

HANSARD

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COMMITTEE

ON

COMMUNITY SERVICES

Tuesday, January 6, 2009

Committee Room 1

Disabled Persons Commission

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COMMUNITY SERVICES COMMITTEE

Ms. Marilyn More (Chairman)
Hon. Ronald Chisholm
Hon. Leonard Goucher
Mr. Patrick Dunn
Mr. Gordon Gosse
Mr. Trevor Zinck
Mr. Keith Colwell
Mr. Leo Glavine
Mr. Manning MacDonald

In Attendance:

Ms. Kim Leadley
Legislative Committee Clerk

WITNESSES

Disabled Persons Commission

Ms. Anne MacRae - Executive Director

Mr. Brian Tapper - Chair

Mr. Burke MacCallum - Research Officer

HALIFAX, TUESDAY, JANUARY 6, 2009

STANDING COMMITTEE ON COMMUNITY SERVICES

1:00 P.M.

CHAIRMAN
Ms. Marilyn More

MADAM CHAIRMAN: I'd like to call the Standing Committee on Community Services to order. We're delighted today to have representatives from the Disabled Persons Commission join us, so thank you very much. After we go around and introduce ourselves, we'll let you introduce yourselves.

I just want to mention that Minister Goucher will not be able to attend today, so he sends his regrets.

[The committee members and witnesses introduced themselves.]

MADAM CHAIRMAN: Welcome. I believe we did ask you to sort of respond, if you could, to some of the priority issues raised at our all-day Forum on Disabilities. I know you had representatives there, both morning and afternoon sessions. So with the permission of the committee members, we certainly would be willing to give you a little extra time for your presentation because you're responding to a direct request from us. So who would like to start? Brian.

MR. BRIAN TAPPER: Madam Chair, MLAs, it's indeed a pleasure to be here and it's a pleasure to respond to the request to speak to issues arising out of September 23rd. Before we do that, before we get into our formal presentation, though, I'd like to take a few minutes, if I could, to talk to you about who we are at the commission and what our role is.

The commission is a commission of the provincial government and we were established by the Disabled Persons Commission Act in 1989. The purpose of this Act is to provide for the participation of disabled persons in the development of government policies and programs relating to or affecting disabled persons; establish a central mechanism to ensure that the concerns of disabled persons respecting policy and program development and delivery are conveyed to the appropriate departments of the government; and to ensure that the concerns of disabled persons will be promoted in and considered by the government, especially in matters of policy and where the concerns affect several departments of the government.

As a commission, we therefore advise government about issues that affect persons with disabilities, as well as educate the disability community and the public about programs and services that the provincial government offers to persons with disabilities.

We are essentially the office in government that provides the disability community with a voice and this happens in many ways. Our commission is comprised of 12 members who are appointed to two-year terms. Seven members represent persons with disabilities from across the province and five members represent the Departments of Community Services, Health, Education, Service Nova Scotia and Municipal Relations and Labour and Workforce Development.

We have a staff of three people: Anne MacRae our Executive Director, Burke MacCallum who is our researcher and Ms. Yvonne Williams who is our secretary and holding down the fort today. We meet once a month and we use these meetings to conduct the business of the commission and hear presentations from various departments or disability NGOs about issues that are of concern to the disability community.

We also meet with the coordinating committee of ministers twice a year, around December 3rd - the International Day of Persons With Disabilities and the Partnership for Access Awareness Week in June. These meetings afford us the opportunities to bring issues of concern directly to the ministers and in turn it is an opportunity for them to educate us about both existing and new programs and the services they offer to persons with disabilities.

In a moment, Anne will go over the action plan for this year to give you a sense of what kinds of issues we are currently working on, but I would first like to say a bit about our vision and our mandate. Our vision is to be a leader in the areas of education and awareness, accessibility, research and policy analysis and the employability of Nova

Scotians with disabilities. Our mission is to support the social and economic inclusion of Nova Scotians with disabilities.

We value the inclusion of people with disabilities as active decision makers at all levels of government and in the corporate and voluntary sectors. We value equal opportunity and universal access to the physical environment, services and information for people with disabilities and we value the recognition that people with disabilities make valuable contributions to a healthy and diverse society.

MS. ANNE MACRAE: I'm not going to go over our whole action plan, so don't worry. I did want to talk briefly about some of the key issues that we are working with.

As Brian mentioned, our vision is to be leaders in the areas of education and awareness, accessibility, research and policy analysis, and the employability of Nova Scotians with disabilities. Overall there is also an overarching goal around administrative capacity and to excel in our ability to provide quality service to the 20 per cent of persons with disabilities who live in Nova Scotia. In terms of that objective, last year we moved into fully accessible office space at 277 Pleasant Street, Dartmouth. This year we are working on ensuring that we have the staff to better serve the 20 per cent of people with disabilities.

In terms of information and education and awareness, our objective is to increase the visibility of the Disabled Persons Commission and to make the disability community, government and the general public better aware of the issues, programs and services that are available to and concerning people with disabilities. So to that end, we always try to host two of our meetings outside of metro every year and we were able to do that. We hosted them - where did we go this year? We went to the Valley and to Truro. We assisted with the development of a booklet on emergency preparedness, that I think all of you have seen. We're currently working on the Train the Trainer Program, and we also had the good fortune to appear on the Weather Network last year during Emergency Preparedness Week and did a piece on preparing.

I was really impressed, Madam Chairman, with the piece that you did in the local newspaper here in Dartmouth on emergency preparedness as well. It was really great to get that better understood by people.

We're also partnering with the Nova Scotia Human Rights Commission and the Collaborative Partnership Network. This year, we organized a panel discussion to explore the possibility of developing a human rights framework around disability issues and particularly around the two issues of education and employment. We hosted this event on December 3rd.

In terms of our third priority area, which is building accessibility, our objective is to work to ensure that persons with disabilities have access to provincial government buildings and to ensure that Nova Scotia becomes more accessible to its residents and

visitors. We are currently working with the Department of Transportation and Infrastructure Renewal on their commitment to make all provincial government buildings accessible by 2020.

Our fourth area is under research policy analysis and partnerships related to disability supports. Again the objective is to become an active participant in research policy analysis and partnership development to ensure that persons with disabilities have adequate levels of support to fully participate in the communities. Some of the activities we've been involved with this year - we've developed the first of what will be a series of documents that provide accurate statistical information about persons with disabilities who live in Nova Scotia. A copy of our first publication has been given to you today.

We are also part of a Nova Scotia committee on respite that has organized, to date, three workshops with families of children and adult children who have chronically high needs and we still have, I believe, three more to do across the province. We are in the process of developing the first report, which is on the Halifax workshop that we held last May where close to 100 families came out. So respite is a huge issue for this group.

We've also been working with the Abilities Foundation and the Department of Community Services to provide research support and develop criteria to manage the combined wheelchair program for children and adults. We have also partnered with the Nova Scotia League for Equal Opportunity and the Community-Based Transportation Association, to develop a market assessment to determine the viability of establishing an accessible van rental service in Nova Scotia.

Our fifth and final objective is around employability of persons with disabilities. Our objective is to promote a continuum of employment opportunities for persons with disabilities that include paid employment, supported employment and voluntary. We partner with the Advisory Council on the Status of Women on conducting a series of round tables on the integration of women with disabilities and we will be following up on some of the report recommendations. We've begun to work with the Human Rights Commission to develop Duty to Accommodate training.

Lastly, we recently organized the first meeting to determine how best to include persons with disabilities in the labour market agreements that have been devolved to the province.

I have listed on a few of the accomplishments or projects that we are currently working on and if you are interested in our entire working plan for this year that we're currently in, we'd be happy to share it with you. So for a small office of just three, we're pretty busy

I hope this part of our presentation gives you a better sense of what we do and we're now going to focus on the forum.

[1:15 p.m.]

MR. TAPPER: We'll now turn our attention to the Disabilities Forum that took place on September 23rd, 2008. First and foremost, I would like to applaud your committee's initiative in hosting that event. I had the opportunity to attend in the morning and heard the presentations up until noon. I think the more often we provide these opportunities for the disabled community, to dialogue with elected officials, the better aware everyone becomes about the issues facing persons with disabilities and the easier it becomes to find common ground and to find ways to move these issues forward together.

From our perspective, we distilled that day down into five topics that we saw, or five themes that arose out of that forum. First, participants indicated that they would like the province, in partnership with the community, to develop a provincial disability strategy. Second, they would also like to see the establishment of a disability Act for Nova Scotia. Third, a lack of sustainable core funding is a very important issue for these groups. Groups currently have to apply annually for project-based funding. Core funding would provide them with stability and the opportunity to plan for the future; maybe give them a stability that's not necessarily attached to project-based funding.

Fourth, we've grouped two issues together. Some of the groups mentioned the need for persons with disabilities to live in the community and not institutions, and related this to the need for person-centred planning instead of people needing to fit prescribed program criteria. Fifth, access to appropriate technology; for example, students who are deaf are able to access sign language interpreters while they attend school but they cannot access this service after school hours.

I guess there was also an overarching theme to the day, that there have been enough studies and research conducted and I think the community said they want to see concrete action.

I'd like to take a few minutes to speak to each of these issues and then perhaps have discussion. The concept of a provincial disability strategy - from the group's perspective, having a strategy would demonstrate the province's commitment to disability issues and would provide the province and organizations with a road map, if you will, of where the province is headed in relationship to ensuring that persons with disabilities are able to fully participate in the economic and social fabric of Nova Scotia society. The groups also see this as a way to hold government accountable to the issues, as there would be a reporting mechanism established to report on progress to date.

MS. MACRAE: The commission had presented a process for developing such a strategy to the Coordinating Committee of Ministers in June, 2007. It was supported by the CCM if funding could be found in the budget. During subsequent discussions with Community Services, it was agreed that during a time of fiscal restraint, it wasn't the best time to develop a provincial disability strategy.

At our last meeting of the CCM, during a round-table presentation in which each department spoke about the programs and services that they currently offered persons with disabilities, it became very obvious to all of us that this provincial government is very supportive of persons with disabilities and a lot of good work is being done but it is not being clearly communicated to disability organizations and the public. To that end, on December 15th the commission hosted a meeting at which nine departments met to discuss how a process could be developed to collect information about all these programs and services for persons with disabilities and how to better communicate this information to the disability community and the public at large. It will also provide these groups with the opportunity to better understand what other departments are doing and it is hoped that some new programs and services might be able to be developed using existing dollars, by collaborating and pooling resources.

MR. TAPPER: During the forum in September, the groups expressed their wish to see a Nova Scotians With Disabilities Act created here in Nova Scotians with disabilities Act created here in Nova Scotia. The Accessibility for Ontarians with Disabilities Act and the Americans with Disabilities Act have set a precedent, and some groups see the establishment of such an Act as a way to ensure that the rights of persons with disabilities are protected more vigorously.

As you are well aware, Bill No. 108, an Act to Amend Chapter 130 of the Revised Statutes of 1989, the Disabled Persons' Commission Act, was put forth by the honourable Stephen McNeil. This Act states that the Disabled Persons' Commission Act should be amended to allow the commission to do the following:

“7A (1) The Commission shall study the Accessibility for Ontarians with Disabilities Act, 2005 (Ontario), for the purpose of developing similar legislation and related programs for the Province.

(2) . . . consult with such disabilities organizations or associations or such individuals as it considers necessary.

(3) . . . prepare and deliver to the Minister of Community Services a report on the outcome of its study not later than December 31, 2007.

(4) The report . . . shall contain a recommended timetable for the development of any necessary legislation and its introduction in the Assembly, and for the implementation of any programs.

(5) The moneys required for the purpose of this Section shall be paid out of moneys appropriated for that purpose by the Legislature.”

Many of the organizations present in September at your forum expressed their support for such an Act.

MS. MACRAE: While the commission would be pleased to conduct this kind of research, we feel that our resources would be better utilized in making sure that Nova Scotia and the Government of Canada ratified the UN Convention on the Rights of Persons with Disabilities and the creation of a communication tool on provincial disability supports and services. It is our belief and hope that this document will lead to the creation of a provincial disability strategy down the road.

As I said earlier, we've also formed a partnership with the Nova Scotia Human Rights Commission to develop some educational tools to better promote the concept of looking at disability issues from a rights-based framework, as opposed to a charity model or medical model of program development and service delivery.

MR. TAPPER: An issue I mentioned earlier that we see arising out of our September meeting is the core funding for disability groups. As we all know, non-government organizations and volunteers are the backbone of our communities. In many instances, they provide better and more efficient services than government can. We have certainly seen examples of this kind of partnership between the Department of Community Services and the Abilities Foundation of Nova Scotia.

On behalf of the government, the Abilities Foundation of Nova Scotia provides wheelchairs to children and adults up to the age of 64 who meet eligibility criteria. The foundation is able to provide these wheelchairs in a more cost-effective way, in a more timely and dignified fashion, than government. We also know how well organizations - such as those who belong to the Collaborative Partnership Network - do in providing employment support to persons with disabilities looking for employment across the province. They have the knowledge and the skills to provide these services to people with disabilities in a way that government can't. For many of the groups, they spend most of their time writing proposals to secure funding, as opposed to spending time on client service delivery.

MS. MACRAE: Perhaps to make things more viable for groups, a solution could be to move toward a three-year funding cycle. This would at least give the groups some stability, time for planning, and would reduce the amount of paperwork for both government and groups so that more time could be spent on service delivery.

MR. TAPPER: The fourth issue is deinstitutionalization/person-centred planning. As you all heard on September 23rd, some of the groups spoke out quite vocally about the need to have the Government of Nova Scotia close its remaining institutions and develop a strategy for moving all residents into community-based housing options. They spoke about countless studies that have been undertaken that indicate even those with the most challenging of behaviours do better in small options homes. They want to see more funding provided for smaller options than those currently provided and to expand the number of hours of the Independent Living Support program for anyone requiring support, regardless of the number of hours required. They also spoke about the need to have person-centered planning.

As Cynthia Bruce stated so eloquently during the forum, “. . . there's not an employment portion of me and there's not a home portion of me and there's not a mother portion of me. I'm one person who happens to do all of those things. I think that the province has to start to recognize that we have to take a holistic approach and stop dividing people into small segments.

If a holistic approach was utilized, then you would see more individuals being provided with the appropriate level of support required to enable them to live full and productive lives in their communities.

MS. MACRAE: While it is true that for many years the Government of Nova Scotia has not invested heavily in community-based options, they have certainly changed the course, if you will, and have begun to invest in this sector. With both the residential and day programming reviews, \$6 million was invested this past year to giving every Nova Scotian the opportunity to contribute to a way of life that suits them and their families best.

As Premier MacDonald stated when he announced the funding at Bonny Lea Farm:

“We are laying the foundation to enhance services for people with disabilities within their own communities. . . . will create nearly 200 residential and vocational placements for persons with disabilities as well as about 70 jobs. . . . About \$3.4 million will help create three community homes for up to 25 persons living with intellectual or physical disabilities or mental illness. One home will be for children and youth in Halifax Regional Municipality, and two homes will be built for adults in the western region of the province.

The funding will also expand Alternate Family Support with 30 placements for individuals who can be matched with a caring family. In addition, Independent Living Support will expand with 55 placements that help someone learn to live on his or her own with help for up to 21 hours a week.”

As Minister Streach has indicated, this is about shifting resources to foster independence and encourage self-reliance for people who deserve a better quality of life and they are committed to supporting clients with the right program at the right time of need, with the right place to live.

In addition, an additional \$2.6 million will be invested in vocational day programs that offer skills, training or employment opportunities for about 90 people with disabilities. As well, adult service centres will have an increase in operating grants to help with expenses and hire new staff.

MR. TAPPER: The final topic that was mentioned was Access to Appropriate Technology. Again, as raised previously, if a person-centered approach is utilized, a person

who requires the use of sign language interpreters will have access to them while they are in school and when they are out and about engaging in their activities within the community.

The community would like to see a cradle-to-grave approach to access technology and other aids, so that you are appropriately assessed and have access to what you need regardless of where you live or how old you are.

MS. MACRAE: The commission has been working with the Department of Community Services and the Abilities Foundation of Nova Scotia to develop the Wheelchair Recycling Program for Children and Adults With Disabilities. This program is an excellent example of how community groups and government can work together to ensure that those who are most in need gain access to the wheelchairs that they require. We are currently working on ensuring that this program is also available to seniors. This model could also be used to provide access to other forms of assistance and technology for people with disabilities.

Thank you for the opportunity to present to you today and we'd be pleased to answer any questions and to talk about the next step.

[1:30 p.m.]

MADAM CHAIRMAN: Thank you very much. I have to say in preparation for today I did quickly review the transcript from the forum and you have done an excellent job as far as I'm concerned in pulling out the major themes and summarizing some very detailed information that we received that day, so thank you for that very thoughtful analysis and also, your responses to those major themes. That certainly gives us a good foundation to begin this discussion.

Just one quick question from me. Several times the Bradshaw Report from New Brunswick was raised that day. Have any of your staff or your commission had a chance to sort of compare the provinces?

MS. MACRAE: We do some jurisdictional review on particular issues. What report did you mention, I just didn't hear it?

MADAM CHAIRMAN: The Bradshaw review of disability supports in New Brunswick.

MS. MACRAE: I haven't had a chance to read that particular report.

MADAM CHAIRMAN: I can't say that I have either but several of the groups referred to it and I'm just wondering if there might be some lessons or information there that would be relevant to Nova Scotia as well.

MS. MACRAE: We can certainly take a look at it and get back to you. We recognize that the whole issue of disability supports is a huge issue. I think one of the things that we need to keep in mind is that to truly come up with a program that would address this issue it needs to be a program that is cost-shared between both the federal and provincial governments, because there just are so many needs that need to be addressed.

MADAM CHAIRMAN: I'm not suggesting officially that you do that, but if throughout the course of the next year it happens that you do take a look at it and there's anything there that you think might be relevant, perhaps you could forward it to us.

MS. MACRAE: Yes, we'd be pleased to do that.

MADAM CHAIRMAN: So, we can start with questions. Who would like to begin?
Pat.

MR. PATRICK DUNN: Thank you, Madam Chairman and thank you for your presentation; well done. Just maybe one question with a couple of comments to start off with dealing with economic inclusion for people with disabilities. Have you gone beyond our province to look at other jurisdictions with regard to maybe what has been happening and if so, is there anything in the other provinces that we could perhaps could or should implement here in our province?

MS. MACRAE: I think there are some things that this province has started to do now that I think if were implemented would go a long way to improving the economic integration of people with disabilities. I'm thinking of the Poverty Reduction Strategy, I think that's being currently worked on by this government and I think when that gets rolled out, there will be some good things in that. I think the working group did a really excellent job of capturing the key essential issues.

They mentioned in that report - and I haven't had a chance to look into it in any more depth - apparently Saskatchewan is doing some quite interesting things in terms of making sure that when people with disabilities are in the workforce and are accessing work, that not all of their disability-related supports are taken away from them once they get jobs. I think that's a key issue that needs to be looked at that we build in - not just here, but across the country - disincentives that really prohibit people with disabilities from sort of getting ahead and getting forward. I think that could be a key issue that could be looked at for sure.

MR. TAPPER: One of the thoughts that strikes me in that matter is when you look at a province, for example, like Quebec. Quebec has done some really interesting things in terms of the social economy, in finding a way of linking segments within their province. For example, if you have a not-for-profit organization that is doing employment promotion, they have found ways of linking the not-for-profit organizations with post-secondary facilities like universities, so that if that organization needs access to research, they can use

the academics to help them gather the information they need to look at things like best practice.

They are not natural partnerships but they've really built it into their day-to-day and I was at a conference on social development and you could see group homes and they were linked to perhaps the University of Montreal or one of the other universities and they were natural relationships. If we could foster those kinds of relationships in our province, we could probably go a long way to helping those - our NGOs, our not-for-profit sector, both would be I think better positioned and probably more effective. So it's just one more example, I think, of how things are done differently in other provinces.

MR. BURKE MACCALLUM: One of the issues that is currently ongoing is the Registered Disability Savings Plan. This is a key federal government-created program which went into effect on December 1st. The program basically allows people - it works much like the registered education program - it allows people to save sheltered money into a plan.

One of the problem areas for persons with disabilities is helping parents save for their children with disabilities, long-term support services. So this program is really key and other jurisdictions - there are five in Canada currently - have given the right to shield this, if you like, from income assistance programs. So we wrote a briefing note which we were going to give to the CCM meeting in December, which has been postponed until perhaps this month or next month - we're hoping that Community Services can give the right to waiver that as income to individuals, such that it doesn't nullify the impact of the program.

As I was saying, five other provinces have done that so we're hoping that can be done through our own government.

MR. DUNN: There is a gentleman back home in New Glasgow, this particular adult attends the Summer Street Industries program. One of his main goals is to raise money to purchase wheelchairs for youth. His name is Archie Kontuk and he does it through collecting hundreds of thousands of pop can tabs and he has people even out in Calgary collecting them for him. I think up to this point he has accumulated enough over the years to purchase 13 wheelchairs and he is continuing daily doing this.

Brian - I'm not sure if it was Brian or Anne - mentioned something about wheelchairs up to - maybe it was you, Brian - up to age 64. Could you comment on that just a little further?

MS. MACRAE: Yes, we have a program - or not us, but the province has a program in which they have provided funding to the Abilities Foundation of Nova Scotia to provide wheelchairs for those people who meet program criteria and income cutoff. But for those who are most in need, up to the age of 64, they provide wheelchairs in a very timely fashion to those families who otherwise wouldn't have access to wheelchairs.

So it could be that a lot of people, that your constituent is looking to raise funds for, could be provided with wheelchairs if they are under the income cutoff level. If they're not, then your colleague or your constituent's endeavours could assist others in the community.

We're hoping to meet with the Coordinating Committee Ministers meeting, as Burke was saying, in February, with the hopes of starting the dialogue about expanding that program to include seniors as well.

MR. DUNN: Thank you.

MADAM CHAIRMAN: Thank you. Ron.

HON. RONALD CHISHOLM: Thank you very much for your presentation. Just as a follow up, what happens after 64? Do they come under the Seniors' Pharmacare Program?

MR. MACCALLUM: I'll tackle that, Anne, if I can. The issue is for the program development. We worked very closely with Community Services in the development, over the last four years, of the program. It originally went in place as a children's program and was developed in consultation with us, the department and the Abilities Foundation of Nova Scotia. That went off as a trial program and a very successful one, so we were able to - in discussions with the Coordinating Committee of Ministers and our own commission and the Abilities Foundation - expand that into the adult program.

When we crunched the numbers on that - I think we all know that disability goes straight upwards with age and the population. The need for wheelchairs is much higher above the age of 64 so the financial feasibility of developing it into that group - the department felt that 64 would be all that could be afforded at the time. However, they did see the need for it and the planning committee has now begun discussions with the Department of Health, such that we hope that we can develop a program in consultation with Health and Community Services to provide wheelchairs to the senior population over 64.

MADAM CHAIRMAN: Thank you. Keith.

MR. KEITH COLWELL: I really like the work that the commission is doing toward employment for people with disabilities, I know that's a very difficult thing. I like your concept of one person looking at an individual, rather than a program that someone has to be jammed into. Sometimes they are jammed into it and it doesn't really help them. How much progress has been made on that? Has there been any progress made on that at all or is that still in the development stages?

MS. MACRAE: We're really excited about the opportunities that are about to present ourselves with the labour market agreements that have been devolved to the

province. Just before Christmas, we had a meeting with officials from Labour and Workforce Development and a lot of organizations that provide employment services to people with disabilities in the province. They've established similar mechanisms for Aboriginal groups and for African Nova Scotian organizations, I believe. They've started a process now with people with disabilities and they asked the commission to coordinate a series of meetings that will lead to the development of what we hope will be a coordinator position, that will assist with the development and implementation of a labour market strategy for people with disabilities. We've just begun that work and hopefully, some of the things we've talked about today will be in that strategy.

In reading through the documentation from the Poverty Reduction Strategy or the framework, if you will, that the working group put together to develop the strategy, they talked a lot about not wanting to see people having to fit prescribed boxes, that you need to have a system that's more tailor made to what the individual needs. I think we make the assumption that people with disabilities are a homogeneous group and they're not. My needs - and some of you have been wondering why I keep moving this around, you're not being taped, it's actually a microphone because I'm quite profoundly hard of hearing - would be very different from even two other people that could be in this room that had a hearing loss. What I may need might be less expensive or a bit more expensive, if you will, than what somebody else might need, but the bottom line is that you need to have the technology that works for the individual.

I think you can talk about that on any disability issue that you want to, that while the bigger issue of technology - my favourite example actually is if you take the issue of housing. If you ask the disability community what they wanted to say on an issue like housing, everybody would have a broad view of what's needed which is accessible, affordable housing, but in terms of what that housing might look like, it might be very different for different segments of the disability community. I think to develop a program that would be one size fits all just doesn't work. So I think that's what we need to keep in mind as we're developing programs and services. Does that answer your question?

[1:45 p.m.]

MR. COLWELL: Sort of. The real issue is - in my life before being a politician I was in manufacturing and we had a gentleman in a wheelchair apply one time, which created all kinds of problems for us. When I say "problems", not with the individual at all - a very well-trained ideal candidate - and unfortunately he found another position and didn't come to work with us and that was good, too, because he did find another position.

It meant that a facility that wasn't geared up for a person in a wheelchair all of a sudden had all kinds of problems. It was a person we were going to employ, we had decided what it would cost us to make the change - and just really an accessibility change, that's all it was, nothing else - and some other equipment that would have had to have been put in place that would have been a good investment anyway, but it's really a major issue.

Now if you look at hiring someone like this individual or someone who didn't have a mobility problem, which you didn't have any costs for, an employer may opt for somebody who doesn't have a mobility problem. I think it would be a loss to the employer because typically somebody in a wheelchair, or anyone with a disability really is dedicated to a position if you treat them properly, as you should do anyway, and would be very productive for your business.

The sort of thing I was looking for, and I would be looking for again if I was in that position, is some assistance to help that individual fit into the organization. I don't mean pay for everything that would have to change around in a manufacturing facility because you have to absorb some of that cost yourself, but some assistance with that to make the transition easier for the individual and for the business so they're not tied up a tremendous amount of non-productive time in trying to fit an individual into your organization initially.

MR. TAPPER: It's an interesting issue that you raise. My pay job is, I am a vocational counsellor - when I'm not volunteering with the commission, I work Monday to Friday helping people with disabilities get back to work. I've been doing it now almost 30 years. There have been times in our history, as a society, where we've had money available to help with that kind of accommodation. Federally, at one time there was up to \$10,000 to make workplaces accessible. Rarely did we ever have to expend that kind of money but it was there.

In the past, I would say six, seven, eight years, we've lost it so as a vocational counsellor, I spend my time trying to find the money to allow that accommodation to happen. I'm generally not able to find it in one place.

I'm hopeful that with our new workforce development and the devolution with money coming to the province, that will be considered. There's a small pot of money available through the federal government right now called the Opportunity Fund. It's \$30 million federally. An amount of that money comes to the province and it's administered by our not-for-profits. If we had a client who wanted to return to work and there was a need like that, that's probably where I would turn and make a proposal to see if the funding was available.

Earlier in my presentation, I talked about the Collaborative Partnership Network, there are disability partnerships that range from Yarmouth across the province to Cape Breton and they often are the organizations that oversee the Opportunity Fund. The problem is that since the inception of that fund in 1996, the amount of money available hasn't changed but the cost of providing services has, and I think we've proven that it works. So there has been a fair amount of, I'll say, cost-sharing done with businesses to help facilitate it but I think it'll be interesting to see how the new dollars coming to the province will be used and whether or not they can be used to help facilitate that kind of attachment to the workplace. I hope that helps.

MR. COLWELL: Yes, I think it's very important because if you can take somebody with a disability, whatever the disability is, and integrate them into the workforce, especially into a private business atmosphere where they can produce and make themselves a living, or partial living, whatever the case may be, depending upon what it is, I think it's very important. Hopefully you'll be pushing the government to see that some of this \$14.2 million goes in that direction.

Again, I'm really pleased to hear about the individual approach you're taking, because I think we spend too much time trying to build this great big box to fit everybody, and the box usually fits very few people and ultimately does more harm than good to some other people and that's very unfortunate. So if we can work toward that, I think that would be a major step forward. Even if you can put 10 people with disabilities to work who didn't have an opportunity to do that before, I would think that would be a major accomplishment and give a lot of hope to other individuals who are in the same situation.

MS. MACRAE: I think there's also a real need for a lot of education awareness around the whole notion of duty to accommodate. We're working with the Human Rights Commission to actually develop some training around the duty to accommodate. I don't mention that as the big stick at all, because I think what the duty to accommodate provides is a framework that assists employers to understand what their obligations are - not only their obligations, but the obligations of people with disabilities, what their responsibilities are when it comes to being accommodated. It has to be reasonable, it has to be a partnership between the employer and the employee to be open and upfront about what your disability is and what your accommodation needs are. In a lot of cases when people don't disclose, there's not much that an employer can do unless they fully understand what the issue is and what needs to be accommodated.

You're right that there are a lot of disabilities that require some dollars to be attached to that accommodation, but there are a lot of accommodations that could be made that don't cost a lot. I think a lot of employers think that accommodating a person with disabilities is going to be a major expense, and in most cases it's not. Studies have shown that the average cost of an accommodation is about \$500. Now, you're going to get some that are going to be much higher than that and you're going to get some that are lower, but by and large it's not as costly as employers think. There needs to be a lot of awareness and training.

Before coming to this job, I worked with the federal government at the federal Office for Disability Issues and they actually did a survey several years ago of employers and asked them about their notions around employing people with disabilities. It was very fascinating to read it because on the outside, when people talked about wanting to hire people with disabilities, they were saying, oh yes, we do want to hire people with disabilities. But when you actually got down to asking them where those people with disabilities would work, they didn't want them to be out front, they didn't want them to be servicing the public. They wanted them to be in back, away from the public, because there was a perceived notion that their clientele would not be comfortable interacting with a

person with a disability. So we have a huge amount of work to do around education and awareness around this whole issue of hiring people with disabilities as well.

MR. COLWELL: Thank you.

MADAM CHAIRMAN: Thank you. Leo.

MR. LEO GLAVINE: Thank you very much, Madam Chairman, and thank you for coming in today. I would like to echo Marilyn's thought - that was a great synopsis of our day with the forum, so thank you for that.

Since the forum, you've met with government on one occasion. Did you use these five themes as your priorities or did you nail down some other areas of priority that the commission feels the province needs to move on?

MS. MACRAE: Are you referring to the Coordinating Committee of Ministers meeting?

MR. GLAVINE: Yes.

MS. MACRAE: The last time we met with them was in June, so it was before. We were supposed to have a meeting in December, but due to other commitments that meeting needed to be rescheduled. We're hoping it will happen in February.

MR. GLAVINE: So that being the case then, what do you see as at least two or three of the priorities that you would be presenting?

MS. MACRAE: To our next . . .

MR. GLAVINE: Yes, to your next . . .

MS. MACRAE: As opposed to what came out of this forum or just in general?

MR. GLAVINE: Just in general, because you're meeting with a lot of disability groups on an ongoing basis.

MS. MACRAE: Right. I'm going to try to remember what we said our issues were that we were going to be bringing forward so, Burke, you're going to have to help me on this; it has been a little bit of time.

We were going to bring up the issue of expanding the Wheelchair Recycling Program to include seniors, and we were going to talk about the Registered Disability Savings Plan, as Burke was saying earlier, to ensure that there are no clawbacks to that program. And the Labour Market Agreement for Persons with Disabilities, as well, ensuring that people with disabilities are going to be included in the discussions around

how those dollars are going to be spent, and we've started that process. I think those were the three.

MR. MACCALLUM: Also the devolution . . .

MS. MACRAE: That's related to the Labour Market Agreement (Interruptions)

MR. MACCALLUM: But that \$14 million and the devolution is a separate issue.

MS. MACRAE: Right.

MR. MACCALLUM: There was one other issue which escapes me at the moment.

MS. MACRAE: One of the other things that we've been working with that I think we were thinking of raising, as well, was two years ago there used to be a wheelchair-accessible van rental program through O'Regan's. They had two accessible vans that they rented out and about a year or so ago they stopped the service, indicating that they just couldn't make a profit at it.

So we worked with government to determine how we could best ensure the tourists who come into Nova Scotia and people with disabilities who live here in Nova Scotia would have access to a van that they could rent. We were asked by Community Services and Tourism to do a feasibility study or a market assessment of how such a service could run in Nova Scotia. We just completed that study in December, so we were going to bring the issue forward to government around getting that type of service reinstated.

The other one was BIANS. The Brain Injury Association of Nova Scotia has developed a report in which they're asking government to start putting resources into services for people with brain injuries. We were going to raise this report with the Coordinating Committee of Ministers as well.

MR. GLAVINE: Thank you very much. That's a lot of substantive issues right there for sure. Interestingly enough, you hit on one which I didn't expect to hear anything about today, and that was the disability van program. Actually I had two calls just this Fall and one of the people who called, in fact, thought it was just that the program ended on September 15th or September 30th because they had somebody coming in from western Canada who wanted to go to the Celtic Colours and there was nothing available for them to be able to go. They actually cancelled the trip entirely.

MS. MACRAE: That's right, that's what's happening.

MR. GLAVINE: That's really disappointing. Are you quite optimistic about what you're proposing? Will it be a possible public-private partnership? How do you foresee that?

MS. MACRAE: We worked with the students of Saint Mary's University who did the analysis for us and they came up with a really good report that had sort of four different models. We now need to sit down with Community Services and Tourism to go over the different models and figure out what could work.

[2:00 p.m.]

The difficulty that we have here in Nova Scotia is that O'Regan's never had problems renting them between May and September or October, because there were lots of tourists coming into the province - it was from September until the following May when that was the difficulty. So a lot of the analysis was done about how we could ensure that this service would be utilized during those months.

So some of the things that we're looking at - maybe a social enterprise type model might work. They made it quite clear that there would have to be some government support for this type of program because of the high cost of getting vans retrofitted. Unless you can have the vans being utilized pretty much year-round, it's difficult to make a profit. But if we did it on a social enterprise model perhaps, where there could be the ability to tap into some funding and that any profits that are made get turned back into the business to maybe hire people with disabilities, et cetera, that might be a model that will work. So we need to look at the different models, but we're hopeful that we will be able to put something back into place.

MR. GLAVINE: Just to point out maybe an area that I was surprised you didn't include that will be part of your next discussions and negotiations was accessible housing. I know the area that I represent - Kings West in the Annapolis Valley - is already, but it is becoming an even stronger retirement area. Most people are looking at apartments, small condominium complexes, which very few to date have been filled with any such accommodations, so I was surprised that you didn't bring that forward.

MS. MACRAE: The problem is when we meet with the Coordinating Committee of Ministers, we only have an hour and a half. What we usually try to do is pick the issues that are of a more, if you will, urgent need, or the ones that are more pressing of the day when we're scheduling these meetings. There's no question that housing is an important issue for sure. With this meeting, that's not an issue that we're addressing at this particular meeting, but it could be when we meet in June that it would be, for sure.

MR. TAPPER: I think it's important to note that through the work of the commission, and Anne and Burke, we've worked with the province in terms of the Building Code to ensure that it reflects the needs of persons with disabilities. One of our commissioners has travelled and looked at this whole concept of "visitability" which basically means that as new structures are built we find a way of building them so that maybe we move away from the traditional idea of having steps leading up and look at how we grade the land, so you build a natural ramp to new housing and at least make the first level of new structures visitable. In fact, it has been done in the United States.

I think in the United States, if I remember our discussion, they believed it only added about \$2,000 to the overall cost of a residence to make it visitable. It was cheaper to do it from new construction obviously than to retrofit, especially given some of our structures. It's certainly not something we've put on the table today but it's certainly something we're aware of and I would say working on.

MS. MACRAE: I know in the past - Burke, do you want to talk about the work you've done . . .

MR. MACCALLUM: Yes, there are a number of things that we've worked on over the years dealing with physical accessibility. The Building Code, basically - the Barrier-Free Design, Section 3.8 of the Building Code - stipulates that new buildings built have to be accessible to the standard of Section 3.8. However, there's an accessibility grant that the province has which not-for-profit businesses can tap into which cost-shares, making accessible adaptations to not-for-profit businesses. Now, I think we have presented three times, Anne, to the departments on this issue. We would like to see a grant that would help small-business owners, apartment buildings who are running small walk-ups, that kind of thing, that could help make those buildings accessible, because they're grandfathered in under Section 3.8 of the code. But that is a really important feature.

In the smaller communities, accessibility is extremely lacking. We're always pushing these issues. Right now the province had committed to 2020 to make the government buildings in this province accessible, so we're working with Transportation and Infrastructure Renewal. That is of key importance, people need to get into buildings. Like the Dennis Building, for example, look at the elevator in this building. If people who are in power chairs want to get into the building today, this would be really difficult. So physical access to buildings is a big, big issue in the province and for housing and with the aging population that Nova Scotia has and with the situation we have, we'll have a crisis in the accessible housing situation, without a doubt.

MR. GLAVINE: One last question. In regard to the June announcement by government to build three community homes for greater independent living, do you have any update on what's developing there, whether sites, for example, have been obtained? I know there were two of these going to be in western Nova Scotia and I was just wondering, do you have any up-to-date information on any progress? I mean is it just an announcement or is there some real movement taking place?

MS. MACRAE: No, there is some real movement. I can't comment about what's happening with the two in your area but I do know that the one here in Halifax is slated to open in the Spring. It's going to be an eight-bedroom dwelling that's actually being run by the L'Arche community. It's actually going to be almost like two separate homes within that one; one will house five people and the other section will house three. So they're going full steam ahead and my understanding is that by the Spring residents will be moving in, yes.

MR. GLAVINE: Thank you.

MADAM CHAIRMAN: Thank you. Trevor.

MR. TREVOR ZINCK: Thank you, Madam Chairman, a great way to start the new year. Always an interesting topic, thanks for coming in.

We touched briefly again on the accessibility by 2020 of all government buildings. I'm wondering if you can give me your opinion - I don't want to put you on the spot - how well are we doing as government, and governments in the past, as to hiring persons with disability? Where would you say we're at there?

MS. MACRAE: That's a good question. I can't give you stats right off the top of my head. I think there's a lot of good programs this provincial government has initiated. They've just developed new fair hiring policies, they have funding in place to hire people with disabilities so that the issue we were talking about earlier, around accommodating people with disabilities is in place. I know that I have had the good fortune to access funding to provide access for me to go to meetings and stuff and I know that a lot of people with disabilities have. I think this government is making a concerted effort, through their various mentorship programs, to ensure that people with disabilities are getting access to getting their foot inside the door.

Can there be more done? Sure, I mean you know right across the board the number of people with disabilities who are actually finding jobs is not as high and I think Burke can do better at talking to the statistics than I can.

The employment of people with disabilities right across the country is not where it should be, so here as well that would be the case.

MR. MACCALLUM: I think that's right on, it's not where it should be but there has been improvement. Statistics Canada keeps the employment-related data and they just released about three months ago the new employment data which came out of the 2006 PALS survey, which is the survey for persons with disabilities, and it clearly shows improvement.

One of the biggest correlates of employment, of course, is education. As the education levels have improved - and they have if you look over since the 1986 and the 2001 PALS and HAL census - compare that data, you'll see improvement. It goes hand in hand with the education levels.

I worked on a post-secondary follow-up, longitudinal follow-up study with the Department of Education, which we're also doing, and that data, which the minister released some months ago, really shows amazing improvement, that people are getting jobs when they come out with their education levels improved, which that post-secondary program has done wonders for.

So we're not where we should be but we're definitely improving and the Statistics Canada data shows improvement.

MR. ZINCK: Obviously we have improved and hopefully more so when federal monies comes down, the devolution. I think last month, or the last presentation, we had the Autism Centre and they're doing some unique work in the coming year with particular employers taking on some of their clients. One of the recommendations we made was for them to work with the minister, or make the minister aware of that program that they're trying to bring forward. I think acceptance in the workplace is another thing and as those funds come down and we encourage employers to take on individuals with disabilities, I think if we could offer up some sort of program, I know there are some people out there educating the workforce, educating not just the employers but the employees on dealing with an individual coming into the workplace with a disability. So that will be interesting to see.

MR. TAPPER: If I could offer by way of suggestion, there are what I'm going to call emerging populations. We can accommodate for most disabilities but if you look at brain injury, for example, we have a lot of young brain injured people who want to be employed.

I was recently at a conference in Vancouver - the international conference on brain injury and return to work. I had the pleasure of meeting a gentleman from Seattle and they have supported work programs, so that when Brian is ready to go back to work they have job coaches or job shadows who can actually go into the workplace and be with that individual until they master the task and then they withdraw.

The arrangement that organization has with the employer is if you need us in a week, a month, a year or whatever, you call us and we'll be there to help him master the next task. It has been proven that with the right supports, clients can be meaningfully employed and successful and they don't miss any more time than you or I. The key is to have the right supports in the right place, at the right time.

MR. ZINCK: Yes, I think we'd have to be innovative if we're actually going to really embrace this. I want to piggyback on that as well on a comment that Anne had made. I think most of us are aware there is a large majority of persons with disabilities who are living well below the poverty line. An incentive to get off funding from Community Services that's essential - there's a program called Project 50 where you go out and work 25 hours a month and you get \$50. Well that gets you out of the house, but it doesn't really give you an incentive to want to work. Things like that have to change especially if you're going to have the job and the clawbacks and stuff like that, it really puts the question in people's minds, is there really an incentive for me. We know that there have been studies just over the last year with persons with disabilities and aging and the amount of extra not just income, but different services they require, that we're really going to have to look at as government. So that's the good piece.

I want to just end off by making sure I was correct, Anne, the \$6 million announcement that came out about the homes, I think L'Arche is going to be very successful, we're very happy to have them setting up in HRM. I know they have worked at that for quite a number of years - the last two years anyway - trying to impress upon government that their model is a good model. I know that both Marilyn and I have met with members of L'Arche before they had that announcement. Did you say that part of that announcement was homes that were going to house 25 people?

MS. MACRAE: No. They're building homes across the province and my understanding is there are about eight people that they're trying to put in most of these homes, but I don't know about one that's going to house 25 people.

MR. ZINCK: I thought I heard you mention something about 25.

MS. MACRAE: No, did I say that?

MR. TAPPER: I don't think so.

MS. MACRAE: No, it might have been in terms of the number of people who are getting placed overall, but none of these homes are going to house 25 people per se, unless you're referring to Cobequid which was going to house 25 people.

MR. ZINCK: That's what I thought you were . . .

MS. MACRAE: No.

MR. ZINCK: Okay. Because I know that the greater community has a concern over Cobequid. In relation to the government that's going to be a place where there is going to be some more challenging persons with disability who are going to be housed there. The greater community has the feeling that 25 individuals in one place is, again, an institution, so it's a sore spot right now, for sure. Thank you.

[2:15 p.m.]

MADAM CHAIRMAN: Thank you. Manning.

MR. MANNING MACDONALD: Thank you, Madam Chairman. Just listening to what has been said here today - and thank you very much for the presentation - my mind was going back to similar presentations that I've heard over many years. One of the advantages, I guess, about being in public life for a long time is that you've heard a lot over the years and you really reflect on what has really changed.

In my previous life as mayor of Sydney and prior to that as a social worker, all through the piece, I've heard the plight of the disabled in our province and I agonize about

the fact, have we really come that far over those years? I'm going to get to that in a moment, but before that I look at what has been happening and what has not been happening.

I guess in the past, the attempts by people who were not directly involved with the disabled were trying to sort out what they felt was best for the disabled people of the province. When you look at the statistics here, you see where Nova Scotians have the highest statistics in Canada for the disabled. That, in itself, is a problem, but I think things have started to change over the past few years when we see groups taking advocacy of their own situation and promoting that to government, to both the private and public sectors.

I look at people like Paul Young of People First, who over the years was one of the first ones I dealt with, Marcie Stanley - you're familiar with all these names - Claredon Robicheau, Earl Flynn and the list goes on, there are many of them. I think they were the ones who really impressed upon me the fact that we have to do something, because these people know what they're talking about and they've lived it.

In the case of Paul Young, for example, I think Keith mentioned something about employability. Well, you know Paul Young was employed by the CBC in Sydney and was a valuable member of that staff for a number of years. He literally pulled himself up and decided that it wasn't good enough for him to do that, he had to try to do it for others, and he has been doing that over the years.

I think taking over the issues has been very important for people with disabilities in this province. I look at the issue that we talked about, accessible and affordable housing. I've been talking about that and have been listening to people talking about it for 35 years, and the problem is still out there. I look at employability in the province for the disabled, I look at financial issues and the clawbacks that are still evident in our public system. Instead of the clawback, we should be giving an incentive for people to claw out of the dependency situation that they have, and we still have these issues. It all comes down to money, priorities, and I think the government has moved a long way but still has a long way to go.

When I make a presentation, as I did recently to the minister, it came down to her staff advising her that we'd love to do it but we don't have the money to do it. I think that is something we have to come to grips with but we also have to say, what are our priorities? Do we really want to do something for people that's meaningful, that's going to have a lasting impression not only upon the people who need the service, but upon the population in general?

Transportation issues - Claredon Robicheau and Marcie Stanley and all these people have been talking about this issue and literally beating it to death over the past number of years. We still have issues with transportation in this province and that's something - if we do nothing else, we have to be able to give people mobility, to be able to give people the means where they can participate in a lifestyle that we take for granted. Hopefully we're moving toward some day when - I hope it's not too long in the future because I'm not going to be around forever, although it seems like I've been around forever

now - that I see the day that I'm satisfied we've done something for the disabled people of this province.

I have to tell you that as I sit here today, I'm still not satisfied and hopefully that will change. Your comments are welcome and I just wanted to make a statement to that effect.

MS. MACRAE: Thank you.

MADAM CHAIRMAN: Thank you. Gordie.

MR. GORDON GOSSE: Thank you for coming in today - a very well done presentation on the issue of persons with disabilities. The Act itself in 1989, I personally find it draconian and it has to be tossed out as soon as possible. Manning had mentioned people with disabilities that led the charge, like Paul Young and Marcie Shwery-Stanley and those people, for many, many years. I know them quite well but I just think that the whole Act is draconian, it has to go.

I have an issue now and I'd like to discuss that with you, in a sense. I have a person living with a disability who is living in a Community Services home but is 78 years of age. You talk about getting some money and the fortune that came in, as soon as the money landed in his lap, a large amount, maybe around \$86,000, because he is 78 years of age but lives in a Community Services home, they took every penny and they used this Act to do it.

MS. MACRAE: Which Act?

MR. GOSSE: The persons with disabilities Act - the Act itself. As a matter of fact, I've tried to get a copy of this Act and they want me to pay for it. As an MLA, they want me to pay to get a copy of the persons with disabilities Act itself so I can represent a constituent. I mean they actually want me to pay for this Act and I said, gee, I don't understand. Our jobs, as MLAs, as advocates for people who are less fortunate than ourselves and people who are disabled, I found that very disturbing. So I actually brought this whole thing to the Human Rights Commission and hopefully it will all come out in the new year. But anyway, it's disappointing to realize that I'm trying to represent somebody and they want me to pay for a copy of that draconian Act, and I refuse to do that.

Also, you talked about transportation and stuff. I wondered along the lines of people who are actually travelling, and this was my colleague, the member for Dartmouth North, who always said about full-service gas stations. You talked about the van part of it and some other colleagues here talked about that but is there actually any movement within the community to have a map, that if somebody was disabled and needed a full-service gas station, is there something available to that person so they could be able to gas up in the Province of Nova Scotia, or even in Atlantic Canada?

MS. MACRAE: There actually is a map - I can't give you the exact Web site but we can get it for you - that does indicate where there are full-service and self-service stations. So that helps, to some extent, but there are still gaps that exist from one end of the province to the other, where it can be very difficult for people with disabilities who need to gas up and get from one end of the province to - you can't always find full-service stations anymore, so it's a huge issue.

I actually had an incident happen to me once. I was driving from here to Truro and all I wanted was help with putting some oil in my car, or something. I can't remember what the issue was but I stopped at a place that did not have full-service and this had nothing to do with having a disability, I was frankly just being lazy. But the woman who came out, I said, could you help me with it? She said no, we're not allowed to, there's only one of us on and we're not allowed to leave the till. It really struck home to me how difficult it would be if you were a person with a disability and needed to gain access to assistance. They may want to help you, but because of the rules of the place and if they're the only ones on, they can't. So it is an issue.

Do you guys have other things you want to talk about?

MR. TAPPER: No, finish that topic. We want to come back . . .

MS. MACRAE: Go back to the Act? Sure.

So it is an issue and it had been brought forward to us in the past, and to my knowledge there hasn't been much movement on that particular issue. I think more and more gas stations are going self-service.

MR. GOSSE: The other question or the other thing I'd like to look for in finding that is, I think you touched on a topic earlier about core funding versus project-based funding. A lot of executive directors of non-profit organizations, or people that lead that, say the same thing - they spend 75 per cent of their time looking for their operational funding instead of actually working with their clients. That's a major problem in most provinces, it always has been and still is to this day, so I'm hoping that will improve.

But the other question I have is that the LMDA you were talking about earlier, when this was implemented in other provinces in Canada - New Brunswick and Ontario - a lot of non-profit organizations went by the wayside. I just want to know, as the Disabled Persons Commission, have you heard anything from some of these non-profit organizations like the African Nova Scotia employment centre, other organizations from down in the Valley like The Flower Cart and other things like that? Are they afraid of closure with this new LMDA coming into effect April 1st ?

MS. MACRAE: We have heard when we've gone across the province and have done our consultations, this issue has come up repeatedly. We had people from Labour and Workforce Development come to the commission to present to us when the devolution was

announced and we brought the issue forward with them. At our December 3rd event, which was a symposium on employment and education, Stu Gorley came and presented and he assured the participants that we had nothing to worry about, so we're confident that he's going to live up to his word.

MR. GOSSE: I hope so. He's the guy that's leading the charge for the province. He came from New Brunswick and they lost 39 per cent of their non-profit organizations in that province.

MS. MACRAE: We've been assured that that is not going to happen, so we're going to hope that that's the case.

MR. GOSSE: I'm glad you guys feel that that is carved in stone. That's pretty well it, I just think persons with disabilities, the affordable housing aspect of it, we get many calls as MLAs - I need wheelchair accessible. I have somebody here who just moved to my riding from Saskatchewan last month - with the time to get the application in to public housing, the time it goes to the board of directors, and the time they feel to get on a list to get in, there's not enough wheelchair accessible or accessible units for persons with disabilities within our own public stock.

I don't know how many units we'd be short in the province, but I'm just wondering, has the commission ever wondered what the \$56 million, of the Affordable Housing Program with the feds and the province - of that \$56 million from October 2003, how many units were built for disabled people or how many units were built for persons with disabilities?

MS. MACRAE: We can find out for you, we don't have those stats with us, but we can certainly look into it for you.

MR. MACCALLUM: Keep in mind any new construction will come under Section 3.8 of the Building Code, so they will have to be made accessible. The problem is the housing that is grandfathered in under the Building Code Act. There's nothing in place that will help small-business owners, people who own small walk-up buildings, to make adaptations to that.

As I mentioned earlier, we've tried to push that to the government, it's the importance of cost funding. If you look at the accessibility program that government offers, the not-for-profit, if you look at the years in which the number of not-for-profits have been made accessible by supporting dollars, 50/50 cost-shared dollars, it's amazing what that program has done. If there was something similar to that it would be really helpful to people. There's just no incentive there to people who are grandfathered in apartment buildings to make the older stuff accessible, it's costly.

MS. MACRAE: It's not only apartments. If you go even here in this province and across this country to find accessible houses to buy - I have a son who is 12 years old who

is in a wheelchair and moving here it has been a real challenge trying to find a house that is fully accessible. We live in Dartmouth North and we found a pretty good house, but it's not accessible. When you look on the MLS listings and they say a dwelling is wheelchair accessible and you go and look at it, what is meant by that means so many different things to so many different people that they're rarely fully accessible. I've actually gotten a call from our real estate agent who has been helping us with our housing issues and he has taken this on as an issue and is hoping to work with MLS to see what they can do around creating a better way to at least advertise houses that are fully accessible, so it is right across the board in terms of trying to find houses that are.

MR. GOSSE: It's almost like checking into a hotel as a person with disabilities. My father had no legs and was in a wheelchair and it would say the hotel was wheelchair accessible and when he got there it wasn't and it was like, oh man, the lobby might be but getting into the room or accessing the bathroom or the toiletries wasn't, so we ran into that over time.

MR. MACCALLUM: Operationally defining the term "accessible" is really critical in developing any methodology for buildings and structure. The word loosely put, accessible, is quite often misconstrued.

[2:30 p.m.]

MR. GOSSE: Yes, and put in that situation as a family member with a parent in a wheelchair, so I quite know what that's all about when they say accessible. Maybe it's the lobby, but not the rooms or anything else that are in the hotel or the motel.

MADAM CHAIRMAN: I would just like to review what we're going to do in the last half hour. I'll give you a few minutes to respond to the disabilities Act question. Is that what you wanted? Yes, okay. And then I'd like to ask a couple of questions, then we'll give you a chance to wrap up. We have probably about five minutes of housekeeping details to deal with before 3:00 p.m., so if you want to respond on the disabilities Act issue.

MR. TAPPER: I just have a quick question for Mr. Gosse. When you talked about the Act and you were talking about the clawback being draconian, were you talking about the Disabled Persons Commission Act or the Income Assistance Act?

MR. GOSSE: The persons with disabilities Act.

MR. MACCALLUM: I fail to see the connection, if I may, between our Act and how that clawback would occur.

MS. MACRAE: Are you talking the Disabled Persons Commission Act?

MR. GOSSE: No, no.

MS. MACRAE: It's not our Act.

MR. ZINCK: Under the ESIA programs.

MR. GOSSE: I just wanted to be clear about the Act - not within yours but the Act itself is how they would done that because this person is disabled, although he is a senior citizen, because he's living in a place for disabled, a facility that's run by the Department of Community Services - when this windfall of money came, when the cheque came that night, Community Services was there at 9:00 o'clock in the morning. I mean, they were like a pack of wolves surrounding and I found it so disheartening. They were waiting and here, give us that cheque - well, I was going to take it to the credit union. Well it's not yours - I'm 78 years of age, I'm a senior citizen, didn't they change that law in 2003, where they couldn't take my assets? Yes, but you're a senior living in a Community Services-run home because you have a disability. That money is ours, have a nice day and take that \$86,000 and see you later.

MR. MACCALLUM: And that is a similar issue as the RDSP that the federal government has put in place. If that goes into effect and the province maintains their rules, that will be clawed back.

MR. GOSSE: Oh, absolutely, it's like parents in my riding built a home for their disabled daughter and their disabled son-in-law and then with the assessment going up and everything else going up, now they're wanting to pass this on and go to Heaven and wherever things in life are going to go, wherever we go after life, and say I built this for my daughter and her husband and everything else. He has a minimum wage job but now, with the assessment going up, the taxes going up, they're just saying to themselves they gave them this piece of land and built them this home, had all the brothers build it, thought that they could live peacefully for the rest of their lives. There's a lot of people in that generation now they're just worried about that and that's what's going to happen. Thank you.

MADAM CHAIRMAN: Thank you. I wanted to get back to the forum. One of the other themes that seemed to come out from the non-profit organizations that are represented there seemed to be the perception that their voices were not being heard or respected by government. I found it interesting that as a commission, you see as part of your mandate to be sort of the official voice of the disabilities sector. I guess I'm wondering how seriously government takes your recommendations and suggestions.

I don't know the answer to this but I'll ask the question anyhow. For example, in the last three years, how many times have you met with the Coordinating Committee of Ministers?

MS. MACRAE: We met last June - I think we've met twice, or perhaps three times, but I think it's twice in the last couple of years. The difficulty, it's not so much that there isn't a will, it's very difficult to get five ministers scheduled to be in sync. So what happens

is we do get a date, we book it, but sometimes competing priorities come up and we have to keep shifting them. So there's some years that we don't get to meet twice a year but other years we've done better. It just all depends on their timing.

I think when we do meet, they're very responsive. I think probably one of the issues that we've had the most success with is the wheelchair demonstration project. The taxi issue was another one. Several years ago when there were no taxis in Halifax - it happened to be just before we were meeting with the Coordinating Committee of Ministers that this issue had hit the fan - we put it on the agenda and they responded immediately and came up with funds to put four more taxis on the road.

I think when it works and when we do get to meet it works very well and they are responsive. It's just that trying to coordinate the schedules of five ministers is really difficult.

MADAM CHAIRMAN: I can appreciate that, but I guess I'm worried about what priority - considering 20 per cent of our population basically are individuals living with disabilities, when you multiply that by the family, friends and colleagues who are impacted by their situations, as well, that's a considerable majority of Nova Scotians. Are you concerned about the fact that you may not have your next meeting until well into the budget preparation process?

MS. MACRAE: I think we're pretty confident we'll get a date. The last time this happened, when we couldn't meet on the prescribed date, Minister Streach moved heaven and earth and promised us we would get our meeting, and we did - all five were there and we had an excellent meeting. So, yes, I'm confident we will get our meeting.

MADAM CHAIRMAN: I guess one of the concerns MLAs always have about commissions and advisory committees and councils and whatnot is how they perceive their role as an advocate for their issues. I notice in the information provided to us that in the early interpretation of the mandate of the commission it suggests that one of your roles is to review existing government policies and programs to make sure they are appropriate and effective. I guess I'm following up a little bit on Manning's concern, as well, that until we have rights-based expectations and standards that are accepted by government, and the community itself, how can we measure progress?

It's one thing to take an issue and say the minister responded quickly or the Coordinating Committee of Ministers responded. But when you look at the number of people impacted by these issues and the fact that the commission itself has been in effect for - what? - close to 20 years now, are you satisfied that the commission has the resources and credibility with government to do your job? It's an immense amount of work that three staff people have done. Now, I realize you have a very involved, active commission in terms of your board, as well, but that does not seem to me like adequate resources.

MS. MACRAE: We could always use more. We are to have four staff positions and we have redefined one of the positions and we're currently in the process of getting that staff, so we're hoping to be up to four soon.

When I came to this commission three years ago, it has been a really interesting process to sort of really understand what the role of a group like this is. It really is a bit of a fine tightrope that you walk because there are expectations on both sides - there are expectations from government and there are expectations from the community. I think the key role that commissions like ours can play is in two areas. One is advisory in terms of advising government, and that's all we can do. We can advise government on what we think they should do on a particular issue, but at the end of the day it's up to the government to decide, given the different levels of priorities that they have or the many priorities that they have, that they have to fit these in. Secondly, it's around education and awareness right across the board. I think that's the key role of the commission, to provide education and awareness.

The one issue that you do raise that I think we all need to keep in mind, not just government but those of you who are in the Opposition, is that you're right, 20 per cent of the people of this province are people with disabilities and that's not including, as you say, the family and friends who are impacted by that. I think all of us have to keep in mind that it's a huge constituency that needs to have its issues addressed. It's not a partisan issue, it's an issue that should be cutting across and needs to be supported.

MR. TAPPER: When we have the conversation at the commission about issues relating to persons with disabilities, I wish we could find a way of people fully appreciating that when we talk about change - use the example of universal design, automated doors - while they really benefit people with disabilities, they benefit us all. If you're a mother pushing a wheelchair, a stroller, or if you're a senior, some of the things are very disability-specific.

Anne and I were at a meeting in Ottawa a year and half or so ago and the person from Manitoba said - and it stuck with me - this is the only minority that we all still have the opportunity of joining, and we all have a pretty good chance of joining it if you believe the statistics. I say that on one level, I think we've walked this tightrope about being an advocate, but to what level do we push and how do we best work with government departments and maintain trust relationships, because it's key to how we do business.

I would say that I think in the last two years that I've been chair and not just because I've been chair - I think our relationship with the ministers, our relationship with the deputy ministers, our relationship with senior people - we work very hard to develop that relationship to advance issues. So whether you're talking about the ACE program here in Halifax to help children transition from the public school system, or you're talking about the similar program in Port Hawkesbury, we've really worked diligently.

Could things be better? My term is coming up in April and I've applied to renew because I have unfinished business - maybe I'm a bit like Mr. MacDonald. But I think we're at the point where some really significant change can happen, particularly if we can advance the issue of the LMA and those kinds of issues, and the issue of housing. There are some really important things that can happen and I want to be a part of them.

MS. MACRAE: I actually wanted to throw a bit of a question back to everybody here. With 20 per cent of the population of Nova Scotia being persons with disabilities, how do you see each of your individual roles as MLAs in terms of having the opportunity to hire people with disabilities, in terms of having the opportunity to ensure that your own places of work are fully accessible to people with disabilities, in terms of when you're producing your newsletters or information that you send out to your constituents - do you ensure that it's accessible to your constituents? Do your constituents who are blind or visually impaired have access to it in alternate formats? All of those issues that we deal with on a regular basis, we all have a responsibility to ensure that in our day-to-day lives we're ensuring we are also creating access for people with disabilities. We need to keep in mind that that 20 per cent is growing, it's not going to stay at 20 per cent.

MADAM CHAIRMAN: No, and we certainly don't have time to individually respond, but I would suggest that on behalf of us we are trying to do many of those things, but if you would like to send us a list of sort of prompt questions of things that we should be considering, we would really appreciate that.

[2:45 p.m.]

I think part of the evolution of the thinking in this province has to be that any money spent to help people with disabilities is an investment in people in communities and it's not a drain on our economy. If we can change the mindset there, I think we can make longer strides faster. So on behalf of the committee, I want to thank you all very much. This was an excellent presentation and discussion and I'm just wondering if you'd like to make a few closing remarks.

MS. MACRAE: We hadn't actually prepared closing remarks, now that I think about it. We put all of our energies into presenting, I think. We've really enjoyed the opportunity to come here today and we are a phone call away if you have questions or concerns or things that we can help you with, we'd be happy to do so. Thank you very much for the opportunity to come.

Oh, there is actually one thing I would like to say; in terms of follow-up from the forum, what do you see as being follow-up to the forum? Will there be another one? Is there going to be a report coming out from your committee, in terms of what is going to be done as follow-up?

MADAM CHAIRMAN: Well that's a good question. Usually at our organizational meeting, which I suspect would be in a couple of months because we have two more

groups, I believe, to hear from before we start organizing our schedule for the next year. I think there will be some consideration of following through on our part, discussing with other organizations beyond the commission, but we haven't taken any formal decisions on how we're going to follow up from that, or whether or not we're going to have another disabilities forum, but it is on our continuing agenda.

Our next step was to hear from you. We wanted to make sure that the commission had formal input into this process, so if you have any recommendations on how we might process some of that information and what our role might be in helping you to move forward with some of those issues, we'd certainly be open to those suggestions.

MS. MACRAE: When I was reading through the transcript, I had understood that there was a possibility of maybe having some follow-up meetings that might be on specific issues, like on perhaps core funding for the groups or things like that, that weren't specifically raised by the forum.

I think we would be very supportive of making these forums an annual event, it would be fantastic.

MADAM CHAIRMAN: Okay, we'll take that into consideration and certainly let you know, once we have our organizational meeting and decide some of those points. Brian.

MR. TAPPER: Would you like a hard copy of our presentation, or would you like a copy provided electronically?

MADAM CHAIRMAN: What is the wish of the members?

MR. GOSSE: I think we're going to get it anyway.

MADAM CHAIRMAN: Yes, everything that you've said orally will be recorded in Hansard and we will have access, but if there's additional information, if you make anything available to the committee clerk, she will redistribute it amongst the committee members.

Thank you very much. So if you can just be patient for perhaps five minutes, we'll finish up our business and then we'll have a chance to thank you personally and wish you well.

Just moving on, the next issue we want to look at is the research packages. The committee clerk and the other staff here at the Committees Office are suggesting that we limit the amount of or the number of printed packages that are distributed. They're suggesting that the committee members, ourselves, that we would receive them electronically and we could just print them off in our offices when it is convenient for us, rather than picking them up at the caucus office, and that eight prepared packages would

be printed. Three would be sent to the caucus researchers - that's one per caucus - one would be printed for Hansard, two for the Legislative Library, one to the committee clerk and one package prepared for the witness who would be appearing at each meeting.

So is there a motion and perhaps discussion on this? I guess essentially the major change is not preparing printed packages for the committee members. Does someone want to move a motion to at least get it on the floor for discussion?

MR. MACDONALD: I will.

MADAM CHAIRMAN: Is there a seconder? Thank you. Any discussion?

HON. RONALD CHISHOLM: So it would be up to the caucus office to distribute to their own members.

MADAM CHAIRMAN: Or, when the e-mail comes through with the electronic version, then we can just print it off wherever we happen to be. I know some of the out-of-town people don't actually get in, perhaps several days before, to pick up the printed package so it might be easier - we already get notice of the electronic package in our offices. Is that a problem for anybody?

Okay, everyone is in agreement on that. Thank you.

The other thing is not on the agenda. I just want to quickly mention that we've had an acknowledgment of our letter from the Premier. Remember we sent, back on December 11th, a letter regarding the Provincial Autism Centre, that our committee encourages government to support the work of the Provincial Autism Centre with an annual grant of at least \$100,000 per year, over a five-year period. This is from Pat Lunn, his Correspondence Coordinator: "On behalf of Premier MacDonald, thank you for your letter of December 11th regarding the Provincial Autism Centre. Your correspondence is being reviewed, and a response will be forthcoming." So it is for information purposes only, okay?

Our next meeting will be February 3rd. We're meeting with officials from the Nova Scotia Association of Health Organizations. You remember that organization was referred to us by the Public Accounts Committee and I believe, but we're going to check into it a little further, I believe their main issue is human resources but we'll find out for sure just what part of their operations they wanted to discuss with Public Accounts Committee or with us. Any questions?

MR. CHISHOLM: Is that a provincial group, Madam Chairman?

MADAM CHAIRMAN: Yes.

MR. MACDONALD: I move that we adjourn.

MADAM CHAIRMAN: Motion accepted. Thank you.

[The committee adjourned at 2:53 p.m.]