

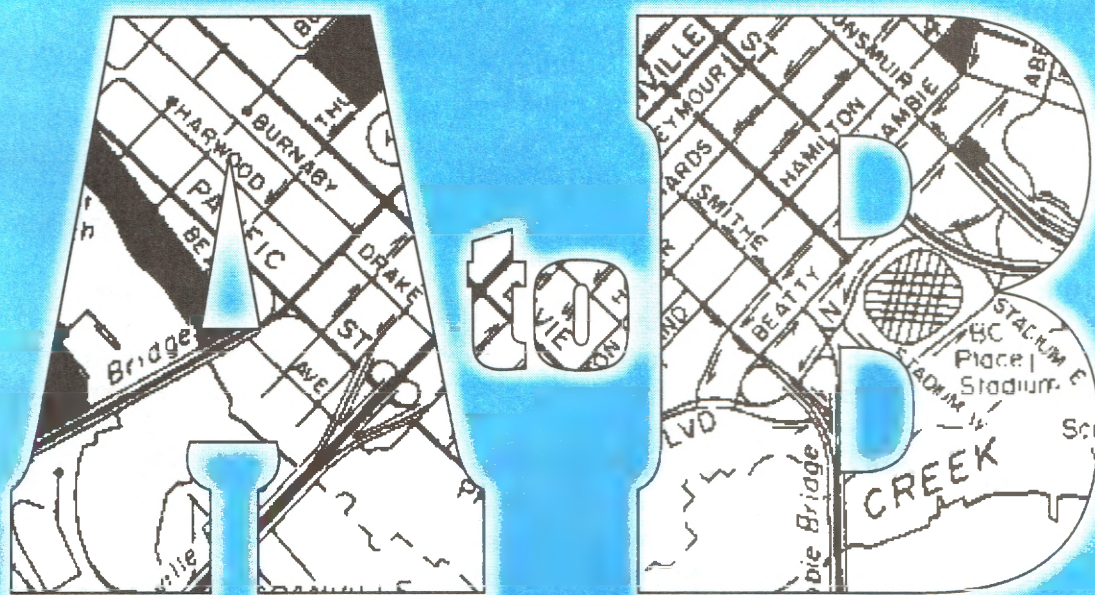
transition

BC COALITION OF PEOPLE WITH DISABILITIES

MAY 1997

TRANSPORTATION

getting from



...and back again

Inside:
handyDART vs. Taxis
Special Section: No-Fault Insurance
Advocacy Bulletin: "Unemployable" Status

Sexual Health Resource Network

The Sexual Health Resource Network (SHRN) is a provincial service which includes:

- Directory of Service Providers
- Training and Education
- Resource and Information Library

The main goals of the SHRN are:

- to increase the understanding of healthy sexual development among children and young people with disabilities, and
- to ensure those who have experienced sexual abuse will have access to information about available services.

Directory of Service Providers

We maintain a database of people from around the province who provide clinical services to children and young people with disabilities who have experienced sexual abuse. These people responded to our questionnaire and have now been listed along with support services and those who provide training. This is by no means a comprehensive listing.

We are in the process of publishing a hard copy edition of the Directory. These will be available on a limited basis for the cost of publishing. If you are interested, please contact our office.

Training and Education

Definition of an "expert"—a speaker from out of town.

While we love to travel, we would like to encourage families and service providers to use the Sexual Health Resource network to support local efforts to share information about sexual abuse prevention and healthy sexuality for young people with disabilities. Instead of playing the part of the "expert", we want to acknowledge and aid the skilled resource people in local communities throughout the province. Give us a call to discuss taking action in your community.

As always, the Training and Education component of the Network also provides

staff training and support to parents. Be sure to contact us as early as possible about booking a presentation.

Resource and Information Library

The Sexual Health Resource Network operates and maintains a staffed resource library specific to the subject of children and young people with disabilities and sexuality, healthy sexual development and sexual abuse prevention.

The library contains a rapidly growing collection of books, videos, journal articles and curriculum programs for prevention and education. The library also has materials which are adapted for people with special needs. Resources are loaned free of charge on a first come, first served basis for three weeks.

A reminder that the new 1996 Annotated Bibliography, or library holdings, is still available free of charge. To order your copy, please contact the Sexual Health Resource Network.

How do I access services?

The Sexual Health Resource Network is open between 9:00 a.m.-4:30 p.m. Monday to Friday.

You can reach the SHRN by:

Mail:

Sunny Hill Health Centre for Children
Sexual Health Resource Network
3644 Slocan Street
Vancouver, BC V5M 3E8

Phone:

1-800-331-1533 (toll free across Canada)
(604) 434-1331
ext. 335 (General Information)
ext. 212 (Program Coordinator)
ext. 217 (Library Technician)
ext. 436 (Health Educator)
fax (604) 431-7395
e-mail mharber@wimsey.com
alial@wimsey.com

transition

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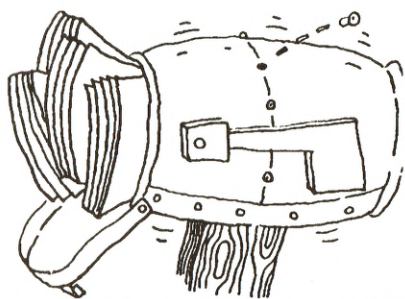
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Editorial Note: The views and opinions expressed within the pages of Transition are not necessarily those held by the total membership or Board of Directors of the B.C. Coalition of People with Disabilities. The material presented herein is meant to be thought-provoking and to promote dialogue. Transition is your opportunity to share information and to introduce issues which you feel should be brought to the attention of the disabled community and the general public. It is also an opportunity for disabled individuals to display creative talent.



letters

DEAR EDITOR:

Your article on Georgina Spilos and her complaints against the Department of Justice and Revenue Canada may have left the impression that the Canadian Human Rights Commission handles complaints from people with disabilities in an insensitive fashion (Woman's Fight for "Justice" Continues, Jan/Feb 97). Without totally rehashing the details of Ms. Spilos' case, I would like to try to set the record straight.

The Canadian Human Rights Commission has long been a vocal advocate for the rights of people with disabilities. At the same time, our mandate requires us to deal with discrimination complaints filed under the Canadian Human Rights Act fairly and objectively. Commission investigators compile and present the evidence, and on the basis of the evidence available to them, Commissioners have to decide whether a discriminatory act took place. The burden of fairness means that all sides to a

complaint have to be given equal weight and, as much as we may empathize with a complainant's situation, we have to apply the law in an objective manner.

In Ms. Spilos' case, the investigator interviewed a total of 17 people, including all of those who had supervised Ms. Spilos or assessed her performance, as well as her legal colleagues and co-workers at Revenue Canada. He also interviewed Mr. Clemens, contrary to what was stated in your article, and examined the documentation Mr. Clemens provided. In our view, the investigation report provided the Commissioners with sufficient evidence to make an informed decision.

Both our investigators and our Commissioners are well aware that comments about "personal suitability" must not be taken at face value, since the term can be used to disguise bias. But even taking that into account, Commissioners concluded that there was not enough evidence of discrimination to proceed further

with these particular complaints.

The need to be fair also means that the Commission cannot re-investigate a complaint simply because one of the parties is unhappy with the investigator's recommendation. As in all complaints, Ms. Spilos and the respondents were provided with advance copies of the investigator's reports and given the opportunity to comment on the findings. The Commissioners take these comments into consideration when adjudicating complaints.

It may be that the Commission will not be able to convince Ms. Spilos that we treated her fairly. But we hope this brief explanation of our process will reassure Transition readers that we take complaints from disabled people seriously, and deal with them as thoroughly and objectively as we can.

YOURS SINCERELY,

JOHN HUCKER
SECRETARY GENERAL,
CANADIAN HUMAN RIGHTS
COMMISSION ~



by John Maddison

handicap

The transportation provided to people with disabilities in the city of Vancouver and, to a lesser degree in the Lower Mainland, is one of the best systems in North America. This is not to say that the transportation system is beyond criticism or reproach. There are many ways in which the systems could be improved and made safer and more comfortable for the users.

Transportation in Vancouver is provided by three principal systems, each with its advantages and disadvantages. I'd like to outline some of the advantages and suggest how the disadvantages might be changed to improve the total system.

The first system is operated by free enterprise, namely Vancouver Taxi. Vancouver Taxi has been in operation since 1984; it began service with old-

fashioned modified Checker cabs. The vehicles have been modernized over the intervening years, but taxi users know that the service remains unsafe and sub-standard. This is in part due to the fact that the drivers are not trained and are insensitive to the needs of their passengers with disabilities. And, even with the partial subsidization available, the service remains too expensive for many users. There are also no regulations governing the design of the vehicles. Consequently, all vehicles will not accommodate every mobility device and its occupant. The advantage of Vancouver Taxi is, of course, that it provides on-demand service which approaches the service offered to able-bodied passengers.

Many people with disabilities are still reliant on handyDART which in Vancouver is provided by Pacific Transit Cooperative. The good news is this cooperative is a consumer-directed organization and is therefore sensitive to the specific needs of people with disabilities. The downside of handyDART is that the rides must be arranged in advance. As we're all painfully aware, this means calling about five days prior to when you want the ride. Needless to say, this is far from ideal and this system does not have the flexibility
(continued on next page)

(Editorial, cont'd from previous page)

to offer on-demand trips.

The major advantage is that the fares are similar to fares paid on the regular transit system and handyDART is therefore an affordable option for most people.

The third system of transportation is the mainline bus, plus Seabus and Skytrain. As of March, 1997, nearly one-third of all the buses operating in the Lower Mainland offered accessible service, and the Seabus and Skytrain are accessible. The mainline bus service was operated with lift-equipped buses, but low-floor buses are now the rule. In these buses, the floor of the bus is level with

the street curb—so passengers do not have to climb stairs up to the floor level of the bus. This is a very efficient system for boarding people in wheelchairs and for seniors who have difficulty with stairs. Passengers pay a regular bus fare and are entitled to a concession fare in non-rush hour periods.

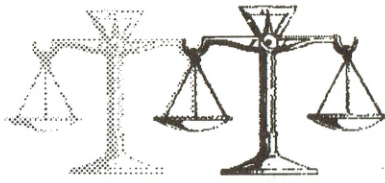
The disadvantage of the accessible buses is that only 25% of the stops must be deemed accessible for the route to be designated an accessible route. Many of the stops in the downtown core are accessible stops, so service in the downtown core of Vancouver is fairly

good. However, as one travels outside the downtown core, fewer of the stops are accessible which means longer trips to get to an accessible stop—the nearest accessible stop may not be close to your final destination.

The City of Portland, Oregon operates with the same buses and lift-equipment as B.C., and has roughly the same population, geography and weather conditions as Vancouver. The difference with the Portland service is that every stop on every route is accessible. Portland has achieved this level of accessibility by permitting the drivers to stop to load or unload people and their mobility devices outside of the confines of the regular bus stop. This means that if a particular bus stop does not meet the criteria of a safe bus stop, the driver simply advances to the next place where he or she can safely use the lift to load or unload. Our B.C. system could be made even better, if we adopted this common sense policy here.

Let's look forward to a more and more accessible BC in future. And this means as many people with disabilities as possible using public transit and lobbying for better service. ≈





ADVOCACY BULLETIN

by Robin Loxton

According to government projections, over 15,000 people on welfare will have their cheques reduced by \$96 per month on **June 30, 1997**.

The reason is that the Ministry of Human Resources has removed the "unemployable" category and has introduced a new classification called "persons with special needs". The new "special needs" category is so restrictive that only about a quarter of those who are considered "unemployable" now will qualify for "special needs" benefits.

If you are on Disability Benefits, then you don't have to worry about this change—they cannot take disability status away from you.

However, if you are on "unemployable" benefits from welfare, the change will affect you. You will have to apply for "special needs" in order to have any chance of maintaining your income level.

Application Needed to Maintain Level of Benefits

So, anyone who is in the "unemployable" category should act immediately. If you don't, your cheque will automatically be reduced by \$96 after June 1997.

In order to apply for "special needs", you can pick up an application form from your welfare office. You must fill out Part 1 of the application and then ask your doctor to fill out Part 2.

To qualify you must have:

- a medical condition (physical or mental) that prevents you from working,
- the condition must last for at least a year, and,
- it must be shown that you need assistance or have extra costs that arise from your medical condition.

Once the application form is completed, you must send it to Victoria and then wait 6-8 weeks before they tell you whether or not you have qualified.

The Advocacy Access Program is urging all people

who have disabilities that are expected to last for over a year to apply for Disability Benefits as well. You can apply for "special needs" benefits and Disability Benefits at the same time. Also, you have the right to appeal if you are turned down for either one of these benefits.

The BCCPD is strongly opposed to the repeal of the "unemployable" category in the BC Benefits Regulations. It means that many people with disabilities will have their incomes reduced. Nonetheless, all welfare recipients who are affected by this change should protect their interests by acting now.

Application forms are available through the Advocacy Access program or from your welfare office. ≈

SPECIAL SECTION

NO-FAULT INSURANCE

10

NO-FAULT
FACTS

Fault (Tort) vs. No-Fault

In a fault auto insurance system, the reckless driver who negligently injures others is responsible for the harm he or she causes to innocent victims. In a no-fault system, the reckless driver is not responsible for the harm he or she causes. There is no personal responsibility in a no-fault system and no deterrence factor.

1

2

Good Drivers Cannot Sue Bad Drivers Under No-Fault

In a fault auto insurance system, innocent victims of reckless drivers can, where necessary, resort to the protection of the court to sue for the measure of their true damages. In a no-fault system, both innocent victims and reckless drivers receive equal benefits. In a no-fault system, innocent victims are stuck with dealing with the insurance company, and have no recourse to the courts for help when treated unfairly. A good comparison of the no-fault system can be made with the Workers' Compensation system in British Columbia which generally prohibits an injured worker from bringing his claim to a court of law.

5

No-Fault Encourages Bad Driving

No-fault encourages bad driving since reckless drivers have no personal responsibility to the victims that they injure. Studies show that accident and death rates increase by about 10% in countries which adopt no-fault.

3

No-Fault Insurance Costs More

Despite the claims by insurance companies that no-fault insurance will result in lower auto insurance premiums, the history of no-fault schemes in other jurisdictions, including Ontario, has shown that this is untrue. Along with the fact that no-fault does not save consumers money, no-fault rewards reckless drivers with not only medical benefits, but also economic benefits including compensation for lost income, and the same benefits made available to their innocent victims.

6

No-Fault Discourages Personal Responsibility

No-fault supporters argue that in a fault system, the reckless driver doesn't pay, the insurance company does, and therefore the reckless driver is not responsible anyway. This argument defies the common knowledge that if you cause an accident that results in property damage or injury to others, your premiums are significantly raised for a substantial period of time. Hence, the reckless driver does suffer a direct personal monetary consequence and has personal responsibility. The fear of increased premiums serves as a deterrent to reckless driving.

Other Jurisdictions are Dropping No-Fault

Of the two provinces and 17 states which adopted no-fault in the past, six states and one province have either repealed or limited no-fault or returned to a fault system, since no-fault simply resulted in higher premiums, while greatly restricting remedies for innocent victims. In the past 20 years, no state in the US has adopted no-fault.

4

NO-FAULT
BULLETIN

7

No-Fault Penalizes Good Drivers and Helps Bad Drivers

Fault systems give innocent victims the right to seek fair compensation in court. No-fault gives benefits to reckless drivers as well. To offset the cost to provide benefits to reckless drivers, without increasing premiums to cover the extra cost, no-fault systems must take away benefits from good drivers. No-fault systems therefore eliminate or limit the rights of innocent victims from holding bad drivers responsible for injuries and losses. Good drivers pay for bad drivers under no-fault.

No-Fault Increases Premiums

No-fault in fact causes premiums to go up, not down. This is because with no-fault, negligent and at-fault drivers receive benefits, not just innocent victims. Ontario premium increases averaged 11.5% in 1994, the first year of that province's threshold no-fault scheme. In the US, those states with add-on no-fault systems (like BC's) experienced a 7.7% average annual increase in premiums between 1989 and 1993. Tort states, on the other hand, had annual increases of only 3.6%.

8

9

The Fault (Tort) System Can Incorporate Benefits of No-Fault

In British Columbia's system, we have preserved the fault system which provides benefits to innocent victims while preserving recourse to the courts. In addition, our system provides a scheme of no-fault benefits which provide medical and rehabilitation benefits even to injured reckless drivers. This system ensures that all victims of auto accidents receive required medical benefits, but does not reward reckless drivers by giving them the same rights as injured victims to claim for damages and for pain and suffering and loss of income in court.

Only Insurance Companies Want No-Fault

Insurance companies want no-fault systems because no-fault takes away an injured victim's right to have his claim assessed by a judge or jury in court. Insurance companies do not like the prospect of going to court because they know that court creates an even playing field for injured victims, despite the great wealth of resources brought to bear against injured victims by the insurance companies. In all no-fault schemes, injured victims lose their rights to go to court. Consumers are thereby deprived of the equality and fairness which the tort system gives them.

10

IF NO-FAULT BECOMES LAW:

- 9 out of 10 accident victims will not get compensated for pain and suffering
- Your compensation for lost income will be drastically reduced or eliminated
- 92% of car accident victims will lose their right to sue for fair compensation
- ICBC will have total control over your life if you are injured in an accident

**SAY NO TO NO-FAULT!
CALL OR FAX PREMIER GLEN
CLARK TODAY. TOMORROW MAY
BE TOO LATE!**

Greater Vancouver call 431-8119 • Greater Victoria call 387-1715 • Other areas within BC 1-800-663-7867 (Ask to be transferred to Glen Clark)

Premier Clark's fax numbers:
604-660-0279 (Vancouver)
250-387-0087 (Victoria)

Or write to Premier
Clark:
Parliament
Buildings
Victoria, BC
V8V 1X4

**NO-FAULT
BULLETIN**

Auto Insurance Politics in BC

by Faith Hayman, Murphy Battista and Terry Hayman, LLB., writer

Since it became clear last year that the provincial government was considering no-fault auto insurance for British Columbia, there has been a war of words in the media—enough to almost persuade the casual reader that the issue was being rationally considered and that the best arguments would win the day.

Unfortunately, the no-fault war has so far not been about reason. As we're still finding out from leaked ICBC and NDP documents, it's been about election strategies, withheld financial information, biased studies, sham public consultations, backroom deals, broken promises, and concerns far removed from ethics, compassion or even sound financial management.

It's time to hold these up to the light and ask some hard questions.

Who Should Decide?

The first basic issue is who should be deciding the future of our insurance system. The government? A corporation with a monopoly and legally captive consumers? The public?

As might be expected, the responsible assessment of rates is a fundamental prerequisite to the health of a public auto insurance system. In May 1992, Peat Marwick Thorne (KPMG in an earlier incarnation) was hired apparently to explain why ICBC had just found itself needing a 19% premium increase. Among the conclusions of the study, this report made the following statements about accountability:

In BC, where ICBC controls the auto insurance market to the extent of 98 per cent or more and has the legislated right to be the exclusive distributor of compulsory insurance, the ethical and representation question of policyholder involvement in the operations and rates of the corporation is a major issue. (p.43)

There remain outstanding questions about the extent to which the corporation fulfils

its accountability requirements to the government and more particularly to its policy holders and shareholders, the citizens of BC, which await further direction from government through the Crown Corporations Secretariat. (p.49)

There is also considerable merit in removing any rate review and regulatory function from the political sector of government. (p.44)

For a number of reasons outlined in this report, we believe an independent rate review body could respond to some of the rate-related concerns, and we recommend the matter of rate (and product) review and regulation should be evaluated. (p.44)
- 1992 Peat Marwick Thorne Project Report

In other words, while we might generally approve the representative nature of our democracy (i.e., we elect representatives and trust them to do what's best for us), the 1992 report found that neither ICBC nor the BC government could be relied upon to openly and honestly do what was best for our auto insurance system. For this reason the report recommended an independent body to review rates.

The same argument could apply to a review of the insurance product itself. If the actual policyholders are not in a position to evaluate the present system and any proposed changes, a body free of electoral or power concerns should do so.

What, in fact, has taken place in the current no-fault debate?

Who Is Deciding?

The most identifiable impetus for the current no-fault push came from Glen Clark's election promise to freeze ICBC insurance rates for two years. This was done in blatant disregard of the 1992 Peat Marwick Thorne recommendations, and despite all historical evidence of the negative impact of government rate setting at election time. And a freeze? Note Peat Marwick Thorne's comment that:

...there is every reason for policyholders to expect a rate setting policy that achieves a stable, consist-

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BULLETIN**

"...the 1992 [Peat Marwick Thorne] report found that neither ICBC nor the BC government could be relied upon to openly and honestly do what was best for our auto insurance system."

ent and "no surprises" annual rate increase....This aspect of overall business planning is needed urgently.

- 1992 Peat Marwick Thorne Project p.35

By this standard, it's clear Clark's rate freeze was not only meddling but irresponsible, creating uncertainty by placing an increasing burden on the system every year it's extended.

Yet Clark's ill-conceived promise may have been innocently made....on his part. Look to ICBC during this time, however, and the plot thickens. ICBC, after all, has a mandate to maintain adequate reserves and cash flows to compensate injured victims in accordance with our current laws. Why haven't they objected to this rate freeze?

Astoundingly, Ralph Nader was told last December by ICBC president Thom Thompson that ICBC *wanted* an extended rate freeze. Was this to provoke a financial crisis and thereby spur insurance reform? We know that ICBC was looking at no-fault options as far back as November 13, 1991 (ICBC FOI Guide to Release, p.5) and seriously preparing for no-fault since July 30, 1993 (ICBC FOI Guide to Release, p.1). Did ICBC go so far as to *suggest* the freeze to Clark to provoke an auto insurance crisis?

And if ICBC would provoke a financial crisis in this way, what other tactics might they use? Consider ICBC's propaganda plans:

When a major change in philosophical direction is intended, the external communication process must both inform and assist in moulding public opinion. The Manitoba example is illustrative of how the public was educated as to the root causes

of the problems in the present system through effective use of the media to get the message out, as well as direct mailing of explanatory material.

A strategy based on reaction will not be successful. The Government and the corporation must dictate the agenda.

To do this effectively, it is essential that all special interest and lobby groups be identified at the outset. Strategies should be developed for each to co-opt their support where possible, or to isolate them as clearly defined self-interest groups who do not have the public interest at heart. - ICBC Pure No-Fault Plan August 4, 1993 p.43

What about ICBC "moulding public opinion" and trying to "dictate the agenda"? Is it right for ICBC to decide, back in 1993 and with no consultation of stakeholders, that the current system needs an overhaul which will radically change the rights of anyone injured under it? What are the ethics of promoting such a corporate choice with premium dollars? Just how many such dollars has ICBC spent on polls? Advertising? Their publicity team that's toured the province promoting no-fault?

Finally, if ICBC has been willing to a) provoke an internal financial crisis, b) influence vulnerable interest groups, c) isolate and question the integrity of vocal opponents, and d) throw truckloads of premium dollars into propaganda, how much further would it go?

(continued on next page)

**NO-FAULT
BULLETIN**

(Auto Insurance Politics, cont'd from previous page)

How about to the point of manipulating every other body involved in the decision-making process? Consider these leaked minutes of an ICBC meeting discussing how their no-fault plan will proceed:

Ray Healey of KPMG has been hired as our consultant. His report will be given directly to Victoria and will be a public report which will recommend revised legislation for the spring session. A steering committee consisting of Thom Thompson, Tom Gunton, Lawrie McFarlane of the Crown Corp. Secretariat, a Deputy from the A.G.'s department and someone from the Health ministry will assist Ray. A Commissioner will be appointed to spend a couple of months involved in a stakeholder process which will be consultative in nature.
- Minutes of ICBC meeting August 26, 1996

They knew the report would "recommend revised legislation for the spring session" ahead of time. They had their people and a government team including Premier Clark's senior policy adviser, Tom Gunton, "assisting." But what of the Allen Review Commission? It was set up by the government, not ICBC. And it was to be "consultative in nature", offering stakeholders an opportunity to be consulted in this important public issue.

Yet despite repeated assurances from Doug Allen and his team that they would carefully consider all submissions made to them, Doug Allen's final recommendations were limited to pure no-fault or "no-fault lite".

His conclusions were notable in two respects: (1) they satisfied a hitherto undisclosed and self-serving government condition that rates remain flat for five years, and (2) they flew in the face of an estimated 90% of the submissions made to the Review Team by several hundred interested groups.

In reaching these conclusions, the Allen report adopted the much-criticized KPMG findings concerning ICBC finances without question and blatantly downplayed the possibility of maintaining the current system by projecting the savings from traffic safety measures *only* for its no-fault options.

What Do We Do Now?

In the last election, this government made a commitment to preserve our current auto insurance system and to introduce aggressive accident prevention initiatives.

More recently, polls have suggested that approximately 90% of the general populace of BC oppose the introduction of no-fault and its variations (i.e. thresholds).

Spurred by this public resistance, Glen Clark may recently have taken a step back from the Allen Report's harsh recommendations. Yet the government is now running ads entitled "Progress Reports on Auto Insurance Reform" and when you slice through the rhetoric of fairness and road safety, they sound reminiscent of the old ICBC line. The "reforms" still describe reduced access to the courts and reduced compensation to innocent accident victims, i.e. no-fault.

It's time for the political game to stop. Call your local MLA and Glen Clark. Remind them that this NDP government was given *no* mandate to change the system. Remind them that any such changes are clearly against the will of the people who elected them and will bring calls for political exile in the next election.

Act now. You might not have another chance. ≈

**NO-FAULT
BULLETIN**

SOUNDBITES

...A factory worker earning \$50,000 per year spends the evening drinking beer in a pub. Highly intoxicated, he attempts to drive home and veers off the road, striking a pedestrian in her last year of medical school. Because the pedestrian has been attending university since high school, she does not have a history of earned income.

Both the driver and pedestrian are injured so severely that neither will be ever able to work again. Under a no-fault system, the driver will be compensated for his loss of income by being paid a pension for the balance of his working life equal to a substantial percentage of his pre-accident earnings, probably 65 percent to 80 percent. The student will receive no compensation for her loss of earnings nor for being deprived of a healthy, active, productive life.

Under no-fault, some get more and some get less. Mr. Clark fails to mention, however, that inherent in all no-fault schemes is the fact that people injured as a result of their own negligence receive greater compensation at the expense of the people they injure.

GREGORY K. STEEL
BARRISTER
WEST VANCOUVER

"...Ten per-cent of ICBC's total claims costs go to pay legal fees." If ICBC were to negotiate in good faith in the first place, or simply agree to mediation, which it doesn't always do, rather than leaving plaintiffs with no option other than to settle on the courthouse steps or go to trial, its legal costs could be

greatly reduced. Imagine how much expensive correspondence could be eliminated between lawyers if ICBC would get down to the medical evidence, previous judgments of like circumstances and simply settle.

Perhaps what ICBC should consider is to exponentially jack up the rates for those motorists who have been responsible for more than one accident involving settlements, in excess of a predetermined dollar amount, to an annual premium level which would make it extremely expensive to operate a motor vehicle. We would all be the beneficiaries of such a policy. Make those responsible pay and if they can't pay, at least they are off the road. No-fault would simply benefit bad drivers and allow them an opportunity to repeat their negligence and, in essence, get paid for it because no-fault will provide benefits to those who caused the accident.

ALEXANDER BARRIE
SURREY

Are you having some trouble deciding whether no-fault auto insurance is a good thing for B.C. motorists? Look at it this way: Finance Minister Andrew Petter and Premier Glen Clark tell us it is a good idea. U.S. consumer crusader Ralph Nader tells us it is a terrible idea. Who are we to believe?...
FRED W.

VANCOUVER

The provincial government's suggestion that no-fault auto insurance might be a good idea raises an issue which should be of concern to all women.

Our system does not recognize or compensate the work that a woman does at home and, even if a no-fault insurance scheme had a wage replacement component, it could never adequately compensate women who must go home and take care of their families.

The various no-fault schemes that appear to be under discussion by the NDP would eliminate payments for pain and suffering and would focus on wage replacement. This would have the effect of denying women employed in the home any compensation.

The injuries suffered in automobile accidents take months and years out of people's lives, months and years that many people really cannot afford to give up.

Our present system of payments for pain and suffering recognizes that and recognizes that injured people deserve to be compensated when they have had part of their life taken away, through no fault of their own.

To do away with such a system would be an insult to all injured British Columbians, but particularly so for injured women.

LAWRENCE PIERCE
VANCOUVER

*(Courtesy of Mothers
Against Drinking Drivers
Newsletter, April/
May/June 1997).*

**NO-FAULT
BULLETIN**

NO-FAULT LEFT FAMILY POWERLESS

by Joey Thompson

City yuppies Jan and Carol Markwart thought they had it made. Jan, a firefighter, brimmed with pride for having devoted 17 years to pulling folks from flames. Carol was a giver, too. The palliative-care nurse brought many smiles to the dying patients in a hospital ward near their roomy Regina home....

On a frosty Friday, January 13, 1995, the excited couple and their two girls piled into the family car for a trip to Moosomin, three hours east of Regina. Robert was in the provincial Junior Curling Championships. Their mission: to cheerlead.

They made it to within 20 clicks of the curling arena. The other guy was in Jan's face before he knew what hit him.

He was a 20-year old ambulance driver who gambled that it would be safe to pass a semi on the snow-dusted road ahead.

Now, Jan was adept at steering through panic situations. After all, he had trained on a fire engine.

He pulled on the wheel. The ambulance kept on, its belly slicing off the car's roof and peeling back the driver's side like the lid off a can of sardines.

Carol was first out of the

mangled metal that settled in a ditch. She saw her husband's flailing arms and heard his agonizing screams. But that was all.

"I found Allanah behind my husband in her seat-belt," Carol said.

"She was unconscious and bleeding extensively from the opening in the left side of her head. She wore braces and her mouth had been slit open over her upper lip. She was still breathing."

When medics finally arrived, they handed Carol suction equipment which she carefully positioned in her daughter's mouth.

"....It seemed to clear most of the blood away, and then I tried to suction her nostril—out came what looked like brain tissue. There are just some things you know as a nurse. I knew that if my beautiful, athletic, talented daughter survived she would be severely brain-damaged."

The nurse and mom did everything she could, but it wasn't enough. Allanah died in her arms. So did a lot of life's joy. But grief would have to wait.

Jana was OK, but Jan had it bad. His foot was smashed, his lung punctured, and his pelvis separated in two places and pressing into his abdomen.

Enter no-fault. This insurance scheme has many variations, but Saskatchewan has pure, 100-per-cent no-fault.

Under a tort system (which B.C. has), the Markwarts would normally have hired a lawyer to go to bat for them in court.

They'd have sued the negligent driver for damages in several key areas: pain and suffering, loss of wages, loss of capacity to work, future expenses and, finally, loss of future wages should Jan's injuries bar him from working at the same level or from being promoted.

The new no-fault was different.

Better, said the government adjuster into whose hands they fell. But first they had to wait a week for the disability benefits to kick in. Then Jan would have to drain 100 days from the sick leave he had amassed at work.

And did I mention he'd get only 90 per cent of his net pay to a maximum of \$50,000 a year? And while off the job, he'd have to pick up the tab for maintaining work medical benefits. And he and Carol wouldn't have any say in his medical future. The adjuster would call the shots.

"Who do you turn to?" husband and wife asked me when I rang them this week, 21 months later.

"No one is there for us. We still have to get permission for everything we do. We have to beg. They strip you of all your pride."

Three months after the crash, Jan—still suffering disabilities in

**NO-FAULT
BULLETIN**

his back, hip and foot—returned to light duties at the city fire department. Not long after, an adjuster pulled him off the job.

He was to go to rehab, every day. That was five months ago. He's still there.

"And when they feel like it, they'll order me back to work," he said. "We're not consulted at all. They discuss me behind closed doors. We're totally powerless."

He said he's given up all hope of rising to captain from acting lieutenant, a loss for which a court might have awarded compensation.

And under no-fault he can't claim financial relief for the effect aging will have on his damaged body.

And remember that house he and Carol enjoyed mending and sprucing up? It's going on the market. The couple can't afford to pay outsiders to do the maintenance, and Jan isn't Mr. Fix-It anymore.

That loss isn't recoverable under no-fault either.

In fact, things were so bad Carol and Jan wrote Premier Roy Romanow several times, pointing out the faults of no-fault. They received a thank-you reply.

But at least they're paying less for car insurance than B.C. motorists, aren't they? Well, not much.

They're paying more than \$1,000 to drive last year's Toyota runabout.

(Courtesy of The Province, October 25, 1996) ≈

The Big Lie

ICBC is not in financial crisis, but management wants you to think it is so they can try to introduce no-fault or one of its variations.

ICBC is spending millions of your dollars on advertising and expending immeasurable energy on public relations trying to convince you that they are in a financial crisis.

In its editorial on February 26, 1997, the Victoria Times Columnist asks and answers the question: "And is ICBC really in such bad shape? In fact, for all the hand-wringing about out-of-control costs, the corporation is better off than it's ever been, having netted more than \$12 million more than it expected to in 1995."

The truth is in the following ICBC documents:

- "The results have been very positive. The projected income will bring reserves to \$354 million...and allow the Corporation to keep rates at or below inflation for the third year in a row." *ICBC 1996 Operating plan pg. 2*
- ICBC plans "a net income of \$20 million" for 1996. *ICBC 1996 Operating Plan pg. 29*

- ICBC has \$4.5 billion in reserves which generates \$1 million in interest a day. *ICBC Nov. 1996 Interim Financial Statement*

In addition, ICBC President Thom Thompson confirmed the corporation is in good shape financially, during an interview on Vancouver's CFUN radio on February 19, 1997.

Why is ICBC lying to us about their financial situation?

So they can introduce no-fault or one of its variations—threshold, deductible, injury insurance, motorist protection plan or whatever new name they want to call it. They are all no-fault, they will all limit your right for justice and they are all no good. ≈

**NO-FAULT
BULLETIN**



Written, designed and published by Gerianne B. Van Vugt, "Is That Wheelchair Really Dead?: Gerianne's Humorous (and Useful) Little Booklet on Creative Wheelchair Repairs", provides many helpful tips for doing home wheelchair repairs, using commonly available items. Along with this booklet, a little imagination (and perhaps some mechanical ability) is all that is required to save countless dollars on wheelchair repairs and servicing. Written in a collection of humorous short stories, this booklet is also designed to lift the reader's spirits.

"After only one winter of drudging through snow up to my a...xle (thought I was gonna say another A word didn't ya?) my chair looked like it had been hit by an atomic bomb. It was so rusted and corroded that it wouldn't fold up any more. I felt myself finan-

cially drowning as I imagined the influx of bills for those new chairs I'd need each spring. You'd be surprised (and maybe a little confused) to find out that all these years later I'm still using the same chair as a spare."

In "Is That Wheelchair Really Dead?...", Gerianne has combined her literary talent with her experience of being a lifelong wheelchair user. The tips are things that Gerianne has tried with her own chair and has "lived to tell about it."

At Gerianne's web site, you will find links to resources for writers, avenues for promoting your own web site and disability links. You can visit Gerianne's web page at: <http://www.successfx.com/diskspace/gerianne> (for all web browsers) or <http://server1.successfx.com/diskspace/gerianne> (for online users).

"Is That Wheelchair Really Dead?...", ISBN: 0-9681311-0-7 can be ordered by sending \$9.95 (in Canadian funds) plus shipping and handling to Mrs. Gerianne B. Van Vugt, 41 Earle Drive, Pasadena, Newfoundland, Canada A0L 1K0. Shipping and handling rates for individual orders are: \$2.00 within Canada; \$3.00 for the US; \$5.50 for all other destinations. Volume discounts are also available. ≈

Rail Code Review



Following the introduction on January 1, 1997 of the code of practice concerning aircraft accessibility, the Accessible Transportation Directorate of the Canadian Transportation Agency has turned its attention to the rail mode.

The draft Rail Code is divided into two parts. Part 1 deals with features to make passenger rail cars more accessible to people with disabilities. Where applicable, the accessibility criteria are the same as those in the Air Code. Part 2 deals with services that should be provided so that passengers with disabilities may expect to travel by rail with a reliable and consistent level of service. These were based on the terms and conditions of carriage provisions contained in Part VII of the *Air Transportation Regulations*.

The Canadian Transportation Agency is currently sending the code out to consumer groups for review.

If you would like to be part of the review, contact:

Hélène Nadeau
Acting Director
Accessible Transportation
Directorate

Ottawa ON K1A 0N9

Voice: (819) 997-6828 • 1-800-883-1813

TTY: (819) 953-9705 • 1-800-669-5575

Fax: (819) 953-6019

This edition of Transition is generously sponsored by the
Amalgamated Transit Union

The ATU (over 165,000 members) was founded in 1892 and, in 1992, celebrated One Hundred Years of representing Workers in the Transit Industry within North America. ATU has represented workers in B.C. since 1898!

The ATU represents both Transit and Inter-City Bus Drivers, Office Workers, Dispatchers, Supervisors, Clerks, Secretaries, Cafeteria Workers, Truck Drivers, Airport Limousine Owner/Operators and Drivers, Airport Ground Workers and Maintenance Workers in over 70 locations in Canada and in hundreds of locations throughout the United States. The ATU is the largest Union in the Transit Industry in both Canada and the United States.

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ORGANIZED SEPT. 15, 1892

For transportation of people with disabilities, the ATU represents Workers at Albany, Austin, Bellingham, Bremerton, Bridgeport, Calgary, Chilliwack, Charleston, Chicago, Cleveland, Cornwall, Dallas, Denver, Detroit, Derby, Everett, Kelowna, Joilet, Johnstown, Lafayette, Lynwood, Muncie, Nashville, Newark, New York, Norfolk, Oklahoma City, Ottawa, Pacific Transit Cooperative, Pensacola, Peterborough, Portland (Me), Portland (Or), Reading, Richmond (Va), Sacramento, Salt Lake City, Saskatoon, Seattle, Snohomish County, St. Louis, Tacoma, Toronto, Winnipeg, Wilmington, Waterloo, etc...!

International Office James La Sala, International President,
Amalgamated Transit Union, 5025 Wisconsin Avenue N.W.,
Washington, DC 20015

British Columbia Randy Graham, Trustee, ATU Local 134
718 12th Street, New Westminster, V3M 4J9
(604) 524-0323 • fax (604) 524-2223

Canadian Council Ken Foster, Canadian Director
15 Gervais Drive, Don Mills, Ontario, M3C 1Y8
(416) 445-6204 • fax (416) 445-6208

**International
Vice-President** Vice-President James H. Daley
1175 Haro Street, Ph 102, Vancouver, BC V6E 1E5
(604) 608-2664 • fax (604) 608-2665

YOUR MEMBERSHIP IS VALUABLE

The B.C. Coalition of People with Disabilities is a province-wide, non-profit organization run by and for people with disabilities. We are an umbrella group representing all people with disabilities and our strength comes from membership support.

Will you join the Coalition today and help build the voice for people with disabilities?

As soon as you begin your membership, you'll enjoy a number of benefits:

- an organization that can lobby the government on behalf of people with disabilities—too many

helping agencies depend on government funding and fear funding cuts. They need an independent advocate like the Coalition to lobby for their interests.

- policy research and development on areas of concern to you.
- membership voting rights, if you are a person with a disability.

If you would like more information on BCCPD, please feel free to contact the office at the address below, or call (604) 875-0188.



Membership Acceptance Form

I accept your invitation to join the BC Coalition of People with Disabilities.

Membership Fee (groups and individuals)
\$10

☐ **New Membership or**

☐ **Renewal?**

All memberships are renewable annually from the date of application.

☐ **Voting Member or**
(self-help groups where at least 51% of members have disabilities or a person with a disability)

☐ **Non-Voting Member**
(all other groups and able-bodied members)

Voting and Non-Voting Members: All individuals and groups are welcome to become members of BCCPD. However, voting rights are limited to people who have a disability and groups composed of a majority of people with disabilities.

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**Please return your cheque or money order, with this form, to
BCCPD, 204-456 W. Broadway, Vancouver, BC V5Y 1R3.
We thank you for your support.**

POINT-COUNTERPOINT

HANDYDART or TAXIS

Taxis Offer Better, Cheaper Service

"The best way to serve people with disabilities is by making the facilities and services which the general public uses also accessible to them."

This statement is contrary to the older view which held that people with disabilities were better served by facilities and services "just for them."

One of the remnants of the "older view" is handyDART; this is still a service "just for them."

We at FACT (Fair Access to Custom Transit) believe that we would be better served if this service were to be gradually integrated with the door-to-door service used by the general public, namely the B.C. taxi industry.

Here are some comparisons:

- B.C.'s 273 handyDARTs operate mainly in cities, while the province's 2200 taxis operate in all communities.
- handyDART requires a pre-booking period of several days, while a taxi arrives usually within an hour.
- The taxpayer pays the handyDART driver an average of \$15.60 subsidy for every one-way trip a passenger makes; the same trip in a taxi costs \$8.15. For the same subsidy, almost twice the number of rides could be given if taxis were used.
- Eighty-percent of registered handyDART passengers can walk, and thus can use a normal taxi.

Today, in Vancouver, the taxi industry is already replacing handyDARTs. If there is no handyDART available, the handyDART office

sends a taxi in its place. In 1993, 31,000 passengers saw a taxi arrive at their door instead of a handyDART vehicle. The passenger gave the taxi drivers the standard handyDART fare of \$1.35 and the taxi driver in turn billed the handyDART office for the balance of the fare.

It is true that taxi drivers are not trained as well as handyDART drivers and their taxis are not properly designed for transporting passengers who are sitting in wheelchairs. Nevertheless, taxis are still used by handyDART to transport their own passengers.

Many of us have doubts about taxis: lack of driver training, high turnover of drivers, improper vehicle design, etc. Many think that the taxi industry should "shape up" before it gets more business, while the taxi companies say that they will only shape up if they get the \$18 million a year in handyDART business.

Currently, there are some 60 wheelchair accessible taxis in B.C. These vehicles are expensive and, as long as the taxi industry is not given some kind of promise by the B.C. government about being able to gradually inherit the handyDART market, there is little incentive to provide properly designed wheelchair taxis or to sponsor driver training. A government decision, to grant such a promise on the condition that training and design standards are met, would end the stalemate.

Another concern is that some 65 percent of all handyDART passengers are on a "fixed" *(continued on next page)*

(Point Counterpoint, cont'd from previous page)

schedule," such as daily trips to work or rehab. For them, the service is fine because they do not have to book days ahead. However, the cost is still doubled and there is no reason why such fixed schedules cannot also be arranged with taxi companies. There is no doubt that many prefer the roominess of a handyDART vehicle. However, most passengers would like to travel, just like anyone else, in a taxi.

We believe that it should be possible for a registered person with a disability, living anywhere in B.C., to call a taxi from any taxi company and receive prompt service comparable to able-bodied service. At the end of the trip, she or he would hand the driver a B.C. Government credit card, plus the \$1.35 fare contribution, and arrive at the destination within one hour of the request.

Although the 1979 decision of the B.C. Government to establish a service "just for

them" can be considered a mistake, it should be realized that at the time there were no accessible taxis or buses.

Today, however, this service has turned into an over-extended, inefficient monopoly. People with disabilities and the government should raise their sights to a future time when, for the same \$18 million annual subsidy, almost twice as many rides could be given.

These rides would be on-demand, instead of booked ahead several days, in properly designed vehicles and driven by trained drivers. This service would be part of the competitive network which the general public uses when it wants to travel door-to-door—namely the B.C. taxi industry.

The above letter is a summary of a proposal by Fair Access to Custom Transit (FACT). Courtesy of the Paragraphic, Spring 1996. ≈

Let's Hang on to handyDART

While integration into mainstream public services is generally a good philosophy, at times there are valid reasons why people with disabilities might prefer specialized services.

I would have some serious concerns if government, in an effort to get a better bang for their buck, decided to transfer the subsidy that handyDART receives for door-to-door service over to taxi companies. While such a plan might have a bottom line appeal, this shouldn't be the only consideration; there are many issues around driver training, company commitment and vehicle safety that can't just be glossed over.

I don't want to slag taxi companies generally or to single out Vancouver Taxi in particular, but it happens that as a wheel-

chair user their service is my only experience. I appreciate that they're available to transport me on short notice and I use them a fair amount. Some of the drivers are friendly and competent while others are not, and many of the vehicles are pretty shabby (although I gather some cabs were taken off the road in a recent safety check).

I'm pretty easy-going and, to a certain degree, can tolerate a driver who's ill-at-ease, grumpy or even bizarre. I have less patience for those who don't know how to use tie-downs and/or don't offer a seatbelt. And I've certainly heard stories from others who have been very upset by their taxi experiences.

It seems to me that the taxi industry has, over its long history, developed a "cul-

ture" which is somewhat at odds with the needs of people with disabilities.

For one thing, there is a fairly high turnover in the taxi industry, at least compared to custom transit. This would indicate a lesser degree of commitment to the job on the part of drivers, and makes ongoing training more difficult for taxi companies.

Also, the fact is that people with disabilities do require a bit more time and effort, and it seems that some drivers resent this. I know that some drivers will avoid taking wheelchairs if they can. This puts people with disabilities in the position of either waiting longer for a willing driver or putting up with some attitude.

Taxi drivers are lower paid than handyDART drivers and like many in the service industry, they rely somewhat on tips for their income. People with disabilities generally have lower incomes than the average and are not as much a part of the "tipping crowd" as are tourists and business people, and this does not go unnoticed by drivers. This only adds to drivers' reluctance to serve people with disabilities.

If taxi companies were to gain a significant portion of custom transit business and stricter standards for training, service and vehicle condition were imposed on them, then I'd bet that drivers would demand an

increase in pay, thus closing the gap in the taxi/handyDART cost comparison. If they had all the business, then they would collectively be the monopoly and would be in a good position to do this.

From my experience with handyDART, it seems that bookers and dispatchers are either more unwilling or unable to search for

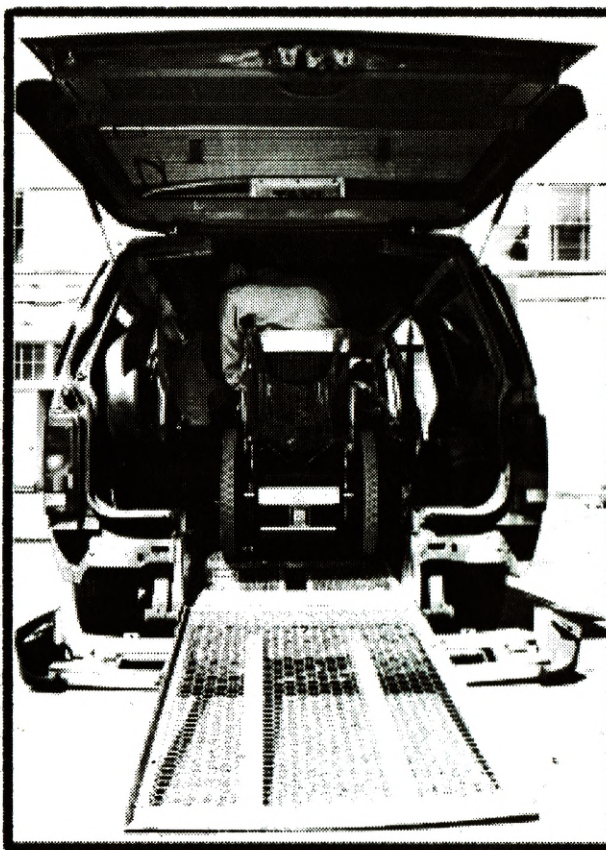
possible trip combinations than they used to be. Surely, this or other measures might decrease the cost-per-trip. Perhaps increasing demand makes these measures more difficult, but if critics are complaining that handyDART is inefficient, then what might be done to address this?

And has anyone seriously considered the possibility of obliging handyDART to provide on-demand service? If taxi companies can do it, why can't at least a portion of handyDART vehicles be designated for this purpose?

Before we throw the baby out with the bathwater, as FACT would have us do, we need the answers to these and other questions.

We need, as well, to be wary of decisions made with only the bottom line in mind. If handyDART service is more expensive, then maybe there's a good reason for it.

by Geoff McMurchy





Getting Around Vancouver

by Margo Massie

Last fall, after a particularly eventful day of riding transit in the Lower Mainland, I made a suggestion which I may come to regret. At a meeting, where we were discussing ideas for Transition, I suggested that I, as a person who relies on alternate forms of transportation, write a regular column about getting around Vancouver. My regret would come with having to find the time to do this regularly! However, this edition on Transportation is an appropriate place to attempt a start. So here goes.

First, I must set the stage. Due to Multiple Sclerosis, I have limited mobility—I walk with a cane, but

not very far. For distances, I use a powerful, comfortable Triumph Scooter, and, on warm, dry, high-energy days, I ride a delightful red tricycle. For greater distances, when I can be assured of nearby parking at my destination, I drive a butterscotch-coloured Jeep Cherokee with hand controls. With my scooter I also rely on handy DART, conventional transit buses and accessible taxis. With all of these transportation choices, and therefore, decisions, I have collected many stories. I'll start with a rather complicated yarn about the advent of the 99 B-Line.

In May of '96, I heard that starting on September 1 there would be an express bus service from Lougheed Mall on the Burnaby/Coquitlam border, all the way along the Lougheed Highway and Broadway, to UBC. It would stop at only twelve major transfer points, operate every thirty minutes and most of the buses would be wheelchair accessible! I was thrilled!

Until the B-Line came into operation, there was no accessible service on the Broadway corridor because it was only served by trolley buses. In the transit plan, the trolleys will be the last to be made accessible. Although I live one block from

the Broadway/Arbutus intersection in the heart of Vancouver, I had to travel eight blocks to catch an accessible bus. I was particularly delighted about this new service because my two main destinations—the BCCPD office and King Edward Campus of VCC—are both on Broadway.

Up until this time, I had spent many wet, cold hours "scooting" the 17 blocks to the Coalition office or taking a very long bus ride on the #22 through Downtown Vancouver and the busy industrial section around Clark Drive to get to VCC (that's another story). So, from May to September I was looking forward to door-to-door service!

Well, here it is, April '97 and I'm still dreaming about the 99 B-Line stopping at my door—but it is getting better. Come September, I learned that Broadway and Arbutus was not to be a designated stop. So, I still have to scoot seven blocks to Granville to catch it. It does stop at Cambie, at the Coalition, so that's great. However, until April 15th, it sailed five blocks past King Edward Campus eastbound to the Commercial (Broadway Skytrain) stop. From September until now there have been several chilly trips from Commercial back to the College at Glen Drive,

not to mention the taxi rides home after dark and after the B-Line stops operating (Monday - Saturday to 6:30 p.m.—more future stories).

But, as I mentioned, things are improving. BC Transit was soon convinced that an additional stop at KEC westbound and Clark Drive (a major transfer point) was a wise idea. A much higher ridership than

was ever imagined has also caused them to increase the service and the number of accessible buses this month.

As I bundle up to make my way to catch the B-Line at Granville, I continue to dream of a stop at Arbutus. And, as always, I pray that the lift will be working on the bus I hope to catch (definitely a story for another issue). ≈

Elections Canada Improves Access



Since Bill C-78 was passed in June 1992, Elections Canada has undertaken, during electoral events, to modify buildings and offices across the country which don't have level access. Returning officers are receiving training and awareness sessions designed to help them identify the needs of people with disabilities in their electoral district.

Since the federal referendum of October 1992, Elections Canada has built more than 1200 ramps (distributed among more than 1800 polling stations) across the country. The majority of the modifications were permanent.

In addition, Elections Canada has implemented a

variety of initiatives and services designed to facilitate voting for electors with disabilities including:

- information material available in alternative formats such as large print, Braille, audio-cassette and diskette;
- information material, e-mail access and special ballot registration forms available on the Internet;
- accessibility training and awareness sessions for returning officers;
- a toll-free information line for persons who are deaf or hard of hearing;
- documentation specifically for people with disabilities;
- a special ballot which

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allows early voting by mail or in person; and,

- assistance available to mark the ballot at the polling station (ordinary or advance).

For more information, please contact: Elections Canada, telephone: 1-800-INFO-VOTE (1-800-463-6868), toll-free in Canada and the United States.

For electors who are deaf or hard of hearing: TTY/TDD 1-800-361-8935, toll-free in Canada and the United States.
Internet: <http://www.elections.ca>
e-mail: eleccan@magi.com



Is Sign Language Isolating?

by Roger J. Carver

Recently, during a visit to a family's home to discuss how the Deaf Children's Society might serve them, one of the parents raised a question. She was concerned that if her deaf child were to use sign language instead of speech it might "isolate" her from the rest of the hearing world.

On the surface, this seems like a valid point, but it does not address the realities in the world of the deaf and the hard of hearing *vis a vis* the hearing world.

The hard reality is that many deaf and hard of hearing persons who possess good speech and audition skills are still isolated from the hearing world, regardless of whether they use sign language or not.

A vast majority of deaf children, despite the efforts of speech therapists, teachers and parents, are unable to develop the level of speech that would enable them to communicate effortlessly with hearing persons, let alone understand them. I have had seventeen years' worth of speech therapy, yet my speech is still not clear to a majority of hearing persons. Even if it is clear to some, I am not able to carry on a conversation of a deep nature with them. I can only talk about mundane subjects or in a context that is familiar to both myself and others.

Many oral deaf and hard of hearing persons have shared their experiences with me, and most were not pleasant. In theory, they should have had easier lives than signing deaf persons because they have better speech and hearing ability. However, they tell stories of social isolation and frustration. They are especially

(continued on page 26)

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BCCPD Mission Statement

The BC Coalition of People with Disabilities was founded upon the belief that:

- people with disabilities want and are entitled to equal opportunities in all the activities and privileges that other Canadians take for granted,
- full inclusion of people with disabilities within our communities is a fundamental necessity for a diverse, productive and economically vibrant social environment, and
- people with disabilities have the right to expect equality, fair treatment and respect.

Because of these beliefs, the purposes of the BC Coalition of People with Disabilities are:

- to use education, advocacy and special projects to work toward the dissolution of the physical, attitudinal and systemic barriers in our society that deny us equal opportunities,
- to provide a strong coherent voice for the cross-disability communities in B.C.,
- to share information with and support other self-help disability organizations with common goals, and
- to carry out our mission and projects within a self-help model.



DPI Appoints New Director

Disabled People's International (DPI) is pleased to announce the appointment of Lucy Wong-Hernandez as our new Executive Director.

Ms. Wong-Hernandez has considerable experience with DPI. She combines the qualities of extensive experience in the international disability movement, knowledge in the issues of disabled peoples' human rights, and the competence and qualifications to oversee the daily operations of a worldwide network of disability organizations. Ms. Wong-Hernandez has long been an advocate of the Independent Living Movement, is Vice Chairperson of the Employees' Disability Concerns Committee of the President's Committee on the Employment of People with Disabilities, and has been the recipient of an Americans with Disabilities Act Award.

Ms. Wong-Hernandez can be reached by phone at 516-593-0037 and by e-mail at lucywdpiny@aol.com.



Our Tasty Twentieth fundraiser for Transition was great fun and we hope you had fun too. Thanks to everyone who came and helped us celebrate, and to all the following people who contributed their time, goods, services and energy to the event.

Raffle Prize Donors

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Comedy Hour

Mark Pooley, Caroline Bentley, Jeff Pawlilyk, Onalee Kelamis & Seth Rogen

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Sylvie Murphy

Glen Watts

Linoleum Blownaparte

Led by Russell Shumsky

Public Dreams

Elenna Hope, Elizabeth Glancy, Christopher Pinney & Andra Norton-Lipohar

...and finally

Our undying thanks to Event Coordinators **Dolly Hopkins** and **Pam Barnslee** who put together a fabulous event. And thanks to **May Ng** at the BCCPD for organizing and generally holding things together. There were also many many volunteers who gave generously of their time. We can't name you all here, but you know who you are—thank you!

While we're at it...

We'd like to thank all the Transition staff and volunteers. With a special thanks to Carol, Pushpa and Steve who spend almost-thankless hours doing the mailout for each edition.

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(Sign Language, cont'd from page 22)

frustrated when they speak in seemingly flawless speech to other hearing persons who then assume they have normal hearing and treat them accordingly. This kind of response can be very stressful and alienating for them.

I know a hard of hearing man who is a "refugee" from the hearing world and a frequent visitor to the Deaf Children's Society. He is eagerly learning sign language and becoming good at it. He is completely deaf in one ear and has a moderate hearing loss in another ear.

His parents went for the oral option when he was young and, while he was able to learn to speak, he had to struggle through school and to put up with cruel comments about his imperfect speech from others. He also became frustrated by the way others took him for granted and treated him like a "hearing" person without being sensitive to his limitations. As he did not know how to sign, he was unable to interact with Deaf persons. He became increasingly isolated from both the hearing and the deaf worlds,

and he "fell through the cracks." As he grew older, he began to drink heavily to hide his pain. Today he is a recovering alcoholic who is receiving therapy to help him cope. He tells me he is feeling more at home within the Deaf community as he continues to improve his ASL skills.

My wife, who is hard of hearing herself and who can easily pass herself off as a hearing person, has often said that her speech is more of a curse than a blessing for similar reasons. She had a nervous breakdown while in high school because she was isolated and no one really understood or accommodated her own limitations. She eventually dropped out of high school.

One might say, "But if we educate others on how to accommodate the limitations of oral deaf or hard of hearing persons, then it wouldn't become such a problem." This is idealistic and naïve, and ignores human nature. Even my own mother, with whom I could speak quite easily, sometimes forgets that I'm deaf as do a whole host of my own relatives. Some of them come up to me chattering away as if I can understand them. If I ask them

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to repeat what they said, they say, "Oh, sorry!" and then proceed to repeat themselves in the same incomprehensible manner while I can only nod idiotically. Others simply say "never mind." How can we expect anything better in the hearing world beyond our families?

I remember when I was the sole deaf student in my mainstream classroom, I quickly stopped using my speech while communicating with others for the following reasons: 1) I got bewildered or disapproving looks from others, 2) some kids made fun of my speech, and 3) some were scared by my voice. In this sense, my speech truly became an isolating agent. Fortunately, I was able to communicate with them through writing on paper, and I fondly recall many good conversations I've had with hearing persons through this medium. I've often found that many hearing persons can be very accommodating and patient through this means of communication, and that is why we attach a very strong value to the development of literacy in deaf children.

There is a fast growing trend toward cochlear implants in young deaf chil-

dren. As many professionals generally acknowledge that these implants transform profoundly deaf children into hard of hearing children, one cannot help but question the wisdom or ethics of this procedure.

It is true that not many hearing persons know sign language, however, sign language sends a clear message to them that deaf and hard of hearing persons using it are not capable of fully understanding speech. These hearing persons then try to accommodate them by finding ways other than speech to communicate. This has happened to me a lot, and every time it happens I feel less isolated. As I wrote in an earlier column: "Some will say that ASL is not used by most members of our society. This is true, but mastery in print English will guarantee a place in our society for the Deaf....there is [also] a general and fast growing trend toward the learning of ASL among the hearing members of our society, and the argument against the 'isolating' effects of ASL becomes weaker and weaker."

The bottom line is to equip the deaf child with all the possible communication tools, including speech, in

order to function successfully in both deaf and hearing worlds.

(Roger Carver is the Director of Programs and Services at the Deaf Children's Society. Article is courtesy of Deaf Children's Society Newsletter, January/February 1997). ≈

normandy

*for all these young men
with their mothers' faces
there is the lent of ending
before their bloom*

*the palliative scent of
communion
carried we
heard a sigh the
corridors tensing the
surface of things brittle with
mitigation & mysticism then
quietly
it was evening*

*dmg
lent, 1997*

Province and GVRD Enter Transit Negotiations

The provincial government and the Greater Vancouver Regional District recently entered negotiations to review the financing and management of urban transit and transportation infrastructure and services in Greater Vancouver.

A negotiating framework agreement was signed by Joy MacPhail, Minister Responsible for BC Transit, Mike Farnworth, Minister of Municipal Affairs, Lois Boone, Minister of Transportation and Highways, and GVRD chair George Puil.

"We all recognize that an effective transportation network, including urban transit, attracts new investment, builds the economy

and results in more jobs. We're interested in discussing the best way to manage transit and transportation in Greater Vancouver, and to ensure that control is matched with funding responsibility and accountability to the public," said MacPhail.

Negotiations will focus on how the transit operations and the road network in the region are funded and managed, and will also include other elements of the transportation network.

MacPhail said the provincial government remains fully committed to the principles and strategies of BC Transit's 10-year development plan, including the development of light rail

transit in Greater Vancouver and the expansion of transit service.

Negotiations will begin immediately and will result in a specific proposal for new governance and funding arrangements by September. The proposal will then be reviewed by the parties, the public and other affected parties, including bargaining units representing workers who may be affected by proposed changes.

For more information, contact:

Alan Greer, Crown Corporations Secretariat (604) 775-1164 (Vancouver), or Bill Morrell, Greater Vancouver Regional District (604) 451-6107. ≈



United Kingdom

A boy of thirteen thought to be "brain dead" after a road accident was helped back to consciousness by his twin brother who showed him their favourite video, a Wallace and Gromit cartoon.

Edward Goater's family were about to let him "slip away peacefully" when his brother Tom noticed his eye flicker.

Tom had refused to accept that his brother was technically dead. He never

left Edward's bedside, waiting for him to show recognition. The rest of the family had given up hope.

After the eye flicker, the family agreed to a tracheotomy operation that allowed Edward to do without a ventilator and breathe naturally. He began to improve almost immediately. His kidneys began working and all his other functions began to return to normal. Within a few days, he

opened his eyes. When his recovery appeared to slow down, Tom wheeled a television into the ward, putting on the video. As soon as it started, Edward began to move. He sat up, turned himself over and started watching the film.

Edward is now at home and expects to be back at school again after Easter ...

A student born with a rare form of autism that rules out tasks such as making a cup of tea, has beaten thousands of other teenagers to score among the country's top A-level results.

Nineteen-year-old Andrew Robinson celebrated Christmas with three medals from the country's largest A-level exam board - one for gaining the highest mark nationally in general studies and the others for coming within the top five candidates in two other subjects.

Andrew was removed from school at seven. Some specialists thought he was gifted while others saw only bad behaviour. Six years later, Andrew was diagnosed with Asperger's syndrome, a little-known form of autism.

Now in the first year of a degree in politics at Nottingham University, Andrew told *The Independent* newspaper:

"Asperger's has given me abilities as well as disabilities." Among his strengths are tremendous powers of critical analysis. But any subject involving sheer description or learning by rote is out of reach, ruling out maths, technology and languages.

France

"Interdit aux Imbeciles" ("Imbeciles banned", roughly translated).

The December 1996 issue of the French newsletter on disability, *Au Fil des Jours*, tells how two wheelchair users were refused entry to the Jacquemard André Museum because disabled people were banned. *Au Fil des Jours* reported the people were told to "get your culture in front of the television if you will, but don't disturb the peace of 'normal' art-lovers!"

Europe

People with HIV and AIDS who are discriminated against at work are refusing to take their employers to court because of fears of being identified, early results from a new European Commission-funded study suggest. There is also evidence that some lawyers are reluctant to represent people with AIDS. The study includes England, France,

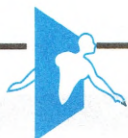
Germany, Italy, The Netherlands, Norway, Portugal and Wales.

(*Courtesy of Disability Awareness in Action, February 1997*). ≈

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