

# Canadian Accessibility Act In Development Now - Voices Required

Submitted by Sean McEwen on Wed, 2016/10/19 - 18:16

Accessibility isn't, we've learned, just about the physical environment, and **discrimination** isn't just about negative attitudes. So much of what non-disabled people design is designed for people just like them. The problem is, people with disabilities are a growing demographic and already represent about 15% of our population - so designing systems, policies and environments that inadvertently create barriers just isn't something we can afford as a society to ignore anymore. Whether we're talking about access to education, employment or community spaces, the "design process" must be [universal](#) <sup>[1]</sup> if we are to become an inclusive society which affords dignity to all and benefits from the contributions of everyone.

The Canadian Charter of Rights and Freedoms and the Employment Equity Act, along with federal and provincial human rights acts, have been the primary legislative mechanisms which attempt to uphold the rights of - and create a "level playing field" for - Canadians with disabilities. The overall intent of these legislative mechanisms has been to prevent discrimination with regard to access to goods, service and employment but their actual impact has been deemed insufficient by self-advocates and allies.

Despite the layers of current legislation, [significant inequities remain](#) <sup>[2]</sup>. Canadians with disabilities still experience unemployment and poverty at disproportionate rates. Inadequate supports and housing remain a concern as do barriers to access and participation around education and transportation. It has been recognized that something new, something more proactive and impactful, something that doesn't put the burden of proof on the marginalized is required.

The [Mandate Letter](#) <sup>[3]</sup> for the Minister of Sport and Persons with Disabilities, Carla Qualtrough, from Prime Minister Trudeau has clearly outlined the development of new effective legislation as a top priority; "Lead an engagement process with provinces, territories, municipalities, and stakeholders that will lead to the passage of a Canadians with Disabilities Act." The language has changed already with the focus on "accessibility" rather than "disability" (and some would argue that the word "inclusion" is a better choice still), nevertheless the mandate was a solid first step that deserves recognition "and it's moving forward."

The engagement process has begun in earnest with a widely publicized Accessibility Consultation including public consultations in 17 Canadian Cities and online surveys. Minister Qualtrough and her staff have created an engagement process that to date appears very transparent, accountable and inclusive. A recent public consultation in Calgary included Minister Qualtrough as well as Minister of Veterans' Affairs and National Defense, Kent Hehr along with accessibility advocate, Nabeel Ramji "all professionals with disabilities themselves. The delegation of more than 300 people included a wide variety of persons with disabilities, family members and allies. The often emotional commentary from dozens of participants was captured by consultation staff and volunteers. The consultation, impressively, served to elicit and record an abundance of "lived experience" a crucial element to policy development.

The online [Accessibility Survey](#) <sup>[4]</sup> represents an important opportunity for stakeholders to voice their thoughts on policy change as well. The survey is a little difficult to find on the Government of Canada

webpage but the links in the 'blue box' can be found with some scrutiny. The survey is relatively extensive and was clearly constructed to elicit the most feedback possible. As such, it may be worth writing out responses prior to visiting the site so that respondents can copy and paste their comments into the fields required. To this end, I've copied and pasted the more complex survey questions below.

Regardless of one's connection to disability and inclusion, this is an important opportunity for participation in helping Canada to develop an **informed** policy around accessibility and inclusion. The clear prospect for Canada to become a nation that is more inclusive of citizens with disabilities cannot be reasonably ignored. All Canadians are affected by the current lost opportunities in human capital, community involvement, employment participation as well as by the costs of poverty and poor health and wellbeing. As it turns out, supporting accessibility and inclusion serves everyone.

**Note: *The United Nations Special Rapporteur outlined in August 2016 a variety of issues and considerations around disability-inclusive policy development which may be worth reviewing prior to completion of the following survey. [Click here for the report](#) [5].***

### **Canadian Accessibility Online Consultation Questions**

- 1. How can the Government of Canada raise awareness of and change attitudes in relation to accessibility (in the short term and long term)?**
- 2. How can the Government of Canada show leadership in improving accessibility and removing barriers for Canadians with disabilities?**
- 3. Do you have examples of collaborative models that have led to the creation of shared expectations and sustained culture change within organizations in relation to accessibility?**

The overall goal of the legislation is to increase the inclusion and participation of Canadians in society and promote equality of opportunity by improving accessibility and removing barriers in areas of federal jurisdiction.

- 4. Do you have any input regarding this goal?**
- 5. How should the legislation define 'accessibility' and/or 'barrier'?**
- 6. Overall, which approach or approaches do you think would be best for federal accessibility legislation? (Prescriptive or outcomes-based). Are there other approaches that you would suggest?**
- 7. If a prescriptive-type approach were to be taken, do you have any input on how standards could be developed?**

**If an outcome-based approach were to be taken, do you have any input on how accessibility outcomes could be established?**

**Source URL:** <http://www.c-a-s-s.org/content/canadian-accessibility-act-development-now-voices-required>

**Links:**

- [1] <http://universaldesign.ie/What-is-Universal-Design/>
- [2] <http://www.ccdonline.ca/en/humanrights/promoting/periodic-review-2009>
- [3] <http://pm.gc.ca/eng/minister-sport-and-persons-disabilities-mandate-letter>
- [4] <http://www.esdc.gc.ca/en/consultations/disability/legislation/index.page>
- [5] [http://www.un.org/ga/search/view\\_doc.asp?symbol=A/71/314](http://www.un.org/ga/search/view_doc.asp?symbol=A/71/314)