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Standing Committee on Social Policy
Room 1405, Whitney Block
Queen's Park, Toronto, Ontario
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February 8, 2004

To: Members of the Standing Committee on Social Policy

Re: Bill 118: Accessibility for Ontarians with Disabilities Act

On behalf of the Ontario Association of Interval and Transition Houses (OAITH) we are pleased to provide information to the Standing Committee on Social Policy with regard to *Bill 118: Accessibility for Ontarians with Disabilities Act*.

The Ontario Association of Interval and Transition Houses (OAITH) is a 73-member Association primarily of first stage emergency shelters for abused women and their children across the province. Since its inception 28 years ago, the Association has engaged in public advocacy work on behalf of abused women and their children with regard to issues that concern them. OAITH is the largest women's shelter association in Canada.

OAITH was also a party with legal standing at the inquest into the death of Gillian Hadley at which we made recommendations with regard to the need for additional housing and second stage programs for abused women and their children that would, if implemented, ensure more appropriate housing development for women and children with disabilities.

Support for the Act

Although we will not be providing a detailed review of the bill or seeking to make a personal deputation to the Standing Committee, we write in support of *Bill 118* and urge the Committee to work with members of the disability and deaf communities, and their representatives, who have provided additional improvements to the legislation to make it more responsive and effective for people with disabilities and deaf people in Ontario.

In particular, we are pleased to see that the bill provides a broad definition of disability and that it also provides a broad definition of barriers to accessibility, including attitudinal and communication barriers. We are also pleased to see that requirements of

the bill will be extended beyond the public to the private sector. In addition, we support the need for mandatory accessibility measures, monitoring and effective enforcement of standards to ensure that requirements are realized and accountability implemented.

Timelines

With regard to timelines for completion of the work to create standards for specific sectors and for completion of the implementation of the entirety of the *Act*, we are pleased to see that the government has elected to put timelines on the work progress. At the same time, we agree with many of the deputations to the Committee hearings that the timeframes are much too long and need to be tightened. We know that women with disabilities and deaf women cannot wait 20 years for changes that may better assist them in escaping abusive situations.

Inclusion

Similarly, we very much support the requirement that there be inclusion of the disability and deaf communities and their representatives on standard development committees and on the Accessibility Standards Advisory Council. We would echo others in recommending that the committees and Council also be required to ensure that representation reflect cross-disability experience, as well as experience representative of the diversity of communities in Ontario based on gender, race, culture, language, economic status, age, and sexuality. This should be clearly outlined in the *Act*.

Specifically, from our perspective we would recommend that women with disabilities and deaf women be represented in numbers reflective of the population of Ontario in every committee, Council or local accessibility advisory committee. Further, we agree with recommendations made to the Committee that resources and remuneration must be provided for representatives from the disability and deaf communities to participate fully in any of these processes, and that this also be clearly stated in the legislation.

Within the violence against women services sector, we support the implementation of the legislation to make all services and supports accessible to abused women with disabilities and their children.

Much can be done to address issues of inequality without additional resources; financial considerations should not be used as an excuse to delay progressive action. As a community-based sector that struggles on an ongoing basis with underfunding and increasing service demand, however, we also know that additional resources can be necessary to ensure that financial considerations are not a barrier to access. Where needed, therefore, we would recommend that government commit to making these resources available to ensure that all forms of access are fully addressed.

Equality Barriers for Abused Women with Disabilities

We are aware of the many barriers that women with disabilities face in attempting to address the violence in their lives and to escape abuse, and we also know from frontline experience that women may also become disabled as a result of violence.

We agree with deputations to the Committee hearings who have characterized *Bill 118* as anti-discrimination legislation. We agree that the *Act* must identify this within the preamble in order to further emphasize its intention to protect the equality rights of people with disabilities in Ontario. For women with disabilities and deaf women, it is critical that any work to ensure anti-discrimination measures on issues of disability must also consider the additional levels of discrimination that will be experienced by women with disabilities and deaf women who are struggling with sexism, poverty and all forms of inequality. We recommend that all accessibility committees and processes, therefore, ensure that they rooted in equality principles.

Women with disabilities and deaf women who experience violence face discrimination based not only on disability, but on gender as well. Evidence shows that women with disabilities and deaf women are more vulnerable to violence against women. For example, the Disabled Women's Network (DAWN) Ontario has reported that women with disabilities are twice as likely to be sexually assaulted. Lack of supports and services, attitudinal and communication issues, lack of economic equality and sexist discrimination all contribute to increasing risk of violence for women with disabilities and deaf women.

Women with disabilities and deaf women live in poverty. DAWN Ontario has called this "the most inescapable reality for women with disabilities." According to DAWN, 74% of women with disabilities are unemployed and the median income for women with disabilities is \$8,360 per year. Moreover, among women with disabilities, there are additional forms of inequality, such as racism, that create multiple obstacles to equality of access. These compounding forms of oppression must also be considered in any measures, policies, practices, regulations or legislation that are intended to ensure access.

Public Systems

Within the public policy sphere, the current government can set an example by improving publicly funded supports for the disability and deaf communities, for example, with an increase in the rates for the Ontario Disability Support Program and the building of additional low-income and subsidized housing. There are many others areas where government itself can move progressively to improve access to equality for the disability community.

Women who experience violence in the general population are faced with numerous systems within which they must negotiate lack of resources, victim-blaming attitudes and indifference to abuse and its impacts. For women experiencing violence in the disability and deaf community, these barriers are amplified. Women with disabilities face

additional lack of access to emergency transportation, lack of knowledge and understanding of professionals within legal systems, inaccessible community based programs, lack of support for mothers with disabilities, and lack of access to education, training and secure quality jobs, to name a few. According to DAWN, even women's services are often inaccessible to women with disabilities and "support and services for disabled mothers are almost totally inaccessible or do not exist."

Abused women have told us that access is more than a ramp—we are pleased to see that the *Act* shares this view. We would also like to be assured that the Government of Ontario also recognizes the need to address *all* of the barriers women with disabilities and deaf women live with every day and that it is committed to removing them with concrete government action within public systems.

Conclusion

We hope that the introduction of this bill will provide the foundation for further work by government and the community to work towards eliminating all of the barriers to equality that abused women with disabilities and deaf women face. Women's shelters within the violence against women service sector welcome this *Act* and hope that, with amendments to improve it based on recommendations from the disability and deaf communities, it will change access in substantive ways.

In conclusion we would like to summarize the brief suggestions we have made for improvement in the legislation and processes for implementation of the *Act*.

Recommendations:

- ❑ The *Act* must clearly state within the preamble that it is anti-discrimination legislation intended to ensure the equality rights of people with disabilities.
- ❑ We would echo others in recommending that the standards development committees and the Accessibility Standards Advisory Council be required to ensure that representation reflect cross-disability experience, as well as experience representative of the diversity of communities in Ontario based on gender, race, culture, language, economic status, age, and sexuality. Specifically, we would recommend that women with disabilities and deaf women be represented in numbers reflective of the population in every committee, Council or local accessibility advisory committee.
- ❑ Resources and remuneration must be provided for representatives from the disability and deaf communities to participate fully in any of the processes and implementation mechanisms of the *Act* and this should be made clear in the legislation itself.

- ❑ Timeframes for completion of standards development and implementation, while positive, should be shortened.
- ❑ Additional resources must be provided, where necessary, to ensure that financial considerations are not a barrier to implementing access standards in poorly funded community-based non-profit services or within the public sector itself.
- ❑ Resources and supports must be provided for services and groups specifically working on issues of equality for women with disabilities and deaf women in order to provide core funding to continue their work on behalf of women.
- ❑ Government must acknowledge the responsibility to respond to the material conditions of the lives of abused women with disabilities and deaf women with regard to improving public services and supports addressing issues of poverty, housing, access to justice and access to community-based services within the control or influence of public policy and public revenue considerations.

This letter is not intended to present a detailed review of the legislation, but to provide some additional assistance to the Committee with regard to understanding and responding to the needs of abused women with disabilities and deaf women. Thank you for the opportunity to provide a contribution to the consideration of the Standing Committee on this important legislation.

Ontario Association of Interval and Transition Houses (OAITH)