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**Disability groups from across Canada write open letter to government calling for improvements to Bill C-81-Accessible Canada Act**

**Open Letter Regarding the Need to Strengthen Bill C-81 – Accessible Canada Act**

October 30, 2018

Dear Minister Qualtrough and HUMA Committee Members:

We the undersigned commend the Federal Government for committing to enact national accessibility legislation. As provincial and national disability rights organizations, we write to express significant concerns regarding Bill C-81. The following highlights our key concerns and reflects the concerns raised by our communities before the HUMA Committee. Amendments are essential to effectively remedy these concerns.

1. Bill C-81 requires timelines. Timelines are essential to ensure that key accessibility measures are taken. Timelines are also required so that progress on accessibility can be measured. In particular, we support recommendations for the Bill to include a timeline for achieving a Canada without barriers, and timelines by which accessibility standards are developed and enacted into law. Timelines are also needed for establishing the infrastructure necessary to implement the Bill.
2. Bill C-81 imposes no duty on Government to use the powers available in the Bill. We support recommendations to change the word may to shall to ensure that the Government implements key steps for achieving accessibility.
3. Bill C-81 requires federally-regulated organizations to establish accessibility plans. However, the Bill does not require these to be good plans. It does not require an organization to implement its accessibility plan.
4. Bill C-81 wrongly splinters the power to make accessibility standards (regulations) and the power to enforce the Bill across numerous Federal agencies. This splintering will make the Bill’s implementation and enforcement less effective, more confusing, more complicated, more costly, and will increase delay.
5. Bill C-81 wrongly gives the Federal Government and various federal agencies the sweeping, unjustified and unaccountable power to exempt organizations from a number of important accessibility obligations. The Government can even exempt itself.

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1. The Bill does not require the Federal Government to use its readily-available power to ensure that federal money is never used by any recipient to create or perpetuate barriers. The Bill must be amended to leverage the federal spending power, in order to promote accessibility.
2. The Federal Government is the largest organization that will have to obey this legislation. Therefore, the key federal agencies that will develop accessibility standards, oversee and enforce this legislation must be independent of the Federal Government. Under the Bill, they are not. They all report to the Federal Government. We support recommendations for amendments to ensure that CASDO, the Accessibility Commissioner and other key agencies are sufficiently independent.
3. Bill C-81 does not sufficiently address barriers created by poverty and intersectional discrimination. Nor does it address the unique barriers experienced by Indigenous and First Nations persons with disabilities.
4. Bill C-81 does not recognize ASL/LSQ as the official languages of people who are Deaf.

We believe that if these priority changes are made, among the amendments to Bill C-81, this Bill has the potential to truly advance accessibility and inclusion of persons with disabilities in Canada. We ask that the Bill be amended to address the concerns and objectives outlined above. These amendments are indispensable to ensure that the Bill achieves its purpose and potential.

In Solidarity,

Council of Canadians with Disabilities – Conseil des Canadiens avec déficiences (CCD)

Communication Disabilities Access Canada (CDAC)

In addition to the concerns outlined in this open letter, CDAC recommends that Bill C-81 address communication as a domain across all federal jurisdictions and includes the needs of people with speech and language disabilities. ARCH, CCD and other disability organizations support CDAC’s recommendations.

DAWN-RAFH Canada

Canadian Association for Community Living (CACL)

National Network for Mental Health (NNMH)

Independent Living Canada (ILC)

March of Dimes Canada

Canadian National Institute for the Blind (CNIB)

Barrier Free Canada – Canada sans Barrières

Alliance for Equality of Blind Canadians (AEBC)

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People First of Canada

Canadian Centre on Disability Studies

Canadian Epilepsy Alliance/ L’Alliance canadienne de l’épilepsie (CEA/ACE)

National Coalition of People who use Guide and Service Dogs in Canada

National Educational Association of Disabled Students (NEADS)

Muscular Dystrophy Canada

Canadian Autism Spectrum Disorder Association (CASDA)

Canadian Association of the Deaf – Association des Sourds du Canada

L’Arche Canada

Hydrocephalus Canada

AODA Alliance

ARCH Disability Law

Centre Québec Accessible

Views for the Visually Impaired

Physicians of Ontario Neurodevelopmental Advocacy (PONDA)

Unitarian Commons Co-Housing Corporation

Citizens with Disabilities Ontario (CWDO)

Community Living Ontario (CLO)

Barrier-Free Manitoba

Regroupement des associations de personnes Handicapées de l’Outaouais (RAPHO)

Barrier Free Saskatchewan

DeafBlind Ontario Service

Community Living Toronto (CLT)

Ontario Autism Coalition

Confédération des organismes de personnes handicapées du Québec (COPHAN)

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Canadian Multicultural Disability Centre, Inc. (CMDCI)

Community Legal Assistance Society (CLAS)

Northwest Territories Council for Disability

Voice of Albertans with Disabilities

Ontario Disability Coalition

SPH Planning and Consulting Ltd.

The Law, Disability & Social Change Project

Manitoba League of Persons with Disabilities (MLPD)

Disability Justice Network of Ontario (DJNO)

Nova Scotia Association for Community Living

Nova Scotia League for Equal Opportunity

Disability Alliance of British Columbia

Disability Positive

Coalition of Persons with Disabilities (NL)

Realize / Réalise

Calgary Ability Network Human Rights

Down Syndrome Association of Ontario

Southern Alberta Individualized Planning Association

Gateway Association (Edmonton)

BALANCE for Blind Adults

Alliance for Equality of Blind Canadians Toronto Chapter (AEBC Toronto Chapter)

The Keremeos Measuring Up Team

Ontario Council of Agencies Serving Immigrants (OCASI)

Altergo

Aphasie Québec – Le réseau

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Association multiethnique pour l’intégration des personnes handicapées

DéPhy *Montréal*

Ex aequo

Regroupement des organismes de personnes handicapées du Centre-du-Québec

Regroupement des Usagers du Transport Adapté et accessible de l’île de Montréal (RUTA Mtl)

Réseau international sur le Processus de production du handicap (RIPPH)

Société logique

North Saskatchewan Independent Living Centre Inc.

Older Women’s Network

Association d’informations en logements et immeubles adaptés (AILIA)

Association du syndrome de Usher du Québec (ASUQ)

Réseau québécois pour l’inclusion sociale des personnes sourdes et malentendantes (ReQIS)

Regroupement des aveugles et amblyopes du Québec (RAAQ)

Saskatoon Alliance for the Equality of Blind Canadians

Centre for Independent Living in Toronto (C.I.L.T.) Inc

The League for Human Rights of B’nai Brith Canada – Ligue des driots de la personne de B’nai Brith Canada

Barrier-Free New Brunswick

Canadian Association of Professionals with Disabilities

The BC Disability Caucus

The Independent Living Centre London and Area

Ontario Association of the Deaf (OAD)

Handicapped Action Group Inc. (HAGI)

Community Services for Independence North West (CSINW)

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Ontario Federation for Cerebral Palsy

Nova Scotia League for Equal Opportunities (NSLEO)

Alberta Disability Workers Association

reachAbility Association

Champions Career Centre

The Peterborough Council for Persons with Disabilities

Guide Dog Users of Canada

Action des femmes handicapées – Montréal

Silent Voice Canada Inc.

Deaf Literacy Initiative

Above and Beyond the Disability

Physical Activity Centre of Excellence (PACE)

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