

Independent Review of Nova Scotia's Accessibility Act

Plain Language Summary of the Inaugural Review Report

Based on the review report
authored by Dr. Katie Aubrecht,
Independent Reviewer

Prepared by People First of Canada

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Land acknowledgement

The review of Nova Scotia's Accessibility Act was done at the Spatializing Care: Intersectional Disability Studies Lab. The lab is at St. Francis Xavier University.

The land that the University is on is called Mi'kma'ki. This land is the home of the Mi'kmaq People. They have taken care of the land over many years. We acknowledge and respect the Mi'kmaq relationship to this land.

There are also over 50 African Nova Scotian communities in Nova Scotia. These communities and peoples have been building and shaping Nova Scotia for over 400 years.

We acknowledge the connections of Mi'kmaq and African Nova Scotian communities to the land. We acknowledge the connections among these and other communities. We acknowledge the unfair treatment of these communities throughout history.

We must all keep this in mind as we work to find, stop, and remove barriers to accessibility. We must commit to working in unity with all peoples of Nova Scotia.

Introduction

This document is a plain language summary. It is based on a larger report by Dr. Katie Aubrecht. It is about how we are doing with the Nova Scotia *Accessibility Act*. It shows the research that was done. It shows the changes that should be made to the Act and other areas related to accessibility.

What is the *Accessibility Act*?

The *Accessibility Act* is a law in Nova Scotia. It was passed by the government in 2017. It is just called the 'Act' in this report.

This Act was made in a new and different way. The writing of the Act was not done just by government and lawyers. It involved many different disability communities. The communities were from all parts of the province.

The Act will help people with disabilities. It will make Nova Scotia more inclusive and accessible.

The Act has many goals. Here are some of them.

- Remove and stop barriers.
- Make sure the Act is being managed.
- Make sure the Act is followed.
- Make rules for accessibility. (These rules are called standards.)
- Have a way to make sure accessibility rules are followed.

What is a barrier?

A barrier is anything that stops people with disabilities from being included. A barrier can be a physical thing. Or a barrier can be in the way things are done.

The Act will help remove old barriers and stop new barriers from being made.

These are the 6 areas where the Act will remove and stop barriers.

- Built environment (These are buildings and public places and spaces.)
- Education
- Employment
- Goods and services (These are things people buy, sell, or spend money on.)
- Information and communication
- Public transportation and transportation infrastructure

The Act has a goal to make these areas accessible by 2030.

How is the Act managed?

The Act needs to be managed. This means it needs to be used and put into action. The following positions were made to manage the Act.

- Accessibility Directorate – This group manages the Act. It is just called the 'Directorate' in this report.
- Accessibility Advisory Board – This group advises the Minister of Justice. They make recommendations about accessibility. It is just called the 'Board' in this report.
- Standards Development Committees – These groups make recommendations about accessibility rules.
- Director of Compliance and Enforcement – This person makes sure the Act is being followed. They identify who has violated the Act.

The Act also directs some groups to develop advisory committees and make accessibility plans.

How is the Act reviewed?

Another part of the Act is that it must be reviewed. This means it needs to be researched and checked. This will help to find out if the Act is working the way it is supposed to. It will help to find out if the Act is being followed. It will help to find out if the standards that are developed are effective. It will help to find out if anything should be changed.

The first review of the Act needs to start four years after it the Act began. After that it will be reviewed every five years. This is a report on the first review of the Act.

The first review was done by Dr. Katie Aubrecht. She led a team of people. Some people on the team did research, and some people shared ideas to help the researchers. Everyone on the team felt disability is as an important part of identity. Many people on the team faced accessibility barriers in their lives or had family or friends who did.

What is covered in this review?

This review looked at the activities since the Act began.

This review also looked at other important issues. These include human resources, funding, consulting and timelines.

What are accessibility standards (or rules)?

The Act puts in place a way to make rules about accessibility. These rules are called standards. It also puts in place a way to make sure these rules are followed.

Who did the review team talk to?

As part of this review, the team talked to nearly 800 people in Nova Scotia. This included people from the following groups.

- People with disabilities
- Deaf people
- People with differences in the way their brains work
- People who represent organizations for people with disabilities
- Organizations affected by accessibility standards
- Members of the Accessibility Advisory Board
- Members of Standard Development Committees
- People from government
- Staff of the Accessibility Directorate

The team consulted online and in person. They did interviews, surveys and focus groups. They held 'town hall' discussions. They also got responses through a website they made for the review, by email, and over the phone.

What did they find out? Recommendations and changes

The review found out a lot of information. It makes many recommendations. They are described and explained below. The main recommendations for each area are given.

Keep up with new information

The meaning of the word 'disability' has changed over the years. So has the way it is defined. It may change again. The Act should keep up to date with these changes.

Government should review the Act and update it when and where it is needed.

Commit to being accessible and inclusive

Accessibility work must be inclusive. It must include people with disabilities. It must include people with diverse backgrounds. It needs to include 'First Voice'. 'First Voice' of a person with a disability. Or it can be someone who represents people with disabilities.

It must also represent and include all Nova Scotia's communities. This includes Black and African Nova Scotian, Mi'kmaq, and Francophone communities. It also includes immigrant and refugee communities. It includes people who speak a different language than the one spoken in their community.

It is important to find ways to reach groups that are usually left out and forgotten. It is also important to support new leaders. Ways to do both these actions should be considered and started.

Government should commit to the following actions.

- Require training for anyone who is doing accessibility work around the Act. This training will help workers to understand people with disabilities and their experiences. It will help them to be inclusive in their work.
- Require all departments to commit to accessibility. Make sure it is written in the goals of each department. Make sure it is in the budget and reports of every department.
- Require First Voice members on all boards and committees that come out of the Act.

Use the idea of intersectionality

Accessibility work should follow the idea of intersectionality. This idea is about a person's identity.

A person's identity includes a lot of things about them. It can include their disability, gender, race or age. It can include who they love. It can be about their religion or culture. It can include other parts of their identity. A person's identity also includes the situations they live in. This can include living in poverty or having a low income.

This idea is about how these parts of a person's identity come together. It is about how these things can intersect with each other. It is about how people are treated unfairly by others because of their identity or living situation.

This idea is important in accessibility work. It will help to stop and remove barriers. It will help make sure diverse voices are represented.

Government should commit to the following actions around intersectionality.

- Consider it in all areas when standards are being made.
- Use it in the areas of income, healthcare, justice and housing.
- Consider it in all accessibility plans.
- Consider it in all consultations.
- Show it in reports.

Other guidelines to accessibility work should be finished. These include guidelines around disability, and around gender.

Continue to work with others

The culture is changing in Nova Scotia. It is becoming more accessible. The government is leading the work. They are working with other partners.

These partnerships are valuable. They help to increase knowledge. They help to create new and better ways to be accessible. These partnerships should continue. They should be made stronger.

Government should do the following actions.

- Keep working with accessibility service providers.
- Keep helping groups to make their accessibility plans.
- Support accessibility in non-profit groups.
- Support groups that represent people with disabilities.
- Continue to develop partners in the post secondary area.
- Create a way to engage the business community in accessibility work.
- Create a First Voice youth panel.

Create more public awareness and access

There should be more public awareness of the Act. People don't know much about it. They don't know about the groups and plans related to the Act. Even some people who work in these groups are not sure who is responsible for certain actions.

Government should continue to develop and improve public awareness. The public should know more. It should be clear what is being done to make Nova Scotia accessible and inclusive.

Public awareness should focus on people and communities. It should show actions and impacts. Government should do the following actions.

- Government should improve and expand communication to the public about the Act. This includes how it is being managed and evaluated. Any results that happened because of the Act should also be told to the public.
- Every group that has to make an accessibility plan should have to post it somewhere. The public should be able to find them easily. They should be able to find information about progress and results.
- The government should have a way to get feedback from people involved in accessibility work. There should be a way to make sure they can give anonymous feedback.
- The members of all Accessibility Advisory Committees should be made public. It should be shown that at least half of the committee is made up of First Voice members.
- Government should make the Act and other material available in the following languages and formats.
 - Plain language
 - American Sign Language (ASL)
 - Braille
 - Audio description
 - French
 - Mi'kmaw

Review and explain timelines

Government should explain timelines. They should review and update timelines where needed. They should explain timelines for accessibility plans. They should make sure progress reports and other information is made available in a timely way.

Government should also review and update *Access by Design 2030*. *Access by Design 2030* is the name of a plan. It tells how the province will become more accessible. It tells how barriers will be stopped and removed. This document should be updated by 2024. This will help to guide the work that remains over the next six years.

Make changes to the Act

The Act needs some changes. It needs better definitions. It needs to include more diverse people. It needs to have people with disabilities represented.

These are the changes that should be made to the Act. These changes should be made by the Nova Scotia Government.

- Change the definition of the word 'disability' in the Act.

- Make a better definition of the word 'impairment' that is used in the Act. Or use a different word.
- Update the definition of the word 'barrier' in the Act. It should include cultural barriers. Disabled people are diverse in their background and language. Disabled people can face barriers when their background and language are not valued.
- Change the Act to include a new definition. The Act should define 'organizations that represent people with disabilities.' It should describe this group. It should give a definition of 'First Voice.'
- Change the Act to include accessibility in the areas of healthcare and justice.
- Change the Act so that the Act applies to private homes with three or fewer units.
- Change the Act to make sure that accessibility plans can be checked over. Make a new rule for this if the Act can't be changed.
- Change the Act to use a Co-Chair model. Make sure one Co-Chair is First Voice that will represent people with disabilities.
- Change the Act to give more information on timelines. The Act should be specific about the time periods. It should show exactly how long it will take to approve standards.

Make changes to the way standards are made

There should be changes made to the way standards are made. A standards committee should be able to report if a new standard is needed.

Government should also consider the following changes.

- Make the Accessibility Directorate its own department. Right now, it is a unit in the Department of Justice.
- Make sure the Accessibility Advisory Board works more independently of government.
- Stop using a two step process in the Standards Development Committees. Use a one step process for any remaining standards that need to be made.

Make changes to the Accessibility Advisory Board

The following actions should be made to the Accessibility Advisory Board.

- Review and change the terms of reference as needed. The changes should be based on the lessons learned so far.
- Finish all of the remaining standard recommendations at once. Do not wait until one standard area is done before you make recommendations in other areas.
- Make a process for new recommendations around the standards that are already in place.
- Consider any changes needed in how often the Board meets.
- Review the honoraria for all volunteers involved in accessibility work to make sure they are treated fairly.

Make changes to ensure the Act is being followed

Making sure the Act is being followed is called 'enforcing' it. Government should take the following actions to make sure the Act is followed. Groups should know what they need to do to follow the Act. They should also know what will happen if they don't follow the Act.

- Clearly list what will start the process of actions to enforce the Act. It should be clear on what actions will be taken and why. It should be clear on when actions will happen.
- Clearly show what roles different groups have when it comes to following the Act and enforcing it.
- Clearly show how Government itself will respond when complaints are made against it for not following the Act.

Conclusion

The review showed that the Act matters to people in Nova Scotia. It is an important step. It will help to ensure the rights of people with disabilities in the province are protected. It will help to promote better attitudes towards disability. It will help make sure Nova Scotians with disabilities will live in inclusive and accessible communities within their lifetimes.

