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## **ACCESSIBLE CANADA BILL**

SECOND READING—DEBATE CONTINUED

Speech by:

The Honourable Patricia Bovey

Tuesday, March 19, 2019

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### ACCESSIBLE CANADA BILL

#### SECOND READING—DEBATE CONTINUED

**Hon. Patricia Bovey:** Honourable senators, I too rise in full support of Bill C-81, the accessible Canada act.

Thank you, Senator Munson, for sponsoring this bill and for your truly moving speech that took the high road and shared your compelling personal story. We all have our own stories. My great nephew, like your son, is afflicted with Down's. His sister was introduced in this chamber last year.

*[Translation]*

I fully agree with the principles set out in the bill's preamble. I want to quote two passages from it:

. . . all individuals should have an opportunity equal with other individuals to make for themselves the lives that they are able and wish to have and to have their needs accommodated without discrimination and, in particular, discrimination on the basis of disability;

And:

. . . it is essential to ensure the economic, social and civic participation of all persons in Canada, regardless of their disabilities, and to allow them to fully exercise their rights and responsibilities in a barrier-free Canada . . .

*[English]*

Senators, we are lucky and privileged. I say this with the greatest respect and admiration for our colleague the Honourable Senator Petitclerc and colleagues whose mobility and access are compromised in any way. For the most part, we all have access to the fundamentals of life — sight, hearing, mobility and speech — and we are all blessed with intellectual abilities. How many of us have really thought about living our lives in the shoes of others? How many of us TABPs — temporarily able-bodied persons — have considered the impact any disability has on our energies on a daily basis, on our opportunity to partake in events, or even, as my mother used to say, the mundane mechanics of daily life. Only awareness will change societal attitudes.

I met recently with Susan Lamberd, Executive Director of Arts AccessAbility Network Manitoba. She rightly said, "Like it or not, most people will become disabled in their lifetime."

While society as a whole is more understanding, to a degree, as to the difficulties and inabilities of others, I am always stopped in my tracks with what I see and hear. According to a Stats Canada survey, published last November, 22 per cent of Canadians, or 6.2 million people, had at least one disability. Disturbingly, as we have heard, that included 38 per cent of seniors, and over 2 million with a mental health related disability. We must rid society of all barriers, encompassing, as the bill states, the "physical, architectural, technological or attitudinal," both in policy and practice, "that hinders the full and equal participation in society of all persons with an impairment, including a physical, mental,

intellectual, cognitive, learning, communication or sensory impairment or a functional limitation." In other words, any visible or invisible impairment.

My friend uses a wheelchair. When wheeling home from the local Safeway last winter, his wheelchair fell over in a rut in the snow on the road — the sidewalk had not been plowed. The road was sculpted with the characteristic ice and snow ruts Winnipeg has for months every year. He fell out of his chair and was in the snow until someone came along, righted his chair and helped him back into it. Can you imagine? This is not a unique experience for him or others who use chairs.

Transit presents specific complications for those using chairs, like getting on and off the bus and whether there is room for the chair. The fact is, one cannot get on a bus unless they are able to get off at the other end. Puddles, snowbanks and curbs are barriers. My friends must plan the accessibility of the whole journey.

As for snow, how do those without sight manoeuvre snowbanks on sidewalks thrown up by plows?

My inspiring young friend who is like my honorary daughter, Gem, defied all odds. She earned a kinesiology degree at the University of Manitoba. Verbal communication is difficult for her. She has never walked and she manipulates her computer with her feet. Most teachers were anything but encouraging, not fathoming her ability to attend college or university. Well, she achieved an academic high school program. We celebrated! But I was perplexed when she told me what she was going to study — kinesiology. How? I had a myriad of questions but applauded her determination and supported her any way I could. You can imagine my pride when she graduated.

Gem now plans recreation programs for Winnipeg's St. Amant centre as a volunteer. There is no money to pay her, even with her credentials and their need. They are attempting to find funding, but something in this situation seems unfair to me.

Barriers reign regarding her care programs. Her support funding diminished when she turned 18. It was reduced again when she was no longer a student. Just because she is an adult, a trained adult, with a job — a necessary job, yet one without pay — why, I ask, does anyone think her need has diminished?

Therefore, her mother, in her 70s, must work to afford the needed care. She runs a fundraising event for the Cerebral Palsy Association of Manitoba. Founded 48 years ago, it has never received governmental support from any level of government. Last year, their stationary bike race raised \$205,211.21. This year, the thirtieth anniversary of this critically important fundraising race, surpassed last year's record in support of an organization determined to do all they can to remove barriers for equal accessibility.

By the way, it was Gem's father who fell out of the wheelchair in the snow. His affliction is different from his daughter's, but their determination is the same. A retired art professor and member of the Royal Canadian Academy of Arts, he continues to be a prolific

print maker, exhibiting internationally, winning awards and leading workshops and mentoring other artists.

That, honourable senators, leads me to the Arts AccessAbility Network of Manitoba. Founded in 2008, they are a leader in the field of artists with disabilities, collaborating with many community organizations. Their objectives are:

To be the voice for artists and audiences with disabilities in Manitoba

To bring leadership on access and equity issues that impact the arts

To empower artists with disabilities by providing access to the resources they need to advance their artistic practice

This is exactly what Bill C-81 aims to do.

They are rightly concerned that those who need support networks and resources are often isolated at home, forced to opt out of programs because of their disability, a veritable Catch-22. They note:

Artists with disabilities are an especially vulnerable population as their needs are generally not well understood or, at times, even acknowledged by either the disability service organizations or the arts organizations, each claiming the responsibility belongs to the other. They are also reluctant to self-identify due to misconceptions and prejudices . . . . Most live below the Low Income Cut-Off.

The group includes people with MS, those who are blind, deaf or with other afflictions. Many have had their art selected for international exhibitions but because of their disabilities have not been able to attend these important career milestones. The costs were beyond their financial capabilities, as for many it takes two to go for one.

Is that equal access? No. How would you feel as one of those heralded Canadian artists, accorded with accolades, unable to attend because you could not afford to take someone with you, which you had to, or because the host centre did not have an accessible hotel?

As for accessible places in Winnipeg, or anywhere in Canada, how many commercial or alternative arts spaces are actually accessible? They may have an elevator or automatic doors, but any lip or step into an entrance is an impenetrable barrier — a barrier larger than any wall — an exclusionary barrier.

How many of our theatres, while accessible for audiences, do not have accessible stages or backstage areas for performers who use wheelchairs?

Distinguished Manitoba playwright Debbie Patterson is particularly articulate about the insights of being disabled:

I've been fully able-bodied and now I'm disabled. My goal is to build compassion through a clear exploration and articulation of what it means to be human. Being disabled has taught me enormous things I could never have learned without the lived experience of disability. I've been given

insight into the aspects of the human condition I was never able to understand before. What a bitter irony it would be if my disability, which has given me these insights, was the very thing that prevented me from sharing them. When we think about access, we need to remember it's a two-way bridge: yes, disabled people need access, but society needs access to the specific skills, insights and abilities of those who are defined as disabled. An ASL interpreter isn't just there for deaf people, they're translating for all of us. Universal access gets us all on the same team. We need to move forward together.

She further opined:

Whether we like to admit it or not, becoming disabled is a huge and universal fear. Fear divides us. Fear makes us mistrustful of each other. Fear allows us to draw lines between us and invalidate the needs of people on the other side of the line. . . . We all have bodies that disappoint, that fail to meet our ambitions, that break down. We all lack the ability to perceive, to see or hear all that we should. We are all imperfect and broken.

There are certainly positive stories of people who have risen above their disability. Professional actress Elizabeth Morris, introduced in this chamber last spring, is one. She wrote her MA thesis on design for accessibility, a goal of Bill C-81. She is deaf. She has performed on the stage of Stratford and was a member of the National Theatre of the Deaf in the United States. She has led numerous workshops with theatres internationally, consulted in deaf culture for live theatre and television, and this spring is performing in *The Tempest* at the Banff Centre. When she came to the chamber, I hired an American Sign Language interpreter so she could “see” our deliberations on ASL.

I contend we need to do more. We must address our committee accessibility. Given Ms. Morris' international career, a Canadian arts ambassador, I had hoped she could be a witness for the Foreign Affairs and International Trade Committee's cultural diplomacy study. But signing, I was told, could not work with our system of bilingual broadcasting. It was suggested she write a testimony. With all her daily barriers, I could not add one more thing to her already full work and performance agenda.

We must find ways to give voice to all with disabilities. I would love her to come to a Senate committee and give us guidance as to how we might open doors now that we are in our new home with upgraded technologies. My mantra for Bill C-81 is open doors for all. Too many shut in our faces.

That leads me to H<sup>2</sup>art, the Kingston arts organization which, since 1988 has been “helping adults with intellectual disabilities reach their highest potential through the arts,” in all arts disciplines — music, theatre, visual arts, dance and more. Their energy and positive results are infectious. I spoke before about this inspirational organization. Their performance of *Martadella* last year will be with me forever.

Many organizations are worthy of mention. The overriding message is the same: More is needed to advance accessible arts for artists and audiences — financially, attitudinally and physically. Surely we can fix those barriers and shift attitudes.

Honourable colleagues, we must level the playing field, ensuring accessibility for all, those with visible and/or invisible disabilities. The impetus for social change is societal, not individual. Disabled persons must be considered normal and be accepted and supported.

Debbie Patterson's compassion and determination is visceral:

As an artist with a disability, I am living your nightmare. I can explore your nightmares for you. We can be united in that fear, we can use that fear to build compassion and empathy, and we can break that fear down together.

As Senator Munson noted, the cost will be more than overcome by the economic participation of all and their contributions to the GDP. How many brilliant minds have been curtailed by society's inability to give access? What is the real cost of excluding people from contributing? The resulting well-being and sense of worth of our citizens will more than repay society.

Colleagues, please support Bill C-81. I do. So too do those living with disabilities, their families and indeed the majority of Canadians. It is time to do the right thing and require accessibility accommodations.

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