Belle-Isle. [Issue Brief: Sexual Violence Against Women in Canada. Section: Immigrant and Refugee Women](#); Alana Prochuk. [Women's Experiences of the Barriers to Reporting Sexual Assault. Section: Prevalence of Sexual Assault](#) pgs. 11 &12. November 2018.

<sup>17</sup> *Live in care giver program (LCP) and Temporary Foreign Worker Program (TFWP)*. (Details in Table of Authorities). See for example, *O.P.T. v Presteve Foods Ltd.*, 2015 HRTO 675, paras. 216, 221.

<sup>18</sup> *Supra*, note 14 (CCR, "How Immigration Status Can Affect Women in Situations of Violence or Abuse").

21. To overcome these barriers, migrant women often need the assistance of a variety of intermediaries, such as interpreters, social supports, and community networks, as well as police. When migrant women do seek help to make a complaint of sexual violence, they can be subjected to suspicion and allegations of influence based on their marginalization and need for support.

22. In a landmark human rights case, two union-supported migrant women ultimately brought sexual harassment and assault claims against their employer. In cross-examination, the complainants, whose English skills were weak, were challenged as having been influenced by police, the union, and their English-speaking representatives. They were also accused of opportunistic reports of sexual violence to support their claims for refugee status.<sup>19</sup>

23. Involvement with the immigration system opens the possibility for defence counsel to try to cast suspicion that a migrant woman is fabricating her allegations of sexual assault for immigration-related outcomes. In the case of *R. v D.S.*, the complainant was described in the judgement as speaking "broken English"<sup>20</sup> and testified through a Punjabi interpreter at trial. Her evidence was that she had been sexually assaulted by her estranged husband, a permanent resident, during the marriage. In finding the complainant neither credible nor reliable, the trial judge concluded his reasoning with the comment:

*Finally, I am concerned that the real reason she made a complaint to the police about an alleged assault and sexual assault by the accused was all about money issues between her and the accused. She wanted to get rid of him. She knew how to do this because she did it before with respect to her first husband. She knew that if he was convicted of the serious charges before the Court, as a permanent resident of Canada, not a Canadian citizen, he would be deported back to India.<sup>21</sup>*

24. Stereotypes about migrant women are raised to cast suspicion on their testimony in a variety of legal proceedings. In a custody battle, a woman refugee claimant was in Family Court fighting the application of her allegedly abusive husband for an order that their three young children be returned to his custody in Kuwait. The trial judge ordered the return of the children before the refugee determination was complete, based on doubts about the mother's evidence. Among the reasons given for deciding the mother was neither credible nor reliable, the trial judge questioned

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<sup>19</sup> *Supra*, note 17 (*Presteve Foods*), paras. 118-121, 130, 161.

<sup>20</sup> *R. v D.S.*, 2015 ABPC 159, para. 38.

<sup>21</sup> *Ibid.*, para. 65.

why the complaint of marital rape was delayed and had not been included in the refugee claim.<sup>22</sup>

The decision also questioned the woman's use of an interpreter:

*Mother chose to testify with the assistance of an Arabic interpreter. Although mother's primary language is Arabic, she holds an MBA obtained in English from a Kuwaiti university, and spoke English regularly in her senior human resources position in Kuwait for thirteen years. Although directed by the court on several occasions to wait for the interpreter to translate, she interjected and gave long answers.*<sup>23</sup>

25. When migrant women try to access the legal system, they face a variety of challenges to their credibility and reliability related to their marginalization. Influence by unions, police and social supports, suspicions about their engagement with the immigration system, and about their use of interpreters have all been raised to undermine their evidence.

### **Risks and Barriers Experienced by Migrant Women Who are Deaf and/or Living with a Disability**

26. Immigrants with a disability are more likely than immigrants who do not have a disability to be victimized.<sup>24</sup> The risks and barriers experienced by migrant women are increased if they are Deaf or living with a disability. Canadian women living with a disability are at twice the risk of sexual assault, as compared to women who do not live with a disability, and disabled women report multiple, separate incidents of victimization.<sup>25</sup>

27. This Court has described the marginalization of people living with a disability in Canada:

*...the history of disabled persons in Canada is largely one of exclusion and marginalization. Persons with disabilities have too often been excluded from the labour force, denied access to opportunities for social interaction and advancement, subjected to invidious stereotyping and relegated to institutions...they have been subjected to paternalistic attitudes of pity and charity, and their entrance into the social mainstream has been conditional upon their emulation of able-bodied norms.*<sup>26</sup>

28. Disabled women survivors of violence face significant barriers to getting help due to a systematic lack of accessible services providing support to identify, report, and leave situations of

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<sup>22</sup> *Al-Barqawi v El-Hassan*, 2020 ONSC 1109, para. 56, on appeal to the Ontario Court of Appeal.

<sup>23</sup> *Ibid.*, para. 64.

<sup>24</sup> Adam Cotter. [Violent victimization of women with disabilities, 2014](#). Statistics Canada published March 15, 2018. Multiple incidents were for the 12-month period preceding the survey.

<sup>25</sup> *Ibid.*

<sup>26</sup> *Eldridge v B.C.*, [1997] 3 S.C.R. 624, para. 56.

violence.<sup>27</sup> Deaf women are also limited in their access to supports, services and the justice system, designed for the hearing population. As this Court wrote, "for many hearing persons, the dominant perception of deafness is one of silence...Not surprisingly, therefore, the disadvantage experienced by deaf persons derives largely from barriers to communication with the hearing population."<sup>28</sup>

29. In a case of sexual abuse of Deaf and blind children, this Court noted that the children did not have the ability or the means to communicate with parents, teachers, physicians, police or social workers to effectively complain about sexual abuse.<sup>29</sup> Migrant women who are Deaf live with the compounded barriers of communication, lack of accessible resources, and the possible fear that their immigration status may be at risk if they seek information, support or complain about sexual assault.

30. It has been observed that at the early stages of the criminal justice process, women who require assistive communication or accommodations, as well as women with psychosocial or intellectual disabilities, are often perceived as lacking credibility, which increases the likelihood that their complaint will be dismissed.<sup>30</sup> Further, "when survivors are subjected to intersecting forms of discrimination based on multiple aspects of their identity, they may be met with even more intense skepticism."<sup>31</sup> In cases of Deaf complainants of sexual and physical assault, defence arguments have challenged the reliability of the complainant's testimony in relation to difficulties with communication and interpretation.<sup>32</sup>

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<sup>27</sup> Feminist Alliance for International Action. *Women with Disabilities in Canada*. February 2017; Lilian Magalhaes, Christine Carrasco & Denise Gastaldo, "[Undocumented Migrants in Canada: A Scope Literature Review on Health, Access to Services, and Working Conditions](#)" (2010) 12:1 *Journal of Immigrant and Minority Health* 132, p. 146.

<sup>28</sup> *Supra*. Note 26, (*Eldridge*) para. 57.

<sup>29</sup> *Rumley v. British Columbia*, 2001 SCC 69, para. 8.

<sup>30</sup> Stephanie Ortolevea and Hope Lewis. [Forgotten Sisters – A report on violence against women with disabilities: an overview of its nature, scope, causes and consequences. Northeastern School of Law](#). p. 33-34 2012.

<sup>31</sup> *Supra*, Prochuk, A. p. 25; Janine Benedet & Isabel Grant, "[Hearing the Sexual Assault Complaints of Women with Mental Disabilities](#)" (2007) 52 *McGill LJ* 515.

<sup>32</sup> *R. v Carlick*, [1999] B.C.J. No. 1144; *R. v Titchener* 2013 BCCA 64; *R. v Wright*, [2006] O.J. No. 5734.

31. *R. v Carlick* was a case of domestic assault. The complainant and another witness were both Deaf and non-verbal. Defence counsel sought to exclude their evidence based on the specific nature of their communication:

*Counsel for the Accused contended that the quality of the interpretation was below the required standard in that the interpreters were not providing a verbatim interpretation of the witness' testimony; were not interpreting all of the witness' testimony; were relying on intuition; and were relying on the witness' facial expression. This situation, counsel for the Accused argued, rendered the interpretation unreliable.*<sup>33</sup>

32. In the sexual assault trial *R. v Titchener*, the complainant was a Deaf woman with a physical disability. Both she and another witness gave evidence through an interpreter. At trial, there were challenges with the sign language interpretation arising “from the complainant's lack of thumbs, regional differences in sign language and spelling”, especially during the defence counsel's cross-examination.<sup>34</sup>

33. The trial judge was alive to these issues, and measures were taken to obtain the witness' testimony accurately, to which defence counsel agreed:

*[These challenges] were dealt with by the trial judge, who concluded that the interpreter was having difficulty not only with the evidence of Ms. L., but also with the court process. The problem with Ms. L.'s evidence, the judge decided, could be resolved if the interpreter took time to clarify the answers Ms. L. was giving to the questions posed to her by defence counsel. A second interpreter, who knew Ms. L. and was familiar with her signing style, was called in to watch and listen to the interpretation. She found some minor errors. Defense counsel was satisfied with this resolution of the matter and agreed that he was content to carry on with the interpreter.*<sup>35</sup>

34. The accused was convicted and appealed the decision on the basis that a videotape of the Deaf witness' evidence was *also* needed to allow meaningful appellate review.

*The appellant's ground of appeal is that the trial judge erred in failing to require that a video recording be made of Ms. L. and Mr. Gardner as they gave their evidence. He says that as a result a proper record of the proceedings was not kept. The appellant says that without a video recording of the two witnesses "there is no complete, proper, reviewable record of what was actually "said" by either of these witnesses, [and] their evidence is not subject to meaningful appellate review".*<sup>36</sup>

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<sup>33</sup> *R. v Carlick*, [1999] B.C.J. No. 1144, para. 47.

<sup>34</sup> *R. v Titchener* 2013 BCCA 64, para. 48.

<sup>35</sup> *Ibid.*

<sup>36</sup> *Ibid.* para. 13.

35. In *Titchener*, as in the case on appeal, defence counsel argued that an *additional* record of the complainant's evidence was necessary to properly assess the complainant's testimony. In the instant case, a plank of the defence suggestibility argument was the absence of additional notes and recordings of the complainant's interviews.<sup>37</sup> Such arguments for *additional* measures to scrutinize a disabled complainant's evidence create an *additional* barrier not imposed on other complainants.

36. The many complex barriers to justice that Deaf and disabled migrant women face are often addressed through the assistance of social service workers, union representatives, community advisors and the police as well as through spoken language and Deaf interpreters.

*Many disabled women are simply not entering the legal system unless they have accessed supports first... "Women with disabilities tend to disclose to the police or solely the rape crisis centers more often than women without disabilities." In the cases of women with cognitive impairments, women's advocates are often the ones who make the report.*<sup>38</sup>

37. At the same time, assistance from intermediaries and interpreters who assist Deaf and disabled migrant women complainants has been used to challenge the reliability of their evidence. In this appeal, the Court of Appeal majority focused on broad statistical information about the complainant's disability, despite the expert's evidence that the complainant is a unique individual whose evidence should not be based on test results. The majority decision focused on the complainant's general test results despite the trial judge's assessment of the complainant's evidence.

38. We submit the Court of Appeal majority's approach relied on stereotypes about the complainant's suggestibility and reliability that were detached from the reality of the complainant's evidence. We submit this imposed an additional hurdle for the complainant because of her disability. This unwarranted scrutiny of the complainant's reliability created an additional barrier to justice for an already significantly marginalized complainant.

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<sup>37</sup> Respondent's Factum, paras. 27(6), 38, 54, 55(6); Supra, *Slatter*, para. 38.

<sup>38</sup> Fran Odette, *Sexual Assault in Canada: Law, Legal Practice and Women's Activism* (Ottawa: University of Ottawa Press, 2017); Angela Nannini, "*Sexual Assault Patterns Among Women with and without Disabilities Seeking Survivor Services*" (2006) 16 *Women's Health Issues* 375. See also Jennifer Keilty & Georgina Connelly, "*Making a Statement: An Exploratory Study of Barriers Facing Women With an Intellectual Disability When Making a Statement About Sexual Assault to Police*" (2002) 16 *Disability and Society* 273

The Clinic submits that this approach leaves open the risk of similar unwarranted scrutiny of the evidence of Deaf and disabled migrant women based on general assumptions and stereotypes.

### **Conclusion**

39. Deaf and disabled migrant women deal with the significant barriers that all complainants of sexual assault experience, compounded by fears of precarious immigration status; possibly a limited understanding of their rights and the legal system; very limited access to social supports, and challenges to communicating about personal and traumatic experiences in the language of our society's authorities and legal actors.

40. Deaf and disabled migrant women often rely on a variety of supports, intermediaries and interpreters to enable their participation throughout the criminal justice process.

41. Stereotypes about migrant Deaf and disabled women have been used to challenge their evidence: suspicion about their engagement with the immigration system; influence from police, unions, and other social supports, and concerns about interpreters.

42. The Schlifer Clinic submits that Deaf or disabled migrant women must not face an additional burden of overcoming discriminatory stereotypes to have their evidence accepted.

43. Sexual assault complainants with an intersectional experience related to gender, immigration status, race, culture, Deafness and disability must not be subjected to additional hurdles when they seek justice. Their evidence must be considered free from stereotypes, both at trial and on appellate review. The Court of Appeal majority's approach risks entrenching the historic disadvantages of marginalized groups, including Deaf and disabled migrant women, erecting more barriers to equality and justice for the most vulnerable sexual assault complainants.

### **PART IV – SUBMISSIONS ON COSTS**

44. The Clinic does not seek costs and asks that no costs be ordered against it.

### **PART V – ORDER**

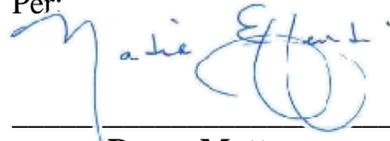
45. The Clinic respectfully asks this Honourable Court to find that the majority of the Ontario Court of Appeal erred in finding the reasons of the trial judge insufficient for failing to address the complainant's reliability and suggestibility. The Clinic takes no position on the disposition of the appeal.

**PART VI – SUBMISSIONS ON PUBLICATION**

N/A

ALL OF WHICH IS RESPECTFULLY SUBMITTED this 27th day of July 2020

Per:

A handwritten signature in blue ink, appearing to read 'Deepa Mattoo' and 'Tamar Witelson', written over a horizontal line.

**Deepa Mattoo**  
**Tamar Witelson**

## PART VII – AUTHORITIES

### Caselaw:

No.	Authority	Paragraph Reference
1.	<i>Al-Barqawi v El-Hassan</i> , <a href="#">2020 ONSC 1109</a>	24
2.	<i>Eldridge v B.C.</i> , <a href="#">[1997] 3 S.C.R. 624</a>	27, 28
3.	<i>O.P.T. v. Presteve Foods Ltd.</i> , <a href="#">2015 HRTO 675</a>	22
4.	<i>R. v Carlick</i> , <a href="#">[1999] B.C.J. No. 1144</a>	30, 31
5.	<i>R. v D.S.</i> , <a href="#">2015 ABPC 159</a>	23
6.	<i>R. v Slatter</i> , <a href="#">2019 ONCA 807</a>	8
7.	<i>R. v Titchener</i> , <a href="#">2013 BCCA 64</a>	30, 32, 35
8.	<i>R. v Wright</i> , <a href="#">[2006] O.J. No. 5734</a>	30
9.	<i>Rumley v. British Columbia</i> , <a href="#">2001 SCC 69</a>	29

### Secondary Sources:

No.	Secondary Source	Paragraph Reference
1.	<a href="#">2014 Statistics Canada General Social Survey on Victimization.</a>	12
2.	Adam Cotter. <a href="#">Violent victimization of women with disabilities, 2014</a> . Statistics Canada published March 15, 2018.	26
3.	Alana Prochuk, " <a href="#">We Are Here: Women's Experiences of the Barriers to Reporting Sexual Assault</a> " (November 2018), West Coast LEAF	13
4.	Alana Prochuk. <a href="#">Women's Experiences of the Barriers to Reporting Sexual Assault. Section: Prevalence of Sexual Assault</a> pgs. 11 &12. November 2018.	19
5.	Angela Nannini, " <a href="#">Sexual Assault Patterns Among Women with and without Disabilities Seeking Survivor Services</a> " (2006) 16 Women's Health Issues 375	36

No.	Secondary Source	Paragraph Reference
6.	Canadian Council for Refugees, " <a href="#"><i>How Immigration Status can Affect Women in Situations of Violence or Abuse</i></a> " (no date, but accessed 25 June 2020)	17, 20
7.	Canadian Council for Refugees, " <a href="#"><i>Violence Against Newcomer Women</i></a> " (accessed 25 June 2020)	16, 17
8.	Cecilia Benoit, Leah Shumka, Rachel Phillips, Mary Clare Kennedy & Lynne Belle-Isle. <a href="#"><i>Issue Brief: Sexual Violence Against Women in Canada. Section: Immigrant and Refugee Women</i></a>	19
9.	Conroy, S. and Cotter, A. 2017. " <a href="#"><i>Self-reported sexual assault in Canada, 2014</i></a> "	12
10.	Elaine Craig, <i>Putting Trials on Trial: Sexual Assault and the Failures of the Legal Profession</i> , McGill-Queens University Press 2018	13
11.	Feminist Alliance for International Action. <a href="#"><i>Women with Disabilities in Canada</i></a> , February 2017	28
12.	Fran Odette, <i>Sexual Assault in <a href="#"><i>Canada: Law, Legal Practice and Women's Activism</i></a></i> (Ottawa: University of Ottawa Press, 2017)	36
13.	Janine Benedet & Isabel Grant, " <a href="#"><i>Hearing the Sexual Assault Complaints of Women with Mental Disabilities</i></a> " (2007) 52 McGill LJ 515	30
14.	Jennifer Keilty & Georgina Connelly, " <i>Making a Statement: An Exploratory Study of Barriers Facing Women With an Intellectual Disability When Making a Statement About Sexual Assault to Police</i> " (2002) 16 Disability and Society 273	36
15.	<a href="#"><i>Juristat. Statistics Canada Catalogue no. 85-002-X</i></a>	12
16.	Lilian Magalhaes, Christine Carrasco & Denise Gastaldo, " <a href="#"><i>Undocumented Migrants in Canada: A Scope Literature Review on Health, Access to Services, and Working Conditions</i></a> " (2010) 12:1 Journal of Immigrant and Minority Health 132.	28

No.	Secondary Source	Paragraph Reference
17.	<p><i>Live in care giver program (LCP) and Temporary Foreign Worker Program (TFWP)</i></p> <p>Government of Canada, "<a href="#">Temporary Foreign Worker Program</a>" (7 July 2020)</p> <p>Government of Canada, "<a href="#">Hire a Temporary Worker Through The Seasonal Agricultural Worker Program: Program Requirements</a>" (23 July 2020)</p> <p>Government of Canada, "<a href="#">Hire a home child care provider or home support worker</a>" (18 March 2020)</p>	19
18.	<p>Rotenberg, C. 2017. "<a href="#">Police-reported sexual assaults in Canada, 2009 to 2014: A statistical profile</a>"</p>	12
19.	<p>Shirwadkar, S. (2004). <a href="#">Canadian Domestic Violence Policy and Indian Immigrant Women. Violence Against Women</a>, 10, 860-872</p>	16
20.	<p>Stephanie Ortoleva and Hope Lewis. <a href="#">Forgotten Sisters – A report on violence against women with disabilities: an overview of its nature, scope, causes and consequences. Northeastern School of Law</a>, p. 33-34 2012.</p>	30
21.	<p><a href="#">The Facts About Sexual Assault and Harassment</a> (2020)</p>	12
22.	<p>The rate of self-reported victimization appears to be stable from 1999-2014: Research and Statistics Division, "<a href="#">JustFacts: Sexual Assault</a>" (18 December 2019)</p>	12

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**Statutes, Regulations, Rules, etc.:**

None referenced