



Event	Community Living Ontario – 59th Annual Conference and AGM
Location	Sheraton Parkway Toronto
Date / Time	Wednesday, May 30, 2012 Welcome: 7:00 pm Bursary Awards: 7:15 Speaking: 7:15 (with Michael Bach first)
Contact	[REDACTED] [REDACTED]
Speech length/type	30 minutes at kickoff event
Topic	Removing barriers for inclusion in communities
Event format	3 day conference and AGM Stage with podium
Audience	400+ professionals and senior level executives, board (75%), families and self advocates (25%)

Notes:

- When you arrive – go to reception desk and ask for [REDACTED]
- You follow “Light Up the Future” bursary awards and Michael Bach, Executive Vice-President on kick-off reception

*****CHECK AGAINST DELIVERY*****

Hello.

- Thank you for inviting me here tonight to help kick-off your conference and AGM.
- The work Community Living does is so important, not only to people with intellectual disabilities, their families, and caregivers – but also to communities across the province.
- People with disabilities of all kinds - intellectual, physical or mental health related - have a huge contribution to make in our communities.
- We know that – unfortunately, not everyone does.
- As advocates for people with disabilities, it's our job to break down barriers and create inclusive environments where our loved ones, friends and wards, can reach their full potential.
- We want to see people with disabilities not just participating in classrooms, work and all areas of society.
- We want to see them being included and embraced in meaningful ways for the special talents and gifts they bring.
- We want to see them reaching their full potential, living as independently as they can, and being treated with dignity and respect in all areas of their lives.
- As we've seen tonight, there are many people with intellectual disabilities doing some remarkable things.

- I really like seeing accomplishments like these being celebrated because people out there who have no experience of people with disabilities need to know just how capable and strong people with disabilities are.

31 years ago, the ground of disability was added to the *Ontario Human Rights Code*.

- Nearly 20 years after the Code was first introduced – and which mostly was introduced to address racial and religious discrimination.
- This year we're celebrating the 50th Anniversary of the Code. Everywhere I go, I've been talking about that history.
- About signs hanging in shop window refusing service to Blacks and Jews and people being forced to the back of the bus.
- And about the fact that we live in a world where we don't see nearly as much overt racism because most people understand it's wrong.
- The OHRC has been talking a lot about how far we've come and what we have left to do.
- When I think about people with disabilities, the first thing that comes to mind is how many people with disabilities still struggle to access public spaces because of a "step-up," or how many people with other kinds of intellectual or mental health disabilities cannot access affordable or supportive housing,

- and how children with developmental and intellectual disabilities aren't being included in regular classrooms in schools – even though we know they do better when they are.
- These aren't signs hanging in window saying, "you're not welcome."
- But in the minds of people with disabilities and their families – the impact is the same.
- Not only does it hurt emotionally – it also causes a whole bunch of other social issues, like poverty and alienation.

We now have new Government standards, as a result of the Accessibility for Ontarians with Disabilities Act (AODA) coming into effect in all areas of public life.

- Even though the standards don't have direct provisions where intellectual disabilities are concerned, they do recognize the full breadth of disabilities – including intellectual disabilities.
- This means the standards should be considered and applied equally.
- Attitudes are certainly changing. We hear about people with disabilities and issues relating to disabilities in the media regularly these days.
- A recent article in the Kitchener Post told the story of William Haines, a 44 year old deaf man.
- William had just lost his job because the company he'd worked for went bankrupt and he was having a hard time finding a new job because of people's lack of experience with deaf people.

- Potential employers were asking him how he could drive a forklift if he was deaf. Other potential employers felt that hiring him could be a safety concern – even though he had years of experience working as a welder, forklift driver and manual labourer.
- What I was happy to see is that the article was underscoring that what William is experiencing is, in fact, discrimination – and that William has a right to be judged based on his skills.
- With more people taking on important positions in the public sphere, attitudes towards people with disabilities – and their abilities – are changing.
- For example, the Lieutenant Governor of Ontario, David Onley is partially paralyzed from childhood polio.
- A predecessor of mine as Chief Commissioner of the Ontario Human Rights Commission – Catherine Frazee – has spent her life working to improve the lives of people with disabilities...and doing that work from a wheelchair.
- Where intellectual disabilities are concerned, however, there are still many stereotypes and misconceptions.
- Often times people with intellectual disabilities struggle to find work, housing – or be accepted in classrooms and other areas in public life.

The UN Convention on the Rights of People with Disabilities exists to break down barriers for all people with disabilities.

- To be clear, signing the convention means that Canada is obligated to take steps towards making sure people with disabilities:
 - Can access their environment, transportation, public facilities and services, information and communications without barriers
 - Have equal protection without discrimination under the law and have legal capacity to make important life decisions and control their own affairs, with supports if needed
 - Are not deprived of their liberty and are free from cruel, inhuman or degrading treatment, exploitation and abuse
 - Are able to live independently in the community, with supports if necessary, including for families of people with disabilities
 - Have equal access to an adequate standard of living, education, health care, work and rehab services
 - Can vote, run for elections, hold office and otherwise be involved in political and public life
 - Are able to participate in cultural life, recreation leisure and sport

The *Ontario Human Rights Code* also says that everyone, including people with disabilities, have the right to equal treatment where they live, work and play.

- Under the *Code*, service providers (like restaurants and schools), employers and public services (like transportation and even government processes), are required to proactively remove barriers.
- If they don't, it's discrimination.
- When an employer or service provider sees or knows of a barrier, or the need to make accommodations, they must do it – even if an accommodation request hasn't been formally made.
- A recent case involved a man with bi-polar - Mr. Lane.
- Mr. Lane didn't self-identify at the time he applied for the job. He was worried that if he did, negative attitudes would deny him a fair chance.
- Shortly after Mr Lane was hired he asked for an accommodation for his condition. Instead, he was let go from the firm.
- When the case went to Tribunal, the court found that the employer had failed in its duty to make appropriate accommodations.
- Not because they didn't accommodate him – but because they didn't try.
- That's key. Once an employer or other service provider sees the need to accommodate, they must go through the process of looking for ways to make that accommodation. If they don't, they're violating human rights.
- There's another recent case that went to Tribunal that involved a young woman with an intellectual disability who was taken advantage of over a period of years, along with several other people with disabilities.

- Terry-Lynn Garrie worked at Janus Joan for over ten years – doing heavy lifting, re-packaging of wines, building skids and unloading trucks. She was happy to have a sense of purpose and a group of people to talk with every day.
- And so she and her family didn't complain about the \$1.25 per hour she and the other people with disabilities that worked at Janus Joan were making.
- Not until all of them were fired over a one week period – while all the other staff without disabilities were kept on.
- It's a really disgusting of how people can take advantage of vulnerable people. And there's absolutely no excuse for it.
- Employers must not treat people with disabilities like they are disposable or that the value of their contribution is worth less than other people's.

<<Note: re-con. Re. reimbursement for lost wages>>

- In the case of intellectual disabilities, employers must not deny employment to someone who can do the required task (just as in the case of William).
- I think many employers might be surprised of what “added-value” there is in hiring people with intellectual disabilities for appropriate work.

In fact, making accommodations in all sorts of areas can add-value to businesses and services.

- I'm sure you are all well aware of the recent wins in public transportation.
- Service providers across Ontario are upgrading their buses, streetcars and subways to make sure they are accessible to people with hearing and vision impairment.
- That was a result of an OHRC initiated complaint.
- One of the things that transit providers hadn't considered is that automated stop calls and visual signage is not just good for people with disabilities – it also helps everyone else when the windows freeze, fog up, or the car is full.
- We need to think about those kinds of universal benefits when we're trying to push for – and sell – change.
- Shop owners and other public spaces that were required to install ramps hadn't really thought about the fact that installing that equipment didn't just mean business would go up because people with disabilities would have access – women with strollers could access the space too.
- So now we've got ramps being installed at restaurants, public buildings and schools so people can access services. That's great.

But what are we doing to break down barriers for people with other kinds of disabilities?

- We're going out and telling people that it's unacceptable to leave people with disabilities out of work, housing and education.
- There is a serious lack of safe, affordable housing in this province. Let alone supportive housing.
- Housing is such an important part of being able to go out into the world and participate – and yet many people with disabilities are stuck on massive wait lists to access housing.
- 25 years ago I ran for public office because of a lack of affordable housing. I worked hard for that during my time on Toronto's city council, and I continue to do so in my role at the OHRC.
- You've identified housing as a major issue. That's something we've been working on as well.
- The OHRC has taken on the issue of housing in many ways over the years.
- We've done work around rental housing and delivered education programs to landlords and tenants.
- And we've called on the provincial and federal governments to develop a housing strategy.
- Most recently we've been doing work around municipal planning and zoning and how they can discriminate.

- Our recent publication, *In the zone*, calls on municipal governments to implement a strategy and to look more closely at their housing bylaws and how these might be affecting vulnerable people.
- One of the reasons we took this work on is because we were finding that minimum separation distance requirements for group homes was posing a real problem.
- You know what NIMBY is about. And how bylaws (sometimes unintentionally) can perpetuate these types of attitudes.
- Community Living experienced that a few years ago in Etobicoke when you were trying to set up a couple of new group homes – but were prevented when distancing bylaws fouled up the plan.
- The people with intellectual disabilities who were to be housed there had spent all or most of their lives living in Etobicoke.
- They worked or attended day programs in Etobicoke and many of their key family members also lived there.
- Etobicoke was their home – and the community they wanted to live in.
- But they were forced, because of municipal “rules,” to relocate to another part of the city.
- I can only imagine how difficult that must have been for the residents and their families.
- Situations like this are happening all over the province. That’s why we’re challenging many municipalities across the province to take a closer

look at their zoning, licensing, distancing requirements and caps on numbers, from a human rights perspective.

- Another area where we share concern is the level of funding for housing and other programs.
- We've got excellent services available for people with intellectual disabilities in Ontario – but there aren't enough.
- Courts have been reluctant to interfere. In most cases, they leave it up to governments to allocate resources.
- Sometimes, there are ways that the courts can get involved.
- I know you are intervening, as are we, in the Supreme Court case of Jeffery Moore, a young dyslexic boy who's father pulled him out of public school and enrolled him in a private school when the board could not make accommodations for him because of a lack of available funding.

That's another area where we share your concerns and have been working hard...education.

- Schools are central to the lives of children, their parents and the community.
- They provide opportunities for personal, social and academic growth and development – and they set the stage for life experience and integration into employment and the community.

- Educators at all levels, including public and private schools, post-secondary institutions and, really, any organization that is providing services relating to education
- Have a duty to maintain positive school environments and to build or adapt their services to accommodate students, including those with disabilities, in a way that promotes inclusion and full participation.
- That why we went to court in 2007.
- We negotiated a settlement with the Ministry of Education. And now we are working in partnership with them to develop policies and a framework as part of their Equity and Inclusive Education Strategy.
- We know that in many schools the hard work we've done with the Ministry is paying off.
- I hear from parents, teachers and young people who are seeing and feeling the difference.
- We are continuing to monitor what's happening to make sure that it's not just all talk – and that needs are being met.
- One of the things we are hearing a lot from people is that even though we know students with developmental disabilities, as a rule, do better in regular classrooms with added supports, they are still being segregated into special education classes.
- We continue to hear about challenges with accommodation – delays and difficulties accessing appropriate measures.

- In some cases, this can lead to other human right concerns.
- We've heard that students with disabilities are being excluded from school as a result of inadequate accommodation.
- Parents tell us that their children are being sent home from school for part of the day, every day or are sent home and not allowed to return for many days at a time.
- At the same time, school boards tell us about challenges in meeting the needs of students with disabilities and perceived safety concerns.
- We're working on it – but change won't happen overnight.

Perceptions must change, stereotypes need to be broken down – and there is a huge need for role models and advocates that can make change at the highest levels.

- Stephen Fletcher story...
- Stephen said it wasn't long before he realized that because of inexperience and a lack of exposure to people with disabilities, people didn't know how to talk to him, and were even a little afraid.
- That's why we need more people with disabilities in senior level, or decision-making positions.

- So that stereotypes can be broken down in a high profile way, and so that more issues affecting people with disabilities are brought forward and explored.
- You're changing making change by including people with disabilities on your board.
- The OHRC has made a commitment to doing work around the electoral process. This goes back to the UN Convention.
- Initially we focussed our efforts on supporting measures that would improve the accessibility of our electoral system for voters with disabilities, like special ballots by mail, mobile polls for voting in institutions and home visits.
- Now we are focussing our efforts on the process for electing people, like Stephen Fletcher.
- We want to see things like accessible locations for campaign offices, nomination and campaign meetings, debates and related events, along with accessible campaign material
- We've met with Elections Ontario and wrote to all political parties and other stakeholders to raise these and other concerns. We also made a submission to a recent United Nations study examining participation of persons with disabilities in political and public life.
- The OHRC will soon follow up to bring stakeholders together to explore solutions.

A lot's changed since disability was first added to the Human Rights Code 30 years ago. And there's a lot of work to be done. No question.

- The heart of what we are talking about is making sure that people with intellectual disabilities have their basic needs met: a roof, a meal and a sense of community.
- Removing barriers to accessing services, housing and education goes a long way.
- But we must also work towards embracing the distinct gifts that people with disabilities offer society.
- Let's take the positive energy that we get at gatherings like this where we celebrate, share and learn – and move forward toward our common goals...
- A roof, a meal, and a community – for each of us.
- Thank you.