HANSARD

NOVA SCOTIA HOUSE OF ASSEMBLY

COMMITTEE

ON

LAW AMENDMENTS

Thursday, March 2, 2017

Red Chamber

Bill No. 59

Printed and Published by Nova Scotia Hansard Reporting Services

Law Amendments Committee

Hon. Diana Whalen, Chairman
Mr. Terry Farrell, Vice-Chairman
Ms. Patricia Arab
Brendan Maguire
Mr. Joachim Stroink
Hon. Alfie MacLeod
Ms. Karla MacFarlane
Hon. Sterling Belliveau
Ms. Lenore Zann

In Attendance:

Mr. Gordon Hebb
Chief Legislative Counsel

WITNESSES

Mr. Barry Abbott
Mr. Brian Tapper
Ms. Sue Uteck
Mr. Archie Kaiser
Ms. Marcie Shwery-Stanley
Ms. Michelle Proctor-Simms
Mr. Gerry Post
Ms. Patricia Gates
Mr. Paul Vienneau
Ms. Amy Parsons
Mr. Parker Donham
Ms. Dorothy Kitchen
Mr. Claredon Robichaud
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House of Assembly
Nova Scotia

HALIFAX, THURSDAY, MARCH 2, 2017

COMMITTEE ON LAW AMENDMENTS

1:00 P.M.

CHAIRMAN
Hon. Diana Whalen

MADAM CHAIRMAN: Order, please. We want to get started on time for this meeting, which is a very important meeting of the Law Amendments Committee, where we're looking at Bill No. 59, the Accessibility Act.

We're doing things differently today. Anybody who is familiar with the Law Amendments Committee would know we have some extra supports in the room today. Also, we wanted to take more time than usual just to introduce what we're doing because this meeting is being live-streamed, which is a first for Legislative Television to do that. We wanted to let everybody know what is going on today.

First of all, as I say, we're here - our nine-member committee - to look at this bill. We hear from the public at this committee. This committee is a step in the passing of a bill at the Legislature. We're among the few to have this kind of process in place. In other provinces it looks different, every place is a little bit unique.

For today's meeting we have a few things to let you know. One is that we regret we were unable to provide the list of witnesses, which is really our agenda for the day, in Braille. We weren't able to make those copies because it's a very fluid list. It's still changing for tomorrow and names are coming in. Because of that, instead we have available large-print paper copy, we have electronic copies on USB sticks in MS Word format, which are available if you need those to view on a device. We could also send it to you by email if you require the list of the presenters who are coming forward today.

I wanted to specifically ask the media not to block the audience's view of either the screen that's here on the side or the monitor or our American Sign Language presenters because that happened a little bit the last time we met on this end. Just a reminder because we're not accustomed to that, so just keep aware of that fact.

We do have, as I say, a number of American Sign Language interpreters here with us today. We also have the screen which provides a current-time transcript of what's being said. That was up the last time, in November, but it was never really introduced to us, just so that you know that is here in the room today.

We don't normally begin with introductions but I'd like to do that today so that everybody in the room and anybody who's watching will know who is at the table for this committee meeting. We do this regularly at Public Accounts Committee, those of you who sit on the Public Accounts Committee.

I though I'd begin with Ms. Mancini, if you would just identify yourself and your riding, and we'll also have staff introduce themselves.

[The committee members and staff introduced themselves.]

MADAM CHAIRMAN: Just by way of our agenda, I had agreed that it would be a good idea if I read the first four names so that people would know where they fit on the agenda. We'll do this periodically, because I have 17 names up to five o'clock. Whoever's in the Chair will let you know what ones are coming up so you can prepare. I think that's important to start.

I'll call those names so Barry can come forward. We're looking for Barry Abbott first. You can come forward. He will be followed by Brian Tapper, the Chair of the Nova Scotia Disabled Persons Commission. Sue Uteck is going to speak in the first hour. Archie Kaiser is number four.

Just as Barry takes his place, I wanted to let all the speakers know that, in the meeting we're having today, we allow 10 minutes for your presentation and five minutes for questions. So really, you have 15 minutes. If your presentation is shorter, we'll go to questions and take it that way.

Welcome, Barry. Let me know when you're ready, but I believe you've been here before. I think you spoke before. Welcome.

MR. BARRY ABBOTT: Minister Whalen, members of the Law Amendments Committee, members of the press, and ladies and gentlemen, I am going to take a different tack today. I'm going to share a few personal anecdotes which I think will hopefully reflect why it's important that we have a strong Bill No. 59.

First I'm going to talk about investment. In 1984, I was in Halifax. At that time, I was looking for work, and I had heard about a federal government grant. This grant provided 75 per cent salary in the first year, 50 per cent in the second year, and 25 per cent in the third year, along with up to a maximum of $10,000 for equipment. Having been a student at Saint Mary's University and not afraid to contact people, I decided to roll the dice, talk to a few people, and see what might be possible. So it was that on March 19, 1984, I began my job at Saint Mary's University.

At that time, I started out with a salary of roughly $13,500. If you do some quick math, let's say $39,000, plus $1,500 over three years plus $10,000 for equipment - but wait, Saint Mary's University didn't have to pay all of that because of course, the first year, they only had to pay 25 per cent, then 50 per cent, then 75 per cent. They must have liked what they saw because I was offered a job. As many people may know, at that time, they were creating a centre of excellence which, over the years, has now become the Fred Smithers Centre. But not only that, now in the entire province, all community colleges and universities have a support person on campus who is provided through the province. I think a lot grew out of that beginning.

My question is this: what did they get for that investment? What they got was a person who worked for 28 years until 2012. I went back to school. I did have a B.A. in English with a minor in psychology. I went back to Dalhousie and got a Master's in educational psychology and counselling.

When I left the university, I was making around $73,000 a year before deductions. What does that mean? What that meant is, you have a person with a disability who is employed and buying groceries. I love my gadgets, so I was buying a lot of gadgets. I was buying clothes and planning for my RRSP. Now I'm retired. My wife is visually impaired, and she was employed. Both of us have never really had to depend on the system. So I say to you and to all businesses, disability can be and is a good investment.

How do you go about that? I think, as we all know, government gives money to large businesses and so on. Sometimes we want to get call-in centres and different things but maybe through incentives similar to a program, say, such as Clean Nova Scotia, which we participated in at home - we got money back but we put a lot more money into it than the grant that we got, but it inspired us to do it.

I think that what you're going to have to look at are ways of helping small business through incentives, tax cuts - if we're serious about doing this right. What I want to say to all of you in business, you'll get potential employees, you get a larger market - it just makes good sense. I think we really have to stop and think about this because my question to everyone in this room is, what is the cost of not doing it?

Now I'm going to shift gears. My wife has very kindly given me permission to tell this story. My wife has angina and in May of this year I was awoken at 1:30 a.m. and she was having chest pains. Of course, as anyone knows who has angina, you take your nitro.

So she took her nitro and five minutes later there was no difference, so she took another shot of nitro. Five minutes after that, there was still no difference so she took a third shot of nitro and at that point we decided to call 911.

The paramedics arrived and got her sitting up and made her feel comfortable. The first thing the paramedic said was, I'd like you to take another shot of your nitro. So she picked up the bottle and he said, that is not your nitro. It was a bottle of foot spray which looked identical. Even the paramedic himself said, you'd have to look extremely closely at that label.

Now I want to show you a device, this is called a ScripTalk Station. This is made by a company called En-Vision America. They have a program where they work with pharmacies and the blind individual gets the station free of charge. I haven't got a clue what this is.

[Audio from vision aid is played.]

MR. BARRY ABBOTT: It also gives you the warnings, all things that sighted people take for granted. At the present time, in British Columbia, there is a gentleman by the name of Robert Sleath who went to the Human Rights Commission and won his complaint, and Shoppers Drug Mart was told to get these prescription things put into place.

Since that time B.C. now has nine different pharmacies that offer this service, the latest one being Walmart. We are presently associated with Lawtons and we're hoping that they will adopt this.

The bottom line here is that following that, we went to the emergency room with the ambulance and she had to be stabilized. It just might have happened that, had she had the right bottle at that time, maybe we wouldn't have had to go. I have also heard of people with diabetes who have ended up in emergency because of vision loss, where they've gotten the bottle mixed up or the colouring and stuff. This is a very, very serious issue. The cold hard reality is that some people aren't always going to do it out of the goodness of their heart. You have to have an Act with the strength and the enforcement capability to say you will put this in place.

We aren't asking for special treatment, just the same treatment that everybody else gets. I get so angry when I hear this special treatment crap. I should just grab somebody by the throat and choke them because it's not what we're asking for.

Finally, to give you another quick example: I am a member by the way of the Bill 59 Community Alliance, and I'm also a member of the Canadian Council of the Blind Nova Scotia Access and Awareness Chapter. We were talking about accessible cash machines. One of our members contacted Capital Health because they have cash machines, and if you look at them - I know at the Infirmary on Summer Street, there's one there - you can put your earphone in. They have the raised symbols on the buttons and stuff, and you hear ding, ding, ding. There's no voice despite the fact that those machines are capable of handling that. Capital Health followed up. They called the head office of Interac, in Toronto. The response they got is, we are not required to do so under the AODA. This brings up the point I want to reinforce, the last point that I have. Sometimes, whether we like it or not, we have to enforce regulations so that people do these things.

I hope that my example has illustrated what might have happened. It could have been a lot more serious. I guess my final comment is, that's why communication is one of the accessibility points that has to be covered.

MADAM CHAIRMAN: Mr. Abbott, if I could. We are at 11 minutes, almost 11 and a half. It's cutting into your question time, but I'm happy to hear you finish.

MR. BARRY ABBOTT: I just have one more statement. I want to close by saying that people with disabilities want to work. I think we should all be reminded of one of my favourite sayings from a letter that Winston Churchill wrote to Franklin Roosevelt during the Second World War. He made a speech about it when he wanted the Americans to give Britain ships under the Lend-Lease program. He simply said, "Give us the tools, and we will finish the job." I would like to say on behalf of people with disabilities, please, give us the tools so that we can finish the job.

MADAM CHAIRMAN: I do have a couple of questions here. Ms. Arab is first, and then Ms. Mancini.

MS. PATRICIA ARAB: My name is Patricia, and I represent the Fairview-Clayton Park area. I'm a techie like yourself. I like gadgets. I'm kind of intrigued by this prescription reader. I'm wondering if you can tell me a little bit more about how it works in B.C. - 9 pharmacies have signed up for it. What exactly does that entail? What do they provide?

MR. BARRY ABBOTT: How it works is, the pharmacies pay a fee to En-Vision America for the equipment to do the labelling and so on. But any person who gets the device does not pay for it. It's free to the person who gets the device. On the bottom of the bottle, there is an RFID, radio frequency ID, label. When the pharmacist does the labels up, they put this label on the bottom. Then you use the device. It's set up so you can actually even put it on the bottle. You can touch the bottle. You can take the bottle away. Then it will read you the information. I should add that you can also skip through the information quickly by pressing the left button.

As I say, right now in B.C. there are five pharmacies and I haven't seen them go out of business because of the overwhelming excessive cost of this device. It is not, from what I understand, all that expensive. Does that answer your question?

MS. PATRICIA ARAB: It does. So the individual has the device itself and the pharmacy pays for a second device that would put the proper labels on it that your personal device could read.

MR. BARRY ABBOTT: Yes, the individual gets the device free. If you are a client of Shoppers right now, for example, you would let Shoppers know that you are interested in becoming part of that program. Then they will contact the company, you get the machine.

Now I understand I think they do it out of their head office but there's a lot of pharmacies that - usually it's about a 48-hour turnaround. I should mention this, it's not all the big pharmacies, there are some small pharmacies, independent pharmacies, as well as a lot of pharmacies in the U.S. I really think it's an extremely valuable tool.

MADAM CHAIRMAN: I'm interrupting. We're at five minutes, if you have a real short one, Ms. Mancini, I know you had a question.

MS. MARIAN MANCINI: I'll try to make it quick then, I won't read all the sections of the Statute that I was going to.

MADAM CHAIRMAN: If you could, please, because we're going to be behind on our first round.

MS. MARIAN MANCINI: You were before Law Amendments Committee before and at that time, Mr. Abbott, you would have heard and probably spoke about the language in the Act and the seemingly - well not seemingly but clear references to - economic impact always being considered when setting a standard.

I guess what I'm hearing from you today is that this language is not reflecting a more significant component in that contributing or making our province truly accessible, we're really making an investment in our community. I'm gathering that's what you are saying.

MR. BARRY ABBOTT: We definitely want the economic impact removed. It does make an economic impact; I think the province is wasting a big resource. What's the cost of not doing it, especially when you look at the statistics as people are getting older? I think Nova Scotia has the highest percentage of people with disabilities in the country, I think that's what I've heard somewhere. I don't mind being corrected if I'm wrong about that.

We have to have the courage to do the right thing and I applaud the current government for bringing this forward and ask them to please have the courage to do the right thing and give us a bill that is going to change thousands of people's lives and that people have a mechanism to complain if something isn't done properly and that it is enforced.

MADAM CHAIRMAN: Thank you very much, Mr. Abbott, I appreciate that. I'll call Brian Tapper to come forward and again, thank you very much. I know the 15 minutes goes very quickly and I didn't interrupt the first presenter to let him know when the 10 minutes was up so perhaps what I'll do, Mr. Tapper, is let you know at eight minutes. I was just reluctant to interrupt but I think it's good to signal you that it's eight minutes, then you'll be able to have more time for questions.

MR. BRIAN TAPPER: I have practised this presentation and I should come in at exactly 10 minutes.

MADAM CHAIRMAN: Very good, so the floor is yours.

MR. BRIAN TAPPER: I apologize to the interpreters if I talk a little fast. Feel free to slow me down.

My name is Brian Tapper and I am the Chair of the Nova Scotia Disabled Persons Commission, a position I have held for eight years. My presentation today, in the capacity as Chair of the Disabled Persons Commission, first I want to express my thanks to the Law Amendments Committee for providing the opportunity to present on Bill No. 59. I believe it's a very important, historic bill.

I think it is very appropriate that we are in this historic building discussing Bill No. 59, as it is a piece of legislation that can signify a turning point for persons with disabilities in Nova Scotia.

The impact of the legislation is already evident. This committee instructed the Disabled Persons Commission to hold public information sessions around the province to inform Nova Scotians on the intent and the substance of the proposed legislation. During these sessions, participants were also asked to advise on supports and accommodations that would ensure the Law Amendments Committee process be accessible to all Nova Scotians.

I wish to acknowledge that the members of the committee listened and, in their wisdom, those recommendations were acted on. I hope that the technology we see today becomes a regular thing for all people with disabilities, regardless of the issue. This demonstrates a positive commitment to engage a segment of our society that has so often been excluded from the best of our democratic traditions.

The Accessibility Act is critical. For the roughly 20 per cent of Nova Scotians that identify as having a disability, this bill is a turning point. With enabling legislation comes the opportunity to develop and implement regulations that will truly change how Nova Scotians with disabilities live, work, and play within their province. It means true citizenship, ownership, and participation in the future of Nova Scotia.

Will strong accessibility legislation change and improve the lives of persons with disabilities in Nova Scotia? I say absolutely, along with the lives of their family members, their friends, their colleagues, and indeed, all Nova Scotians. Is enacting accessibility legislation the right or good thing to do for the government? Without a doubt. This is a matter of equality, of levelling the playing field for all. But make no mistake, it also is the smart thing to do as the business case for accessibility increasingly bears out.

Accessibility legislation is an essential and, frankly, overdue piece of legislation that will ensure the truly inclusive province we are all striving to achieve. I have read the transcripts of those who have presented previously on Bill No. 59. I want to stress that it is the opinion of the Disabled Persons Commission that Bill No. 59 should not be scrapped, that the Disabled Persons Commission strongly believes that this bill is critical and must be passed.

We also see improvements that can be made to the bill. In June 2014, Minister Bernard set up the Minister's Advisory Panel on Accessibility Legislation to make recommendations on what a made-in-Nova Scotia accessibility Act would look like. The Minister's Advisory Panel report, Access and Fairness for All Nova Scotians, was mindful of the province's economic realities, but steadfast in promoting accessibility as integral to the province's long-term success.

The present wording of the bill sends a message to persons with disabilities that an accessible province will only be realized if it is cost-effective to do so. It is appreciated there will be a cost-benefit analysis conducted for each accessibility standard developed, a step that the Disabled Persons Commission supports. In other provinces like Ontario and Manitoba, you will find wording related to those standards in their Acts. They might be minimum standards but they are mentioned.

The Disabled Persons Commission further urges, however, that the cost factor should be considered only in relationship to the setting of timelines for the standard, not for whether or not the standard gets developed in the first instance.

It is also the view of the commission that the current language found within the Act needs to be strengthened to ensure a clear commitment to achieving accessibility. As others have already indicated, the choice of words in Clause 26, for example using "may" rather than "shall" to outline ministerial responsibility in the standards development process, demonstrates only a quasi-commitment to accessibility.

Likewise, in our view, the language of Clause 17(a) suggests that the government's true aim is to improve rather than to achieve accessibility. This again serves to undermine the intent of the legislation by lowering expectations around goals. The Disabled Persons Commission also urges the government to commit to an overarching timeline that achieves an accessible province similar to what has been done in Ontario and Manitoba. This would strengthen the government's commitment to achieving the goal of accessibility and providing Nova Scotians with tangible goals to work toward.

By tabling this legislation government is signalling a positive step towards full citizenship and inclusion for Nova Scotians with disabilities. Now the challenge will be to follow through by building milestones that clearly and unambiguously measure success.

In my time as Chair of the Disabled Persons Commission . . .

MADAM CHAIRMAN: We are at eight minutes right now.

MR. BRIAN TAPPER: Oh, I knew it would happen.

In my time as Chair of the Disabled Persons Commission, I have often been reminded that disability issues are a complex interplay of factors, including but not limited to, accessibility. Much of the work of the current Disabled Persons Commission is focused on working with the disability community and government to promote opportunities for persons with disabilities. I am proud of the work of the Disabled Persons Commission and the work it has done on a spectrum of disability issues, ranging from education and employment support, respite information and support for families, a brain injury strategy, and generating education and awareness products that promote emergency preparedness with the disability community.

We are very pleased that the mandate of the new accessibility directorate has a dual function. One would be the oversight; the other, we hope, has to be the maintenance of the type of work that has been done by the Disabled Persons Commission. We saw the move towards accessibility as a way of modernizing the legislation under which the Disabled Persons Commission worked. We were working on 1989 legislation. We saw there was a role of a group of people who work on the oversight, a group of people who continue to work on creating knowledge about programs and program gaps and working closely with the community.

It is important to draw on the experience of our colleagues in Manitoba to ensure that we learn from their challenges. In Manitoba, the Disabilities Issues Office is a small one. Its mandate expanded drastically to include the administration of their provincial Accessibility for Manitobans Act. Because of a lack of sufficient staffing and resources, despite this expanded mandate, the agency has had difficulty maintaining its broader disability work.

We strongly urge the Government of Nova Scotia to sufficiently staff and resource the new accessibility directorate, not only to ensure the success of the new legislation but to maintain the services and the supports that are highly valued by the disability community in Nova Scotia.

MADAM CHAIRMAN: Mr. Tapper, we’re at 11 minutes almost but I’m going to let you finish because I think that’s more important.

MR. BRIAN TAPPER: I've got about 30 seconds. Our staff are often asked to serve multiple functions that go well beyond their job descriptions. I thank them for their work. It is my hope that the new directorate will have the compliment of staff and resources it needs to carry out the work and it is so important for those people living with disabilities in Nova Scotia.

I think this is truly an historic piece of legislation and yes, it can be revised, it can have amendments to it. To me, a really diverse group of needs, but I think we're on the cusp of setting history and I thank you for listening to me.

MADAM CHAIRMAN: Thank you very much. We have a question already from Mr. MacLeod.

HON. ALFIE MACLEOD: Thank you Brian, for your presentation. I guess what I heard consistently was that we need resources. What is it that government could do right off the spit to make sure that the disability community understands that they are serious. Is there one thing that we could do, as a government overall?

MR. BRIAN TAPPER: The Disabled Persons Commission has functioned essentially since its inception, with a staff of four. Today we are a staff of three. These are complex issues and when you bring accessibility into the mix, it's a complex, challenging road ahead of us, especially when you look at creating regulations and the standards.

I think this is a job that demands talent. It demands human resources because it requires us to listen not only to government but to listen to the people of Nova Scotia. To not do so, I think we're letting people with disabilities down. I think that's the first thing we could do.

MADAM CHAIRMAN: Ms. MacFarlane.

MS. KARLA MACFARLANE: Thank you, Mr. Tapper. I firmly believe that achieving proper accessibility is truly the catalyst to a better economy but not only that, to better emotional, physical, spiritual well-being for all Nova Scotians.

I just really want to point out your comment with regards to this bill is not only for those who are disabled, this bill is actually for everyone else around them who support them. I just want to know if maybe you can elaborate a little bit on how this is not just going to improve the lives of those with disabilities but it really will improve the lives of those who are helping those and family members and work environment. So if you could just elaborate a little bit more on that.

MR. BRIAN TAPPER: I'm a career counsellor by training. My life has been helping people get back to work. When we can help people move from financial dependence to self-sufficiency, it's magic. When we can help people get access to jobs where they get access to pharmaceuticals that allow them to be healthy, it's magic, it changes people. And caregivers, it frees up their time.

We have families where caregivers have delayed entrance into the workforce because perhaps so much of their time goes to being a caregiver. I think those are kind of practical, day-to-day examples. But you know one of the things we don't have in Nova Scotia . . .

MADAM CHAIRMAN: Mr. Tapper, we're at 15 minutes. I'm so sorry but we have so many people to hear from.

MR. BRIAN TAPPER: Can I give you a quickie?

MADAM CHAIRMAN: I'm a softie.

MR. BRIAN TAPPER: One of the things we don't have in Nova Scotia is the technology assessment program that helps people determine their needs. This legislation could help with that as well.

MADAM CHAIRMAN: Very good, thank you. The next speaker is Sue Uteck.

While Sue comes forward, I do want to assure everybody that there are staff here from the Department of Justice who will be working with this bill and helping to craft it. There's also members here from the Disabled Persons Commission helping us today.

While Sue takes her seat, I wanted to read the names of the next four. Ms. Uteck is next, followed by Archie Kaiser, number five is Marcie Shwery-Stanley, and then Michelle Proctor-Simms, who is director of the Nova Scotia Advisory Commission on AIDS. Just so you can prepare, you'll know the next four.

If you're comfortable and ready, I'll turn it over to you, Ms. Uteck. Welcome. Also, for people who are in the audience, many people have brought their presentation so that we can follow along. You'll see us reading. They're being distributed now. Over to you.

MS. SUE UTECK: Before we start, just a personal note: it's great to see you back in the saddle, Minister Whalen.

Good afternoon, Madam Chair, and committee members. My name is Sue Uteck, and I'm a regional manager for March of Dimes Canada here in Atlantic Canada. We are a not-for-profit organization that has been serving Canadians with disabilities for over 65 years. I would like to thank the government for hosting today's session and for their wisdom in withdrawing Bill No. 59 in light of concerns that were raised.

March of Dimes Canada was pleased to work with the Province of Ontario to pass the Accessibility for Ontarians with Disabilities Act, in 2005, which was a much-broadened and improved initiative from the Ontarians with Disabilities Act of 2001. More recently, we worked with the Province of Manitoba, which passed the Accessibility for Manitobans Act in 2013.

The comments that I bring today are a reflection from the Accessibility for Ontarians with Disabilities Act Alliance, who have reviewed the proposed Accessibility Act. While I do not have time to offer the full review, I will leave you with copies, but I wish to highlight the following points:

1) As now written this bill is far too weak. It is substantially weaker than the Accessibility for Ontarians with Disabilities Act. I'll just refer to that as the AODA. It is weaker than Manitoba's accessibility Act. If enacted as is, it would be the weakest such law in effect in any province that has enacted a comprehensive disability accessibility law. For more details and specifics, I encourage you to look at the discussion paper on what to include in the promised Canadians with disabilities Act, written by AODA Alliance Chair David Lepofsky. As an example, this paper includes a far better definition of "disability" than Bill No. 59.

2) The Act itself does not set a timeline for achieving a fully accessible province. The AODA set 20 years; they are now in year 10. This has been essential to the Ontario Act. Without a deadline, progress would not have been made, and allowances for improvements would not have been achieved. The bill needs to be amended to set a deadline for accessibility. The bill's purpose clause should also be amended to include effective enforcement. Effective enforcement is fundamental to a law's failure or success.

3) The accessibility advisory board must meet far more often than four times per year. Much of the bill's leadership rests with the board, and experience has shown that boards are often unable to carry the heavy load allocated to them. The board will need the resources to make this happen. I think you're going to hear that over and over again.

4) The duty to set up standard development committees, Section 18, is weak in that the wording states, "The Minister may." That needs to be amended to say "shall." It should not be at the minister's discretion.

5) The economic impact assessment for each standard will burden the government with costs of repeating the same effort over and over. The actual economic impact for a particular standard may not be easily predicted in advance, and often costing studies are exaggerated. This should not be a mandatory requirement.

6) Who will make the accessibility standards? The bill seems to be implying that one body will make recommendations rather than them being handled by different standards committees for each area to be regulated. Ontario has tried this approach, and it has been a dismal failure. Instead, an arm's-length independent body should

be established to make these recommendations. This is what Barrier-Free Canada has recommended to the federal government for the promised Canadians with disabilities Act. Nova Scotia having this process under the minister's and the government's direct control will lead to all the problems experienced in past years in Ontario. Nova Scotia can learn from Ontario's mistakes.

7) All recommendations to the minister on accessibility standards should immediately be made public for public comment. Ontario imposes this requirement. The standards development process should be open, accountable, and transparent throughout. In the interest of saving costs, documents should be posted online in an accessible format.

8) The law's reach of the bill needs to be expanded from those who provide goods, services, or information to the public who provide facilities. That is tantamount for accessibility.

9) The bill lacks any mandatory process for accessibility standards to be reviewed and strengthened over time. The bill should be amended so that every four years, a standard - not every standard - is reviewed for its effectiveness.

10) Compliance orders should not be made appealable to a minister. This should be assigned to a lower level official and be in the hands of an arm's length, independent agency. Ministers do not typically decide administrative appeals. There is no assurance that an elected politician with a jammed ministerial agenda will have the time or the expertise for such appeals. An inspector's compliance order is not a political issue and should not be made into one.

11) Inspectors should work for an independent enforcement agency, not the government. This is a recommendation of Barrier-Free Canada to the federal government on their Act as well. Inspectors currently operate under the Government of Ontario and at the 10-year mark it has been shown that this has been an utter failure on the government's part.

Finally, nothing in Bill No. 59 ensures that public money in Nova Scotia is ever used to create or perpetuate accessibility barriers against people with disabilities. The government needs a concerted, legislated strategy to ensure this, especially when it spends money on procuring goods, services or facilities, when it invests in capital and infrastructure programs or offers loans or grants to businesses or other obligated organizations. A mandatory enforced regime will ensure that public monies will never be used to create or perpetuate disability accessibility barriers. Thank you.

MADAM CHAIRMAN: Thank you very much. Are there questions now? Mr. Belliveau.

HON. STERLING BELLIVEAU: Sue, I have to combine two or three questions into one because of the limited time. My understanding is that you feel there should be some amendments to the present form of Bill No. 59, particularly around the set timelines going forward. My observation is that one of the earlier presenters talked about legislation, that was in 1989. What I'm trying to get at here - my understanding is that there are some buildings that have been grandfathered.

So you've got a set of conditions that have been grandfathered in, set by some earlier legislation, and you are talking about amendments going forward. Can you kind of clarify that point and see how that should proceed?

MS. SUE UTECK: Yes, and a great question. I think for most people here behind me, the word "grandfather" is something that we hope will just disappear over time. Understanding that this is not going to be a bill that everyone is going to be happy with going into the next election cycle - you might pass a bill, but it's going to take time. So the Ontario experience is one that Manitoba has learned from, so we here in Nova Scotia can learn from both Ontario and Manitoba.

Ontario set the example of 20 years and each five years was a segment. So the number one standard they started with customer service training, from the Accessibility for Ontarians with Disabilities Act Alliance. So you take the bill, you divide it into sections and you decide what your work plan for year five, five to 10, 10 to 15, whatever. But if you don't set a timeline, you are open to complacency and it will not get done.

MADAM CHAIRMAN: Very good, thank you. Mr. Stroink.

MR. JOACHIM STROINK: Thank you, Sue. First, I'd love to have a copy of your presentation afterwards, if you can photocopy that.

We're the third province to go down this road so this is a big step for us, as a province, and I'm very proud that we're doing this. Your words are not lost on us today. For me, I think my question to you is, within the committee itself, do you feel during that committee process that a lot of your concerns can be addressed at that committee level and articulated back to government that way so this bill is more enabling to have that conversation?

MS. SUE UTECK: Absolutely, but I think as Brian Tapper stated, you're going to need the resources. Four people are not going to get the job done. The biggest component of any legislation is public education. I'm not sure if today you heard some commercials if you're out driving - Rick Hansen, about barrier-free. The commercial starts out where somebody is asking for the washroom, well just go down to that barrier and go through the other barrier. Get to the third barrier and if you can get to the fourth yes, come on it. So it's public education awareness is the number one piece.

I think as my good friend Gerry Post says, we're at the great collision. We have a federal government trying to do legislation, we've got a province, we've got other provinces looking at it. British Columbia wants to have their legislation by 2024 or sooner. So yes, it's doable.

MR. JOACHIM STROINK: Thank you for your presentation and your time today.

MADAM CHAIRMAN: I don't see any other questions just now, so thank you very much. You've given us some really great information to go over as well so I do appreciate that.

The next person to speak is Archie Kaiser.

I should also mention that if there are service dogs, and I think there may be with us, that there are water dishes for the dogs downstairs in the lobby in the front lobby, I believe.

Thank you, Mr. Kaiser. You know how this is, 10 minutes to present. I'll give you a signal when it's coming close to 10 minutes. We won't start until you do.

MR. ARCHIE KAISER: Good afternoon, Minister Whalen, and members of the Law Amendments Committee. My name is Archie Kaiser. I'm a professor at the Schulich School of Law at Dalhousie University, cross-appointed to the Department of Psychiatry.

Thank you for providing time for input from the community on this important legislative initiative. This type of legislation is long overdue and I am glad Nova Scotia is finally recognizing its necessity. I have provided copies of my presentation notes for you. I will cover only its highlights in the short time I have available and then I will welcome your questions and comments.

On Page 2 of my notes I start off with the ugly and shameful reality of persons with disabilities in Canada. I quote from the Supreme Court of Canada in the Eldridge case, ". . . the history of disabled persons in Canada is largely one of exclusion and marginalization . . . excluded from the labour force, denied access to opportunities for social interaction and advancement, subjected to invidious stereotyping and relegated to institutions . . ." This is notwithstanding the fact that Statistics Canada says that one in seven Canadians aged 15 years or older reports a disability.

Chronic poverty is another component of the everyday reality of too many people with disabilities in Canada - poverty associated with lesser or non-participation in the labour force, inadequate benefits in terms of income, housing, education and employment supports.

My focus today will be on persons with mental illness and/or an intellectual disability. This is not because there is any competition among persons with different disabilities, indeed, quite the contrary. We are not disability compartmentalized. People who have mental health difficulties also use wheelchairs, have intellectual disabilities and across the board, we have to acknowledge the intersectionality of disability.

In my focus on persons with mental health difficulties and intellectual disabilities I also want to widen my gaze to note that 30 per cent of persons with mental health disorders also have a substance use disorder and then among people with intellectual disabilities there is also a high prevalence of persons with mental health difficulties.

All persons with disabilities in Canada have been subject to the kind of discrimination highlighted by the Eldridge case. They experience this discrimination in different ways. Persons with mental health problems and intellectual disabilities have a higher prevalence of physical health problems, stigma, discrimination, social exclusion, impoverishment and a lower life expectancy.

Bill No. 59 as it stands has a definition which, although it could use some refinement, certainly contemplates all persons with disabilities and not merely those who have certain types of disabilities. I think one of your challenges then will be to recognize that the Act must reach very deep into Nova Scotian society to try to come to grips with the whole range of problems that the panoply of persons with disabilities experience.

On Page 3 of my notes I highlight what I’ve called the emerging perspectives on disability, the new dominance of the social or disability model. The world has moved on in its thinking with respect to persons with disabilities. We no longer see disability exclusively using the medical lens wherein disability was previously viewed as a health problem where the individual needed to be fixed or cured, viewed as a tragedy to be pitied. Indeed, now disability is not viewed as an individual pathology but the result of the interaction between people who have impairments and an environment that is filled with physical, attitudinal, communication and social barriers.

The best evidence that the world has moved on in this regard is the Convention on the Rights of Persons with Disabilities, the first 21st Century Human Rights Treaty that has been passed by the UN and our federal government has embraced - and this is their words - this important shift towards a human dignity approach to admissibility and away from a charity and medical model approach.

The convention, as well as other sources of Canadian law - the Charter of Rights and Freedoms and the Human Rights Act - requires that we all understand that people with disabilities are not to be seen as objects of charity, medical treatment, and social protection. Rather, they are subjects with rights who are capable of claiming those rights and making decisions for their lives based on their free and informed consent as well as being active members of society.

The chart I gave you on Page 3 shows you the contrast between the medical model and the social model and how we need to adjust our lens in understanding persons with disabilities, fundamentally reorienting our thinking from looking at people as individuals with pathologies to persons who are merely excluded because society has not invested enough in ensuring that they are welcomed.

The CRPD is extremely important in reflecting Canada's outlook on disability and the world community's outlook. If you're interested - I don't have time now - I'm happy to meet with your caucuses to provide you with a tutorial on the convention if you haven't already been fully briefed on it. I do think it would help you understand your obligations as lawmakers in this country.

I am also going to emphasize today, as I do on Page 4, the preamble and purpose statement, which my colleagues the late Diane Pothier, Barbara LeGay, Gerry Post, Sheila Wildeman, and I have worked on. It is intended to do a couple of things. A preambular statement is meant basically to show the mischief that legislation is designed to cure. What is the social problem that's being addressed? In the preamble, which I'll be discussing with you, that's what is at issue. A statement of purpose talks about legislative goals, what it's meant to achieve. I think it's very significant. Even though it's wordy, as on Pages 5 and 6, it is of that character because of the barriers that people with disabilities face.

In the preamble, starting on Page 5, we talk about persons with disabilities facing attitudinal and environmental barriers in their participation as equal members of society and violations of their human rights. Accessibility will improve their health, independence, and well-being. Barriers, on the other hand, create costs to persons disabled by those barriers. Then it talks about the sources of this outlook and this legislation which I hope you will improve and then pass. It notes one of the central regrettable realities of persons with disabilities in terms of the mischief that the Accessibility Act should be attacking: that they often live in conditions of poverty.

It also recites that persons with disabilities are subjected to multiple or aggravated forms of discrimination based upon other grounds. They face compound barriers: gender, racial, or sexual orientation barriers - the same barriers that other people without disabilities face, but when you think about the concept of intersectionality, many people face all of those barriers. Finally, in terms of the preamble, the promotion of the full enjoyment by persons with disabilities of their human rights and of their full participation will result in their enhanced sense of belonging and in significant advances in the human, social, and economic development of society and the eradication of their poverty.

That's the preamble. It's long. It's wordy. I concede that. What would you expect from a group of lawyers? Having said that, it really is comprehensive in terms of what I think the objectives of this legislation are, the evils that it's meant to attack.

The statement of purpose, which follows on Page 6, talks about affirming the rights of persons with disabilities to full and equal participation in society by ensuring province-wide accessibility in a whole range of areas. Obviously, we're talking about access to the built environment, but it's much more than that - access to areas of focus which include legal, medical, and health sectors, education, employment, labour market opportunities, political involvement, housing, public transportation, information and communication, public spaces, and so on. The whole range of (Interruption)

Thank you. I have noted that.

The statement of purpose also talks about accessibility for persons on an equal basis with others to the physical, social, economic, political, and cultural environment. Again, we're not talking just about access to the built environment. Overall, then, it captures the notion that whatever the Accessibility Act does, it has to foster the full and equal participation and inclusion of all persons with disabilities.

I offer you, on Pages 7 and 8, specific comments on the bill itself which may assist you in determining what you think should happen to Bill No. 59. I think there is a good argument for starting over again, using the bill as a lesson in where to go from here and with a higher set of goals and an inspiration that this Accessibility Act can begin to do or undo the kind of history that people with disabilities have lived with in our society.

It's a major challenge for you but the important thing to recognize is that we've moved from the charitable approach. I and the people who are here who have disabilities already have human rights. They don't need them to be recognized by you or this Legislature. The question is whether the law of Nova Scotia will go as far as it ought to, to put them into a juridical reality and not just the reality that exists in the convention, the Charter of Rights and Freedoms and the Human Rights Act of the Province of Nova Scotia.

Madam Chairman, I believe I've used up my 10 minutes so I'm happy to try to respond to questions.

MADAM CHAIRMAN: Ms. MacFarlane.

MS. KARLA MACFARLANE: Thank you so very much for your presentation. We are aware that 52 per cent of Nova Scotians make less than $30,000 a year. I'm deeply concerned about the chronic poverty that is happening with disabled persons. We know that approximately 143,000 in Nova Scotia live with disabilities. Do you know what the number is out of that who live in poverty?

MR. ARCHIE KAISER: I know the basics for all parts of Canada are that poverty is the likely condition that you face if you have a long-term disability but I don't have statistics for you, I'm sorry.

MADAM CHAIRMAN: Mr. Stroink.

MR. JOACHIM STROINK: Thank you for your presentation. You hit on a couple of things that I find very interesting in your presentation. Part of that is the mental health and intellectual disabilities. Part of the issue that is not achieved within Bill No. 59 as a whole is the stigma that is associated with mental health and intellectual disabilities.

The community and society has accepted mental health as an issue but intellectual disabilities is something that is very hard for people with intellectual disabilities to be comfortable to talk about. It's easier to hide as much as mental health.

My question is, in this bill and in the committee, I think that will help with the stigma that is associated, specifically more so with intellectual disabilities. I think that's the idea with this bill, would you not tend to agree?

MR. ARCHIE KAISER: Well I think there is stigma, that is attitudes which tend to result in discrimination that surround persons with intellectual disabilities and people who have mental health problems and people who have concurrent disabilities.

I challenge the legislators to take on the barrier that stigma imposes on these groups of persons with disabilities. I don't think it's an over-reach for the Act to contemplate the whole range of persons with disabilities and I hope that it will. It is harder, I agree, in some ways to talk about removing the barriers to participation when it's an invisible disability that a person has but it is no less important and no less your obligation.

MR. JOACHIM STROINK: I completely agree with you. I guess what I'm trying to get to is that in society on intellectual disabilities, because it's harder to see it, it's harder for society to work around that. I think that's where the commission is. As an example, someone with an intellectual disability might not like to go to a library - how do we make the library more accessible? I think this library, the new one, is something that shows how we've made that more accessible for people with intellectual disabilities. I guess that's what I'm trying to seize, that's where this Bill No. 59 and the commission will address.

MR. ARCHIE KAISER: Well I hope it does because the necessity for all persons with disabilities is that they feel they can be fully participant in our society in every way, which does require addressing the terrible issue of stigma and compounded discrimination. I'm glad if you are focused on that, in addition to other aspects of the bill.

MR. JOACHIM STROINK: Thank you very much.

MADAM CHAIRMAN: Ms. Mancini.

MS. MARIAN MANCINI: Thank you, Professor Kaiser. I wanted to ask you a question that you didn't deal with. It was something that came up at the previous Law Amendments Committee and it was through written submission by Richard Starr and also by Wendy Lill. They made reference to the fact that the Disabled Persons Commission will no longer be and it is being replaced by a directorate in the new proposed legislation.

The point Mr. Starr made was that the ministerial committee that dealt with the Disabled Persons Commission was made up of the Minister of Community Services, the Minister of Health and Wellness, the Minister of Labour and Advanced Education, the Minister of Municipal Affairs and the Minister Responsible for Housing. In the new regime the ministerial contact, or committee I guess, would appear to be these four members who don't have a vote that are on the - that don't form a quorum but they are the Ministers of Transportation and Infrastructure Renewal, Business, Regulatory Affairs and Municipal Affairs.

I'm just wondering, I don't know if it is a concern or not or if it's something you would be in a position to comment on. Is this showing the shift? Is this an appropriate shift from what we had before or do we need both bodies?

MADAM CHAIRMAN: We're past the 15 minutes but I'd like to hear your answer, if you would.

MR. ARCHIE KAISER: Well I'm not sure if I have a good answer for you. I think this is a matter of fundamental human rights so that anybody who can make a positive contribution to ensuring that barriers to participation are removed, ought to have a place at the table. But in order to be legitimate participants they have to come with the understanding that they are only present to promote human rights and to advance the human rights of persons with disabilities. Other interests have to be subsidiary because when you're talking about fundamental human rights they have to be preeminent.

In terms of ministerial representation, I'm not so concerned as long as whoever is there knows what their job is.

MADAM CHAIRMAN: Thank you very much, I really do appreciate your time. The next speaker is Marcie Shwery-Stanley. Just as you are going, Mr. Kaiser, I did want to thank you for mentioning Dianne Pothier, I know she was a colleague of yours and I remember she spoke here at the earlier hearing so I wanted to give our condolences as well.

While Ms. Shwery-Stanley gets settled, the next four, as I mentioned - Marcie is next, followed by Michelle Proctor-Simms, then we have Gerry Post and Patricia Gates. Those will be the next four.

Welcome, I'll turn it over to you right now. You know how it goes, 10 minutes and then five for questions. If you finish early, we'll ask more questions.

MS. MARCIE SHWERY-STANLEY: Members of the Law Amendments Committee, good afternoon. As the minister has said, my name is Marcie Shwery-Stanley. I'm from the Cape Breton area and have been a huge advocate for persons with disabilities for more than 36 years. That's the reason that I had Mr. Hebb circulate my short bio and a page of my 36 years of volunteer work, just to put everything in perspective.

Part of my advocacy work includes being a Commissioner with the Nova Scotia Disabled Persons Commission, where I have been an active member for the past nine years. I would like to express my appreciation to the members of this committee for providing me with the opportunity to make some comments today in regard to this bill.

To begin, I would like to commend the committee for making these public hearings accessible to all Nova Scotians. It is obvious that a great deal of thought went into the planning and organizing and it is obvious you have listened to the suggestions made for increasing the accessibility of the Law Amendments Committee process, including consideration that has been given to the option of people presenting to these public hearings via video conferencing. This truly provides Nova Scotians an opportunity to have their voices heard, irrespective of where they live and that is really important.

Since the last public hearing on this bill on November 7th of last year there have been a number of information sessions hosted by the Nova Scotia Disabled Persons Commission on the intent and substance of the proposed bill. This was a wise decision. I can tell you there was a session in Sydney that was well attended and positively received.

I want to emphasize to the members of this committee that Bill No. 59 is a critical piece of legislation that I fully endorse. Earlier my colleague Brian Tapper, as chairman of the Disabled Persons Commission, presented on the importance of strengthening certain sections of the bill. I fully support these areas for improvement. I also want to stress that these changes in no way take away from how vital this legislation is to the future of Nova Scotia. I feel very passionately that, while amendments can be made to strengthen the bill, it is critical for it to be passed.

In reviewing the proposed legislation, I am very pleased that it envisions having a new modernized organization referred to as the accessibility directorate. That is to have a dual function, one that not only supports the implementation and administration of accessibility legislation but also and importantly has at its core the function to address broader disability-related initiatives by acting as a central mechanism to ensure that concerns of persons with disabilities are being conveyed and advanced by government. The latter role is the current core function of the Disabled Persons Commission. The commissioners feel very strongly that this role must be retained.

Based on my 30-plus years of experience, I also would like to stress that, going forward, the ultimate success of this new organization, the accessibility directorate, will require a commitment by government to properly resource and staff it and to ensure that it can meet its commitments and be a real vehicle for change for Nova Scotians with disabilities. As a commissioner for the past nine years, we can draw on lessons from the history of the commission. It has always strived to be at the forefront of disability issues in Nova Scotia, even though it has been continuously understaffed and overstretched.

I would be remiss if I did not acknowledge the work of the commission staff as, despite being small in number, they must be commended for the work they have accomplished with their limited resources. Going forward, I would strongly encourage government to continue its leadership and commitment to Nova Scotians with disabilities by properly resourcing and supporting this new directorate. You have to give the people the tools to do the job.

I also strongly believe and want to take this opportunity to stress the importance of continuity, experience, and expertise with respect to the staffing of this new accessibility directorate. The current staff of the Disabled Persons Commission must be part of the staffing complement. They have played an integral role in the work required to bring this bill forward for consideration. The current staff will provide this new organization with continuity and expertise. They have a built a relationship/partnership with the disability community. The commissioners all feel passionately that we must not lose their experience and skills as the commission transitions to this new organization. As the commissioners wind down our role, we seek your commitment.

Also, in terms of staffing complement for the new organization, and given my professional background of 26 years in communications and public affairs with a federal Crown corporation, I cannot emphasize enough how essential a dedicated communications position will be to the success of the directorate. I think that has been echoed by a number of the people who have spoken before me. This new piece of legislation places high demand both in terms of volume and frequency for a complete range of communication services. This cannot be properly done off the side of the desks of staff who are not trained or tasked to take on a communications role or to communication personnel who have to juggle serving multiple departments. I cannot overstate the importance of the directorate having robust capability from the beginning of its mandate. It is the key to establishing the directorate as a centre of excellence.

This legislation has the ability to make some robust cultural change away from the fallacy that making Nova Scotia accessible will be financially ruinous. You can’t discriminate against persons with disabilities because it costs a bit of money. We need to be thinking about Nova Scotians with disabilities not in terms of how much we cost or how much we need from the system.

Thank you again for this opportunity to speak before the Law Amendments Committee on this very historic bill, a bill that represents enabling legislation that provides a framework and authority to create much-needed accessibility standards that I believe, as a person with a disability, will lead to fundamental changes supportive of a fair and equitable Nova Scotia. Thank you. How many minutes do I have?

MADAM CHAIRMAN: You’re good, that was almost eight minutes so we have a few minutes for questions and I have Mr. MacLeod already on my list so you may begin.

HON. ALFIE MACLEOD: Thanks Marcie. Earlier back you said you wanted to urge us to pass this piece of legislation but you said there were some amendments that could and should be made. I'd be interested if you have one or two examples of those amendments that you are thinking of.

MS. MARCIE SHWERY-STANLEY: I think I'll leave that for Gerry and his crew because they're more versed in handling that end of it. I know there certainly are parts of it that need to be strengthened. I think one of the things is the enforcement.

In regard to standards, this is going to take years to come about but maybe Jerry can talk more on that. I don't mean to be putting you off.

MR. ALFIE MACLEOD: That's fine, I appreciate that. The second question is a little more personal. I was wondering if you'd mind sharing how making the trip to Halifax to do this, how long do you have to plan that? The whole thing is about accessibility and I know a little bit about that from the other side of my life. I'm just wondering, for you to get here, how much of a challenge was that?

MS. SHWERY-STANLEY: Well that's interesting that you should ask that because I had gone through all of my steps which I will tell you in a minute. I was at the airport waiting for the plane to land and then I looked at my iPhone and I find that because of the storm, our meetings were going to be rescheduled.

What I first had to do, and it's great that I have been a communications officer and can multi-task and coordinate things, organizational skills are very strong, I had to first of all put my home care service on hold, I had to book the Handi-Trans, which is the accessible transportation in Cape Breton, I had to make sure that I had packed my lunch bag because I tend to get low sugars so I have to make sure that I have something to eat here because I had been here earlier.

When I'm flying anywhere I usually go to the airport at least two hours before. That way if I run into any issues I'm not going to be stressed out. I also had to ensure that I had an accessible room at the hotel in Halifax. I had to be here today more than two hours early because I come here every month to Disabled Persons Commission meetings and it's a real challenge trying to get an accessible taxi. But of course this time I booked two hours early and the taxi driver came even earlier than that, so Murphy's Law. Those are some of the things.

I do a lot of travelling to the U.S., too, and they have the Americans with Disabilities Act and it's a real pleasure, having a barrier-free existence. It's just a little bit less stressful.

MADAM CHAIRMAN: Thank you very much, I appreciate that. Ms. Mancini, were you on the list? Yes, sorry. I was going to say no more but you are waiting. There is time; you have three minutes.

MS. MARIAN MANCINI: Thank you for coming here today, it's great to see you again. I'm just wondering, and you may have already mentioned this, but are you involved with the federal disabilities? Are you involved with that right now?

MS. MARCIE SHWERY-STANLEY: I have to tell you that the taxi issue, I came here to participate a couple of months ago in that consultation. Unfortunately, I tried but they never had video conferencing because that's a pet peeve of mine. So I booked an accessible cab for 12 noon and I booked it the night before. The event was taking place at three o'clock and at three o'clock the taxi still hadn't arrived. Yes, I was a mess, there were about 70-some people who attended that and they are doing a country-wide consultation.

MS. MARIAN MANCINI: I just wanted to know if you were aware, and you probably are but I just read it myself today, comments made by the federal Minister of Sport and Persons with Disabilities. In her very clear statement was that we can no longer say it costs too much when we're trying to achieve our accessibility goals. I don't know if you were aware of that or if you wanted to comment on that.

MS. MARCIE SHWERY-STANLEY: No, that's correct. In fact I probably should have said I quoted her because some of that was actually words from her. I had the opportunity to thank the Prime Minister in November in Sydney for appointing a Minister Responsible for Persons with Disabilities because that has never happened before.

Before I end I want to tell you that for 36 years I've been involved as an advocate and I am pleased to say that I was part of - not directly but indirectly - responsible for disability being specifically mentioned in the Charter of Rights and Freedoms. Ron Canary who is now up there in Heaven or wherever, he and people from Halifax were very responsible for that happening. That's historic, too.

MADAM CHAIRMAN: Thank you very much again and thank you for making that trip here to present to us in person, we really appreciate it.

As I said, the next speaker will be Michelle Proctor-Simms and I welcome her to come forward. After her will be Gerry Post, Patricia Gates and Paul Vienneau.

They've given me a sign as well so Michelle, if I put it up it means eight minutes have passed, if you go that far, just to give you a heads-up that you are nearing the 10 minutes presentation time. There are always questions, it's good to allow that time. Thank you very much. Your turn.

MS. MICHELLE PROCTOR-SIMMS: The Nova Scotia Advisory Commission on AIDS thanks the Law Amendments Committee for this opportunity to speak to the proposed legislation. My name is Michelle Proctor-Simms and I am the Director of the Office of the Commission.

By provincial Statute the commission is an arm's length advisory body to the Minister of Health and Wellness and other ministers on matters relating to HIV and AIDS. Our purpose is to champion strong, informed government and public action on HIV and AIDS in Nova Scotia.

The commission supports the need for and intent of the proposed legislation that will establish the framework and authority to develop accessibility standards and regulations to increase the health, well-being and independence of people living with disabilities. Because of advances in treatment, HIV and AIDS is now considered a chronic, manageable condition and is often experienced as an episodic disability.

We have carefully reviewed the bill and attended a presentation on its contents. We recommend three amendments that we believe would help ensure the legislation enables all Nova Scotians with disabilities to enjoy full and effective participation in society through greater access to critical income and employment supports.

Our first recommendation; include episodic disability in the definition of disability. Clause 3(1)(h) currently states that disability means a physical, mental, intellectual or sensory impairment that in interaction with a barrier, hinders an individual's full and effective participation in society. Episodic disability is not specifically mentioned in this definition. However, the commission recommends that the definition be revised to include episodic disability.

The term episodic disability includes conditions like HIV/AIDS but also multiple sclerosis, lupus, arthritis, diabetes, chronic pain, mental illness, just to name a few. An increasing number of Canadians are living with such conditions and disabilities that are lifelong and episodic. These conditions and disabilities are marked by fluctuating, recurrent and unpredictable periods and degrees of wellness and disability that can vary in severity and duration.

Many people living with episodic disabilities are in their prime working years. They often move in and out of the labour market in an unpredictable way and have difficulty securing stable employment and/or income supports when they are unable to work. Current income and employment support programs do not adequately address the needs and realities of most people living with an episodic disability. These supports often best meet the needs of either people with temporary disabilities or conditions who can return to employment and relinquish supports, or people with permanent disabilities or conditions, whether they are congenital or acquired, who may have some limitations or no capacity to re-enter or rejoin the workforce.

People with episodic disabilities rely on a range of federal, provincial, and private programs with features that often exclude them or discourage them from entering or returning to paid employment when they are well. These restrictive features include: strict eligibility criteria and/or definitions of disability with each having their own criteria and definitions; no allowance for variable work patterns such as part-time work; no partial benefits if working less than full time; unclear rules and policies that are sometimes subject to determination or not transparent or communicated well; and lack of coordination or navigation support within and between the various programs. Benefit levels associated with the various income supports and replacement programs are also inadequate.

People living with episodic disabilities also may not want to risk entry or return to the workplace when they are well. This fear is often based on risks of being further stigmatized, losing health benefits associated with a private or public disability or an income support program when a health plan is not associated with a potential employment opportunity or, if there is one, there is a waiting period or clauses excluding certain pre-existing conditions and the fear of losing a reliable source of income if and when they relapse.

After an extended period of absence from the workplace, some people might also worry that they are not able to cut it or will be fired if they need to regularly take time off work to attend medical appointments. For these reasons, many people living with episodic disabilities experience and are trapped in a downward spiral of poverty, social and economic exclusion, and reduced health and well-being. This increases the demand on health and social support systems.

Therefore, the commission strongly recommends revising the definition to include episodic disability and that specific accessibility standards, as per Clause 29 that would remove barriers to income security, employment and workplace accommodation in the context of a person’s intermittent work capacity, that they be developed in collaboration with public, provincial, and federal governments and private disability employment and income support replacement program providers.

Our second recommendation is to include the Department of Labour and Advanced Education and Community Services on the Accessibility Advisory Board. The mandate of the Department of Labour and Advanced Education is to provide fairness, safety and prosperity for all Nova Scotians by helping them live, learn and work to their highest potential. In its mission statement, the Department of Community Services states that it is committed to a sustainable social service system that promotes the independence, self-reliance and security of the people we serve. This will be achieved through excellence in service delivery, leadership and collaboration with our partners.

Toward this end, the Department of Community Services is transforming and redesigning its programs to enhance the effectiveness and efficiency in helping vulnerable Nova Scotians. Therefore, under this section, Accessibility Advisory Board, the commission recommends that Clause 13(4) be amended to include the ministers of these departments, or their designates, on the proposed accessibility board.

Our third and final recommendation is that the commission further recommends strengthening the authority of the Accessibility Advisory Board. Clause 17(a) currently states that the board shall “suggest measures, policies, practices and requirements that may be implemented by the Government to improve accessibility;" The word "suggest" seems weak, given the significance of accessibility issues. Changing this word to "advise", "urge" or "call on" may strengthen the ability of the board to act on improving accessibility.

In conclusion, the commission has been engaged in work related to episodic disability for more than a decade. We have developed extensive knowledge on the impact on income and employment and the barriers faced by people living with episodic disability and of evidence-based, cost-effective solutions to increase access to critical services and supports.

The commission would be very pleased to discuss or assist with any stakeholder engagement around the issues and recommendations, including future development of accessibility standards that relate to income security and employment for persons living with episodic disabilities and accommodation in the context of intermittent work capacity.

Again, the commission thanks the Law Amendments Committee for the opportunity to put forth our concerns and our recommendations regarding Bill No. 59.

MADAM CHAIRMAN: Are there any questions from the committee? Mr. Jessome.

MR. BEN JESSOME: Michelle, thanks for your time. I just wanted to make a comment. I think your first recommendation in regard to the inclusion of episodic disability is a positive way to really strengthen this piece of legislation. There are many people out there who, though not visibly disabled, experience the types of things that you referred to along the lines of the fear of going back to work or the fear of taking time off work because they're living with a type of disability that causes them grief in taking on those things that they should have the confidence to do and the ability to do without repercussion. That's all. Thank you.

MS. MICHELLE PROCTOR-SIMMS: Thank you so much.

MADAM CHAIRMAN: Thank you very much again for your comments and for raising an important issue. We appreciate it.

MS. MICHELLE PROCTOR-SIMMS: Thank you so much for your time and the opportunity.

MADAM CHAIRMAN: As I had said, the next speaker will be Gerry Post, followed by Patricia Gates and Paul Vienneau, and Parker Donham will follow.

Gerry, I see you have a presentation for us. That's good. We appreciate that. It's always good when we can have your remarks or other information to look at. I'll turn it over to you.

MR. GERRY POST: Madam Chairman, I'm part of an alliance. Could I invite the other members of our alliance to the front to sit with me?

MADAM CHAIRMAN: Yes, certainly.

MR. GERRY POST: They are Pat Gates, Paul Vienneau, Amy Parsons, and Parker Donham.

MADAM CHAIRMAN: Very good. And they are following in order as well. I don't know that we have enough chairs for the front. Do we? How are doing?

MR. GERRY POST: Paul brought his own chair.

MADAM CHAIRMAN: Sorry; I didn't mean to say that. I was looking to make sure we can accommodate everybody properly.

I know our staff will help if needed. That's great. Actually, that means less time wasted between speakers because you'll all be ready to carry on. That's good. Welcome, Pat, as well. We'll give you a moment to get settled. There is water there. If anybody needs any assistance, please let me know, for any purpose.

We can begin. I've got a marker here to let you know if we get to eight minutes in your presentation. You are welcome to go over it. It just cuts into time for questions.

MR. POST: Thank you, Madam Chairman and members of the committee. My name is Gerry Post, and I'm a member of the Bill 59 Community Alliance, which is a group of advocates that formed in late November to help put this bill back on track. We've very pleased with the actions the committee and the government have taken to push the pause button on Bill No. 59 until you've properly heard from the committee.

We're also very pleased with the accessible process you have in place on consulting with the community. You've set a new standard. In fact, I think you've set a best practice for the rest of Canada to follow. You are to be commended for that. We also commend all the parties on both sides of the House for not politicizing what happened last November. Thank you very much. This is more important than politics.

Our alliance is supported by over 35 organizations and growing across the province, representing people with all sorts of disabilities - thousands of them. Our presenters today and our alliance reflect the diversity of our disability community. I would like to introduce our delegation very briefly.

Patricia Gates to my left represents the blind community. She has been advocating for this type of legislation for many, many years, and is active in many local, provincial, and national organizations.

Amy Parsons, on the far left, who represents the deaf and hard-of-hearing community, works for the Atlantic Provinces Special Education Authority and is an articulate advocate in her community.

Paul Vienneau, on my immediate right, hardly needs an introduction. He is an awesome bass player, first of all, a photographer, but is best known for his snow removal heroics in Halifax. Many consider him the mayor for Spring Garden Road.

Of course, Parker Donham on the far right, most of us know him for his extensive career in journalism. What many do not know is his advocacy for people with intellectual disability. He is very active and volunteers extensively with the L'Arche community in Cape Breton and throughout Nova Scotia.

Since November a group of us, with the generous help from legal scholars such as Archie Kaiser at Dalhousie Law School, have been reviewing Bill No. 59 from a cross-disability perspective. This has resulted in the Bill No. 59 principles document that perhaps you have already seen that has been circulated as part of the Care Package. Also included in the Care Package are some supporting documents. One is what we call the matrix which essentially is our Bill No. 59 principles for dummies, so it has been very helpful for me, where we've colour coded the different elements within the bill that we feel need attention, based on our priorities.

We also have, and I think Archie has already circulated, the draft preamble and purpose which will be very useful for your legal drafters. As well, we have included in the package a recommended resolution for your consideration and my friend Parker will talk about that a bit later on.

We view our principles as the potential foundation on which to redraft Bill No. 59. We recommend they be considered as redrafting guidelines for the Justice Department for this bill. My friends in our delegation will each focus on one of the principles and speak to it from their disability perspective and experience. I will highlight very briefly for you the red flags in the matrix and my friends will most likely amplify on some of that.

One, incorporate a very broad definition of disability. You have already heard about that a little bit. It's a moving target; 10 or 15 years ago PTSD was not on our radar, it is now in a major way.

Two, embed meaningful deadlines in the Act, as they have done in other jurisdictions. It's a way of measuring outcomes and keeping the government accountable. At present the current draft is not an Act at all, it's really a promise to act, so let's strengthen that a bit.

Three, do not subordinate basic human rights to an economic analysis. We were very surprised to see that in the bill. We understand there is a need to do analysis, but as part of an Act? It's our view that if this stays in the Act, the Act will be stillborn.

Becoming a just society costs money, as has been stated earlier. Please don't just look at the expense side of the ledger, look at the benefits as well. If a cost analysis was done on righting previous wrongs, such as women's right to vote, half the population would still be sitting on the sidelines. The same with equal pay for equal work and workplace safety legislation.

Accessibility is a basic human right. We know there are concerns in the private sector and alarmists say that this Act will put them out of business. This is furthest from the truth, we see this Act as driving more customers to doors of business. As stated previously, 20 per cent of our population has a disability, it is projected to increase to about 30 per cent by 2026. Unfortunately we lead the nation in this, the national average is about 14 per cent.

In addition, research conducted by the Rick Hansen Foundation indicates that by 2030 - only 13 years away - about 40 per cent of Canadian household income will come from people with disabilities. That's a lot of spending power. As well, barriers prevent the talent within our community to be employed and assist businesses to thrive. The disabled worker is a most loyal and dedicated employee. Ask any employer who has employed a person with a disability, I used to be one of them. We understand there will be undue hardship cases and a process must be put in place to accommodate such situations on a case-by-case basis, but this should be channeled through an independent review.

Four, ministerial discretion. It's one of our big red flags within the bill. It is basically unacceptable and also dangerous for both the minister and the government. In a previous life I worked around the world for one of the largest global consultancies specializing in public sector reform. One of the things that I learned from some of the experts in the field is that too much discretion can lead to funny business. In the forensic field it's called malfeasance. We all know what I'm talking about.

We currently have a minister with an extremely high level of integrity, but that may not be the case in the future. Just look at what has happened south of the border. We strongly encourage the committee to recommend that appeals and exemptions be handled by an independent arbitrator such as the Utility and Review Board, and that a fast track review process be instituted to address undue hardship cases.

Five, incentives to business. We also recommend you consider employing incentives to help business become more accessible. There are lots of models around the world on how you can make that happen, and my friend Parker will elaborate on this.

There are easy and inexpensive solutions such as the ramp-up program we have here in Halifax we initiated with the mayor and the downtown business community. These are portable ramps, which are basically given away free of charge to the community.

Disability is new for me. For years I was like most of you, healthy, running around. One day I didn't feel too well - went to see my doctor. He sent me to emergency and before

I knew it the chaplain was standing over me, giving me my last rites. So I'm blessed to be alive, but it has certainly opened my eyes to all the barriers that confronted me, and at that moment I made a commitment to help remove them.

I've also met a lot of young people - bright, young, disabled talent that's either unemployed or under-employed because of barriers. One particular case was a young woman I got to know. She had recently graduated with a master's degree - top of her class, a scholar - was looking forward to a rewarding career, and she sent out 200 resumés in which she indicated she had a disability. Zero replies. She asked, "Well, what do I do Gerry?" I said, "Well, remove that paragraph." She started receiving replies, some interviews, but still no job.

She got completely demoralized and depressed, and I could feel her pain. Unfortunately, she's no longer with us. What a loss. How can we let this happen in our community? We not only have physical barriers to overcome - perhaps our most difficult barrier is attitude. This Act, through your leadership, will hopefully send the message that we have a very vibrant disability community that has been sitting on the sidelines waiting to participate and contribute to our wonderful province. You as legislators have an opportunity to make history and draft an Act that sets a standard for others to follow. Thank you.

MADAM CHAIRMAN: I was calculating that together you have an hour and fifteen minutes, so perhaps you'll stay at the table. Is that what you would like?

MR. GERRY POST: Yes.

MADAM CHAIRMAN: So that the time can be shared and perhaps questions may go between them. I would like you to begin, Ms. Mancini.

MS. MARIAN MANCINI: First of all, I do want to say that I had the luck of seeing you on Global News last night with Marieke drilling you. You did an excellent job, so I was assuming you'd be quite a strong advocate here today at the committee.

What I wanted to ask you about - it may be just small - but it was a comment that was made by Mr. Tapper earlier. You alluded to meaningful deadlines that you feel are needed, and I agree with you on that. You made mention about when we start talking about cost and if we are looking at significant cost attributed to the timeline as opposed to saying we can't do it - I was just wondering, is that something that you're supportive of?

MR. GERRY POST: I fully concur. This is going to take time. This is not something we can resolve overnight, it will probably take a decade or more to do it. What's important, I think, and it would be somewhat difficult, is where do we set our priorities. This where engagement of our community becomes important, so yes, I fully concur with his point of view.

MS. MARIAN MANCINI: The other thing you brought up in this is we understand there will be hardship cases. Do you think that with the legislation as it is at the moment, and I would refer to its references to the economic balancing act we have to do when we're looking at setting standards, do you think it would be a better approach if we just used hardship language, as opposed to economic language?

MR. GERRY POST: Yes.

MS. MARIAN MANCINI: Thank you.

MADAM CHAIRMAN: Ms. Patricia Arab. We're waiting for the light to come on, for those of you who are wondering about the delay.

MS. PATRICIA ARAB: Thank you, Mr. Post. I have a quick question on timelines. We heard, I believe in Ontario, there's a 20-year period to look at their legislation and implementation of their legislation. I'm wondering, because I'm assuming there are varying opinions on what a meaningful timeline would be for this legislation - how do we make sure that if a timeline is put in place that it's going to be one that is the right one and isn't going to either prolong or make meaningful changes too quickly?

MR. GERRY POST: It's a difficult question to answer. I really don't have an answer to that. I think there needs to be a lot of dialogue on that and I think the important thing is where do we put our priorities? I think there's a lot of things we can do that have no cost at all as well. One example that I shared with the chairman at the last meeting we had here was where we are with accessibility is where we were with environment about 35 or 40 years ago. Now it's the norm to do an environmental assessment before any major decision is made.

Some jurisdictions now with, say Cabinet, that any documents going forward to Cabinet have an accessibility lens on it, so not just doing the economic analysis, environmental, also do an inclusionary analysis to make sure that it meets the policy of the government at the time. It costs nothing, other than some staff time.

MADAM CHAIRMAN: It sounds like a good idea. I'd like to ask Mr. Belliveau to go next.

HON. STERLING BELLIVEAU: First of all I'd like to compliment you on your colour-coded presentation of the bill. I think that can be used on other bills. You made reference to the vital amendments, the colour red, and I know that you also suggested that some businesses may have some concerns about the cost of preventing barriers for people with disabilities.

In that colour-coded amendment you suggested, there was an interesting comment, you said that the elimination of barriers will reduce health care and social assistance costs as more individuals with disabilities become partly or fully self-supported. Well to me our health cost is basically 45 per cent of our budget so it has got my attention.

Can you clarify and go into some detail as to how that's going to affect and create a better place for Nova Scotia?

MR. GERRY POST: As I mentioned earlier, when one is capable and unemployed, depression can set in and that has a lot of health implications within the community and it's happening. I talked about it, and there's others that I know of who are struggling as well through that. So when you become gainfully employed and contributing to society, it's a healthy lifestyle, better than sitting home watching Netflix or, if you can't even afford Netflix, watching the soaps.

MADAM CHAIRMAN: If I could, the times allotted for Mr. Post, I know that you are sort of sharing your time but I don't want to short-change anybody who is here today to present. Patricia Gates, could you begin your presentation, please.

MS. PATRICIA GATES: My name is Pat. I'm here as part of the Bill 59 Community Alliance. I also do a great deal of work within the wider disability community. I'm chair of a chapter of the Canadian Council of the Blind, which is known as the voice of the blind in Canada because we are the consumer. I'm going to tell you what I do because it will relate, in a few minutes, to what I'm going to talk about. I'm also chair of the Halifax Accessibility Advisory Committee. I'm a coordinator of Barrier-Free Nova Scotia, along with some other offside organizations. I am also a member of the Nova Scotia Health Authority advisory council.

For me, as a person with multi-disabilities - I have more disabilities than the visual, which is quite obvious - the purpose of this legislation can be defined in one simple word: inclusion. It will enable those of us with disabilities to participate in and contribute to the daily life of our communities and our province. This is something that has been denied many of us in the past. Today we are very appreciative that the government has initiated this accessibility legislation. As one person mentioned earlier, it is critical. It is crucial to helping people with disabilities gain their rightful place in this province, that of equality - equal citizens - because it is our human right. Based on the United Nations Convention on the rights of Persons with Disabilities, we have the same rights as everybody else.

I'm going to tell you about my own experience. I can only speak with any expertise about my own disabilities. But I would tell you, and I've said it before, that this province has thousands of experts, people who live with disabilities 24/7. We are the experts.

When people think of accessibility, immediately, they think of physical accessibility which is not always true because accessibility has a different definition for each disability. In my case, one of my accessibility issues is an assistive device. This innocuous piece of equipment costs $70.

Many people think and many people have said to me personally, you get those free from CNIB, right? Well, as we all know, nothing in life is free. No, we don't get our assistive devices free. We have to pay for them. As I say, this magnifier is times seven. It no longer works for me. It's not a want item. It's a necessity for my daily life. I live alone. I am a single income household, apart from my cat, who doesn't bring in any income. I'm diabetic. I have what Michelle previously referred to as an episodic disability. I call it a silent disability. This device is necessary for me to read labels, to read tins of food, to read anything - labels on packages to know that I'm eating what I have to eat.

However, this particular magnifier no longer works for me because I am losing vision at a continually rapid rate. The next strength of a magnifier that I need is times eight. It's $75.

I'm having eye surgery in July. I have to save, because I'm on a pension, for the surgical costs related to that surgery. This has become not only a necessity but a luxury. I have decisions to make. What am I going to do without in my daily life so that I can afford to save up for those surgical costs and a new magnifier?

As I previously mentioned, I do a great deal of volunteer work within the community. The community has been very, very helpful to me in that they provide me with large print documents. I can no longer read those because my magnifier is not working.

However, there is a device that I can obtain through CNIB. It's called a CCTV reader. The new models are compact. It would fit in my handbag. Wait for it. What does it cost? It costs from $600 to $1,400. Now you can imagine that if a new magnifier for me is a luxury, a CCTV at that cost is but a dream. I may never see it. I'm on a wait-list for a donor machine. I'm on a donor list, I've been on that donor list for two years and there's still no word that one has come in, so I may never see it. I'm 63 years old so, as a result of my magnification no longer working for me and the ability to purchase the magnification I need at this time, I have lost a great deal more of my independence.

I've been living with a disability of one form or another since the age of nine. I've always been a very strong person, I have to be. I'm single, I have no support. So to lose any amount of independence is devastating to me. I now have to rely even more on other people to read labels for me. I don't have people in my home every day so oftentimes it's guesswork. I don't even know when I pick a tin of soup out of the cupboard, I don't know if it's tomato, mushroom, or vegetable - actually I know it's not mushroom, I hate mushroom so I don't have that in my cupboard.

The point I'm trying to make is we need some subsidization of assistive devices and assistive technology, some subsidization such as they have in Ontario - I believe it's 75 per cent. I worked on a committee with a lady who was very hard of hearing. She couldn't afford one hearing aid. Why couldn't she afford a hearing aid? Because she was a single-income woman, she had a teenage daughter in high school and her priority was the love of her life, her daughter. She did without so her daughter could have and could continue on with her education, things like that,

I'm not whining, I'm used to doing without. I'm used to making do because I simply cannot afford all the devices and equipment that would make my life so easy. With the patience of other people, I continue to sit on the various committees and I continue to contribute to the daily fabric of the province and the city in which I live.

Again, in closing, if there's one thing I want to say to this government, please don't let us down. Thank you for this opportunity.

MADAM CHAIRMAN: Thank you very much Pat, I appreciate that. (Applause) I really appreciate that. I'm looking for questions from the committee members. Mr. Belliveau.

HON. STERLING BELLIVAU: Patricia, just for clarity, I appreciate your presentation but what I thought I heard, and I'm asking for clarity, you said you were actually saving your money for surgery. I'm just confused about that statement because I would think that would be covered under our MSI system.

MS. PATRICIA GATES: I'm having eye surgery and part of that eye surgery is cataract removal. Because I've been diabetic for 54 years, there are several risks to having that surgery. One of them is a diabetic bleed so what my ophthalmologist eye surgeon has recommended is that I purchase a soft lens. Now a hard lens is covered under MSI but a soft lens is not because apparently with the soft lens I wouldn't require stitches in my eye and therefore, that lessens the risk of infection.

I'm at risk for infection, I'm at risk for a diabetic bleed, I'm at risk for a retinal bleed and I'm at risk for losing my retina. The cost of that soft lens is a mere $300 but I'm self-supporting. As I said, I'm on pension. I have to pay rent, I have to buy groceries, I'm on a specialized diet. I pay for part of my own medication. Actually I pay for my insulin and my pills on my own, it's only partially covered. So $300 doesn't sound like a lot to someone but it's a lot to me because I have other costs of daily living.

The other thing is I have to have someone with me. I do not have any vision whatsoever in my left eye. I have very, very limited vision. These lights are killing what I have. I have very limited vision in my right eye. I'll be patched for the first day and all night, so I require someone to stay with me all night to make sure that I take my proper medication. I'm the person that Barry mentioned earlier who took the wrong the insulin and ended up in emergency. I don't want that to happen again because that's very scary.

I can't find a friend who can come in to stay with me because they work - they have family responsibilities. So now my only consideration is to hire a nighttime nurse. That takes money. Is that sufficient?

MR. STERLING BELLIVEAU: Thank you.

MADAM CHAIRMAN: Are there any other questions? Ms. Mancini.

MS. MARIAN MANCINI: Thank you for your presentation. Just a quick question for you. The assistive devices - I don't think it's specifically referred to in the current Bill No. 59. I don't remember seeing anything about that.

MS. PATRICIA GATES: About assistive devices? Nothing in there - well, I'm suggesting there should be.

MS. MARIAN MANCINI: Okay, thank you. I'm just wondering, are you aware if a person who was on income assistance, if they would qualify for, say, the magnifier that you were showing us today?

MS. PATRICIA GATES: Not to my knowledge. I could be wrong - I frequently am. I do know that assistive devices and assistive technology is covered for anyone in post-secondary education. I met a lady at an event who was being guided by another woman, and I said to her, "You don't have a white cane." She said, "No, I can't afford a new one. My previous one broke." So I gave her a spare one. These are $40. The tip is an additional cost. So subsidization for assistive devices really needs to be in any accessibility legislation. As I say, when people think of accessibility, they don't think of these things.

MS. MARIAN MANCINI: Thank you.

MADAM CHAIRMAN: Thank you very much. Pat, I appreciated as well you coming to my office. Pat is one of my constituents and we had a chance to talk, but you didn't mention all those other issues, so I've learned more today of things we should be doing or looking at. With that, I would like to move to Paul Vienneau.

MR. PAUL VIENNEAU: Speaking of assistive devices, the only way I could get my 15-year-old wheelchair replaced was the kindness of strangers. So hopefully for everyone else that needs a new chair they don't have to go out and shovel snow for the city.

Speaking about the Americans with Disabilities Act, I heard someone say, this is our emancipation proclamation, which for me, after years of making do by myself kind of caused me to go investigate the struggle that our friends down south had to fight for the Americans with Disabilities Act. This is our opportunity to do something really profound for people who have been kind of ignored historically. I thank you for the opportunity to address you folks.

Historically, people with disabilities have been treated paternalistically by the powers that be. We've been told, we've got this, be patient, and we'll do the work for you. The problem is that people with disabilities haven't been involved in the drafting of standards and we are the experts in what we need.

Without consistent standards across the country, we get a situation like in 1994, my first tour post-injury as a musician, I was in Victoria, British Columbia and I saw a bus. I was living in Toronto at the time, but I was in Victoria and I saw a city bus and I asked the driver what was with the bus. He said, “Come on in.” It was a ramp that came out, kneeling bus, and then he strapped me down and said, “This is what we have out here.” Then I went back to Toronto where I couldn’t ride the subway or the street cars or the buses, and I had to pay because of a lack of even pricing standards, I had to pay a $70 flat rate to go one block or 50 blocks. It was $70.

All through my music career I had to endure hardships and indignities time and time again just to do the thing that I was most passionate about in my life. I have gotten out of my chair and dragged myself up so many dirty steps, I’ve been carried by people who generally didn’t care about my safety so many times with the loss of control and dignity of that, just to sit on a stage for three or four hours and play music, which was the thing I believed I was here to do.

One time on a band tour - Canada 3000, rest in peace, thank you - they insisted on having two of their crew guys pick me up and carry me in front of a full plane to my seat in the front of the plane, as if that was a reasonable expectation of accommodation. Anyway, I didn’t, I sued them for it and they had to pay.

Another thing about all of the stairs that I’ve had to drag myself up, I now have shoulders that are falling apart, so many things that just destroyed my body that I took for granted, I had to make do myself because I didn’t think there was an expectation that we would have something that would create these standards and here we are.

Here in my hometown of Halifax I had to give up my music career because venues I had been working in for 15 years had at no point installed a simple ramp. I was doing a tribute gig out by the airport, past Enfield, and to get onto the low stage I had to be lifted up. And to see an entire audience of people my parents’ age just turn around with these horrified looks, what is this poor son of a - they didn’t know what was going on. Then when I started playing they were like okay, he’s a musician. Almost every gig I’ve done since my injury 26 years ago has been some amount of me becoming the floor show because people watch to see, you know, the undignified ways that I have to go to work.

For standards, even just to get to work, we leave the existence of accessible cabs up to the industry. A couple of years ago we had 70 accessible cabs in the fleet, we’re down to about 30 now.

There was a sunny summer afternoon last summer and actually the summer before, where I was hired to do a speaking engagement on my photography or an evening show where I’d have to go to work and there’s no way, the companies say, to enforce having accessible cabs on at all hours. So the drivers who get to have an accessible cab get to jump the line by 10 years and get a roof light. They get to start making money right away and there's not one thing we can do to make sure they are working, or even that they will pick us up.

When we first got the accessible cabs five years ago there was a sentence in their taxi code that said the meter is turned on when the passenger is engaged. I had about a two-year space there when I would get into accessible cabs and the meter was already running because the drivers thought they needed to be recouped for their time invested fastening me into their van, which one time ended up with a $7 extra charge. It was in the taxi code that that was okay but that related to when you would jump into a car cab and go Metro Centre, my good man, and they would go ting and you go. For me there is more logistical stuff involved. Is it reasonable for me to be charged extra money for something that is there to equalize the way things are?

In my neighbourhood of Spring Garden Road I've been talking to business owners about door openers and ramps for their businesses over the last two years. Whatever the bylaws actually say, I tell them that these things make their businesses open to all and the door openers and the ramps aren't just for the disabled. Today I saw a delivery truck with this pushcart and it was like when you see in India on the back of a motorcycle and things are leaning - it was like that with hundreds of pounds of supplies that were going into the hotel. They replaced all the curb-cut corners in crosswalks with new barrier-free style, and I asked these guys, "Did that make your job easier from the last time you did it last year?" They said it makes it completely easier.

So while we would look at the cost of what it is to make things accessible and inclusive, we also have to worry about the ongoing social cost of not including people. There's also the benefit that anything that benefits us trickles up and benefits everybody else. Every accessible corner, every door opener, every van that's on the road, can help someone with a stroller, people who have to make deliveries in the neighbourhood, and also us. So it's not just - this is a lot of work for a few people. This will benefit everybody in society. Also, it's the right thing to do.

What do we value as a society? Is it lip service or is this actually about including people for real?

The sort of non-partisan nature of this, I would like to commend everybody because I know politics is a bit of a blood sport, and also for not taking of any of what anybody is saying to you guys personally, as a personal attack, because we all want the same thing, which is to leave the province in a better way for more people.

This is legacy material and we all get to take part. That's what democracy is all about and I thank you for giving me this opportunity.

MADAM CHAIRMAN: Thank you. Mr. MacLeod.

HON. ALFIE MACLEOD: Thank you, Paul. I really appreciate what you had to say. I'm a little curious - you say you now can't do your music career and you have to find other ways to sustain your life. That can't be easy. My question to you is, do you have to look for assistance from government? What have you been able to do to try to maintain some kind of quality of life since the opportunity to do what you love to do has been taken away?

MR. PAUL VIENNEAU: I'm in a gray zone financially where I was run over by an insured company truck. So I have an apartment and I have food. The hard part is - so what do you do with your life? I survived two years in the hospital with 40 surgeries - ongoing chronic pain and a lot of suffering and PTSD stuff, to get out of the hospital and my lawyer said, we'll get you a job at this particular Scotiabank on King Street in Toronto - beautiful building - and you will be a teller. You guys can buy a house together, it'll be great - it'll be a great life. I was like, I moved to Toronto to play music. I come from a musical family. That was the thing that was in my DNA, I believed my purpose to exist was to play music. Four years ago I had to let that go.

It was literally heartbreaking but ultimately freeing to change paths at whatever age I was, 45, to start pursuing my job as a portrait photographer, which I really love. The thing about it that makes it work for me is my studio is two blocks from my apartment so I can get a bus. It's accessible and people come to me so I don't have to go on a plane and then fly out to some festival and drag my butt up steps. To get to the point where I could own my life again, feeling like I was contributing to society and also to my own self-worth, took me a long time.

MR. ALFIE MACLEOD: When you were talking about the accessibility cabs, I know I had an opportunity a couple of years ago to be in London and they have those black cabs.

MR. PAUL VIENNEAU: Every cab accessible.

MR. ALFIE MACLEOD: Every one of them has a ramp built right into them. My wife uses a wheelchair on a regular basis so you didn't have to wait. You didn't have to do like Marcie and book. Whatever cab came along you could actually get access to it and you could go wherever you wanted to go. So I think your point about the taxis and the system is something that really has to be considered.

MR. PAUL VIENNEAU: Someone the other day asked me, do you want a separate dispatcher company for only accessible cabs. I don't. I want integration. Not everybody can use a car. Everybody can use a van.

I even heard a cab driver say, if I pull up to a customer's house in a wheelchair accessible van and they see the sticker, they're going to say, I don't want to take that van, as if that's my problem. That's not my issue to get over, that's their issue to get over. My issue is I want to be able to go to work or to take a speaking engagement and have some reasonable expectation of getting there on time or at all.

I'm fortunate that I have a giant mouth but there are a lot of people out there who are not fulfilling their potential because they take for granted that this is the way it is. I took it for granted for 23 years of music in the chair, I took for granted that it was my responsibility to drag my ass up steps and it's not my responsibility. We have the opportunity here to make things better for a lot of people and also we all get to feel really good about it, which is a pretty nice thing.

MADAM CHAIRMAN: Mr. Belliveau, with two minutes left in this 15-minute time.

HON. STERLING BELLIVEAU: Paul, you made reference to your music ability and to me it's a very simple approach, you suggested we are all here in this House to make life better and I really truly believe that also, better for all Nova Scotians. To me it's a simple project to have a ramp made for you to have access to that stage.

What I'm getting at here is there are building codes, and I keep going to this question about businesses having been grandfathered in. Is this a matter of changing attitudes across our province and does Bill No. 59 create the world you want to live in?

MR. PAUL VIENNEAU: I believe with every fibre of my being that the attitude cost is the main cost in all of this: is this worth it? There's a cost to not do it. Put yourself in my position, you have a thing that you believe you're put on this earth to do and you're unable to do it to put any money on your table and you've been known as - with humility, when I was younger I was known as an up-and-coming whatever and I never reached my musical potential because you learn by playing music. You can't do that by playing once a month, you have to play constantly.

I believe this is a really good first step and, like Gerry said, it's not overnight and overnight is not the point. The point is momentum. We have like the attitude thing, if everybody, you folks, all believe that oh, we'll all do it for you, that's an attitude that needs to change.

I know you don't believe that way, it's a collaborative process but that's what it needs to be, and what is just and what is right. What is just and right is that people with disabilities be able to more fully take part in their lives and, if it needs to be through legislation, that's what it needs to be because I can't rely on the goodwill of venues I've played. After 15 years of playing at Stayner's Wharf, at no point did they ever say we'll get a piece of board and make a little ramp so you don't have to look like a jackass every time you go to work.

I don't want to go to work as a musician, I turn down work now because I don't want to go through that stuff anymore. I'm tired of having people come up to me and go what happened to you, as their opening line.

MADAM CHAIRMAN: Thank you very much. Again, Paul, it's very insightful for us to hear your story. I just wanted to let the committee know that we're changing chairs right now. I have to leave for a little bit. We have another member joining our committee and Ms. Arab is going to chair, so we're still going to continue on with yours.

I wanted to say to the few members who had questions for Paul, perhaps you could ask them at the end if there's time allowed. I'm watching the times that you had collectively 15 minutes each and there may be extra time, so thank you. We'll do a quick change and then carry on. Thank you.

[3:19 p.m. Ms. Patricia Arab took the Chair.]

MADAM CHAIRMAN: Thank you everyone, we'll try to do this as seamlessly as possible so we don't waste time. I'm going to ask Mr. Parker Donham to begin his presentation. (Interruption) Sure, Ms. Parsons.

MS. AMY PARSONS: I'm happy to be here today before the Law Amendments Committee. I am replacing Linda Campbell, who is a professor at Saint Mary's University in the environmental science department there. The research area that she focuses on is aquatic contaminants, and I am replacing her. So I would like to thank her for that opportunity.

I'm a person with a disability, but I'm also an African Nova Scotian woman, and I'm a deaf individual and a member of the LGBTQ community. As well, I have a social disability, anxiety and nervousness. Communication can be difficult and stressful at times with that. In my professional role, I work at the Atlantic Provinces Special Education Authority. My personal journey includes the loss of my father by suicide. Because of that, I have decided to study to become a licensed counsellor/therapist.

In my professional role, I support children, students, who are deaf and hard of hearing. They would be in the public education system, the K-12 system. I'm going to give an example of what my day-to-day role might look like and how this legislation would impact my role and the future of the children who I work with.

This story is something that actually happened just yesterday. There were six students. They were deaf and hard of hearing. There were colleagues as well who joined us. We all went to the new Discovery Centre down at the waterfront. The area was fairly accessible. There were elevators. It was fairly wide, wide enough for strollers and wheelchairs. It was also accessible to people who live with autism. That was wonderful. The group arrived at the Discovery Centre. The students and the staff were quite eager to look around the new Discovery Centre. Right away, I met with the coordinator for the theatre in the Discovery Centre. The reason for that was because the movie in the Dome was not captioned.

As well, while I was doing that, I also had to coordinate replacement interpreters for the public school system. There's no standard of service for replacing interpreters at this moment. I had to coordinate simultaneously a sub interpreter as well.

I encourage you as a committee on Bill No. 59 to look at this definition of "disability." We've all taken our turns from the alliance here and the other people who have spoken here today. There's the physical, and when we look at disability, we look at accessibility as well. I'm going to borrow a page from Lynn Brogan, who is here today in the audience, and thank you for that. What we want to do when we're looking at disability and accessibility is look at how our province can become a more equitable society.

I want to ask the committee how we get to that standard. When we're born, we're born with 10 fingers and 10 toes. What do we see as an able-bodied person, someone with two eyes and ears and these capabilities? I pose that question to you as an audience. What do you see as an able-bodied person? There's a number of variances on that definition of able or disabled, how you may define those terms. We also have different learning capabilities that would be included with that. There are visual communication needs, mental and emotional needs, and learning capabilities. I encourage the committee to really think about how they might define disability and try to take that alternate view that we're presenting.

Coming back to my story about our group field trip to the Discovery Centre yesterday, fortunately, the theatre coordinator was very understanding, responsive, and supportive. In the moment, we needed to make this theatre experience accessible. In the end, we had a shortened private presentation of the movie so as not to intrude upon the public's presentation and their experience. Is that equitable? Are we not the public as well?

What happened was, in the last minute, we had this shortened or kind of edited version. In the theatre it's very dark and difficult to see. As the movie is taking place there is no captioning and there's also time for a question and answer - a little Q & A afterwards. My hope is that with these changes, with a strong Bill No. 59 and legislation, the in the future we can enter any museum or any learning environment within our province and feel that it's fully accessible.

Also, I would encourage the committee as well, when you are looking at Bill No. 59, it's very important to consider the significant investments of the people and the businesses that would be involved in that. I would encourage that our museums, our public transportation, our physical and our communication abilities would be included in that as well.

Some of my colleagues have mentioned these examples of taxis and also in Halifax, for example, we have the Halifax Metro Transit. They have started to put visual signs and they've added in the sound and voices in our buses recently. It's interesting, a friend told me - she heard this on the radio - that people have been complaining, they have been upset that it sounds repetitive. I think that may be an attitudinal thing, that accessibility for people who are blind or visually impaired or have autism, that also we include the deaf community when we have the visual signs on the bus. My hope is that this legislation will really improve and widen the range of how our province is accessible and how we can live and work in our province.

One way this could happen would be to look at the different agencies, various groups and stakeholders that would be involved and include them, and the municipalities - that would be under provincial jurisdiction and so forth - that they be included in these discussions.

In closing I'd like to say it's important that we develop Bill No. 59 and that people with disabilities are involved in this, that the Government of Nova Scotia not just look, that they include many different questions and not get focused narrowly and that it only be based on a cost-benefit analysis, that that not be the measure, that we include how this bill would like to be experienced.

One problem we need to solve is that we need to problem-solve how we can satisfy the legal requirements.

This third question is, what problems need to be solved so we can meet the legal requirements? For example, people with disabilities need to be at the forefront of developing the legislation. Every government department will be stronger because of this legislation.

I also have another question I'd like to ask, will you be providing the expertise and input from people with disabilities? Will you be including what works and what doesn't work from this community? Also, we need to be aware of what we need to do and what is best practice.

I'd also like to mention to the committee that when you are looking at the other examples that we could follow in the other jurisdictions, that when we're drafting this, that we want to make sure it's not drafted by people who don't have the lived experience. That's not what we want to have happen. You need to focus and have the foundation and the legislation of that lived experience.

We don't want to have this based on flawed practices - not without us but with us. I encourage you not to be persuaded just by groups with economic power. In the end I hope that this Act will permit myself and Dr. Linda Campbell, for example, to attain the work that we focus on every day and to advocate for things other than accessibility. For example, in the case of Dr. Campbell, she works with aquatic contaminants, reducing those into the environment, or for me, making sure that there's mental health services and counselling services available to the deaf and hard-of-hearing community. That cannot happen unless we make the improvements and pass Bill No. 59 as legislation. Thank you for your attention.

MADAM CHAIRMAN: Thank you, Ms. Parsons. I just want to reiterate what Minister Whalen had said earlier - that we do have members from the department here, departmental staff who are taking notes. So all of the questions that you pose to us generally as a committee they will be taking those down and looking at how we develop through those questions. We have a few minutes for questions for Ms. Parsons. Mr. Stroink.

MR. JOACHIM STROINK: I guess it's not really a question, it's more of a comment for me as a legislator in this government. When you look at me you see a lawmaker and a politician. Well guess what? I'm completely deaf in one ear, partially in my right, severely ADD and severely dyslexic. Barry Abbott who is here worked at Saint Mary's with me to get me through university. Parker Donham here, I've had a lot of conversations with on this bill.

This is close to my heart as a lawmaker and as a politician. We're not going to let this go blindly through society and just say, whoopie-doo-dum-day. This is serious for us. I promise you that those things that you addressed today as someone in the community, I get it. I will fight for you - and that's a promise.

MADAM CHAIRMAN: Mr. Belliveau.

HON. STERLING BELLIVEAU: Amy, you made reference to theatres and when I look at theatres where they're holding large groups of the public, I observe that a lot of times they're ahead of the curve when it comes to accessibility.

My question is - and you made reference to best practices - one of the things that lawmakers like to look to when they present bills is other jurisdictions. Are there other jurisdictions out there that are ahead of the curve or where Nova Scotia wants to be? Can you comment on that?

MS. AMY PARSONS: Yes, and it's a very good question. Interestingly enough, here in Canada we tend to look at the U.S. for examples, but we'll hold on that. So people with disabilities there are required to sue for things to follow or comply with the ADA. I would not recommend that, but I would recommend looking at the Scandinavian countries, for examples - their approach. Their society is more diverse in movement and how they can include diversity within their community.

Of course their tax rate is higher, but yes, I would encourage you to look at those regions rather than the U.S.

MADAM CHAIRMAN: Before we get Mr. Donham to begin with his presentation, just for those who are listening to the proceedings and you notice the voice change, Minister Whalen had to leave, so I'm Patricia Arab and I'm going to be chairing for this afternoon's committee. Taking my place is Mr. Iain Rankin, the honourable member for Timberlea-Prospect. Mr. Donham.

MR. PARKER DONHAM: Thank you, Madam Chairman, committee members, and I also wanted to thank Gordon Hebb, but he seems to have stepped out, and also Heather Campbell from his office who I don't think has been here today - just for their gracious assistance in the preparation of these proceedings. It was a time when there may have been other stresses on their office and they were unfailingly helpful and professional toward us. We see the fruits of that here in the use of the simultaneous interpretation and in the Cart system that is carrying on a more or less continuous transcript.

After the November hearing of this meeting of this committee, our group began meeting on Sunday afternoons at Dalhousie law school. We would have a variety of disabilities. We had blind people, we had deaf people, we had people using wheelchairs, and just like here we had people who, if you put two of them in a room together they would not be able to communicate. Yet with these wonderful assistive technologies, we were able to have a more or less seamless conversation and not just a conversation, we were able to have robust debate because the principles document did not fall trippingly off this keyboard. There was lots of discussion, sometimes heated discussion, there was a lot of work. Man, the intellectual firepower, the deep understanding and wisdom of people whose experience with barriers goes right to the marrow. You've seen some of that today.

What you're seeing here also is what an accessible Nova Scotia would be like. My task today is to take you through the fourth principle which is practical steps. I'm not going to do this as comprehensively as Gerry did. The most practical step you could take is to recognize that the purpose of the Act is not to make a more accessible Nova Scotia, it is to make Nova Scotia accessible. We don't want to approach the goal; we want to achieve it.

We've been inching towards accessibility for 35 years, ever since the Charter of Rights and Freedoms was passed in 1982, and our progress is still measured in inches. The grandfather clause is a permanent bar to accessibility in so many parts of this province. Worse, it places the adjudication of a fundamental human right - and that's what the charter calls it, a fundamental human right - in the hands of building inspectors and they're not good at it.

This bill must have practical deadlines. The bill must have an effective method or means for enforcement and independent appeals. I favour the use of the Utility and Review Board for that process. About 20-odd years ago Nova Scotia consolidated all regulatory proceedings in the board and it has been a good reform. The board operates independently, it pays respectful attention to citizen input, it performs its duties in an accountable and transparent manner, and it has the prestige to give this bill some welcome heft.

Of course, there will be costs for some businesses. Many businesses have incurred those costs because they recognize the benefits and the rightness of universal design and accessibility.

We think you should consider building incentives into the Act and that might take the following form: let's say we had a five-year deadline for making every retail space in this province accessible, and I don't think that would be an unreasonable deadline, how about if in year one we let businesses deduct from their property tax 100 per cent of the money they spend on accessibility improvements; in year two, 80 per cent; in year three, 60 per cent; in year four, whatever - you can follow it out. In other words, incent businesses to get it done.

Notwithstanding the fact that many leading businesses in this province have recognized the importance of universal design and taking down barriers as positive for their bottom line and as broadening their pool of potential employees, you're going to hear a lot of doom and gloom. I'm sorry they didn't have the gumption to come here and say it in public, and I'm worried that they're going to be whispering it in your ears. I guess I'm not speaking out of school if I say that we attempted to converse with the Canadian Federation of Independent Business and did not get our repeated phone calls returned.

I'm old, that's one thing I have going for me. I've seen a lot of things come and go. I'm old enough to remember when women were not allowed to go to taverns in Nova Scotia. We had things called ladies' beverage rooms where they could go. When the women's movement came along in the 1970s and demanded an end to that discrimination, there was a great hue and cry that it would destroy the tavern industry, because of course men couldn't be expected to drink in close proximity to women, and someone had the gumption to push it through, and six months later, it wasn't an issue; no one thought that was an issue after it happened.

The same thing happened with the smoking regulations - remember that? That was going to destroy the restaurant industry. Six months after, no one cares - you can't smoke on a patio now, on a deck, and no one gives it a thought. Sunday shopping was a deeply emotional issue. But someone had the leadership to put it to a referendum, a decision was made, and no one worries about it today. In each case, someone had to show leadership. Someone had to stand up to those who say the status quo can never change.

This is a beautiful old building. It's old. It's made of stone. It has some narrow passageways. It has lots of changes of elevation. When the House in its wisdom elected Kevin Murphy as Speaker, getting him to the Chair posed significant challenges. But get him to the Chair you did. He became widely known as a fine Speaker of the House.

That simple act unleashed the talents and gifts of one man. You have the opportunity to unleash the talents and the gifts and the wisdom of tens of thousands of Nova Scotians. Statistics Canada says 18.8 per cent of Nova Scotians have a disability that limits their daily activity. That's the highest percentage of any province. It's 143,000 people, as opposed to, say, 9,000 teachers - not to put too fine a point on it.

Isn't this why you got into politics? Didn't you all get into politics - whatever Party you're with - to make life better for Nova Scotians? To make life better for our communities? This is your chance. We're counting on you to see this project through. We're counting on you to be our champion. Thank you. (Applause)

If I might, I would like to formally present a resolution. One of the caucuses asked us if we could supply them with a resolution. We're supplying it to all of the caucuses. It's a recommended resolution for consideration by the Law Amendments Committee.

MADAM CHAIRMAN: We'll have the Page make photocopies and circulate them to committee members. (Interruption) Oh, it's in our package already.

Before we move into our questions, I'm just going to notify our next few speakers. After this group has concluded, we have Dorothy Kitchen; Claredon Robichaud, who is the chair of the Nova Scotia League for Equal Opportunities; Steven Estey, who is the chair for Nova Scotia Disability Partnerships; and Trudy Bengivenni, who is the vice-president for Transport de Clare.

We'll start our questions with Mr. MacLeod.

HON. ALFIE MACLEOD: Thank you very much, Madam Chairman. Yes, you look like you're old enough to remember when the taverns were like that. (Interruption) I noticed that you did - we're going down the wrong road. (Laughter)

I want to thank you for the presentation collectively. I had previously asked Marcie about the bill and having this bill passed as it is. She mentioned that you guys would be more appropriate to talk about the amendments, which you've supplied in full. It's pretty obvious as to what your priorities are and what you think needs to be done.

What I am interested in though, Parker, is when you talked about the timelines, the five-year plan. I think the other thing that we should be looking at as a group and as a piece of the legislation is a sunset clause in the legislation that says in five years' time or six years' time, we go back and we review the legislation to be sure that it's doing what it was meant to do, and it's not just a piece of paper that's collecting dust on some counter. I would like to have your opinion on that, if I could.

MR. PARKER DONHAM: I agree with you. I think that's also in our statement of principals. I forget which section, but it is in there that there should be a periodic revisit and renew, just as you saw with the Americans, the Obamacare bill in the U.S., part of the reason that's falling apart is that they weren't able - they had no consensus to go back and revisit. It's very important to go back and revisit and tinker.

MADAM CHAIRMAN: Ms. MacFarlane.

MS. KARLA MACFARLANE: Thank you, Parker. Thanks to all of you for being here. I have a couple of questions actually and I'm open to anyone answering them. Just for clarification, the principles to redraft are part of your matrix as well. Is that how that works? The principles are lined up with the matrix?

MR. PARKER DONHAM: I'm going to let Gerry answer it, as soon as the light goes on.

MR. GERRY POST: The core document is the principles document that we have. The matrix that was put together, as I said before, is sort of a principles for dummies. It's not comprehensive but it indicates where we feel the priorities should be within the bill.

At one time, we were looking at well, should we start proposing specific amendments to the bill? We decided not to, we're not legislative drafters. What we decided instead was to develop the principles on which the bill should be based so whatever comes out in the redraft we will measure it against the principles. So we'd like the legal beagles who are going to redraft it to use it in the same fashion.

MS. KARLA MACFARLANE: It's very easy to follow and should be fairly easy to implement as well. One of my concerns is we know that especially in rural areas, but in urban, too, the backbone of Nova Scotia is the small business owners. There has been some concern of individuals who sincerely want to make proper changes but perhaps - and I'll give you an example of an individual who has a bed and breakfast and their window of opportunity to make an income is from May to October and they have four rooms. It's an old farmhouse and they make $24,000, $26,000 a year.

I'm just wondering if you could shed some light because I think it's really important to educate and make aware to them what would be involved for them and to just sort of share. We talk about timelines, would the same expectations be put on someone like that, compared to of course an inn that might have 20 rooms?

MR. GERRY POST: I referenced that in my presentation, that there are going to be undue hardship cases, and that may well be one of them. I think they need to be reviewed on a case-by-case basis in a fast-track process, through an independent arbitrator. So yes, we don't want to put people out of business. We want basically to remove barriers where they can, so we can spend our money there.

MADAM CHAIRMAN: Ms. Mancini.

MS. MARIAN MANCINI: This is really for anyone to address. To me, I guess it's a little bit - well it's a major concern really for me - was the way in which the bill was introduced in November. It went through second reading, it came to Law Amendments Committee and people came and spoke very strongly, with a very short window of time to get here and spoke very - it was passionate but it also looked at very concrete examples of where the legislation, in its present form, is quite flawed, to the point where it was even suggested that it just be done away with, we need to start over. The same concerns are being raised today, as I hear it anyway, a lot of things.

I guess what I'm wondering about is, it appears that at a point in time there was quite a bit of consultation that went on. There was a report and then like a lapse of 17 months when nothing happened. Then this document appeared and it appeared to be shocking to many people who were going to be affected by it, so it came to Law Amendments Committee. Now I know of the Bill 59 Community Alliance, a group that has been formed and I think it has been formed since November, I think I'm probably right about that.

Has anything happened between November and now in terms of that consultation with whatever department of government? Now it looks like it's the Department of Justice. Could anybody comment and tell me if there has been any feedback from all of that information that was provided at the Law Amendments Committee?

MR. PARKER DONHAM: Yes, most of the members of our committee, I think, have spoken to their own MLAs. We've had more or less formal sessions with each of the caucuses or at least with representatives on this committee from the caucuses - I think you've met with some people.

We've also had a really thorough conversation with the people at the sort of administrative assistant level, who have some political responsibility for shepherding it; both bureaucratic and political responsibility. I think we felt they seemed to have followed it closely. They've stayed in touch with us, they've advised us about the hearings coming up. Mr. Hebb was out when I mentioned how grateful we were for the extremely cordial treatment we received from your office, particularly from Heather MacDonald.

I feel like we've got a pretty good handle on who we need to speak with. We're very anxious to be involved as it goes forward. We'd really like - if people are struggling with how to put it - we've got not so much me, but other people in the group have a lot of expertise and a lot of experience. As someone said, it's user experience. It's on the ground, real-life experience and I think it can be very helpful.

I don't want to praise people before I see the bill. I want to hold your feet to the fire and we will hold your feet to the fire, and if you come back with another mediocre bill, you will hear about it. It's going to be tough because we're asking for serious changes here.

Joachim has probably blown his chance of getting into Cabinet by admitting that he has been having sidebar conversations with me, but we've had a lot of discussions and maybe I'm being lead down the garden path, but I feel like there has been a lot of good will and I want to approach it on the assumption that there is good will. If I find there isn't and we find there isn't, you'll know about it.

MADAM CHAIRMAN: Our time is up for this group of presenters, I do apologize. We're just trying to hear from everybody. I would like to thank you all for your presentation and ask that Dorothy Kitchen please come to the podium.

MS. DOROTHY KITCHEN: My name is Dorothy Kitchen. I have been an advocate in the community for over 30 years, mainly because we had a daughter with a disability who passed away a month ago, but I was asked to present here.

I was really pleased that the services for persons with disabilities had been placed in the hands of the Department of Justice because we're talking about a rights issue and a social model of disability - not a charity or medical model, which is something that we don't believe.

Over the years, I participated in so many round tables, caucuses, committees, disability strategies, transformation road maps, community service reviews, for services for persons with disabilities. Once again we have an Accessibility Bill now. What I'd like to say is, and I don't have a long speech - in Article 1 of the UN Convention, the definition of disability includes all disabilities. I would like to ask the Chair of the Accessibility Committee if anyone who is a resident at the many large institutions in Nova Scotia has been invited to participate in this discussion today? Nova Scotia is one of the last provinces in Canada to operate institutions. This is a violation of the UN Convention Article 19.

I'm not a very good public speaker. What happens is it seems to be the same old, same old, as soon as it comes to implementing anything and for the government to spend money, it's no longer a priority so it gets watered down until it doesn't resemble anything we had worked on.

Why I'm here today is, can we get this so that people with the experts - we are the experts, nothing about us without us. Persons with disabilities are being studied to death. I would just like to say, can we get something that works for every disability?

The definition of disability includes all disabilities so it's not just a physical aspect. I would really like someone to answer that question, if anyone who is a resident of the institutions if they have been invited to any of these discussions or this important one today?

MADAM CHAIRMAN: I think that we would get maybe our department staff to either be able to answer that for you or to look into it to then get an answer back to you.

MS. DOROTHY KITCHEN: Because somehow this seemed to be get left out of all these events and it's very important to me especially to know that they are included. Accessibility means a lot more than just physical access - it means access to housing in the communities. Article 19 of the Convention states that you can live in the community with whom and wherever you want, with the right kinds of supports and that does exclude people living in institutions. I don't know if this is being brought up at any of the other accessibility committees but this is something I wanted to speak about today.

MADAM CHAIRMAN: Thank you, Ms. Kitchen. Do we have any questions? Well that was wonderful. I know that you said you weren't a public speaker but I think you did a wonderful job, regardless of whether you consider yourself to be a public speaker or not. I thank you very much for your time and for coming here.

We will ask Mr. Claredon Robichaud and then our next presenters, after Mr. Robichaud, are Steven Estey, Trudy Bengivenni and Jane Warren. Ms. Kitchen.

MS. DOROTHY KITCHEN: We have to do it right and can we do it in a timely fashion, instead of everything dragging on for decades.

MADAM CHAIRMAN: Thank you so much, we really appreciate you taking the time to be here today.

Mr. Robichaud, whenever you are ready.

MR. CLAREDON ROBICHAUD: My name is Claredon Robichaud. I am from Meteghan, Digby County. I am the oldest of a family of six siblings, of which four of us use wheelchairs, due to muscular dystrophy. After a short career in banking, I moved back to my home town to become a full-time volunteer as Chair of the Nova Scotia League for Equal Opportunities that has been around for 37 years; the Council of Canadians with Disabilities recently after my retirement; Western Regional Health Board; a life member of Meteghan Lions Club; Nova Scotia strategy by the NDP; founder of the first community-based transportation system in Nova Scotia known as Dial-A-Ride, the Transport de Clare Society; and a real proud member of Bill No. 59 Community Alliance.

Living with a disability can cost money, missed opportunities, i.e. a wheelchair and its maintenance. I'm sitting in a $14,000 wheelchair - I'm very fortunate that I have insurance - with a wheelchair accessible van plus $20,000 to modify it, modifying the house and it just goes on and on. A lot of people have talked about the cost of living with a disability and the whole spectrum. What's the cost of living with autism? What's the cost of being blind, learning skills and many who need tools. These people want to contribute - and I'm repeating a lot that was said this afternoon.

The fact is that if you are a person with a disability - and I think that this question was asked - you are 50 per cent more likely to live in poverty, so whatever the Nova Scotia poverty is, it's times 50 per cent of that. The fact also is that the Nova Scotia disability rate is 18.8 per cent; I think in all of Canada, it is around 17 per cent. The fact is though that at age 65, it goes up to 34 per cent. When you are 75 years old, the disability rate goes up to 47 per cent.

With the aging population it goes back to the golden years - hip replacement, cataracts, diabetes, do I go on? Those are disabling, but we don't have to disable Nova Scotia. These can be some of the best part-time workers around. These can be caregivers, these can be volunteers. So look at the health side of the doom and gloom that's coming, but on the other side of the ledger, we're going to have the most talented, educated volunteers this province has ever had, so let's look at this opportunity. I think this Act is quite timely for this boom that is coming, that is going to be a perfect storm that we can alleviate and eliminate.

Some of NSLEO's successes that I have been privileged to in the last 26 years: Nova Scotia Wheelchair Program in 2003; 2006 for older seniors and in 2013 for seniors over 65; the Dial-A-Ride Program, 16 door-to-door transportation systems in Nova Scotia and in my home town we're very proud that we were the first one and duplicated 16 times. We take a provincial dollar right now and make $8.00 out of it and I think the Rural Transportation Association is making a presentation.

Lois Miller is here with Independent Living Nova Scotia self-managed home care - unbelievable how much that has changed the lives - and we've also worked with TIANS, the Tourist Industry Association of Nova Scotia.

I've been advocating for 26 years and like Dorothy Kitchen says, issues have been studied a lot. We've almost been studied to death - provincially and nationally. I've always been concerned about the list of potential issues, such as tourism. For example, there's a potential of $3 billion U.S. worth of U.S. disability travel not coming to Canada because Vancouver is probably the place to go for accessibility. Why isn't Halifax, why isn't Nova Scotia?

I'd hate to think of a child who is a wheelchair user who could not get to Theodore Tugboat or our famous *Bluenose II*. What about cruise ships that are landing here in huge numbers? What about HRM and CBRM accessibility to go many places like Fortress Louisbourg and Peggy's Cove, et cetera. These are things that industry has to look - and Gerry and many other people said it well - to look at it as disability ends and stop missing opportunities.

It is important to note the important role of advocacy organizations, self-advocates through the future public consultations that Bill No. 59 will need. We are experts in many fields. I couldn't believe the stats, and these are - note the fact that 60 per cent of Canadian human rights complaints last year in 2015-16 were by people with disabilities. We don't need to go down that road.

I support the voice of Bill No. 59 Community Alliance. I've been on the committee since they got going and I'm honoured to work with the people behind me.

I'd like to quote Gus Reid who couldn't be here. These are his words: Bill No. 59 is about three things: equality, legacy, and investments. The Charter promises equality and this Act may deliver. The legacy is yours if you choose to embrace it. Let's think about investment like public education and modern infrastructure; government can make good investments. This is an opportunity to invest in people.

As Bill Gates said to Warren Buffett, the best investment any of us can make is in the lives of others. No matter how you slice it, Bill No. 59 is going to cost money. Capital, training, communication expenses will be significant and the solution proposed in the current bill has extremely long and non-existent time horizons and the prospect of wholesale exemptions don't match the aspirations of this Act. So let's face the truth and admit that access isn't free. The good news is that every sign points to increased economic activity, government savings and increased tax revenues. Everyone will benefit from investing in access and should champion that fact.

In closing, NSLEO in November presented a document. We talked about the exemption municipalities were getting if they had a population of less than 10,000 people. I'll reiterate what we said in there in that it exempts too many people. For example, let's look at hubs. I want you to look at that seriously. In Yarmouth where you've got a regional hospital, you've got Shelburne County towards Pubnico, Argyle and then Digby, Clare. That's where the regional hospital is. That's where IMAX is, Costco or wherever you may need to go. So to exempt a town that's got less than 10,000 people like the Town of Yarmouth where it sits, most of that and the village of Yarmouth exempts about 46,000 people - southwest Nova Scotia.

Let's take the same thing for Kentville, population 9,000-something - not quite 10,000. The Annapolis Valley Regional Hospital and again the surrounding Windsor, New Minas - you're excluding that big regional population. No, you don't need to do an accessibility plan, let alone we should make sure it doesn't collect dust. That's the other aspect of that.

In closing, standards are how we do it right. Thank you very much for your time.

MADAM CHAIRMAN: Do we have any questions? Mr. Orrell.

MR. EDDIE ORRELL: I was listening intently to some of the other presentations that went on today. The last group said specifically there are going to need to be amendments to the bill to make it a workable, valuable bill that's really necessary for the people with disabilities in our province - of all disabilities. If those amendments aren't made, is the bill a good bill?

MR. CLAREDON ROBICHAUD: Definitely it's not a good bill. There's amendments that need to be done. I don't believe we need to dump it, I think it's recoverable. We've learned a lesson since November, like timelines. I think a lot of this bill was aimed at examples from Ontario. Transportation, a timeline of four years, maybe built in buildings, six, seven years. You are talking about a grandfather clause, well do you put it at 10 years. But to even put the grandfather clause in this big mountain and say we can't touch it, that's not being real.

There are some low-lying fruit out there and many businesses that need only a $500 ramp or a push door opener, to move a wall to make the bathroom 100 feet square feet, grab bars and that sort of stuff, so to look at it and say it can't be done, I don't think it's -

we're planning on going to the moon and that sort of stuff, I don't think it's - and again, the missed opportunity with the aging population, it's totally missed opportunities.

And some of the other stuff, like to put exemptions in a bill, we know it's going to happen because of undue hardship, I don't think it should be in the bill but it's going to happen. I don't know if I answered your question.

MR. EDDIE ORRELL: If I could, one more quick question. We were told that the consultations that happened - I believe it was 17 months before the bill was introduced - were good consultations. There was a lot of good information exchanged, a lot of good people put a lot of good ideas forward that didn't come through with this bill. Has there been any indication that that's going to change with this Law Amendments Committee with people who are presenting here? Has the government indicated to anybody in your group that they're going to make those changes to make this bill as strong as possible?

MR. CLAREDON ROBICHAUD: I think trust was lost when - and that's a bit of a dilemma we had at the beginning - trust was lost when people like me and many others who were on the Minister's Advisory Committee to know what we had in there and it was not in here. It was quick action to reflect, too, on what's happening in Ontario.

I've been told by some good people and also MLAs that we're going to do it right, so I trust that it's going to be done right.

MR. EDDIE ORRELL: So what is it, good people or MLAs? (Laughter)

MR. CLAREDON ROBICHAUD: Well I found a few. I had a long trip from Meteghan to here.

MADAM CHAIRMAN: Mr. Belliveau.

HON. STERLING BELLIVEAU: First of all, congratulations on the Clare transportation. I apologize that I don't have the correct title.

MR. CLAREDON ROBICHAUD: Shelburne was smart enough to join that group and we appreciate it.

MR. STERLING BELLIVEAU: You made comments in your presentation and I call it the aging population, or the baby boomer iceberg moving through our system. One of the things I've been consistent in asking about is the grandfather clause and you made reference to it in your presentation, about giving people exemptions. I'm having difficulty trying to understand how we can endorse legislation. If we recognize that we've got an aging population moving through our system and we basically suggest that we give 10 years or whatever, that is going to have an impact on that iceberg, is what I'm suggesting.

Has your committee actually had any discussion on this topic in how you can address that? Earlier today there were some good suggestions about creating some incentive for businesses to have 100 per cent forgiveness, tax break, if they would do that in the first year. Has your committee done some evaluation on that point?

MR. CLAREDON ROBICHAUD: A lot of it we didn't but a lot of that we have looked is in the incentives and it would be either tax grants, municipal property tax also, so it could be at three, four levels, I think, and the timing is good for a Canada Disability Act. So that would be grants, exemptions and income tax.

MR. STERLING BELLIVEAU: Just a quick one. You actually took the bait here. The question was, the incentive coming from the municipalities, right, so it's another jurisdiction of a body. I'm just curious, has there been communication with a Nova Scotia municipal body?

MR. CLAREDON ROBICHAUD: Once this bill is enacted in third reading and assent, we're just starting. I can't speak for Gerry, but I would say he would say, yes, we're just starting. We have a lot of standards to look at, municipality units, et cetera. There's a lot. It's just starting. It's not going to happen in five years just having a meeting every four months like the bill says.

MADAM CHAIRMAN: Thank you very much, Mr. Robichaud. That is our time.

I would like to ask Mr. Steven Estey to please come up. Then we will have Trudy Bengivenni, Jane Warren, and Mary MacDonald.

Mr. Estey, whenever you're ready.

MR. STEVEN ESTEY: Thanks very much. It feels a little lonely up here at the table all by myself. I think that my friend Mr. Post had a good approach by bringing in reinforcements. It's a bit like facing a firing squad or something. Be gentle with me, okay?

My name is Steve Estey, and I work primarily with an organization called the Council of Canadians with Disabilities, which is a national consumer organization. We work across the country on a variety of issues that are important for people with disabilities.

As it happens, I live here in Nova Scotia, and I've become involved in the process around Bill No. 59. I should say to you, I've been involved since the beginning of the process because, as has been mentioned, there was a minister's advisory panel struck at the beginning of the process to inform this. I was invited by the minister to be on that panel. So I've been following the process quite closely for a number of years, and I'm delighted to be here today to talk with you a little bit about it.

But I don't want to talk too much about the substance of the bill because I think my colleagues have done a marvellous job. I've been part of the discussions with the Bill No.

59 Community Alliance group that has made a presentation, and I would support everything that they've said. I think they've really come together and coalesced into a really effective entity, and I congratulate them for that. I'm happy to be a small part of it.

What I wanted to do instead was talk a little bit about a couple of processes that I've been involved with that are parallel to this. That may help inform you as legislators as we move forward in the proceeding.

The first process that's happening federally right now is with the national accessibility legislation and the consultations around that. It's a process that has unfolded over the last six to eight months nationally. It's similar to what happened here in Nova Scotia in 2014, when we formed the minister's advisory panel. We went across the province and talked to people in the community and things like that. There was a final meeting of the people who were involved with those discussions from across the country about three weeks ago in Toronto. I wanted to share a couple of reflections from that meeting because I found it very interesting. It was interesting for me because it was new for me. As somebody who has been doing this stuff for over 20 years, I don't get to hear many new things, so it was nice. There were two presentations that I heard in Toronto that were most instructive.

The first was from a woman named Jennifer Howard, who was the minister in Manitoba. At the time the Manitoban Government went through the process of developing the Barrier-Free Manitoba Act. Minister Howard was responsible for that. She started off being Minister of Community Services and became the Minister of Finance but retained the portfolio around the Act. We talked with her around the table much like this in Toronto a few weeks ago about that process and how her government worked through it and what the barriers and challenges were.

It was really interesting because she said in a lot of ways accessibility legislation today is like workplace safety legislation was 100 years ago. It didn't exist 100 years ago. Factories were just being built. There was no structure around that. People were building factories, and they were doing it as cheaply as they could. Workers were falling into things, falling off of things, getting injured, losing arms, losing eyes, losing lives.

There was no legislation around that; people just did what they wanted to do. But over time, workers, unions, and even employers began to recognize that it was for the benefit of everyone to put in place some workplace safety standards. She said that in her mind - the minister who was responsible for the process in Manitoba - it was really pretty much exactly the same thing in talking about accessibility legislation.

You think about it - we live in a province where 20 per cent of the population almost are people with disabilities. The fact that we don't have this legislation is place in many ways is kind of shocking. So I think it's a marvelous thing that we have moved forward on this and I think that the idea or the notion of keeping it in that kind of context or that understanding is helpful as we move forward.

The other thing that I wanted to talk about that came from that meeting was an intervention by the Minister of Sport and Persons with Disabilities in Ottawa, Carla Qualtrough. I'm going to read what she said because I think she put it really very nicely. I should have printed it in a bigger font. (Laughter) She said:

> "Culturally, it still seems acceptable to say something like: 'This would be really nice to do . . . but it's going to cost too much money.' And we need to change that . . . I can't think of any other marginalized population where this excuse still holds any weight . . . You can't discriminate against people because it costs a bit of money . . . It's not okay to say: 'I'd really like my building to be accessible, but it's going to cost too much.' You can't say that. That's the culture shift."

We need to be thinking about Canadians and Nova Scotians here with disabilities - not in terms of how much it will cost or how much we need from them or how much they need from the system. Canadian society has to start to look at people with disabilities as economic and civic and social participants. That's what citizenship is.

It really struck me - this is what we're talking about here. We're calling it accessibility legislation, but what we're talking about is citizenship. What does it mean to be a person in Nova Scotia? It means the right to be able to go places, do things, get an education, have a job. That's what it's all about. That's what your job as legislators is: to put in place a framework for that to happen. That's what this legislation is about.

I think that keeping those things in mind and keeping in mind the fact that we're not asking for anything that really ought not to already be here is an important thing. To keep a frame of reference and keep our feet on the ground, as it were.

The other thing that I wanted to briefly share with you before the eight minute flag flies up relates to another set of experiences that I had with regard to the drafting of the U.N. convention, because with my work with CCD I was quite involved with that and I was the civil society advisor for the Canadian Government during the negotiations in New York from 2002 to 2006. The single biggest thing that I learned through that process was that it's absolutely vital to have people with disabilities involved from the beginning to the end - not just a bit at the beginning and not just a bit at the end.

When we went to New York in 2002, there was a huge resistance in the U.N. to having people with disabilities participate in the discussions. The United Nations treaties are negotiated by diplomats in rooms behind closed doors. They talk about things and they come to consensus and then they announce that they have a treaty and so on, and that's what they expected to do when they negotiated the disability convention, but people with disabilities came to those meetings and said, how can you do that? You have no understanding of what we're talking about. You have no lived understanding of disabilities. You don't know what it's like. You need to have us as part of the discussions.

We went for two years back and forth to try to find mechanisms to facilitate that. Finally a process was agreed to where people with disabilities would participate in all the negotiations and discussions. We did that in a respectful sort of way, but we were there through all of it.

I think what that says to me and what that says to us as we try to move this process forward here in Nova Scotia is, it's vitally important for people with disabilities and organizations to be involved in the process. Certainly the Law Amendments Committee process here today and even back in November was a testimony to the value and importance of people with disabilities participating in the process.

I would like to suggest that this level of engagement continue as we move forward. I don't want to see a process where the Law Amendments Committee finishes and closes up, talks to people in caucus, and then all of a sudden there's a third reading of the bill and bang. I think we need to continue to engage, we need to continue the dialogue because we all put a huge amount of energy into this. It has been four years since I sat in the Red Room and the minister's panel started. The province has invested millions of dollars and millions of hours and we're this close.

I think that if we work together in collaboration, if we involve people with disabilities at the end of the stage, at the end of the process as well, then I think we have a real potential to achieve a magnificent result and I look forward to that. Thank you very much.

MADAM CHAIRMAN: Thank you, Mr. Estey; that's a great 10 minutes. Right on. Are there any questions? Mr. Orrell.

Actually since we do have a little bit of time, I apologize for not introducing Mr. Orrell earlier when he joined our committee. Mr. Orrell is the MLA for Northside-Westmount.

MR. EDDIE ORRELL: Thank you for your presentation, Steven. If there are amendments to be made and it takes a little extra time, would it be a major crime if this bill didn't get passed in the next session of the Legislature and it took enough work or enough time to get it right and have it come back in the Fall session of the Legislature?

Would that disappoint the people with disabilities in the province or would they be happy to see that the bill was as strong as it could possibly get, by consulting with people with disabilities and your groups over maybe this summer and not just the next couple of weeks before we go into a Spring session and we get into maybe a Fall session? Would that be the best thing or would it be best to try and make those amendments now and have that introduced in the Spring and then try and strengthen it further, if that would be possible?

MS. STEVEN ESTEY: I was hoping you wouldn't ask something like that. (Laughter) We've talked about this in our group about the timing and things and it's a dangerous thing to say, let's put something off to the next session. Priorities change, people change, governments change, so I think we need to be careful about that.

I'm not speaking on behalf of an organization right now but I'm personally of the view that we're close enough, that we know enough that we don't need to put this off for another session. I think we just need to engage in an open, respectful dialogue in the next few weeks and months in order for this to happen. I don't think we need to put it off until the next election.

MR. ORRELL: And I don't think that if it does get pushed off and governments change or times change that this is going to affect this legislation. I think this is important enough that it's not a political thing, that if it does and has to work over another government or over another whatever, I think this is important enough that that won't happen. I just wanted to see if we can work through it, I'd love to see it introduced in the Spring.

MADAM CHAIRMAN: Ms. Mancini.

MS. MARIAN MANCINI: Well there you go, Steve, you've got your commitment from the PCs that they will carry on with this legislation, regardless of what happens in the next election and hopefully the New Democrats, I'm pretty sure that will happen.

What I wanted to say to you is, I agree that we should be able to do this in the next sitting. I just think the amount of work that has been done by your group and various other groups has been amazing. I think there's a really clear idea of what the problems are, there has been language proposed, everything. I don't think it's a big job. I think your comments were great and you could get a job as a motivational speaker, to get us all to work.

I wanted to clarify the advisory group, the Bill No. 59 Community Alliance. Is that an entity that is just a group of people coming together or are you some kind of entity, like a legal entity? Do you feel comfortable that you're reflective of the community of people who have disabilities?

MR. STEVEN ESTEY: I'm just catching up to what you say behind you on the screen. (Laughter)

Real frankly, what happened was in November when the second reading of the bill happened on a Thursday or something, and the community found out that it was going to the Law Amendments Committee the following Monday, we desperately reached out to people here in the city and said, this is moving like lightning, we don't know what's happening. We needed a place to get together and a time to get together. So we talked to folks at the law school and they offered us a venue and people just showed up.

We didn't know who was going to turn up, but 20 to 25 people turned up from across - people from outside of the city. People have called into those meetings as well, but it's a loose ad hoc kind of organization that has no structure beyond the fact that we desperately needed to have a unified voice.

MADAM CHAIRMAN: Thank you, that is our time. We really appreciate you presenting. I'd like to ask Trudy Bengivenni to please come up. We have Jane Warren and Mary MacDonald coming up to finish up our presentations.

I'd also like to welcome Suzanne Lohnes-Croft who has joined our committee. She is the MLA for Lunenburg.

MS. TRUDY BENGIVENNI: I'm going to be presenting the perspective of a small rural community in the beautiful area of the French shore between Digby and Yarmouth in southwestern Nova Scotia - Baie Sainte-Marie, also known as the Municipality of Clare.

When I first heard about this bill, I had a mixed opinion about it. I'm a wordsmith and that was going to be my first approach. Instead, I'm coming as a cheerleader for the Law Amendments Committee.

I'm standing because I'm not only representing myself. In fact, I am representing everyone except myself and I'll explain. I'm in collaboration with Rachel Marie Blinn, Hantford Boudreau, Amanda Comeau, Bobby Comeau, Glendon d'Entremont, Jon Graham, Nancy Hodge, Paul Reginal Newell, Simone Robichaud, Beverly Ann Robichaud, June Saulnier, Marilyn Smith, Marcia Surette, Elise Thibodeau, Jody Thibodeau and Paul Wyman.

Anyway, I have the whole first page as praise for this process. I'm often guilty of going off on a tangent so I'm going to have to stick to the profile here. This is a 25-page document that will be your homework and I really hope that you read it. It's entertaining. It's input from a very special group of my friends and I'll explain. So I'm going to sit down now because I need water.

This is a very emotional experience for me because this group of people that I'm referring to as my collaborators - they are truly my collaborators - I met them five years ago when I joined the Board of Directors of L'Atelier de Clare sheltered workshop and the accompanying group home that was associated with that. In the first week that I was a board member, the executive director asked me to come in and attend. It was an award ceremony for their having received certificates for this computer literacy course that they had taken.

So they were kind of seated at an angle from me, so when it came my turn to stand and deliver, I had to walk at a little bit of an angle to get to them. So I was standing and I had everything set in my mind that I was going to say. When they all turned to look at me, I stepped back, I felt such a wave of love and affection coming from them. I only knew four of them and there were 25 and I literally stepped back because it was just amazing. So I stepped forward, I started to get tears in my eyes and I said, I have never been welcomed so lovingly and so kindly by any other group I've spoken before. They were still holding their certificates up and that was five years ago. I was never so moved, as I say, by a group I spoke to.

I totally went off-track with what I was planning to say and I said, I really want to get to know each of you, one-on-one, and learn your hobbies and your interests and what you do in your spare time. I said I'm going to keep this short because I've seen the celebration cake that is waiting for all of us so I said I'm sure that you'll be excited.

Anyway, I said my parting words to them and thanked them very much very graciously for having received me and they all remained seated. I started to walk away and then I turned back and said oh, did anyone have a question? They looked at each other in silence and then one by one they came forward to meet me and it totally blew me out of the water, it just blew me away.

After the sixth person came I said, I'm going to come back tomorrow and I'm going to come back many days, and I have. I said, let's all go have cake together and I didn't leave the building until I met and introduced myself to each one of them. I can say with sincerity that they have become a group of my dearest friends. I can't exaggerate that, I can't overstate that, how wonderful they have been.

Major kudos to the Nova Scotia Law Amendments Committee for delaying passage of Bill No. 59 until public consultation is conducted with those citizens who will be most impacted by its provisions. I also greatly admire and thank the web of advocacy and helping organizations working towards full inclusion for all citizens, regardless of their race, gender, religion, country of origin, physical, mental or intellectual status.

I'm going to present in a rather unorthodox, narrative style because I consider it the best way to address the disability issues that a group of my dearest friends have revealed to me, not by complaining to me but from my being witness to what they endure on a daily basis. As I said, I've got a lot of praise there that you'll have to read in your own time because I want to get to the meat of this. It's so hard for me after writing all these 25 pages. This has been a project that I had been hoping to do at some time and the Law Amendments Committee, that impressive statement just caught me in my heart so it's a whole different thing than what I had actually planned to do.

They happen to live in group homes and/or attend L'Atelier de Clare, a workshop facility under the auspices of the Canadian Association for Community Living. Many people have the misguided notion that intellectually challenged adults have the minds of children. Trust me, they are not children and many are coming from circumstances that would make any one of us fall to our knees. Generally the residences, especially in rural communities like ours, support a mixed population of varied ages but I have never represented a group of people with as much inspired passion as the group whose words I carry here today. I can no longer refer to them as clients or residents, they are my beloved friends.

I have to backtrack a bit; I took my glasses off after I told them how wonderful the reception was. I said I am legally blind without my glasses and the four that I knew are four people who have really incredible talent so I pointed. I said Jody, I can't paint beautiful birds like you do - and I've included some photographs. I spoke to each one about what they can do that I don't have the capacity to do. This was the beginning of my opening to the awareness of what it means. I had never referred to myself as a disabled person before but I suddenly recognized that without my glasses, I can't do many of the things that they did. So it was to give them the concept that we all have limitations and we all need help and we all need support to meet those limitations.

They don't have any expectation, they make no preconceived thoughts about what they can receive from someone else. They are giving. They are totally not neurotic. I recognize my own neurotic habits after spending time with them.

I now recoil at the widespread practice of defining persons with disabilities, especially those requiring long-term residential support, solely by their identified incapacities. Who among us would choose to go through life being defined by our limitations? What kind of outcome would you expect for yourself under such a staggering burden? That's why I've chosen to present in this narrative style.

My intention is that you will see the potential social and personal capital of persons who have been invisible and/or denigrated for far too long and please don't fall prey to the misguided and clichéd charitable perspective that accommodating persons with disabilities is the "right thing to do", while cringing in their presence - that's a big one. So challenge your assumptions and see what happens when you shed the us and them.

Albert Einstein failed basic high school math and was labelled as learning disabled. His parents were advised to send him to a trade school to become a plumber. Just by chance I found this wonderful quote; "Everybody is a genius. But if you judge a fish by its ability to climb a tree, it will live its whole life believing that it is stupid." That's from Albert Einstein. The feedback that I won't have time to read to you came from meetings and interviews I conducted at L'Atelier de Clare in two group homes from February 5th to 9th and the first three meetings, they were not clear, they kept asking me if I was going to speak on their behalf. I said no, I've done enough of that, I said I'm going to carry your words.

I asked them how they would like me to identify them, if they wanted me to identify them from their skill pool, like what they do at the workshop. They said no, we want you to identify us by our names. That's why I got choked up delivering their names.

They have never been asked their opinion about anything that influences them and I can tell you that when I told them - I read them that statement several times before it went into their heads that their words were the most important ones that the Law Amendments Committee will see and hear, all who could stood up and the people in wheelchairs gathered around me and gave high fives. It was the moment of transformation for me as well. That was just recently and now when I go visit them at their residence, we're collaborators, we have a different way of looking at each other. It's absolutely wonderful and it's wonderful for me, too.

In the last five years I have been totally transformed as a human being, beyond any limitations that anyone else has. I see good in everyone and learning. I've learned more from them than I think I've offered them. I want to read a few things. They know about everything. Once they understood, it took me three meetings and then they started being forthcoming.

This is from Hantford Boudreau:

> "I really enjoy going to see my Mom and my girlfriend Nancy. I also enjoy going downtown to Saulnierville We have to pay for some of our outings now . . . 500 per kilometre. So it costs me $11.50 round trip to go to Saulnierville to visit my fiancée(sic) Nancy. Sometime the rides are free, paid for by the government . . . Community Services. It used to be four times per month, but now it is only twice a month and I have to pay for the other two rides since Community Services cut their transportation budget. Four times a year we get to go to Yarmouth and Digby (approx. 40 to 45 minutes from Clare). There's one car to Digby and two to Yarmouth for whoever wants to go. We have to pay $55 roundtrip for these trips. I don't like the idea of money coming out of our wallets and 'comfort allowance' ($115/month), and income from the work I do either at the workshop or my residence ($25 /week), and our clothing allowance.
>
> I don't mind contributing to the cost of food and rent, and living expenses. But I would really like to manage my own money. And I would like to have some help to do that to make sure I'm doing it right."

I explained, I said they want to have the perception of being normal and everything that they said I would reinforce with, that is an absolutely normal wish. I said my husband has two people helping him with his books but they think that their needs are because of their disability.

> "I enjoy going to the library every two weeks. We can keep the books. I enjoy having computer access . . ."

Then he goes on to talk about things he likes doing. He gave me this recommendation and I was blown away. I put it in capital letters - I think you all have the packet:

> "WE NEED A CROSSWALK (ON HWY 1) FROM THE BOTTOM OF LA MAISON JEROME DRIVEWAY TO THE ST. MARY'S CHURCH PARKING LOT TO GET TO L'ATELIER SAFELY!"

It's one of the busiest places in Clare and there's no crosswalk there. There used to be. L'Atelier is behind the famous Saint Mary's Church so they have to cross this busy road. There's a credit union, there's a bank, there's all kinds of businesses there. Some of them are in wheelchairs and some of them walk with great difficulty.

He goes on to say:

> "Some of my friends walk both ways every day, except when it is raining or snowing. And my wheelchair-user friends cross there often, too. Clyde goes out a lot and sometimes he doesn't get back until after dark. I only attend the reading and math classes at L'Atelier with Sheri McNeil, the teacher who comes from the Digby Area Learning Association. Sherry is totally awesome and everybody enjoys her classes a lot."

She actually told me that L'Atelier is her happy place and if she wasn't being paid, she would go as a volunteer.

> "What would I like to have in my life that I don't have now? More money! (joke). My deepest wish is that I would like to live with the love of my life, Nancy . . ."

They have been in love for seven years. They are in their 40's - I'm getting all choked up, I'm sorry.

> "I would like us to live in our own place. I would also like to manage my own money and I would also like to have someone help me manage my money."

MADAM CHAIRMAN: Ms. Bengivenni, we've run into almost 15 minutes and I do have one question.

MS. TRUDY BENGIVENNI: It goes on. They know their needs, that's why I'm hoping that all of you will read this. I've known them five years and some of them couldn't speak and some of them had difficulty that I couldn't understand. The staff helped me because they know what all the gestures mean. There is brilliance coming out of those people who can't speak. I've never been so impressed by a group of people, ever, anywhere.

Claredon is my friend and mentor and I'm part of Le Transport de Clare that he created. He created and helped 17 others come onboard and I'm so grateful that he's here. He's in the right place and you should really be listening to him and Steve Estey and everyone else. They know what needs to be done.

It's not always about money, it's about acceptance. This is such an eye-opener to them. Anyway, I'm going . . .

MADAM CHAIRMAN: I thank you so much, I really appreciate it.

MS. TRUDY BENGIVENNI: I'm choked up, I feel very emotional about this. I spent five days straight writing this and it just came out of me so I hope you will give them the time because it's not just for me, it's for 16 others. They represent a cross-section of three different homes. They don't necessarily know each other yet they said very similar things. They know their needs are and they don't expect anything from anybody.

MADAM CHAIRMAN: Honestly, I can't thank you enough for sharing their stories, bring their voice.

MS. TRUDY BENGIVENNI: I'm passionate about this. I'm usually advocating against what government is doing, that has been my history. It was really a happy change that I'm actually cheering you. When you read the document the first two pages are all about the excitement and also how they reacted, so I thank you very much.

MADAM CHAIRMAN: We do have one question, if you don't mind. Mr. Belliveau.

MS. TRUDY BENGIVENNI: I don't mind. I'm very hard of hearing, though. Who is asking the question? Oh, sorry, Mr. Belliveau, I've read your writings.

HON. STERLING BELLIVEAU: It's a great presentation, first of all, and I love your quote about Albert Einstein, about asking a fish to climb a tree. I think you captured the whole presentation.

My question is regarding the 16 people who live in the group home. My question is, they give you authorization to bring their words to . . .

MS. TRUDY BENGIVENNI: Yes, they signed their names, those who could.

MR. STERLING BELLIVEAU: My question is that we have the technology now that this is actually being live-streamed throughout the media. My question is, how are they going to be presented with this particular presentation? Are you going to do that in the near future?

MS. TRUDY BENGIVENNI: I see them several times a week. They don't all come from the same home. The only common element is that L'Atelier is a workshop where they all do different things. It was actually two group homes that I went to speak to. I went down because I had missed four of them that were at L'Atelier, the bus had left. When I got there everyone at that home wanted to be part of this, they were all listening. They weren't people who knew each other, had any kind of common knowledge of one another, yet their needs that they expressed were almost identical across the board.

I'm going to be pursuing this more. You're going to be hearing from me more because I told them, now that you are awakened to your rights, I said that's where I'm going to help because I said I can do this. I said it would give me great pleasure if they could all be actually standing here among me.

If you could see the looks on their faces when I said over and over again, the Law Amendments Committee is there for you. I said they are actually conducting a second round of hearings because they don't feel that enough of you and me and everyone else were represented, so I'm totally impressed with this process.

You'll hear from me again because I'm going to go back and we're going to work on some of the issues. I definitely want to talk to the Minister or whoever - the minister for highways about that crosswalk. I'm driving there all the time and I never even noticed.

MADAM CHAIRMAN: We'll put you in touch with that minister. Thank you so much.

Ms. Warren, whenever you're ready. Just so that we know, we have one more presenter for this portion of the committee and that will be Mary MacDonald.

MS. JANE WARREN: I won't be all that long. Good afternoon, thank you for permitting me to speak this afternoon, and thank you for this Accessibility Bill.

> "It has been a long time coming, but it's planting seeds of hope, of possibility for the population of Nova Scotia. Different kinds of seeds:
>
> Physical seeds - of exercise and nutrition.
>
> Emotional seeds - of staying positive about the future.
>
> Social seeds - that it works for all.

> "Money seeds - of everyone making enough to eat or at least not having to beg for food.
>
> And a seed of Spirituality - abolishing the words 'I can't' - and with a dream honoured by action. Which in turn will teach future Nova Scotians by example."

Those poetic words were spoken by Terry Kelly in November 2010 when speaking at a public Kings County discrimination race relations committee meeting. The committee was to make Kings County discrimination-free, and that's what inaccessibility is - discrimination. However, accessibility for all is not a primary priority for the Department of Justice. Just because the Justice Minister of the moment believes it to be very important - and with all due respect to Minister Whalen, another Justice Minister with a different government may not be so inclined.

My objection to the Department of Justice taking responsibility for an Accessibility Act is that to my understanding, the Department of Justice is already a full-time job and probably more than full time for a number of its personnel. With the addition of the Accessibility Act and its regulations, which have not yet been written and its enforcement, that will be adding yet another more-than-full-time job into the mix. Given the choice between fighting an influx of fentanyl or ensuring compliance with a new Accessibility Act, I would hazard the Accessibility Act would have to wait.

For this new legislation to be successful, the support, commitment and participation of all Nova Scotians is required. Changing the current attitudes and increasing public awareness requires education of the masses and broad exposure so people will be convinced to do what is right, and not just because it's the law or what I can't get away with.

There are no timelines for the achievement of any of the accessibility measures outlined in the bill, specifically education accessibility standards, community service accessibility standards, health care accessibility standards and accessibility standards for the built environment, transportation standards, employability accessibility standards, as well as information and communication. All of these accessibility standards should ensure that needed accessibility and accommodations are provided to people with disabilities of all kinds, including but not limited to: those who are labelled with intellectual learning, mental health, communication, cognitive or mobility disabilities, as well as vision or hearing loss.

The committee tasked with the development of each standard should be independent of the Nova Scotia Government. Each standard needs to be widely publicized and enforced.

Both the Human Rights Commission, as well as the Disabled Persons Commission and/or whatever follows it, should be extensively involved from the beginning in both the formal and informal standards development - not the public utility board. Each of these commissions has experience with the disability community. However, the Disabled Persons Commission and its members constitute a broader and deeper depository of disability knowledge from across the province. Moving forward, this resource should continue to be maintained and used - not the public utility board.

The offspring of the Disabled Persons Commission, the accessibility directorate, needs to be properly resourced as the commission itself never has been. Twenty per cent of the population of this province deserves to be treated fully and fairly. It will not just be the 20 per cent whose accessibility dream is shattered - their families and friends will be disappointed as well.

As Kevin Murphy said, a place that is not accessible for him to go in, shop in, recreate in, live in, et cetera, does not just lose his business. It loses his family's and friends' business as well and, to an extent, that of his friends' friends.

Nova Scotia needs a standalone accessibility minister. A minister with other onerous duties, such as the Department of Justice or the Department of Community Services, will not and cannot give accessibility any more than goodwill attention. The change from Community Services to Justice is well-intentioned, but the Minister of Justice cannot devote anywhere near the time required for developing, overseeing, and enforcing full accessibility in all aspects of the lives of Nova Scotians.

As well, the assignment of accessibility duties to the Department of Justice puts the minister in a conflict, that of having to enforce the Accessibility Act of Nova Scotia against government organizations, of which the Department of Justice is one. This puts the minister in the position of being both the enforcer and the defendant. To prevent this and to give the appearance of prevention, the Accessibility Act of Nova Scotia should be assigned to arm's-length enforcement by an independent agency. That is a secretariat or a commission at the very least.

MADAM CHAIRMAN: Thank you, Ms. Warren. That was good. You didn't even let me do the eight-minute warning.

Mr. Stroink.

MR. JOACHIM STROINK: I just want to ask about the enforcement piece. We've changed some enforcement Acts within DNR - have moved them to the Department of Environment so that it's not insular. Food inspection and stuff like that has also gone to the Department of Environment. We're really trying to get rid of the same organization doing the investigation. If the investigation was to happen in Justice, if it was also moved, say, to the Department of Environment, would that work for you to fall in line with the others?

MS. JANE WARREN: The Department of Environment has no specialized knowledge of disability.

MR. JOACHIM STROINK: Precisely. So if you have the investigative people, like DNR officials that are in the Department of Environment, move there so that it's an arm's-length group, would that work? If it was an arm's-length group but still within government, having the experts part of that?

MS. JANE WARREN: I don't understand your question. If you take an arm's-length group from the Department of Justice or any other department - it's just that they can't do it themselves.

MR. JOACHIM STROINK: No, right. I'm just saying we've done that in other departments. Are you comfortable if the investigation part was moved from Justice into another department but still remains within government?

MS. JANE WARREN: Not just investigation - enforcement and development. Everything. Yes.

MR. JOACHIM STROINK: Okay. Thank you.

MADAM CHAIRMAN: Any further questions? Ms. Warren, I really thank you for taking your time.

MS. JANE WARREN: Speeding it along.

MADAM CHAIRMAN: That was good, yes. You got us caught up. That's great.

Our last presenter for this afternoon's session is Mary MacDonald.

MS. MARY MACDONALD: Thank you very much for this opportunity, ladies and gentlemen. I know you're all tired after a long day. I'll try to keep my remarks as succinct and brief as possible. I don't have strong opinions one way or the other as to whether this legislation should be passed. However, having read it over, two items caught my eye. I would like to share my perspective with you.

My approach is a little bit different from that of the other speakers that have preceded me. How I interpreted these portions of this Act is in terms of the past practices and procedures that are going to have to change in Nova Scotia if this legislation is in fact passed. Mr. Stroink, I know I've already expressed some of my frustration, so you're going to hear some of this again.

Specifically the two passages in the Act, Section 2(b):

> "The purpose of this Act is to . . . (b) ensure that existing measures, policies, practices and other requirements are reviewed" - and the key word there is 'reviewed' - "with a view to making suggestions to improve accessibility . . ."

Secondly, Section 3(1)(c) - I'm not going to read the entire passage but the key words: ". . .'barrier' means anything that hinders the full and effective participation . . . a physical barrier, an architectural barrier . . . an attitudinal barrier . . ."

With that in mind, I'd like to just briefly share a few of my own experiences, with a view to things that ought to change in this province, particularly with the delivery of programs and services because that encompasses accessibility as well. I think it's fair to say that the greater the severity of the disability, the greater the corresponding likelihood that that individual will come into contact with the relevant department that provides access and programs and services for people with disabilities.

It's an unfortunate fact that when interacting with some - and I stress some, this is not in any way intended to offend or impugn anyone. Some employees and agents of these departments - primarily these interactions take place on a one-to-one basis with clients and in the privacy of clients' own homes, in may respects. So there is an incongruity with the respect that is given to people with disabilities and the actual oppressive nature of some of these interactions.

There is an inherent power imbalance there and I know this from my own experience, on the basis of some of the comments, the dialogue, the condescending behaviours and remarks that have been expressed toward me by employees of the department, on more than one occasion. Again I stress that it's not to implicate everyone but there is a systematic pattern of oppressive behaviour there and you truly ought to know about that and the way that that impacts accessibility.

People with disabilities should not be made to feel that someone is doing them a big favour by providing a program or a service. Why this is happening is another pertinent question. I would suggest to you respectfully that the reason it is happening is that those who are engaging in these behaviours know that there will be no accountability and know that they won't be challenged on it.

Moving on, with the theme of accessing programs and the policies that impact persons with disabilities, it's often the case that when a client needs a new power wheelchair or if they are getting a power wheelchair for the first time, they are facing a very significant major expense. The wheelchair that I am in presently costs almost $20,000. I'm having a number of problems with it so I'm going through the process of needing a new one, which has been quoted at $17,500.

Aggravating these circumstances for people with disabilities who need a power wheelchair, it also corresponds in many circumstances with them being out of work, they are out of the workforce. So you have the two aggravating circumstances of the very prohibitive cost and burden and also they are out of the workforce. So what are they expected to do? Well, they are expected to turn to their community and basically they are a charity case and whether they like it or not, they have no choice but to disclose all of their personal circumstances and financial circumstances and living circumstances to complete strangers in the community. That impacts their self-esteem and their sense of self-worth in the community.

It's this expectation on the part of government that offloads this burden to the individual with the disability and to community organizations that are expected to step in and fill that gap.

Also on this theme, I want to mention that several programs administered by the government have very outdated notions and assumptions that are informing the delivery of these programs. I'm going to give you one example. I've heard time and time again that it's the expectation that the person with the disability needs to have this vast network of friends and family who are expected to step in at a moment's notice in case of an emergency or some other circumstance. This is very unrealistic, it's outdated and it's an old-fashioned notion.

My only family member that I have here in Nova Scotia is the person who is sitting next to me, my son - he is my entire kinship network. Yet clients of programs and services are being told that, hey, you have to have all this network of people on speed dial to contact on a moment's notice who are going to drop everything they're doing and come and help you. It is completely impractical and again, it's also oppressive to have this expectation of people with disabilities. In the real world today, no matter how many friends a person with a disability might have, those friends have lives of their own and jobs of their own.

My last - I promise I'm wrapping up right now - I have to mention that Access Nova Scotia moved its main offices about five or six years ago from a fully central and accessibility location way out into Bayers Lake Park. It might not be a problem for people who are driving cars, but when I went out there recently - there is no bus service. The Halifax Transit buses can't lower their ramps anywhere out in that area of Bayers Lake Park. My son and I walked along the shoulder of the road all the way from Access Nova Scotia down to Chapters down on Chain Lake Drive so that we could access a bus. The only other alternative is to call a week ahead of time to get the Access-A-Bus. So that's a complete lack of foresight, planning, what have you. That concludes my remarks.

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MADAM CHAIRMAN: Thank you, Ms. MacDonald. Do we have any questions? They're

We are letting you off easy too. I really appreciate you being here.

That concludes our afternoon committee session. We will adjourn now to reconvene at 7:00 p.m. Thank you to everyone.

[The committee adjourned at 5:08 p.m.]