



Nothing About Us, Without Us: **Moving Together Towards an** **Accessible New Brunswick**

**Interim Report of the
Select Committee on Accessibility in New Brunswick**



**Second Session of the
60th Legislative Assembly of New Brunswick**

Members of the Committee

Kathy Bockus, Chair

M.L.A., Saint Croix

Richard Ames

M.L.A., Carleton-York

Michelle Conroy

M.L.A., Miramichi

Ryan Cullins

M.L.A., Fredericton-York

Mike Dawson

M.L.A., Southwest Miramichi – Bay du Vin

Greg Turner

M.L.A., Moncton South

Sherry Wilson

M.L.A., Moncton Southwest

Benoît Bourque

M.L.A., Kent South

Francine Landry

M.L.A., Madawaska Les lacs - Edmundston

Gilles LePage

M.L.A., Restigouche West

David Coon

M.L.A., Fredericton South

Second Session

Sixtieth Legislative Assembly
of the Province of New Brunswick

Interim Report of the
Select Committee on Accessibility in New Brunswick

Legislative Assembly of New Brunswick
P.O. Box 6000
Fredericton, New Brunswick E3B 5H1
CANADA

December 2022

Printed in New Brunswick



December 16, 2022

To the Honourable
The Legislative Assembly of
The Province of New Brunswick

Mr. Speaker:

I have the pleasure to present herewith the Interim Report of the Select Committee on Accessibility in New Brunswick entitled “Nothing About Us, Without Us: Moving Together Towards an Accessible New Brunswick.” Your Committee was tasked with conducting consultations with community stakeholders as well as government departments involved with the disability community and reporting to the House with recommendations.

This interim report represents the results of your Committee’s engagements and deliberations on what accessibility legislation should look like in New Brunswick. The Committee reserves its final report to respond to draft accessibility legislation.

On behalf of the Committee, I would like to thank the presenters, government departments, and members of the public who appeared before the Committee and those who submitted written briefs. Everyone generously gave of their time to share with the Committee their lived and learned experiences and proposed innovative and unique perspectives to remove existing barriers and prevent new ones. All participants and Committee members share the same goal: that every person, regardless of ability, may live fully with dignity and enjoy their right to self-determination in New Brunswick.

I would also like to express my sincere appreciation to the members of the Committee for their valuable contributions in exercising our mandate and to the various legislative staff who participated in the process and provided valuable and appreciated support to our work.

And your Committee begs leave to make a further report.

Respectfully submitted,

A handwritten signature in cursive script, reading 'Kathy Bockus', is positioned below the text 'Respectfully submitted,'.

Kathy Bockus, M.L.A.
Chair

TABLE OF CONTENTS

EXECUTIVE SUMMARY	1
SECTION I:	
Introduction and Legislative Consultation Process	3
Introduction	3
Legislative Consultation Process	3
SECTION II:	
Development of Accessibility Legislation	5
Principles	5
1. 'Nothing About Us Without Us'	5
2. Taking a Person-Centered Approach	5
3. Intersectionality	6
Contents	6
1. Goal, Purpose, and Vision	6
2. Definitions	6
3. Application	7
4. Governance and Accessibility Plans	7
5. Framework for Standards Development	7
6. Monitoring, Compliance, and Enforcement	8
7. Review and Accountability	8
SECTION III:	
Development of Accessibility Standards	9
1. Government Service Delivery	9
2. Housing	10
3. Transportation	10
4. Education	10
5. Employment	11
6. The Built Environment	11
7. Information and Communication	12
8. Administration of Justice	12
9. Sport and Recreation	13
SECTION IV:	
Conclusion and Recommendation	14
Conclusion	14
Recommendation	14
APPENDIX A:	
Motion to Establish the Select Committee	16
Motion 78	16
APPENDIX B:	
List of Public Hearing Participants and Written Briefs Submitted	17

EXECUTIVE SUMMARY

The purpose of this report is to communicate what the Select Committee on Accessibility in New Brunswick heard during its consultations in 2021 and 2022 and to highlight the key barriers to inclusion that were identified by persons with disabilities in the province.

Based on these consultations, the Committee concluded that members of the disability community strongly support the development of accessibility legislation and the Committee agrees that this is the correct first step toward creating an accessible province. Once legislation has been drafted, consultation with members of the disability community will again be required to ensure that it is reflective of the disability community and its needs. Following the adoption of legislation, accessibility standards should be developed using the legislation as a framework and informed by continuous consultation with people with disabilities.

During the consultation process, three key principles emerged to guide legislative drafters forward: ‘Nothing About Us Without Us’, which refers to persons with disabilities being directly involved in the development of legislation and accessibility standards; taking a person-centered approach, which refers to an acknowledgement that a ‘one size fits all’ model does not provide the best level of service and care for citizens in the province; and intersectionality, which refers to the need to consider how intersecting identities are influenced by ableism when creating legislation.

The consultations revealed seven key components that should be contained in New Brunswick’s accessibility legislation:

1. An explicitly stated goal of affirming New Brunswick’s commitment to the United Nations’ Convention on the Rights of People with Disabilities with timelines and clear targets;
2. Clear definitions to standardize acceptable language, including ‘disability’, ‘barrier’, ‘accommodation’, and definitions should consider Indigenous perspectives;
3. Broad application that regulates public and private entities without deteriorating existing protections;
4. Clear identification of who is responsible for the implementation and administration of accessibility legislation and that certain entities be mandated to develop and implement accessibility plans;
5. A framework outlining the following accessibility standards: government service delivery, housing, transportation, education, employment, the built environment, information and communication, the administration of justice, and sport and recreation;
6. The establishment of evaluation metrics and monitoring efforts that are adequately resourced and significant corrective compliance and enforcement measures;
7. A review of other provincial legislation, regulations, and policies to avoid legal inconsistencies where people with disabilities may be discriminated against and clearly outline the duties and obligations of the person responsible for the administration of the legislation in order to hold them accountable.

The Committee wishes to extend their deep gratitude to everyone who took time to share their ideas, passions, and commitment to making New Brunswick more accessible.

SECTION I:

Introduction and Legislative Consultation Process

Introduction

Having a disability should never impact a person's ability to fully participate in society. The United Nations Convention on the Rights of Persons with Disabilities (UNCRPD) states that all levels of Canadian governments have an obligation to respect, protect, and promote the rights of persons with a disability, and to address long-standing barriers to full participation, inclusion and citizenship. In its agreement to be accountable and compliant with Canada's international human rights obligations, including the UNCRPD, the Legislative Assembly of New Brunswick carried Motion 78 on June 9, 2021, which created the Select Committee on Accessibility in New Brunswick ([Appendix A](#)). The mandate of the Committee is to conduct consultations with community stakeholders and government departments involved with the disability community, and report to the House with recommendations.

The purpose of this report is to communicate what the Committee heard during its consultations in 2021 and 2022 and to highlight the key barriers to inclusion that were identified by persons with disabilities in the province.

Based on these consultations, the Committee concluded that the need for accessibility legislation is urgent and should come before all other recommendations. Once legislation has been drafted, consultation with members of the disability community will again be required to ensure that it is reflective of the disability community and its needs. Following the adoption of legislation, accessibility standards should be developed using the legislation as a framework and informed by continuous consultation with people with disabilities.

Legislative Consultation Process

The Select Committee on Accessibility in New Brunswick held public consultations in October 2021, and in March and October 2022. Participants represented a broad range of disability communities: mobility, intellectual, learning, and developmental disabilities; mental health disorders; those who are deaf or hard of hearing; and those who have blindness or vision loss. The Committee also heard from provincial government departments, agencies, commissions, and councils; a legislative officer; Indigenous representatives; disability advocacy and support groups; research organizations; an employee union; a federal program administrator; and people with lived experience. In November 2021, the Committee reached out to the public and received feedback in the form of written briefs. In total, the Committee heard from 24 presenters and received 29 written submissions. A full list of participants can be found in [Appendix B](#).

Throughout the consultation process, the Committee gained an understanding of how disabilities impact the lives of many New Brunswickers. According to the most recent Statistics Canada data available (2017), 40% of people in New Brunswick over the age of 65 live with a disability, and for all ages, the province has the second highest rate of disability in Canada at 26.7%

compared to the national average of 22%, a figure which is unlikely to change given the province's aging population.

Disabilities often present challenges in many aspects of daily living, from how people navigate public spaces to how they access important information and services. Persons with disabilities also face long-standing and pervasive attitudinal barriers in the form of discrimination, ableism, and exclusion. The Committee was also informed on how the government can improve the quality of life of people with disabilities through its delivery of services; housing, transportation, education, and employment policies; how it regulates the built environment and information and communication services; its administration of justice, and its innovations within the recreational realm.

The Committee learned that New Brunswick is making great strides in certain sectors. For example, Autism Connections Fredericton is known for its world-class early intervention programs for children aged 0 to 5; New Brunswick Deaf and Hard of Hearing Services is renowned across Canada for its leadership in service delivery and collaboration; and that the Fetal Alcohol Syndrome Disorder Centre of Excellence's Dreamcatcher service delivery model is nationally recognized for its greater access to interventions and support in Indigenous communities and fewer duplication of government services.

While it is important to celebrate successes, it was clear from the consultations that the government needs to make greater strides toward ensuring that all persons living with a disability in all regions of New Brunswick can thrive as equal citizens. A few alarming facts highlight that the need for change is crucial. At the present time, persons with one or more disabilities receive just \$9,564 per year if they are disability program recipients. This figure represents approximately 50% of the Market Basket Measure, a tool used by Statistics Canada to measure low income. According to this tool, low income is between \$17,747 and \$19,619. In fact, they are among the most impoverished segment of New Brunswick's population with only 55% of persons with a disability employed in New Brunswick in 2017 compared to 77% of people without a disability. In addition to financial constraints, many persons with a disability face a lack of social supports to develop friendships or assistance with the management of daily living, and this in turn impacts self-esteem, self-worth, and mental health. All of these issues are exacerbated further by a social framework that perceives disability as a problem that needs to be fixed rather than a circumstance requiring accommodation.

It is clear from these and other examples that persons with disabilities experience inequality and discrimination in New Brunswick and this will continue to be the case until accessibility legislation is created and enforced. The Committee is dedicated to the improvement of the lives of people with disabilities in New Brunswick by recommending the creation and passage of accessibility legislation using the consultation results in this report.

SECTION II:

Development of Accessibility Legislation

At the present time, most Canadian provinces have accessibility legislation that can serve as examples for New Brunswick to follow. The Committee heard that while provincial accessibility legislation should align with the *Accessible Canada Act* and the UNCRPD, legislative drafters can identify best practices that have been established in other regions and fine tune them to the specific needs identified by people with disabilities in this province.

Principles

During the consultation process, three key principles emerged to guide legislative drafters forward:

1. ‘Nothing About Us Without Us’

Repeated numerous times by a variety of participants, the phrase ‘Nothing About Us Without Us’ refers to persons with disabilities being directly involved in government decisions that affect them. This includes their direct involvement in the development of legislation and accessibility standards for the province.

After legislation is enacted, members of the disability community demand continued collaboration on accessibility governance issues. They emphasized that their lived experience should be a resource for the government to better understand the evolving needs of disability communities and to ensure that unintentional barriers are avoided. It is only by following this principle, which includes the provision of appropriate accommodations to allow their participation, that the provincial government can communicate its respect for persons with disabilities.

2. Taking a Person-Centered Approach

The percentage of people in the province with three or more chronic health conditions has been on the rise for the past 50 years and each person experiences these conditions in a unique way. For example, in addition to impacting a person’s mobility, neuromuscular disorders may also affect hearing, speech, and vision capabilities. Likewise, people with invisible disabilities like Multiple Chemical Sensitivity (MCS), learning disabilities, and mental illness may be more likely to encounter discrimination when requesting accommodations for service delivery because they look like their able-bodied peers.

In addition to vast differences in the presentation of disabilities, the services required in different geographic areas of the province vary greatly; this diversity should be factored into how decisions are made about government programs, service delivery, and funding. The consultation process revealed that the ‘one size fits all’ model does not provide the best level of service and care for citizens in the province.

By taking a person-centered approach when drafting accessibility legislation, the government will enable program administrators to better identify target subgroups, which would lead to better service provision, more client satisfaction, and a more appropriate distribution of funds.

3. Intersectionality

The consultation process highlighted the importance of understanding that many people who have disabilities face intersecting challenges, which deepens the discriminations they face. Examples include the 60% of Canadian women living with a disability whose barriers are compounded by experiencing violence over the course of their lives, or Indigenous individuals with a disability who may be impacted by poverty and systemic trauma in addition to their disability.

The government is urged to consider how intersecting identities such as race, gender, class, and sexuality are influenced by ableism when creating legislation by conducting an intersectional analysis as part of the drafting process in order to avoid legislative and policy gaps.

Contents

Although most of the consultation discussions focused on the need to address specific barriers through the development of accessibility standards, some participants addressed seven key components that should be contained in New Brunswick's accessibility legislation.

1. Goal, Purpose, and Vision

Overall, the Committee heard that accessibility legislation should outline a vision for a more accessible and inclusive New Brunswick and that this could be best achieved by taking a human rights-based approach (HRBA). From this perspective, the legislation would affirm New Brunswick's commitment to the goals set forth in the UNCRPD and a timeline with clear targets to achieve a fully accessible province.

In the same vein, legislation should explicitly acknowledge the dignity of persons with disabilities by committing to a duty to consult and hold authentic and good faith engagement with both community stakeholders involved with the disability community and people who have lived experience of disability.

Legislation should clearly express its purpose to identify and remove barriers that prevent people with disabilities from fully participating in the labor force, from community activities and opportunities, and from having the equal right to make their own decisions.

2. Definitions

Including a section with clear modern definitions will ensure that all disability groups are protected under the law and will prevent the emergence of new barriers and opportunities for discrimination. These definitions will also standardize acceptable language at the legislative, regulatory, and policy levels.

The Committee heard that the definition of disability should be based on the one used by the United Nations. This would ensure the inclusion of invisible disabilities. It was also suggested that 'barrier' be broadly and inclusively defined to incorporate anything that hinders or challenges the full societal participation of persons with a disability and that 'accommodation' be defined as

‘a reasonable adjustment or change to the environment or processes which allows the individual with a disability to participate in education and employment, access to programs or services, or participate in decision-making on an equal basis with those without a disability.’ The Committee also heard that definitions should include Indigenous perspectives on disability in recognition that Indigenous peoples may experience disability differently.

The Committee also heard that the legislation may require standardization on how people with disabilities are referred to: the use of person-first language versus identity-first language is a continued conversation that has roots in the medical model of disability, which the Committee heard is to be avoided.

3. Application

The Committee heard that accessibility legislation should have a broad application. That is, the legislation should apply to all provincial executive entities, including its departments, agencies, councils, health authorities, educational institutions, as well as the legislative and judicial branches. In addition, accessibility legislation should apply to the private sector with a view of establishing acceptable levels of barrier-free standards.

It is important to note that in its application, the Committee heard that accessibility legislation should not give rise to a deterioration of protections nor financial supports such as the ineligibility to collect assistance from social assistance or income programs issued by various levels of government.

4. Governance and Accessibility Plans

Participants suggested that the person responsible for the administration of accessibility legislation and accessibility standards be clearly outlined in the legislation itself, that this person (for example, a Minister) be guided by an accessibility directorate, and that the directorate be informed by advisory committees composed of people with lived experience. The Committee heard that it is important to have a legislated clear understanding of who is responsible for the implementation and administration of the legislation as a fundamental measure of accountability.

The Committee also heard that accessibility legislation should require certain entities, as identified through further consultation, to develop and implement accessibility plans. It was suggested that New Brunswick look to Nova Scotia, where certain public entities like municipalities and universities have been mandated to ‘identify, remove, and prevent barriers in policies, programs, practices, and services.’

5. Framework for Standards Development

The Committee heard during its consultations that the level of accessibility accommodation currently varies greatly across the province. Therefore, a central objective of the legislation must be to ensure that individuals with disabilities receive equitable accommodations in every region. The legislation must also outline the method for how province-wide standards will be proposed; how older standards will be revised; and list which public and private entities must adhere to

these standards. Areas identified as priorities for standards development will be discussed more thoroughly in the next section.

6. Monitoring, Compliance, and Enforcement

The success of provincial accessibility legislation will hinge on its monitoring, compliance, and enforcement measures. The Committee heard that legislation should ‘include provisions related to conducting necessary inspections, issuing orders of compliance with [accessibility legislation]’ and accessibility standards, and that monitoring efforts be well-resourced. It was also suggested that data collection requirements and the establishment of evaluation metrics be explicitly prescribed in the legislation to ensure that decisions affecting people with disabilities use current information.

Compliance requirements and enforcement measures should be clearly stated and include significant corrective measures and monetary penalties to deter entities who do not act in accordance with them.

7. Review and Accountability

The Committee heard that creating accessibility legislation will necessitate a review of other legislation, regulations, and policies to avoid any legal inconsistencies where people with disabilities may be discriminated against.

As part of the accountability process, it was suggested that legislation list the requirement of the use of the Disability Lens Analysis Tool for the development of all new government policies and programs, and for the review of existing ones. This tool, developed by the New Brunswick Disability Executives’ Network, places persons with disabilities at the centre of analysis and recognizes that disability is often a missing perspective.

Legislation should also clearly outline the duties and obligations of the person responsible for the administration of the legislation and their office in order to hold them accountable. Similarly, clear timelines for implementation of accessibility standards and plans, as well as clearly identifying reporting and accountability procedures are necessary.

SECTION III:

Development of Accessibility Standards

Once legislation is enacted, the government can then develop accessibility standards in collaboration with persons with disabilities, advocacy groups, Indigenous communities, other provinces, and national organizations.

The consultation process revealed that in New Brunswick, persons with disabilities regularly face barriers in the following nine key areas. What follows is an explanation of the need for accessibility standards in these specific areas. Please note that this information is intended to give a broad overview of some of the issues impacting persons with disabilities in the province and is not meant to be exhaustive.

1. Government Service Delivery

Persons who have disabilities are high users of government services like social assistance and health care. However, they regularly encounter barriers in service delivery, a fact that was made even more apparent during the early stages of the COVID-19 pandemic.

The consultations revealed that better healthcare services are available in urban areas, with care gaps occurring more frequently in rural locations. This trend points toward the need for new policies and programs that ensure the same level of care throughout the province. For example, it was suggested that in rural areas, where professional caregivers need to travel greater distances, alternative funding policies could enable family members to care for relatives who have disabilities instead. Other areas of concern in the health sector include the reliance on a medical model of service delivery, which does not take individual client needs into account; staff who lack training to accommodate a variety of disabilities; and the need for increased access to primary healthcare, mental health services, specialized care, and diagnostic services.

The Committee heard that there is currently a critical lack of access to mental health services for people with disabilities due to policy barriers present within the healthcare system. To support their call for better mental health services, participants pointed to research conducted by the Canadian Mental Health Association that found the presence of suicidal thoughts for every one in seven people with a disability, and one in five people who already had mental health issues to support the need for increased access. The Committee also heard that CNIB research has shown that when compared to people who are sighted, individuals with impacted sight are three times more likely to experience clinical depression. Finally, an Ability New Brunswick survey revealed that many of their respondents who have a mobility disability are struggling with their emotional and psychological well-being with 63% reporting it as either fair or poor.

The Department of Social Development currently assists persons with disabilities through the Disability Support Program. This program provides income assistance and facilitates access to housing, special care homes, employment, and assistive technologies. For many people, the income they receive through this program has a major impact on quality of life. However, the consultation process drew attention to concerns with both the administration of social assistance for persons with disabilities, as well as the funding structure itself. The Committee heard that

government should consider the adoption of a model of guaranteed basic income; review policies like the Household Income Policy through the Disability Lens Analysis Tool; and create a separate stream of income assistance for persons with disabilities, as they have needs that vary significantly from other clients of the Department of Social Development.

It was also suggested that the Departments of Health and Social Development collaborate on creating a single pathway for people with disabilities to access public supports and programs to minimize administrative service gaps and that program delivery be overseen by one primary contact person to streamline the process.

2. Housing

Having safe and affordable housing is a basic need for all persons. However, as the Committee learned, barrier-free housing and affordable housing do not always go hand in hand. Homes that offer disability accommodations are often newer and priced out of range for those who need them most. This discrepancy leads to persons with disabilities being at greater risk of homelessness, unnecessarily extended hospital stays, and unnecessary and costly group home or nursing home placements. The consultation process also revealed that the current model of accessible housing isolates people based on fixed earnings. It would therefore be beneficial to broaden the definition of 'accessible housing' to include mixed-use facilities that encourage informal community supports, which could provide increased opportunities for community engagement. This could include transitional housing for young adults to develop the necessary skills to live independently and housing that targets individuals who have co-occurring disability concerns.

3. Transportation

Transportation is a vital resource for accessing employment, education, medical care, and a social life. Regarding public transportation, the Committee learned that like healthcare services, there is a lot of variability between rural and urban areas. To ensure that all people have access to the same or comparable public transportation, the Committee heard that it would be beneficial for the government to collaborate with municipalities and regional service commissions to create accessible transportation strategies. There are also opportunities to develop community-based transportation and to offer more options for public transit including improved routes, stops and safety features, and accessibility training for drivers.

For those who drive, there is a need to modernize the vehicle retrofit program to ensure that it is consistent with current costs of equipment and installation. There are also opportunities to improve fueling accessibility and the design of parking spaces.

4. Education

In accordance with the UNCRDP, people with disabilities have the right to an education without discrimination in recognition of the development 'of their personality, talents and creativity, as well as their mental and physical abilities, to their fullest potential'. The New Brunswick school system is founded on the principle of inclusion for all pupils and despite being internationally

recognized as a leader in this regard, many children with disabilities continue to face barriers within the system.

To ensure that persons with disabilities have the same quality of education across the province, the Committee heard that disability awareness training should be improved and standardized for teachers; resource staff should have access to better diagnostic tools; more support staff should be available across all school districts; and access to modern assistive technologies needs to be improved.

In addition, the consultation process revealed that once students graduate high school, they are less likely to participate in post-secondary education than their peers. The need to have transitional support systems in place for students as they move from public school to post-secondary education and from post-secondary education to employment will be a fundamental feature in ensuring their success.

5. Employment

Respecting the dignity of labour should extend to people with disabilities in their opportunities for employment and in accommodations while employed. However, among working age people, those with a disability are employed significantly less than those without a disability and this discrepancy explains why they are represented in greater numbers among those living in poverty. Data provided to the Committee suggests that, with proper accommodations, supports, and time, persons with a disability could demonstrate labour market dynamics similar to those demonstrated by persons without disabilities. If targeted for recruitment and support, these individuals could fill some of the 120,000 forecasted job openings that are expected in New Brunswick through 2027.

As the largest employer in the province, the Government of New Brunswick is uniquely positioned to set an example for other employers to integrate a greater diversity of people with disabilities in the workforce. The Committee heard that the Treasury Board has established human resources policies and practices that address inclusion; however, these policies focus more on gender and sexual orientation diversity, origin, and visible minorities. There are currently no comprehensive guidelines for opening the doors of the public service to people with intellectual or sensory disabilities when gaps in various areas of activity could be filled by employees from this important population.

Presenters urged the government to set goals for increasing the workforce participation of persons with disabilities, to create education and awareness training programs for able-bodied employers and employees, and to hold accountable employers who discriminate against employees with disabilities.

6. The Built Environment

Physical spaces should be usable by people with the widest possible range of abilities, operating within the widest possible range of situations, whether a person has a disability or not. To achieve this, universal design should be the standard when evaluating the built environment.

Although there have been many advances in inclusive design over the past several years, persons with disabilities of all ranges continue to encounter barriers in the built environment.

The Committee learned that in many cases, clear accessibility standards and regulations for the design of buildings, sidewalks, and shared spaces already exist. Addressing barriers in these spaces may simply be a matter of strengthening implementation strategies, respecting existing regulations, and enhancing enforcement measures. There was also a call for entities to be incentivized to conduct accessibility audits, review regulations, strengthen partnerships with non-governmental advocacy groups, and equip municipalities and regional service commissions with adequate funding to conduct proactive inspections.

7. Information and Communication

When receiving goods and services, all persons have the right to receive the same information and to communicate their needs and decisions in return. For some persons with disabilities, this need could be met by having access to assistive technologies. In other cases, individuals may need accommodations in order to make decisions for themselves or as a last resort, require a designated support person to advocate on their behalf. While information and communication options need to be improved in all sectors, the consultation process revealed a particular need to have all government information available in accessible formats. As examples, all webpages should be fully accessible; health forms should be available in different formats, including plain text; and government broadcasts should provide simultaneous closed captioning.

In the private sector, participants identified a need for the Government of New Brunswick to create new customer service standards, which could include sensitivity training for employees, education about different types of disabilities, and incentives to help ensure that businesses comply with newly developed standards.

8. Administration of Justice

Some individuals who have invisible disabilities have varied information processing capabilities. As such, people with invisible disabilities may face additional barriers as they navigate certain government services because they are not immediately recognized as having a disability.

This can be especially problematic in the criminal justice system. For example, people with invisible disabilities like Fetal Alcohol Syndrome Disorder have difficulty regulating their behaviors and learning from mistakes. Such individuals may need extra supports in court, in correctional facilities, and in any other venue dealing with the administration of justice. The Committee heard that a more informed justice system that considers individual limitations and provides accommodations would be beneficial to persons with these types of disabilities. Increased diagnostic programming and culturally relevant interventions could also help prevent some persons with disabilities from being caught in a cycle of being in and out of the penal system.

9. Sport and Recreation

Having accessible recreational facilities in the community makes a big difference in the lives of persons with disabilities. Regular access to recreation and active living opportunities encourages socialization and improved physical and mental well-being, especially for children with disabilities. Participants urged provincial collaboration with municipalities and regional service commissions to consider their capacity for accessible recreation, sport, and leisure activities with the intention of setting goals to ensure consistency across New Brunswick so that any person with a disability can participate in recreation and sport. The Committee also heard that there may be opportunities for disability tourism in the province by increasing accessible recreational spaces and increasing funds for accessible sporting and leisure equipment.

SECTION IV:

Conclusion and Recommendations

Conclusion

Motion 78 created the Select Committee on Accessibility in New Brunswick, which is mandated to conduct consultations with community stakeholders and government departments involved with the disability community in the province then report its recommendations to the Legislative Assembly. As the Committee exercised its mandate, it has learned about the vast range of disabilities that affect New Brunswickers and the challenges and barriers that they face every day.

The Committee heard that members of the disability community strongly support the development of accessibility legislation and the Committee agrees that this is the correct first step toward creating an accessible province. Once legislation is enacted, work should then begin on the development of accessibility standards. The current climate is ripe for collaboration at all stages, with the disability community eager to participate in a wide variety of partnership opportunities available at every level of government and with private entities across Canada.

The Committee wishes to extend their deep gratitude to everyone who took time to share their ideas, passions, and commitment to making New Brunswick more accessible. It is the Committee's hope that the consultation process and the goals that lie ahead are steps forward in removing practical and attitudinal barriers that will ultimately lead to lasting changes in the culture of how people who have disabilities live and interact in New Brunswick.

The Committee acknowledges that more work needs to be done to move toward a province that is inclusive of all people and as such, it remains committed to consulting with persons with disabilities and honouring the principle of 'Nothing About Us Without Us' at every stage moving forward.

Recommendations

The Select Committee on Accessibility in New Brunswick strongly supports people with disabilities and is in agreement with people who have participated in its consultation exercise that it is important for New Brunswickers with disabilities to enjoy full and dignified participation.

Accordingly, the Committee makes the following five initial recommendations:

1. THAT the Government of New Brunswick prepare accessibility legislation that honours the issues and concerns outlined in this report, and that people with disabilities and community stakeholders involved with the disability community be invited to provide their feedback on the draft legislation to ensure that it reflects the legislative consultations and respects the right of people with disabilities to self-determination.
2. THAT the Government of New Brunswick have draft accessibility legislation prepared by the end of May 2023.

3. THAT the Government of New Brunswick create and agree to a memorandum of understanding with Accessibility Standards Canada for the purpose of ensuring that provincial accessibility standards be based on national benchmarks.
4. THAT the Government of New Brunswick take bold actions to strengthen its efforts to hire people with disabilities.
5. THAT the Government of New Brunswick prioritize the development of household income support programs specifically tailored for people with disabilities.

APPENDIX A:

Motion to Establish the Select Committee

Motion 78

WHEREAS New Brunswick currently has the second highest rate of disability in Canada, and government's vision is to proactively eliminate and prevent barriers to ensure greater opportunities and access to services for persons with disabilities;

WHEREAS government strives to ensure New Brunswickers receive services that are accessible to all, may move freely around public buildings and spaces, have access to all employment opportunities and accessible workplaces, have access to digital content and technologies, and receive barrier free services and spaces;

BE IT THEREFORE RESOLVED THAT the House appoint a Select Committee on Accessibility in New Brunswick, that will be charged with conducting consultations with community stakeholders and government departments involved with the disability community, and reporting to the House with recommendations;

BE IT FURTHER RESOLVED THAT, in addition to the powers traditionally conferred upon the said Committee by the Standing Rules, the committee shall have the following additional powers: to meet during sittings of the House and during the recess after prorogation until the following session, and to retain such personnel and expertise as may be required to assist the committee;

BE IT FURTHER RESOLVED THAT the said committee be composed of Ms. Bockus, Mr. Hogan, Hon. Mr. Fitch, Mr. Ames, Mr. Cullins, Ms. S. Wilson, Ms. Thériault, Mr. Bourque, Mr. LePage, Mr. Coon and Ms. Conroy.*

*Note: The membership of the Select Committee on Accessibility in New Brunswick was amended by motion of the House on October 28, 2022, by replacing 'Mr. Turner' for 'Mr. Wetmore', 'Mr. Dawson' for 'Hon. Mr. Fitch' and 'Ms. Landry' for 'Ms. Thériault'.

APPENDIX B:

List of Public Hearing Participants and Written Briefs Submitted

Ability New Brunswick	Inclusion NB (formerly New Brunswick Association of Community Living)
Accessibility Standards Canada	
Autism Connections Fredericton	Jobs Unlimited Inc.
Bouma, Aaron	Jongeneelen, Marinus Peter
Canada Fetal Alcohol Spectrum Disorder Research Network, Parents' Advisory Committee	Kenney, Jessica
Canadian Council on Rehabilitation and Work	Kincade, David
Canadian Mental Health Association of New Brunswick	Layden, Kaitlyn
Canadian Union of Public Employees New Brunswick	Learning Disabilities Association of New Brunswick
Crystal Clear Transitional Care Inc.	Leger, Kathleen
Cyr, Jeannot	Lyons-MacFarlane, Margaret
Department of Education and Early Childhood Development	MacDonald, Tracy
Department of Health	Martin, Paul
Department of Post-Secondary Education, Training and Labour	Massey, Lucas
Department of Social Development	Mawita'mk Society
Dewitt, Carly	Muscular Dystrophy Canada
Easter Seals New Brunswick	Neil Squire Society
Glenn, Jayne	Neurodivergent Collective of New Brunswick
Saint John Human Development Council Inc.	New Brunswick Coalition of Persons with Disabilities
	New Brunswick Deaf and Hard of Hearing Services
	New Brunswick Disability Executives' Network

New Brunswick Fetal Alcohol Spectrum
Disorder Centre of Excellence

New Brunswick Health Council

New Brunswick Human Rights Commission

New Brunswick Women's Council

Office of the Child, Youth and Senior
Advocate

Pitchford, Cassandra

Pitre, Murielle

Premier's Council on Disabilities

Regroupement féministe du Nouveau-
Brunswick

Saucier, Nora

Spencer, Isabelle

Thorne, Madison

Vision Loss Rehabilitation New Brunswick,
CNIB

Wabanaki Council on Disability