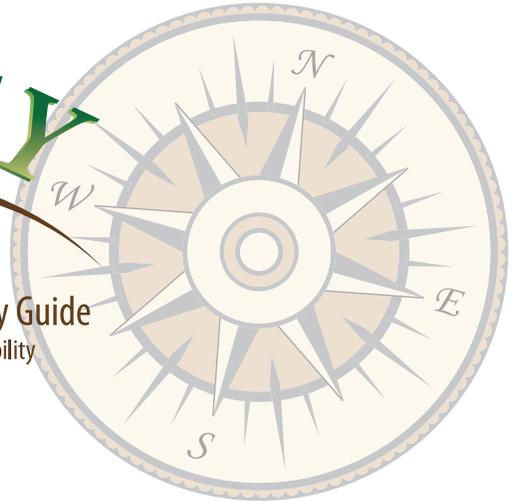


Taking the JOURNEY

An Information and Advocacy Guide
for Families Supporting a Child with a Disability



CHAPTER 1

Starting Points

*“The more informed you are
the better off you will be.”*



CHAPTER 1

Starting Points



Goal for this Chapter

- ◆ To become familiar with human rights laws and the power of expectations and language.



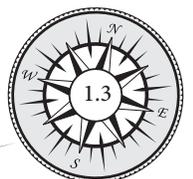
What You will Find in this Chapter

- ◆ Information about human rights and their importance to people with disabilities.
- ◆ How expectations can help to shape your child's future.



Our Journey So Far

- ◆ Over the years, progress in supporting the inclusion of people with disabilities in our communities has been made possible because of families and others who imagined that things could be better. Just fifty years ago, people with intellectual and other disabilities were routinely institutionalized and sometimes sterilized, denied opportunities to attend school and learn, and routinely denied basic rights and freedoms. In Canada and elsewhere, people with disabilities were not really citizens at all.
- ◆ Fortunately, families had a different vision for their children and for other people with disabilities. During the 1960s and early 1970s, a new movement emerged which was led by families and people with a disability who envisioned a society in which people with disabilities would be welcomed as valued citizens. The concept of “community integration” saw the implementation of attempts to move people with disabilities out of large institutions and to provide opportunities for education and involvement in the community. Initially, this meant that people with disabilities were still grouped together in order to learn, work or otherwise participate in community.



A Reminder of Recent Progress

During the last twenty-five years the vision of citizenship and community inclusion for people with disabilities has changed dramatically. Many families and other people were not satisfied with the mere presence of people with disabilities in community. The new vision is based on the belief that all people should have real opportunities (and corresponding choices) to participate in community and to develop meaningful relationships with others. This is the vision of inclusion that sees people with and without disabilities participating together in schools, colleges, workplaces, community organizations and in recreation and leisure activities.

While much progress has been made toward achieving this vision, much also remains to be done to overcome the exclusion experienced by many citizens with disabilities. Moving forward, efforts on the part of many people, including families, are needed to continue to develop inclusive communities in which all people can fully participate.

One of the most important developments over the years has been improvements in the service systems for people with a disability. While still far from perfect, these systems today provide support for children, youth and adults with disabilities in various aspects of life. Many of these service systems will be reviewed in detail in other parts of this guide.

The Importance of Human Rights

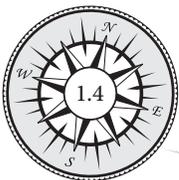
Change and progress has been made possible in part because of the growing recognition of the rights of people with disabilities over the past few decades. To date, tremendous progress has been made to ensure that people who live with a disability have the right to be included in our public school system, to attend post-secondary education, to work and to contribute to the economic life of our communities, and to receive the support and assistance that they require in their day-to-day lives.

Families have played a major role in efforts to promote human rights. They have been assisted by various laws that have developed over the years to recognize and uphold the rights of people with disabilities and others. While you may not become a legal expert, it may be helpful to know a few things about the laws that protect people's rights. Here are three laws worth taking note of:

(i) **The New Brunswick Human Rights Act.**

This law protects the the rights of New Brunswickers and prohibits discrimination and harassment in:

- Employment
- Housing
- Public services (for example schools, stores, motels, hospitals, police and most government services)
- Publicity, and
- Certain associations



It prohibits discrimination on the basis of many grounds including “physical and mental disability”. People who believe that they are being discriminated against can file a complaint with the Human Rights Commission. The Commission investigates and tries to settle complaints of discrimination and harassment. If a complaint cannot be settled, a human rights tribunal can hear the evidence. If it decides that there was discrimination, it can issue orders to correct it. There is no cost to filing a human rights complaint. For more information, check out the Commission’s website at www.gnb.ca/hrc-cdp/index-e.asp.

IMPORTANT NOTE:
Sometimes going through the human rights complaint process can take several months or longer. While an important tool to safeguard the rights of your child, this may not be a quick solution.

(ii.) **The Canadian Charter of Rights and Freedoms.**

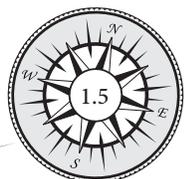
This is part of the Constitution of Canada and came into effect in 1982. It provides a constitutional protection of the rights and freedoms of all Canadians and applies to the laws, policies and actions of all levels of government. Section 15 (1) of the Charter provides that every person is equal before and under the law and has the right to the equal protection and equal benefit of the law without discrimination based on race, national or ethnic origin, colour, religion, sex, age or mental or physical disability. The Charter is usually enforced through the courts but it has been generally used to promote human rights and dignity of people with disabilities in many areas of life.

(iii.) **The United Nations Convention on the Rights of Persons with Disabilities.**

The Convention is an international treaty that spells out the rights of people with disabilities and the obligations of countries that ratify the convention to promote and protect those rights. The Convention came into force in 2008, and was ratified by Canada in March, 2010. The U.N. Convention is one of the most progressive human rights documents affecting the lives of people with disabilities to date. It contains 50 sections (or articles) and touches on the rights of people with disabilities in the areas of inclusive education, employment, community inclusion, and the justice system. It is worth taking a few moments to read. You can find it on the internet at www.un.org/disabilities. NBACL has developed a plain language overview booklet on the U. N. Convention. Please contact NBACL to obtain a copy.

The Power of Expectations and Language

People’s (including your own) attitudes towards and expectations of your child can be one of the most important factors in shaping your child’s future. If you or others have low expectations of your child, this can have a direct impact on his or her life. High expectations do not provide any guarantees of “success”, but they will give your child a better chance of reaching his or her potential. The way you view your child can influence the way others view him or her as well.



Similarly, the way in which we talk about people with disabilities can have an impact on their lives. Some words have a negative connotation or portray people in a way that may be harmful. Other words, however, are affirming and reflect a more positive attitude about people. By using “words with dignity” you will help to promote a positive view of your child as well as other people who have a disability.

Words with Dignity

The following terms are suggested to describe people with disabilities:

Instead of disabled, handicapped,

Use person with a disability, people with disabilities.

Instead of crippled by, afflicted with, suffering from, deformed,

Use person who has... or person with...

Instead of lame,

Use person who has a mobility impairment.

Instead of confined, bound, restricted to a wheelchair,

Use person who uses a wheelchair.

Instead of deaf and dumb, deaf-mute, hearing impaired,

Use person who is Deaf; ...hard of hearing.

Instead of mentally retarded, mentally challenged,

Use person with an intellectual disability.

Instead of special needs child,

Use child who has a disability.

Instead of spastic (as a noun),

Use person with cerebral palsy.

Instead of physically challenged,

Use person with a physical disability.

Instead of mental patient, mentally ill, mental, insane,

Use person who has a mental illness, person who has schizophrenia, person with lived experience, etc.

Instead of learning disabled, learning difficulty,

Use person with a learning disability.

Instead of visually impaired, blind,

Use people who have a visual impairment.

Instead of disabled sport,

Use sport for athletes with disabilities.

REMEMBER, APPROPRIATE TERMINOLOGY CHANGES WITH THE TIMES...

IF IN DOUBT, ASK.

Adapted from Active Living Alliance

– retrieved July 10/09 from www.ilrc.nf.ca/wordswithdignity.htm

