

Centre for Independent Living in Toronto (CILT) Submission on
Bill 175 Connecting People to Home and Community Care Act, 2020

The following was also presented to the Standing Committee on the Legislative Assembly on June 16, 2020:

Good afternoon. My name is Wendy Porch and I am the Executive Director at the Centre for Independent Living in Toronto (also known as CILT). I am co-presenting today with John Mossa, CILT's Independent Living Skills Coordinator. John and I both identify as disabled people.

CILT is an organization by people with disabilities for people with disabilities. We help people with disabilities to learn Independent Living skills and integrate into the community. CILT operates on the philosophy of the Independent Living movement which was developed in response to traditional rehabilitation service models. CILT's aim is to develop and implement dignified social services that empower individuals rather than create dependencies.

CILT is also the provincial administrator for the Direct Funding program, a 25 year old program that enables currently 1000 people with disabilities in Ontario to live independently in the community by enabling them to recruit, hire and manage their own attendants. Without the Direct Funding program, many participants would be living in Long Term Care facilities instead of at home, where they are active and important parts of their families and communities.

According to Statistics Canada 22% of the Canadian population has a disability. There are many people with disabilities in Ontario who will be impacted by the changes in Bill 175.

It is important to note that legislation that forms the community and homecare service context in Ontario is of immediate and direct importance to disabled people who rely on these supports to live their lives.

We at CILT have a number of concerns related to Bill 175: John and I will speak to these now.

1. We are concerned about the repeal of the Bill of Rights

People with disabilities have fought to be recognized as people with a right to live in the community and to make choices about our lives. The values of dignity, autonomy and respect are well articulated in the current Bill of Rights. Bill 175 will repeal this. We understand the Gov't intends to develop a new Bill of Rights but this time in the Regulations accompanying the bill. This sends a message that these rights are no longer as important as they once were. My colleague John works every day with people with disabilities to support them in receiving respectful and empowering services. I'd like to invite him to comment on this:

JOHN:

For the last 20 years, I have been working with people with disabilities to self-advocate especially with regards to Attendant Services.

For the last 39 years, I have been a consumer, **not a patient**, of attendant services. I have directed my services from then Community Care Access Centres to Outreach Service Providers to currently living in Supportive Housing.

It is extremely important to have the Bill of Rights in the Act. When I work with consumers who use attendant services and are having problems, they sometimes don't know they have rights in the law. Knowing that they have rights entrenched in the law makes them feel that they can advocate for quality services they deserve. Putting the Bill of Rights into regulation means that the government has more leeway to change its contents without the oversight of going through a vote in the legislature. It means the government can change it, or omit it altogether.

The Bill of Rights and complaints procedures is also part of every service contract currently under Home Care and Community Services Act.

This is important for both Attendant Service Providers and people with disabilities to know that they have rights entrenched in their contracts and the law. It affirms to people with disabilities that they have a right to dignified Attendant Services without abuse.

2. We have concerns with the language used in Bill 175

I think it is important to remind everyone that it was only a mere 50 years ago that in Ontario children with disabilities were moved into hospitals, as young as

age 7, and were expected to live their lives there. Once aging out of **'The Home for Incurable Children,'** (which by the way is a good example of **ableist language**, and is now currently called Holland Bloorview Hospital) these young people were fully expected to move into a long term care home and never get a job, never fall in love, never have a family and never undertake any academic accomplishments. People with disabilities who lived in those institutions fought hard against this restrictive view of their lives and won the right to supports to live in the community.

Throughout Bill 175 we see that the language has shifted from 'services' to "care". For people with disabilities, who have long fought against the idea that they are only objects to be given care, this shift is troubling. As well, we see people referred to as "patients". This again is a troubling shift. For disabled people who rely on these services to live their lives, they are not patients needing care, they are people or consumers simply requiring services. Just having a disability does not make you sick. We see the shifts in language as being indicative of a loss of the independent living philosophy in Bill 175 and worry that it means we have lost our hard earned recognition as people who have a right to services and have become again patients needing care.

3. Finally, we are concerned about the privatization of homecare and community services. The COVID-19 Pandemic has demonstrated significant and profound issues related to oversight and regulation of long-term care homes. The vast majority of deaths related to COVID-19 have been long-term care residents in privately run homes. We believe the government would be wise to consider slowing down the passage of this legislation to allow for a public review of the LTC sector before rushing into applying the same framework to the home and community care sector.

Our recommendations on Bill 175:

1. Include the Bill of Rights in the legislation of Bill 175 to ensure that the rights of all Ontarians to dignity and autonomy in their service provision are respected
2. Revise the language of the Bill 175 to refer to people and services, instead of patients and care in order to maintain the forward momentum we have had as people with disabilities

3. Consider delaying the passage of this legislation until the results of an investigation into the impact of COVID-19 on the long-term care sector are available in order to be able to address the problems related to oversight and regulation of private service providers.
4. When developing legislation like Bill 175 and any associated regulations, consult with people with disabilities who use these services.