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Chair: Mr. Peter Schiefke



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• (1105)

[*Translation*]

The Chair (Mr. Peter Schiefke (Vaudreuil—Soulanges, Lib.)): I call this meeting to order.

Welcome to meeting number 110 of the House of Commons Standing Committee on Transport, Infrastructure and Communities.

Pursuant to Standing Order 108(2) and the motion adopted by the committee on Monday, November 20, 2023, the committee is meeting to study accessible transportation for persons with disabilities.

Today's meeting is taking place in a hybrid format, pursuant to the Standing Orders of the House of Commons, and therefore members may attend in person in the room or remotely using the Zoom application.

[*English*]

Although this room is equipped with a sophisticated audio system, feedback events can occur and can be extremely harmful to interpreters, causing serious injuries. The most common cause of sound feedback is an earpiece worn too close to a microphone. I therefore ask all participants to exercise a high degree of caution when handling the earpieces, especially when your microphone or your neighbour's is turned on. In order to prevent incidents and safeguard the hearing health of our interpreters, I invite participants to ensure that they speak into the microphone that is plugged into their headset and to avoid manipulating the earbuds by placing them on the table away from the microphone when they are not in use.

Colleagues, for the first hour of today's meeting, we have appearing before us as witnesses, from ARCH Disability Law Centre, Mr. Gabriel Reznick, staff lawyer, by video conference.

Welcome to you, sir.

From Disability Without Poverty, we have Ms. Michelle Hewitt, chair.

Welcome to you.

As an individual appearing before us, we have Mr. Max Brault, senior consultant.

Welcome to you, sir.

We're going to begin our opening remarks.

For that, I will turn the floor over to you, Ms. Hewitt. You have five minutes, please.

Ms. Michelle Hewitt (Chair, Disability Without Poverty):

Thank you for inviting me to speak today. As said, my name is Michelle Hewitt. I live in Kelowna, B.C. I am the chair of Disability Without Poverty, a national charity.

I have had the privilege to fly on a number of occasions. It is always extremely stressful and usually results in some damage somewhere to my wheelchair. I could give you a laundry list of things that have happened, but I'll concentrate on one major event.

In October 2013, I was flying with my daughter—she's here with me today as my assistant—and our family to meet up in Florida with my parents flying in from England to celebrate my mother's 70th birthday. After everyone had boarded the plane in Vancouver, there seemed to be a delay. The reason was that my wheelchair had been destroyed. It had been put in a freight elevator with the door left open. The chair had been left with no brakes on. Once the elevator began to move, the chair, weighing 350 pounds, fell from 20 feet to the tarmac below. It could have caused major injury or killed somebody. Luckily, it didn't.

It's hard to describe the shock and panic I felt, even though I remember it vividly. I felt trapped. I was stuck on an airplane not knowing what I would do on the other end, my mobility gone. Everybody else would walk off to continue their day. Initially, I was given a manual wheelchair in Florida, which meant I needed someone to push me. After a few more days, a power wheelchair was found, but it was too small for me. I spent most of the holiday in bed. To this day, I have chronic hip pain from the injury caused from spending two weeks in a chair that did not fit.

When I got home, I continued to spend days in bed recovering. While another rental power chair was sourced that fit better, it didn't work particularly well, so I couldn't trust it outside the home.

Six weeks later, my father died in Oakville, Ontario. I couldn't go to his funeral. I was still in acute pain and had acute fatigue. I didn't have a wheelchair that I could travel with. Even if I could make it past those two obstacles, I couldn't face getting on a plane again so soon after losing my chair.

In total, it would be three months before I received a new wheelchair that fit me and worked. I cannot fault the customer service I received from WestJet in replacing my chair, but it simply takes that long to get a custom wheelchair that cost, at that time, \$25,000.

That one small action of not securing my chair in that elevator cost me my dignity and independence for months and shook my confidence. It stopped me from attending my father's funeral and still causes me physical pain now.

Incredibly, it almost happened again on this journey. Time permitting, I'll tell you some more about that later.

Flying has so many risks to us. When a piece of equipment that a disabled person relies on is damaged, it's not like a suitcase being lost. It's an intrinsic part of who we are that's crucial to how we function. Being delayed might mean the medications or the meals we planned now don't work out, or mean a layover in a hotel room not equipped for us. Disabled people are 27% of the Canadian population, but I doubt we make up 27% of the people who fly.

I made a note to myself—I wrote this before I left home—to say that I travelled here with Leo, my service dog. It's his first time flying. Perhaps you could ask him how that went. We can talk about that as well.

I see that in the U.S., crucial work is being done to consider how wheelchairs can be brought onto planes. I think this is crucial. We have seating configurations in our wheelchairs that are purpose-designed for us, but on planes we have to leave them to go in with the luggage. I'm limited on how long I can fly by how long I can sit in a plane seat, when a seat that works perfectly well is elsewhere on the plane.

My chair was destroyed 10 years ago, and I see that little has changed. The stories in the news recently are just the ones that reached the media—mine never did, for example—and I'm sure there are many more.

I'll leave you with one all-encompassing recommendation—namely, that airlines provide an experience for disabled people that is safe and treats us with dignity and respect, where we can expect to get to the end of the flight with our equipment and our bodies in the same condition as when we departed, and that is, simply put, an equitable experience to the one everyone else has.

Thank you very much for your time today.

• (1110)

The Chair: Thank you very much, Ms. Hewitt. Let me welcome Leo on behalf of all members of the committee.

Mr. Reznick, the floor is now yours. You have five minutes for your opening remarks, sir.

Mr. Gabriel Reznick (Staff Lawyer, ARCH Disability Law Centre): Thank you.

My name is Gabriel Reznick. I am here on behalf of ARCH Disability Law Centre, along with my colleague, Ilinca Stefan.

ARCH is a specialty legal clinic that practices exclusively in disability rights law. ARCH has made multiple submissions related to the accessibility of airlines; the Accessible Canada Act, the ACA; and the Accessible Transportation for Persons with Disabilities Regulations, the ATPDR.

Accessible transportation is a human right held by all, and it is essential for realizing full and equal participation of persons with disabilities in Canada.

The purpose of the ATPDR is to provide technical requirements that support the full inclusion and equality rights of persons with disabilities in accessing transportation, a purpose that is in line with the ACA. It is essential that this committee reflect on this purpose when drafting your report.

ARCH provides legal services to persons with disabilities who face barriers with air travel. Currently, ARCH is representing Tim Rose in his case against Air Canada, which is at the Federal Court of Appeal.

Since we are actually litigating this case, we cannot talk about it other than in a general manner. In this case we are defending the Canadian Transportation Agency, the CTA's decision, which ordered systemic remedies to make air travel more accessible for persons using mobility devices. We are happy to provide a copy of the CTA's decisions to the clerk following our submission.

In addition to Mr. Rose's case, we have been contacted by many persons with disabilities who face barriers when accessing transportation from a variety of airlines. We have also received consistent feedback from the disability communities in Ontario and across Canada about these barriers. Our following submissions are based on these cases, as well our institutional knowledge in this area.

I'll raise two main points today.

Firstly, through our work ARCH has learned that airlines are using the ATPDR to minimize their legal obligations to accommodate persons with disabilities, which is the complete antithesis to the purpose of the ACA and the ATPDR. ARCH has consistently raised this concern ever since the development of the ATPDR.

Airlines must be reminded that the duty to accommodate, under the Canadian Human Rights Act, applies equally to them as to other service providers.

Under the ATPDR, section 2 states that regulations have no effect on existing legal obligations, including the "duty to accommodate under the Canadian Human Rights Act". In addition section 2.1 of the ATPDR states that the "Regulations are to be interpreted as requiring that persons with disabilities be treated with dignity."

This committee should recommend that the Government of Canada and the CTA reaffirm the ATPDR's clear direction that airlines must comply with accessibility regulations, and in doing so confirm that persons with disabilities have the right to be accommodated on an individual basis and with dignity, ensuring equal access to transportation.

Now, I will go to my second point. As was just well described, accessible transportation is essential for persons with disabilities in Canada. Airlines and airplane manufacturers must implement a plan for universal design, including in procurement, in order to eliminate barriers that continue to exist in every facet of air travel. There is a need for airlines and aircraft manufacturers to investigate possible modifications to aircraft and airline equipment to allow for fully accessible air travel.

Common accessibility issues that we know of include being separated from a mobility device during travel, which may lead to damage to their device; airlines not accepting mobility devices on cargo space, which often leads to not being able to travel whatsoever; inaccessible washrooms; and inaccessible on-plane entertainment systems, call buttons and announcements.

We recommend that this committee and Parliament urge airlines to proactively procure devices that are accessible, and work to modify existing devices to ensure accessibility.

Thank you for the opportunity to appear before you. I'll be happy to answer any of your questions.

• (1115)

The Chair: Thank you very much, Mr. Reznick.

Finally, for opening remarks, we have Mr. Brault.

Mr. Brault, the floor is yours for five minutes, please.

Mr. Max Brault (Senior Consultant, As an Individual): As was stated, my name is Max Brault. I'm a senior consultant at BDO Canada, but I'm not here for my corporate responsibility; I'm here as an individual, and I want to make sure that's clear on the record.

As most of you probably have read about my harrowing trip to Hawaii, what you don't know is that prior to COVID, I used to travel all the time. I used to travel through VIA, through airlines, you name it, but I never complained. I'm here today to talk about two really big things.

First of all, I want to address one thing. There is a myth right now that what you're hearing in the newspapers and what you're hearing in general on the Internet is a one-off. The airlines are giving you a false impression.

When I've experienced travel, I would say that about 40% of the time I experienced issues from lost to damaged wheelchairs, you name it, but I never had an issue until I flew to Hawaii. The singular reason Hawaii was a different trip is that my wife got to experience it, and it made my wife cry. She's in this room today, and I made a vow to make sure that the airlines paid for that particular situation, because they turned her experience from what should have been a great family event into a nightmare.

I really want to touch on the simple fact that what you're hearing is just the tip of the iceberg when it comes to people with disabilities travelling. Time and time again, if you were to go into airports, you would see on a frequent basis individuals and families with disabilities encountering issues with the airports and travelling because of various things like their equipment and how they're going to deal with their children or themselves when there are diverse issues.

One thing that is really important is that I can't sit here and tell this committee that x number of people are experiencing x number of issues due to X . Do you know why? It's because we do not as a country calculate this information. We don't tabulate it, and we don't circulate this information around. I could tell you, from where I come from, I have a great number of really smart, analytical people who would love 18 months of getting this information and coming back and telling you what that looks like, but I don't have the ability to do so. However, there is something of a silver lining down the road.

Before COVID, Disney used to say all the time—and, by the way, Disney give me call me to tell me what the new numbers are—that 25 million Americans used to make a decision based on a member of their family having a disability. Since we are a population of about one-tenth of the size, I would assume that anywhere between 2.5 to 5 million Canadian families are making that same decision. Do the math, folks.

What a colleague of mine recently told me is a great analogy. The analogy I'm going to use here is that if the banking industry were to say to this committee, "Look, we deal with \$2-trillion worth of funds annually, but you know what, if I'm missing about \$200 million, so what? The interest rate will hide that". That's what it sounds like to my community. The things that are happening to my community are a crisis. If this was a banking situation, everybody here who's listening to me would go, "Oh, wow, we need to have hearings and find out what's happening to that money".

The first recommendation I would make is that the CTA should have the power and the strength to collect the data about what is going on and to make that information public on an annual basis.

My second recommendation is a little bit off, but think of this—and you've already heard it from two individuals today—I am an individual. As you can see, I've come in an electric wheelchair.

By the way, I would like to introduce you to Roxanne. This is what I call my wheelchair, "Roxanne". I'll tell you why I call her by name. I never lose sight of her. I'm either sitting in her, or she's in my sight 99% of the time. Even when I go to bed, I have a straight view of my wheelchair being charged. I know where she is all the time. The only few times that I let her go is when I travel with the airlines. When I give my wheelchair to somebody, I expect to see Roxanne at the other side of the road.

• (1120)

For that reason alone, here's my second recommendation. The human rights that I have as an individual need to be given to my wheelchair, which means that when my wheelchair is damaged—if any accessible equipment is damaged—it is inherently a human rights issue.

For this reason alone, airlines and the travel industry need to recognize the fact that when I give what is essentially my legs to them, they have to respect it the same way as they would a human body, a person. If I gave my kids to the airlines and said, "Can you make sure that they get from point A to point B safely?", they'd do everything in their power to make sure that those children get there safely. I ask for the same kind of consideration for my wheelchair. Anybody in my community is asking for the same kind of consideration for their equipment—that it has the same human rights that I have the privilege to have.

My last recommendation.... The gentleman who was speaking before me was touching upon this. The reality is that the airlines and the travel industry are not taking their time to talk to us as a community. I can tell you right now that if they were starting to talk to the people who design wheelchairs and design equipment, then we could design better wheelchairs and better equipment that could work with the airline industry. That kind of communication needs to start happening. We need to start training the people who disassemble and reassemble my wheelchair to understand how to do it right because I can't do it.

Look, I'm a policy guy. I'm like you guys. I read things, and I tell you what you need to do. However, once I'm in a third-world nation and my wheelchair shows up in many different pieces, I have no clue how to rebuild it. Neither does my wife—and my wife knows many other things.

Thank you for the time. I'm here to answer any of your questions.

The Chair: Thank you very much, Mr. Brault. I'm sure you'll be able to expand on that with the lines of questioning that our members will have for you.

I'd like to ask for the consent of the members to combine all of our witnesses into one large block of two hours as opposed to splitting them into two. The reason for that is that some of the witnesses in the second hour have informed us that they will no longer be able to make it for the second half.

Do I have unanimous consent to do that?

Some hon. members: Agreed.

The Chair: Okay, with that, I will turn the floor over to Mr. Fenton from the Canadian National Institute for the Blind, who is joining us by video conference.

Sir, I'll turn the floor over to you. You have five minutes for your opening remarks, please.

Mr. Robert Fenton (Board Chair, Canadian National Institute for the Blind): Thank you very much, sir. Hopefully you can hear me okay. I'm sorry for the technical problems that we had this morning.

My name is Robert Fenton. Professionally, I'm the director of legal services at the Calgary Police Service. In my volunteer life, I am the chair of the CNIB's national board of directors.

• (1125)

The Chair: Mr. Fenton, I sincerely apologize. I don't mean to cut you off, but your camera is not open. If you could turn it on, please, so that members can see you....

Mr. Robert Fenton: Okay. I'm sorry. There was a pop-up that I didn't see.

The Chair: Thank you, sir. I'll restart your clock so that you can restart your opening remarks.

Mr. Robert Fenton: Can you see me now?

The Chair: We can't. We can see the reverse. I think your camera is on front-facing, sir. You'll want to turn it around so that we can see you, if that's possible.

Mr. Robert Fenton: Okay, I don't know which camera I have running here. Let me just do this.

Mr. Scot Davidson (York—Simcoe, CPC): Put a mirror there.

Voices: Oh, oh!

Mr. Robert Fenton: Do you see me now?

The Chair: We do not. Let me just quickly confer with the clerk.

Mr. Robert Fenton: This should be working. This has worked for every other Zoom call except for you guys.

The Chair: Mr. Bachrach.

Mr. Taylor Bachrach (Skeena—Bulkley Valley, NDP): I wonder if you might ask for unanimous consent to hear the testimony without the front-facing camera.

The Chair: Do I have unanimous consent to hear the testimony?

Some hon. members: Agreed.

The Chair: I believe it was for the interpreters, so I'd like to confer with the interpreters really quickly.

I have the thumbs-up from the interpreters.

Thank you, Mr. Bachrach.

Sir, we'll allow you to continue with the camera in its current function.

Once again, I'll restart your clock so that you can begin your opening remarks.

Mr. Robert Fenton: My apologies. With VPNs and everything between you and me at the police service, we're having all kinds of trouble.

As I said, my name is Robert Fenton. Professionally, I'm the director of legal services for the Calgary Police Service. I am here in my volunteer capacity, though, as chair of the CNIB national board of directors.

We are here today to present several recommendations to you on how to improve air travel for people who are blind, who have low vision and who are deaf-blind. While we do support the needs of other people with disabilities, we don't have the lived experience to speak to those directly, and we will leave it to other groups to speak on behalf of their own needs and their own circumstances.

As you may know, CNIB has been involved in advocating for changes to the transportation system since its inception, really, 106 years or so ago. We talked initially about changes to promote equal access to the rail system. As far as aviation is concerned, CNIB has been actively involved in the accessible standards committee run by the CTA both on accessible transportation and various other initiatives. We have been extensively involved as well in the passage of the air transportation regulations, which I know have been great discussion points throughout the committee's testimony.

CNIB has submitted a brief to you. I'm not going to spend a whole bunch of time going through that brief, because I'm sure you've read the material. Instead I want to focus on the areas that we will be making recommendations to you about in response, probably, to the various questions that we will be answering.

We want to talk to you about barriers to the booking process and check-in. We want to talk to you about barriers to navigating the airport, making payments for various things, such as for checking bags or buying something at airport stores that you may need to use. We want to talk about wayfinding at the airport and the inability of the airports to advertise or demonstrate that they have accessible wayfinding technologies installed. We want to talk about the need to treat passengers with disabilities with dignity during all parts of the journey, respecting the independence that they deserve as they access the airport system and the aircraft.

We also want to talk to you about security barriers that we face as we take new technology onto the plane that security staff aren't familiar with, and the invasive questions that we are required to answer when dealing with security personnel, who are encountering new equipment for the first time.

We want to talk to you about changes to the aircraft itself and accessibility barriers that exist on the aircraft. We also want to talk to you about "meet and assist" policies and processes that the airports have in place, and retrieval of baggage and barriers that occur there when you're a passenger with blindness or low vision.

Finally, we want to talk to you about guide dogs and the barriers that people with guide dogs face, as well as issues pertaining to documentation, proof of documentation, and retention of information by air carriers relating to a person's disability.

We have also reviewed the committee's brief that the AODA has filed, as well as listened to their presentation. We adopt those recommendations in addition to the 20 or so recommendations that we will outline for you in response to the various questions that you will ask us today.

Thank you very much for having us. I am prepared to answer questions when you want to hear from me.

Thank you.

• (1130)

The Chair: Thank you very much, Mr. Fenton.

Next we will go to, from AccessNow, Maayan Ziv, who's the chief executive officer joining us by video conference. I'll turn the floor over to you. You have five minutes, please.

Ms. Maayan Ziv (Chief Executive Officer, AccessNow): Thank you.

Honourable members of the committee, good morning.

My name is Maayan Ziv. I am the founder and CEO of AccessNow and the chair of the accessible travel journey technical committee for Accessibility Standards Canada.

Although I hold these positions, today the views I express are strictly my own.

As an advocate and a passenger with a disability, I speak from personal experience of repeated failures in our air travel system.

In September 2022, I travelled from Toronto to Tel Aviv. Upon arrival, I found my custom power wheelchair—which is essential for my mobility, health and independence—damaged beyond repair. This incident left me stranded, in pain and distress, and it forced me into a state of crisis management.

This marked the second time in my life when airline negligence resulted in my wheelchair being declared a total loss. Each occurrence has left me physically and emotionally shattered, with effects that linger and compound over time.

My wheelchair is not luggage, as we've heard today. It is an integral part of who I am and how I function. Without it, even temporarily, I face severe and far-reaching consequences.

There are no legal frameworks or protections that adequately acknowledge that a person's mobility device is an extension of their body. This critical oversight opens the door to ambiguous interpretations and lack of corporate accountability that leave disabled people vulnerable. As a result, we are forced to continually advocate to protect ourselves, our bodies, our dignity and our mobility.

When I shared my story on social media, my experience resonated internationally, capturing hundreds of millions of impressions and sparking the #rightsonflights movement.

Through this movement, thousands of stories have emerged that paint a stark picture of the consistent failures in air travel. These accounts reveal only a sliver of the trauma inflicted on disabled passengers and encompass physical harm, emotional distress, anxiety, abandonment and more. These stories are not isolated incidents, but a routine reality for travellers with disabilities. The stories paint a picture of a pattern of behaviour of negligence and discrimination.

The evidence of these systemic barriers is overwhelming.

I'd like to propose three measures today.

We must demand comprehensive and public reporting of every incident where a disabled passenger's rights are compromised, beyond the occasional story that captures media attention. Airlines must provide detailed, public data on all incidents affecting disabled travellers and our mobility devices—moving beyond anecdotal evidence and phrases like “tens of thousands travel normally” to a comprehensive accountability system.

We must implement automatic, stringent penalties that reflect the gravity of every incident where a mobility device is lost or damaged. Our current systems profoundly fail disabled people and place an onus on those in vulnerable positions to contend against billion-dollar corporations and fractured government entities.

It is unacceptable for airlines to dismiss the severe trauma experienced by disabled passengers with mere vouchers or hollow apologies. There must be immediate consequences every time for the violations of disabled passengers' rights.

Travel must also be standardized and predictable. Today, every flight I take feels like a negotiation to secure my well-being and my safety. We need standardized, enhanced handling and storage procedures for all types of mobility devices, with priority on keeping devices with the individual whenever possible. Comprehensive training for staff at all levels, including executive leadership, is crucial.

We need robust customer service policies and transparent action plans to address issues when they do and will continue to arise. We must guarantee consistent, respectful treatment at every single point of contact throughout the travel experience.

• (1135)

To conclude, we need a cultural shift towards greater empathy. No amount of documentation, wordsmithing or regulation can fully capture the humiliation and pain of being disregarded, mishandled or spoken down to, as if we disabled people are second-class citizens.

In no other mode of transportation are people forced out of their mobility aids or treated with such disregard. This dehumanization is in stark contrast to the values we claim to uphold as Canadians, and it must end.

Thank you for this opportunity to advocate for change. I look forward to answering your questions.

The Chair: Thank you very much, Ms. Ziv.

[*Translation*]

We will now hear from Mr. Paul Lupien, who is president of the Confédération des organismes de personnes handicapées du Québec.

Mr. Lupien, you have the floor for five minutes.

Mr. Paul Lupien (Chair, Confédération des organismes de personnes handicapées du Québec): Thank you very much.

Good morning. My name is Paul Lupien and I'm chair of the board of directors of the Confédération des organismes de personnes handicapées du Québec, or COPHAN.

COPHAN is a non-profit organization founded in 1985. Its mission is to make Quebec inclusive in order to ensure the full social participation of people with functional limitations and their families. Its board of directors is made up of a majority of directors with disabilities, including me. COPHAN brings together more than 50 national and regional organizations and groups of people with all types of functional limitations.

COPHAN relies on the expertise and skills of people with functional limitations and their families. Through their member organizations, they participate democratically in the decisions and orientations of COPHAN, whose mandate is to represent them and defend their rights before the authorities.

I would like to thank the Standing Committee on Transport, Infrastructure and Communities of the House of Commons of Canada for giving us the opportunity to offer our expertise in universal accessibility and the inclusion of people with functional limitations, particularly with regard to transportation.

The Accessible Canada Act aims to achieve a barrier-free Canada by 2040. When it comes to transportation, however, there's still a lot of work to be done.

Transportation by train and boat is not the biggest challenge for people with functional limitations. It seems to be going fairly well, although we are concerned about obstacles experienced when embarking and disembarking, as well as the use of certain access ramps. It is still possible to find accessible bathrooms and keep our wheelchair during transport.

On the other hand, air travel poses a problem for people with functional limitations. We find that many people face, first and foremost, obstacles in the process of booking tickets and checking in at ticket counters.

In addition, people with functional limitations face greater obstacles when travelling by air.

First of all, let's mention being seated in very small, uncomfortable transfer chairs. If you're an obese person in a wheelchair and you're transferred into one of these, it's very uncomfortable. Even managing to get into the chair is quite an undertaking.

There's also the fact that the wheelchair is taken as checked baggage, treated as luggage and risks getting broken. For you, it's a wheelchair, but don't forget that for me, it's my legs. You have to take that into consideration. I don't think that if you were to cut someone's feet off while they were walking, you'd just apologize for cutting them off by accident, and tell them they'd have to spend their vacations without their feet. Breaking our chair is like taking away our legs.

Another obstacle is the impossibility of using the toilet inside airplanes. Unfortunately, airplane wheelchairs cannot fit into this space. Even if we could get the wheelchair in, the door wouldn't close. This is a real problem for us. If other passengers have the right to go to the toilet, why can't we?

Finally, let's highlight the difficulty of travelling with a guide dog or service animal. Once again, we have to bear in mind that, for a blind person, the white cane or the service dog are their eyes. We must always take into consideration that what we use to palliate our handicap replaces a body part that, in our case, no longer functions.

Let's turn now to the recommendations.

COPHAN recommends that staff at check-in counters be trained to welcome people with disabilities. If I'm with my wife, why are they asking her questions that should be addressed to me? I can be addressed directly. I can talk. The proof is that I'm here today.

COPHAN also recommends that airlines add accessible aircraft to their fleets, so that people with disabilities can remain in their wheelchairs when travelling by air, and that all people with disabilities are able to use on-board lavatories. At least one of them should be accessible to them.

Finally, COPHAN recommends that people with functional limitations be allowed to travel with their guide dog or service animal without problems.

• (1140)

I'd like to highlight one point in particular. As I was saying, when a wheelchair user arrives at an airport and is provided with an airplane seat that is really uncomfortable, it's frustrating. You try handling one of these seats and you'll see that it's not easy. We wheelchair users feel like second-class passengers. In my case, my manual wheelchair could fit on a plane. So why am I not allowed to keep it?

Moreover, if I could keep my own chair on the plane, it wouldn't be sent to the hold and it would be less likely to get damaged. Often, attendants throw luggage into the hold. When someone arrives at their destination and the wheels of their wheelchair are damaged, for example, there's no guarantee that repairs can be made immediately or the next day. It can take a long time.

In short, what we use to compensate for our disability replaces a part of our body. People have to think of them as such, not as mere objects. That's the most important recommendation we can make.

Thank you very much.

The Chair: Thank you very much, Mr. Lupien.

[English]

Just for the information of members, the witness who needs to leave early is Mr. Fenton. If you have questions for Mr. Fenton, I encourage you to ask those questions early on.

We begin our line of questioning today with Mr. Strahl. Mr. Strahl, you have six minutes. The floor is yours, sir.

Mr. Mark Strahl (Chilliwack—Hope, CPC): Thank you very much, Mr. Chair. I will take your advice and start with my questions to Mr. Fenton.

First of all, thank you to all of the witnesses for sharing what is very difficult testimony. Clearly these experiences are not just one-time events, something that happens and then you move on from it. I think it reaffirms, for many people who live with disabilities, many past incidents as well, and that trauma is revisited. In many cases it simply reinforces that society is not yet doing the job that needs to be done to support people with disabilities. Travel is supposed to be a positive experience. It's heartbreaking, quite frankly, to hear some of these stories. I appreciate the opportunity to try to be part of a solution here for all of you and for the millions of people experiencing similar experiences.

Mr. Fenton, I read a post of yours on LinkedIn, in which you said, "Blind travellers, beware when you travel through Pearson Airport now." You laid out a scenario in which there are multiple hand-offs, from airport personnel to Air Canada personnel, to porters, to actually picking up your bags off of the luggage carousel. One thing we heard or one suggestion that's been made is that we need to do a better job of eliminating all of those different "hand-offs", I'll call them, among airport, airline, security and baggage personnel. It sounds to me that an individual who needs assistance navigating the travel system could go through five or six people with various levels of training and responsibility trying to assist them. Can you talk about that part of the travel experience?

As I understand it, in some European airports the airport itself is responsible for the passenger experience, from the time they reach the curb until the time they are seated on the aircraft. I'm wondering if you have thoughts on that sort of system or if you might have any thoughts on how to ensure that passengers with disabilities don't fall through the cracks whenever there is a hand-off between persons responsible for their travel experiences.

• (1145)

Mr. Robert Fenton: Thank you, Mr. Strahl.

Just for the benefit of the committee, I will move my other commitments so that I can stay as long as you need me. This happens frequently to us as lawyers, so just take whatever time you need. I will answer whatever questions you have.

In response to your specific question, this is a tremendously important issue for people who are blind, who have low vision or who are deaf-blind. Every time we're passed from one person to another, we have to redescribe our bags. We have to redescribe the various services we need or things we need to do. We have to retrain people on what sort of assistance we may or may not require. We are dealing with people with different levels of skill and different levels of training. It just adds to the frustration of the travel experience.

I would very much support, as an individual—as would, I suspect, most people who are blind—the idea of being able to follow one person from the time of check-in or arrival at the airport right until they board the plane. There's nothing more frustrating than being handed off after you go through security, not knowing that the security agents have moved your bags to various terminals to be checked, not knowing what's where and not being able to tell the agent who has now met you where your stuff has gone. That's a reality for those of us who are blind.

Mr. Mark Strahl: Right. There's also the issue, I assume—we've heard this before—that the person with the disability, often on the spot, is basically doing on-the-spot training for the person who is helping them. They're explaining their situation again and again. Having to do that four, five or six times in a travel experience is another form of trauma for people.

Maybe you can express that. I certainly....

Mr. Robert Fenton: Yes. I think you're absolutely right.

The thing that frustrates me even more is that about three years ago, I did a training video with Deloitte for Air Canada in which we talked about these various issues. It's being used by the airline and I'm recognized a number of times by airline staff as I go through the airport, yet funnily enough, they don't seem to have absorbed the content of that video.

One of the points I make is that everywhere along the journey, passengers with disabilities need, one, to be treated with dignity at all times and, two, to be able to exercise that degree of independence they wish to exercise as part of their travel journey.

This is what's missing in all of this. All of that independence, as we're passed from person to person to person, is taken away from us. I'm going to put it as directly as I can. We're treated like cargo, and that's not acceptable.

We're passengers, just like everyone else.

• (1150)

The Chair: Thank you very much, Mr. Fenton.

Thank you, Mr. Strahl.

Next, we have Mr. Iacono. The floor is yours. You have six minutes.

Mr. Angelo Iacono (Alfred-Pellan, Lib.): Thank you, Mr. Chair.

My first question will be for Mr. Fenton.

Can you elaborate on why guide dogs are crucial for the day-to-day activities for persons with a visual impairment?

Mr. Robert Fenton: Certainly.

As a lawyer, my guide dog accompanies me everywhere. She comes to court with me. She goes on aircraft. She goes to work with me every day. Everywhere I navigate the community, she's basically with me.

She helps me get around obstacles. She helps me travel in unfamiliar areas, especially when I don't know what the configuration is and where the turns are. I can ask her. I can tell when I'm walking up to a store that it is a store and that there's an opening. I can tell her to turn left and she'll take me into the opening.

Mr. Angelo Iacono: It's a dog's man's.... It's a man's dog's best.... I'm sorry. It's a man's best dog.... Oh, God.

It's man's best friend.

Mr. Robert Fenton: I understand what you're saying.

Mr. Angelo Iacono: I have another question. How do airlines accommodate guide dogs when travelling?

Mr. Robert Fenton: Here's the thing: There's a way they're supposed to do it, and then there's a way that some of them actually do it. I'll add a story here as I respond to this about a recent experience I had.

I was travelling from Calgary to Vancouver, L.A. and Toronto, and then back to Calgary, over a seven-day period. When you travel in Canada, the airline is supposed to give you an extra seat for your dog at no cost, and your dog is to sit on the floor at that seat. That is to give you extra space as the passenger, to give the dog space, and to not inconvenience the passenger who is beside you in a group of three seats, for example.

When you travel internationally, that second seat is not available, and you have to fit the dog under the seat that you're occupying. What sometimes happens with the airlines is, if you have some segments that are international and some that are not, the airline takes the position that, for the Canadian segments, you're not entitled to that extra seat even if the Canadian segment of your trip happens several days before the international segment.

That's what happened to me when I was on the big trip I told you about. I went to the airport after being in Toronto for two days, and after coming back from L.A., not knowing that the airline had given my second seat away. When I arrived at the airport, I had a bag at my feet and the dog beside me, expecting to have the other seat, and then this passenger shows up. There was no room in the bins, and there was no room elsewhere on the aircraft. Of course, my bag has batteries and stuff in it that I'm not supposed to check, so from Toronto to Calgary, I had a dog, a bag and me in the same space.

Welcome to travel in 2024 on Canadian airlines.

Mr. Angelo Iacono: Thank you.

Ms. Michelle Hewitt, I think you also spoke in your opening remarks about service dog support, which is obviously not limited to those with vision impairment. Could you expand on some of the other critical services they provide to persons with disabilities?

Ms. Michelle Hewitt: Yes, thank you.

You're not with us, but Leo is here next to me. Leo provides a number of services to me. I get spasticity in my legs from my MS, and certainly being crunched up into an airline seat can be very difficult, so he provides what's called deep pressure. He literally lies on my legs.

However, as Mr. Fenton mentioned, they're meant to be on the floor. We had a couple of moments when Leo would get onto my lap, and the stewardess would come and look at me. My response was, "Bring it on. Let's talk about this, shall we?"

I did get the extra seat because we were travelling within Canada. This was Leo's first time flying. Quite honestly, it was easier to fly with Leo than it is to fly with my wheelchair. I've only had the one experience. I expect I'm not going to be going anywhere internationally until things change, because I can't deal with having a dog and a wheelchair while flying out of this country.

As I mentioned, I can't support myself with my upper body strength for the length of time it takes to be in an airplane seat, but my parents are 80, and they live in England. You can imagine all of the stress it places on me when I can't do any of that.

In addition, COVID did a number on my anxiety. Leo is well aware of what happens to me if I start to get anxious—

• (1155)

Mr. Angelo Iacono: Thank you.

Ms. Michelle Hewitt: Sorry.

Mr. Angelo Iacono: Thank you.

I have one last question for Mr. Gabriel Reznick.

Airlines have pushed back on many rulings by the CTA ordering them to be more accessible. Have airlines committed to do this work, and how can government push them to be more accommodating?

Mr. Gabriel Reznick: This is a difficult question, as we're currently in that act of litigation, but some of the things government could do include more inspections and stronger enforcement. Maayan mentioned earlier the need for automatic penalties for certain infringements, which would also be stronger penalties. It's up

to the courts. The courts can make clear in their decisions that, for persons with disabilities, they have that duty to accommodate and they must accommodate under the law.

The Chair: Thank you very much, Mr. Reznick.

Thank you, Mr. Iacono.

Mr. Fenton, I see that your hand is up, sir. Is there a technical problem that you need to have addressed?

Mr. Robert Fenton: No, I was just wondering if I could also respond to this particular question. Would that be permissible, Mr. Chair?

The Chair: I'll look around the room....

Okay. I have unanimous consent from members to allow you to answer the question.

I'll give you 30 seconds to do so, please.

Mr. Robert Fenton: That's all I need.

The Chair: Thank you, Mr. Fenton.

Mr. Robert Fenton: I was just going to say that part of the barriers that people with disabilities face in the regulatory process is the lack of accessibility of the processes themselves to even make complaints. As you know, disabilities do not take breaks for statutory holidays or weekends or business hours. Often when we're travelling, it's at six in the morning or eight at night. You can't access the various mechanisms for making a complaint if you don't have your phone with you or Internet access.

You're often faced with the airline saying that the incident didn't happen the way you described it in your complaint. They question you based on the fact that you filed it a day or two later, when your memory may not be quite as fresh as it would have been if you'd been able to file it when the incident actually happened.

Thank you.

The Chair: Thank you for adding that, Mr. Fenton.

[*Translation*]

I now give the floor to Mr. Barsalou-Duval for six minutes.

Mr. Xavier Barsalou-Duval (Pierre-Boucher—Les Patriotes—Verchères, BQ): Thank you, Mr. Chair.

Thank you, witnesses, for being with us today.

Other colleagues may have pointed this out, but your testimony is truly touching. It's as if we were living, in a way, the reality you describe. Obviously, as I'm not disabled, I don't know this reality, but we can at least imagine it. It helps us to better understand the importance of ensuring the dignity and improving the quality of life of people with disabilities, who need to get around, just like anyone else. I think we do very important work, in this committee, and I thank you all for your testimony.

I'd like to address Mr. Fenton first.

We've heard a lot of testimony from people in wheelchairs, but we've heard less from people who are blind. For example, we've talked about the issue of adapting airplanes to allow a wheelchair to pass between rows or in the toilets. Currently, do blind people also encounter difficulties in air travel, in terms of access to toilets or the ability to move around, for example?

[*English*]

Mr. Robert Fenton: I will do my best to respond. My French is not perfect, and I do not have a link to access translation. I just want to make sure I understand the question first.

You asked, what barriers are there for people who are blind on the aircraft that might be similar to something like people in a wheelchair having difficulty accessing the washroom? Is that the essence of the question?

[*Translation*]

Mr. Xavier Barsalou-Duval: Yes, exactly.

[*English*]

Mr. Robert Fenton: There are a couple of things here. It's almost impossible now for someone who is blind to know what row they're at when they're navigating the aircraft, whether they're coming back from a washroom or trying to find their seat when they board. On the aircraft, they used to have braille and large labelling on the luggage bins at the top that we could feel and know what row we were at. That has been taken away from us. We don't have that access.

Another issue that we run into, especially on the 787 aircraft, is with the entertainment system. The only way you can access a call button is if you press a spot on the screen on the entertainment system. The problem is that the spot moves. It's not always in the same place.

Another issue that we run into with U.S. carriers is that you have to order your food or any drinks you might want—a soft drink or a glass of water or something—through the screen. It's not accessible because it doesn't speak, and they won't accept orders any other way.

There are actual barriers on the aircraft that we face as people who are blind that are not dealt with by other passengers.

Thank you.

• (1200)

[*Translation*]

Mr. Xavier Barsalou-Duval: Thank you, Mr. Fenton. That pretty much answers my question.

My next question is for Mr. Lupien.

I heard you speak earlier on all sorts of subjects. I'm glad you could join us today. I'm glad it was possible for you to take part in the committee's work, because I really wanted you to do so.

I'd like to hear your views on a subject that you didn't talk about, but that several witnesses did. According to many, it is important for people with disabilities to be taken care of, from the moment they arrive at the airport to the moment they are seated on board the aircraft. At present, there are sometimes gaps in care, and people don't know what's going to happen to them. Some also experience frustration when they have to repeat and re-explain their accommodation needs.

In your opinion, would it make sense for care to be provided by the same person, from start to finish?

Mr. Paul Lupien: Thank you very much, Mr. Barsalou-Duval.

What really worries me, with regard to people in wheelchairs, is that they not only have to control their wheelchair, but also drag the cart on which their luggage is placed. That's another thing. These people need to be looked after by one and the same person from the moment they arrive at the airport until they board the plane. Otherwise, if the person taking care of them has to leave at some point, they may forget to send another person to take their place. It would therefore be important for the same person to be in charge.

As for solutions to consider, there's an example that was often mentioned during committee meetings. A U.S. airline operating domestic flights had made adaptations, notably in the toilets, to enable disabled people to board the plane in their own wheelchairs. The company had removed seats and reserved space for these people. It had even examined the possibility of psychological assistance, among other things. Unfortunately, this airline did not survive the COVID-19 pandemic and went bankrupt. It had, however, made all the necessary modifications to facilitate access to the plane.

Airplane toilets should be designed so that people with disabilities can access them with their own wheelchairs. Access to toilets should also be made easier for people with intellectual or any other kind of disability.

Besides the need for everything to be fitted out, there needs to be support from arrival at the airport to boarding, and vice versa for the return journey. When a disabled person wants to collect their luggage, they must be accompanied and taken care of from the plane to the luggage, and then to the airport exit. This is just as important for wheelchair users as it is for blind people or those with other disabilities. There really needs to be one person in charge.

The Chair: Thank you very much.

[*English*]

Next we have Mr. Bachrach.

The floor is yours for six minutes, please.

Mr. Taylor Bachrach: Thank you, Mr. Chair.

Thank you to all of our witnesses who have joined us today. This has been some really powerful, if not troubling, testimony. I think it's really going to strengthen the committee's report.

I also want to thank my colleagues for agreeing to extend the study by a meeting to allow for more testimony from people with lived experience.

I'll start my questions with a fairly general topic. That's the one of prevalence.

We heard from the big airlines at a previous meeting. At the beginning of their presentations, they both cited statistics that seemed to me to be an attempt to minimize the prevalence or perceived prevalence of issues involving accessibility onboard airplanes or at airports.

Perhaps I'll start my questions with Ms. Ziv. I'm not sure if she heard this testimony, but I'm sure she's heard it before because this is a very common refrain from people in the industry.

How is that sort of minimization received by people living with disabilities?

How do we shift that to a more realistic and solutions-oriented message from the people who are really the ones who should be responsible for changing the system?

• (1205)

Ms. Maayan Ziv: Thank you for the question.

Yes, I have heard the testimonies.

As a person who has been on the receiving end of one of "the few" that were suggested to have experienced the difficulty, I can tell you that the data—which we don't even have on record because there is no documentation of every single incident—is not fulsome. We don't have the proper mechanisms to hold all parties accountable in the experiences in which people with disabilities are being failed.

For whatever data they are choosing to present, those are the cases that are requiring disabled people to advocate for themselves from a position that is often a very difficult one to be in.

I have a few other points on this question, if I may.

If we were not talking about disability and any person was permitted to say that for the majority of flights, all passengers travel just fine and once in awhile—excuse my language—we decapitate their legs, but it's only once in awhile, what type of sacrifice would we be accepting?

Yet, that is the statement being made. The fact that the airlines feel comfortable making that statement in itself is very telling.

For passengers that experience hardship, even the smallest percent is too great a percent. There are no incidents that are acceptable.

Therefore, we need proper accountability to demonstrate exactly how many times and how often this is happening. This is happening every single day, often in silence.

We need to ensure that there is strong regulation so that it is not a suggestion that airlines respond, but so that they have to, every single time. It's not a courtesy; it is a right that they need to respond to.

Mr. Taylor Bachrach: Ms. Ziv, on this issue of data, which is tied to the issue of people's perception of the prevalence of problems, in the United States the airlines are required by law to hand complaint data over to the federal regulator, which is then made publicly accessible.

Do you feel that is a sufficient system and one that we should look to here in Canada, or are there other improvements you would suggest in that regard?

Ms. Maayan Ziv: I would say, absolutely, that is an important starting point. It allows for transparent records to be shown and for us understand the magnitude of the issue.

I would go further and say that one of the biggest barriers we're facing is that the onus is on the individual to advocate, when we need automatic mechanisms that document every single instance, and not ones only perceived by what the airline thinks is an incident.

There needs to be a way in which a passenger, whose rights are being violated, is able to declare this without the need to navigate often inaccessible systems. I feel like I have to be a journalist or a lawyer every time I go on a trip where I have to take meticulous images of all of my property. I need to make sure that I have remembered.

I remember after the incident at Tel Aviv I was so nervous of missing even a scratch that I didn't actually document the claim properly. When I'm sitting there in a manual wheelchair in tremendous pain and anxiety, now I'm in the position where I better get it right or I will be out.

We need a much better surveillance and accountability system. I would say, yes, we could look to the States for inspiration, but I think, in Canada, given our position right now where we are in a time, in our country, where we are creating standards under the Accessible Canada Act, we can do a lot more.

• (1210)

The Chair: Thank you very much.

Next we have Mr. Muys.

Mr. Muys, the floor is yours. You have five minutes, sir.

Mr. Dan Muys (Flamborough—Glanbrook, CPC): Thank you to all of the witnesses, in particular because we've heard in the course of the meetings of this study from the airlines, from the Auditor General, and the CTA. However, I think what has been most valuable thus far has been your testimony today, and also the testimony we heard from others a couple of meetings ago who have had lived experiences. If I can encapsulate a little bit of what I'm hearing, the consensus, which should be an obvious one, is that the wheelchair mobility device is an extension of a person's body to the point where, obviously, Mr. Brault, has named his, in fact.

We have cars, vans, train experiences where the wheelchair isn't separated from us, as is the case with air travel. I think maybe you can enlighten us on this. Are there other modes of transportation that have done that well?

I think, Ms. Hewitt, you mentioned that in the U.S. they're looking at, I guess, getting wheelchairs with you onto the plane, instead of your having to use the airline seat, because this seems to be a significant problem. I'm not an engineer, but I would imagine this would be surmountable.

Maybe you can comment on that.

Ms. Michelle Hewitt: I think the U.S. transportation committee is actively examining what needs to be done to planes to allow us to get onboard them with our equipment. I think Mr. Brault talked about the need for some standardization and conversations between equipment manufacturers and airlines.

We do have a number of locking mechanisms that work with vans that we may own or rent, and ways, when we go on buses, that we're meant to use to lock into certain places and so on. Some of them are more robust than others, and you would imagine that perhaps an airline would want them to go to the more robust end. However, things do exist; it's not completely impossible.

If you don't mind, I'd like to turn to Mr. Brault and ask him to continue with that, if that's okay.

Is that okay with you, Max?

Mr. Max Brault: Yes, that's not a problem.

There currently is quite a lot of technology and advancement on how to hold the wheelchair in place. Again, the number one question you have to look at is exactly what kind of communication is going on between the designers of airplanes and the designers of the equipment themselves.

Here is a great one that comes from Saint-Eustache and Bombardier, a company that designs Canadian planes in Canada. We can come and have a conversation with them about how to design planes and ensure that certain kinds of wheelchairs can come into place.

I do agree that a manual wheelchair is not as cumbersome as the electric wheelchairs that my colleague and I are in, but there are mechanisms. I have to say that I've travelled in certain places where I've been on buses where the bus's system is so complicated and rigid that I lock my wheelchair in, and it's nice and solid. I'm literally part of the bus as the bus is moving up and down, and I feel every pothole.

There are ways to do this, folks. This needs to occur, this kind of conversation, and it needs to be an open conversation as well.

Mr. Dan Muys: We had both major airlines in Canada here at committee, and they have accessibility plans that were presented. I know some of you are representing yourselves as individuals, but for those who are representing organizations, were you consulted in the development of those?

Ms. Michelle Hewitt: My charity is Disability Without Poverty.

Mr. Dan Muys: Were you consulted, Ms. Ziv?

Ms. Maayan Ziv: No, I was not.

Mr. Dan Muys: Were you consulted, Mr. Fenton?

Mr. Robert Fenton: CNIB was consulted in a very limited way. We didn't get to review the final plan and what the airline ultimately decided to do.

I think there's another point that's worth mentioning here. The plans that the airlines have developed are based on current state; they don't speak at all to the idea of new technologies that could be introduced. For example, there was a technology I saw in Los Angeles, a mobility aid for people who are blind that is battery-powered and guides us around objects. I can tell you that, if I were to take that onto an airplane today, they wouldn't have a clue what to do.

I think that if we're going to deal with accessibility plans, we need to have the government develop standards for what should be in them, but they also need to be forward looking.

● (1215)

The Chair: Thank you very much, Mr. Fenton.

Next we have Mr. Badawey.

Mr. Badawey, the floor is yours five minutes, please.

Mr. Vance Badawey (Niagara Centre, Lib.): Thank you, Mr. Chairman.

I do want to thank all the witnesses today for their testimony and their participation in this study.

I'll say firstly and bluntly that the outcome of this study is that it becomes no longer the responsibility of persons with disabilities to accommodate airlines and airports. It is now the time to put that responsibility on the airlines and airports to accommodate persons with disabilities, period.

With that said, in committee, the testimony does not belong to us. The analysts don't hear us; they hear you. What comes out in the draft report to members of the committee are those thoughts and recommendations from you. My attempt, today is going to be to draw out from you what those thoughts and recommendations are.

With that said, I have one question. You're at the manufacturer. You're in their building, and you're building that airplane. How do you expect those airlines, which become the owners of those airplanes, to accommodate you with respect to how those airplanes are built?

We recognize, when we go into public spaces, that accommodations are made for people with disabilities, whether it's a restaurant, a public building or here in Parliament on the Hill. We all recognize that airlines—especially airlines—are far from that responsibility. How do we bring them up to 2024 with respect to accommodating you on airplanes?

I'll start off with Mr. Brault.

Mr. Max Brault: To begin with, it starts with a phone call to say, "I want to fly and I want to use your particular service", but to your question, sir, to actually design the physical plane itself, it starts right at the entrance.

I don't know how many of you notice this when you go onto planes, but the next time you go onto a plane you'll notice this. The planes don't actually connect with those particular areas right away. There's an actual piece of metal that goes in there, and I can tell you I've been stuck at that halfway point a number of times, and all I see is literally what looks to me like a 20-storey drop.

So we need a better design for getting into the plane.

The other thing that happens—and I can't tell you how many times I've been stuck in this and it has taken 20 to 30 minutes to get me out of this situation—is I'm stuck in something called the "eagle lift", where I'm in-between the kitchen area and the doorway before I can go down the hallway of the plane.

Now we've got to remember that planes are designed to be small and they only have *x* amount of space, but we need to get the right engineers and the right people from my community to come to have the conversation about how to design better spaces to get in.

Remember that I said that 40% of the time I've had issues? I would say that in the 60% of the time that I had no issues, I was able to get in my manual wheelchair right up to the first row of seats and transfer right in easily—and that has been in the bigger planes. With the smaller planes, you can't do that.

Mr. Vance Badawey: Thank you, Mr. Brault.

Ms. Hewitt.

Ms. Michelle Hewitt: I think we need to flip the paradigm on what we think air travel is. I think we have moved to something that is ultra-low cost. As Mr. Fenton said, they've even removed—I'm sure we all remember it—the large tight rail that would be above us.

We need to flip the paradigm so that we're not thinking of air travel as something where absolutely every plane has to be completely full, every space has to be completely filled, because we are thinking about the bodies that are on those planes and how we're going to accommodate them.

It looks like the time is up.

• (1220)

Mr. Vance Badawey: No, that's good. I'm just trying to get all four of you in.

Ms. Michelle Hewitt: Yes, good.

Mr. Vance Badawey: Thank you, Ms. Hewitt.

Mr. Fenton.

Mr. Robert Fenton: Thank you. I'll be really brief.

For blindness, there are some minor structural things that could be done, like I said, with the labels for the rows and making sure that the entertainment system is fully accessible. We don't have the same kinds of structural barriers that other people with mobility disabilities have. My issue is more with services rather than structure in most cases, so I'll let my colleagues who have more to say about design speak to these issues.

Mr. Vance Badawey: Thank you, Mr. Fenton, and by the way, to the witnesses, there's nothing stopping you from putting written submissions in too, so that if we miss something, you can send those in for the analysts to take into consideration for our final report.

Ms. Ziv.

Ms. Maayan Ziv: If Air Canada can design a contraption that allows for safe storage and flight of an equestrian program, as in actual horses that arrive in the same condition as when they boarded the planes, I believe there is a way to protect mobility devices today before we get to retrofitting or redesigning entire aircraft. It starts there. Every single mobility device needs to be stored safely, protected properly, and not be treated or labelled as luggage. It's possible. They can do it for other things. They can do it for wheelchairs, and yes, the ultimate goal is to be able to allow people with disabilities to maintain their independence and health.

There are many people with disabilities who cannot be out of their wheelchairs at all, which means they are not travelling at all. There are solutions in the market today. You could even look at the pilot project that Delta is doing to integrate a locking mechanism where a wheelchair can take the place of a seat on board. It's possible, but it starts with enforcement and with not seeing this as a courtesy, but as a right to maintain a person's independence.

Thank you.

The Chair: Thank you very much, Ms. Ziv.

[*Translation*]

Mr. Barsalou-Duval, you have the floor for two and a half minutes.

Mr. Xavier Barsalou-Duval: Thank you, Mr. Chair.

I'm going to turn to Mr. Lupien again to ask him a question in connection with the last interventions by Mr. Badawey and the other witnesses around the table.

Today, we've talked a lot about aircraft design and construction. Of course, we'd like to have aircraft designed with disabled people in mind, so that there are fewer problems in this area.

In your recent experience, do such aircraft already exist? Have you had any experience of them? Are there any working models on the market already, or would you have to start from scratch to build one?

Mr. Paul Lupien: The first example I could give you is that we worked with Via Rail, in Quebec, to adapt trains. It worked very well. We even worked with the manufacturers. We talked to each other. We managed to have accessible trains, in addition to very good service.

As far as airplanes are concerned, there was an American company that adapted very well to people with disabilities, as I said earlier, but unfortunately it went bankrupt.

Can airlines consult us? Yes. Can aircraft manufacturers consult us? Yes, but do they really want to? I wonder.

Mr. Xavier Barsalou-Duval: I think the answer is rather clear. We can see that there's a lot of work to be done.

Ms. Ziv, you spoke earlier about the importance of compiling data. I'm not familiar with the situation as regards data compilation. Can you tell us more about this? What would it change, in concrete terms, if we had data on the problematic situations experienced by disabled people, for example?

[English]

Ms. Maayan Ziv: Currently, the data we have is very minimal and relies on the willingness of airlines to actually document and provide that when requested, if they choose to, and the reports we have, the complaints from the CTA.... I know first-hand that the majority of people I've engaged with who have disabilities don't know what to do when they're in a situation and often don't even file a report because they don't think there's any point. They don't think they're protected. They don't think the rights they have currently are documented in any way that will actually result in a proper resolution.

We need data that automatically documents every single time a mobility device is damaged or lost. Currently, we are only hearing the stories that reach the news, which is not a proper transparent accountability system.

• (1225)

The Chair: Thank you very much, Ms. Ziv.

[Translation]

Thank you, Mr. Barsalou-Duval.

[English]

Next we have Mr. Bachrach.

The floor is yours for two and a half minutes, please.

Mr. Taylor Bachrach: Thank you, Mr. Chair.

I'm interested in this idea of extending rights as we understand them as applying to peoples' bodies to include mobility devices. I think the testimony we've heard about how integral mobility de-

VICES are to people's lives very clearly makes the case for why that's reasonable.

From a legal perspective, I'm wondering—and perhaps this is for Mr. Brault and Mr. Reznick—whether any thought has been given to how this might be achieved. It's very difficult to crack open the charter, so outside of that, are there ways that could be reflected in law or in regulation that would have a similar effect?

Mr. Max Brault: Yes. Simply put, we have the Accessible Canada Act. We also have what Maayan Ziv is hitting on with the standards community designing standards that will ensure that people and organizations respect our equipment in the way our bodies are respected.

Let's be honest, because at the same time the ACA could be amended or added to. There's a whole section just on transportation, and we can add the simple fact that the accessibility equipment that individuals use on a daily and functional basis can have and should have the same human rights that I appear to. This way, it would put a little bit more into the legal framework that if something happens to my equipment, I get to put in a charter rights complaint.

Again, no, I've never heard this argument before. When I was showing up today, this is one of the ideas I wanted to present that we should look at. I believe that once organizations like Air Canada and WestJet start understanding that our equipment has the same rights we do as human beings, they will start dramatically changing the way they deal with our equipment and ensuring that when we get to point B, our equipment is there, is functional and still works.

You've heard this from several key people here today. At the end of the day, all we're asking for is for our rights to be observed and that when we buy the service to travel, we have the same consideration everybody else has. We have this one little additional thing to ask for, which is making sure that our legs, our equipment, whatever we use is there and in working order so that we're not damaged or hurt wherever we're about to go.

The Chair: Thank you, Mr. Brault.

Thank you, Mr. Bachrach.

I'm sorry. Was there somebody who wanted to add something?

Mr. Gabriel Reznick: Yes. I was wondering if I could add just a quick, five-second point.

The Chair: I see some nodding heads in approval.

Yes. Go ahead, Mr. Reznick.

Mr. Gabriel Reznick: I just wanted to outline that this is already the law. We don't require the charter. We have the ATPDR, which clearly states that airlines must be compliant with the Canadian Human Rights Act. We can go through that process in order to ensure accessibility.

I just wanted to make it clear that this process still exists. It just needs to be properly implemented.

The Chair: Thank you very much, Mr. Reznick.

We have Mr. Strahl up next, followed by Ms. Koutrakis, and then we have another 20 minutes, for a total of 30 minutes.

I just want to ask if any of our witnesses need a break. If there are any witnesses who require a five-minute break, we can do that and suspend for five minutes.

I'm looking at our witnesses online. I don't see anyone saying yes. Okay. We'll continue on.

Mr. Strahl, I'll turn to floor over to you, sir. You have five minutes.

Mr. Mark Strahl: Thank you, Mr. Chair.

Ms. Ziv, you brought something up at the very tail end of one of your responses. You talked about how certain airlines are able to move horses or livestock and that sort of thing in a safe and reliable manner. You can imagine the international outrage or the justifiable hand-wringing that would happen should a horse not survive an international flight, yet we heard from both you and Ms. Hewitt about how the damage to your personalized mobility equipment worsened your physical and mental health for years and years and years.

These incidents, again, are not a case of, "Well, that wasn't a good travel experience." They're a case of, "This has negatively impacted my life for the foreseeable future." Maybe you can expand on that.

We also heard the suggestion that we should treat equipment like minor children, so there would a dedicated person who is responsible for that equipment.

I hope you get what I'm trying to get at.

Very practically, what needs to change for you to be assured that your equipment, which is life-giving and necessary to protect your physical and mental health, is given the correct standing by the airlines? What would it take for you to have that level of safety?

What needs to change specifically? What can we recommend that the government either request or compel the airlines to do to make that safe for you?

• (1230)

Ms. Maayan Ziv: The current reality is that airlines all over the world have violated the trust of disabled passengers, because we don't have the safety, the security or the confidence to know that our mobility devices will be intact and able to be used. The reality is that the aftermath of that is absolutely treating it like a luggage claim. It is absolutely treated by the airlines in such a way that the best we might get is they'll pay for it—it being the device—which takes lengthy negotiations and documentation, and working with vendors.

In the first incident when my wheelchair was broken, the airline negotiated with me about which wheelchair would be more cost-effective for it to replace it with. They didn't understand that down to the millimetre, my customized wheelchair empowers me to reach further, that it empowers the ability for me to use the muscles in my

arm on a day-to-day basis, and that when I don't do that, those muscles atrophy. That's a permanent reality for me. That is personal to my condition.

Every person's disability is different, and the reliance they have on their mobility devices is different, but we need to operate on the fact that when a person is forced out of or separated from their device, there are dire consequences that are not documented or understood by the airlines or by the air travel industry today at all. It's not as simple as simply paying for the damage. What about the cost to our health and the lost time?

I'd say it starts with redefining and understanding the problem, which is what this study is doing, but then creating mechanisms that don't leave it to the goodwill of a kind person at an airline to decide how to handle the case. We need standardization.

Mr. Mark Strahl: Have you seen cases or done research about other jurisdictions? We heard about the amount of money the airlines make vis-à-vis the fines they receive when a piece of mobility equipment is destroyed or not delivered, etc. Do you believe a significant increase in fines would change airline behaviour, or does it have to be more fundamental? A financial incentive or disincentive is helpful, but is that the solution? Is it more of a personal recognition of the damage they are doing to people, not only at the time of the incident but going forward?

Is it a financial shift or a cultural shift—or both?

Ms. Maayan Ziv: I think it's both. I think money talks. Currently, the way the airlines handle this is that's the cost of doing business. The damage associated is currently less to handle than actually proactively solving the problem. I think if we were to increase the penalties associated with damaging mobility devices, we would see much more proactive involvement, because then it becomes a business decision. Right now it's not considered one, and it needs to be.

• (1235)

Mr. Mark Strahl: Thank you.

The Chair: Thank you very much, Mr. Strahl.

Ms. Koutrakis, the floor is yours for five minutes, please.

Ms. Annie Koutrakis (Vimy, Lib.): Thank you, Mr. Chair.

To all our witnesses, thank you for your very compelling testimony before us today. I have to tell you that as a parliamentarian, I'm very privileged to be sitting around this table and participating in this very important study. I also have to tell you that I'm compelled to apologize to the entire community of persons with disabilities, because in many ways I feel that as an able-bodied person, I had turned a blind eye or wasn't sensitized to this information.

For me, it's been a great educational journey, learning from and listening to all of you. The time has come: As Canadians, we need to change this going forward. This is incredible testimony. We cannot have a country like Canada not doing better in that space. I think we all learned through the pandemic about the vulnerabilities. Many different areas had to be fixed in the transportation system. This is why in June 2023 the Minister of Transport at the time introduced Bill C-52. You may be familiar with it. It's the enhancing transparency and accountability in the transportation system act. The measures proposed in this legislation would create a more accountable, transparent, accessible national transportation system that meets the needs of Canadians—everything that we heard here, through you, today.

I'll ask only one question and give everyone the opportunity to once again stress, for this study and for everyone who is watching, if you had the ability to make any improvements to the overall experience of travelling with a disability, what you would recommend that the sector focus its efforts on. Obviously, a lot has to be done. What should we be focusing on to make it a better experience?

I'll start with Ms. Hewitt. Then I'll go to Mr. Brault and those who are joining us virtually. I'd like to hear from everyone, so if you could keep your answers short, perhaps we'll have a chance to hear from everybody.

Thank you.

Ms. Michelle Hewitt: I would say that there are things that we've talked about today that will take time. In the short term, focus on education to create consistency. We have consistent safety announcements on every flight. We can all probably say them off by heart. We do not have a consistent experience when we go up to a check-in desk.

I will very quickly tell you about my flight this time. In Kelowna I was told that I couldn't take my chair on the plane. It was dangerous goods, because I couldn't remove the battery from it. That's just absolute hogwash. When I got to Calgary, where I switched planes, I was asked to drop my wheelchair at the elevator and then walk onto the plane—walk down that whole runway tunnel that you have to go through.

I think on the lack of consistency, what could be created by education could turn a lot of the issues—not all of them, but a lot of them—around in a pretty short time. We can do it for safety announcements. Let's do it for disabled people.

Ms. Annie Koutrakis: Mr. Brault, would you like to comment on that?

Mr. Max Brault: There's a service now being offered by American Express in the United States for its members who are travelling with disabilities. American Express will actually provide an individual to meet you at the airport and follow you along your journey until you get onto the plane, and then there will be another representative on the other side, if that's the service in the States.

If you want one thing, I reiterate what Maayan Ziv said. If we are going to start collecting data and start providing the in-person service to help make sure we don't have to relitigate all the time, then there's one person whom it's helping—me and the people with me—to get to where they need to go.

• (1240)

Ms. Annie Koutrakis: Ms. Ziv, what are your thoughts?

Ms. Maayan Ziv: I'd like to see co-creation with people with disabilities in every single policy, every decision, every training and every single thing that touches a disabled passenger's experience. We don't have the proper seats at the table. We—people with disabilities—are the experts on this issue, as you have heard in this study, yet we are not involved in the plans and decisions made. We are not sitting in the boardroom when the executives are looking at this issue. That's the biggest change. If we were there, we could ensure cohesion, we could ensure consistency and we could ensure representation. It's missing. It's lacking.

Ms. Annie Koutrakis: Mr. Fenton, would you like to add anything?

Mr. Robert Fenton: As a starting point, it is tiresome to have to prove over and over again that you have a disability, and to have to reapply every time for accommodation for each flight. We should develop an identifier number situation we can use at the check-in so that those of us with guide dogs, and people with other mobility aids, can check themselves in without having to go through a medical desk and spend an hour on hold waiting for help.

Every program, service or piece of equipment at the airport needs to be accessible to everyone with disabilities. All of us who are blind have had trouble with CBSA kiosks when trying to get our photos taken to prove our identity because we can't line them up. We have apps from the Canada Border Services Agency, that we have to use to take pictures of our passports, that are inaccessible, and there are various other things.

We need to have a group that looks at the travel experience from beginning to end, identifies the accessibility barriers and works with the airlines on the development of binding standards on the industry to break down these barriers.

The other piece is the CTA committees that talk about accessibility in transportation. CATSA needs to have the same thing for security. The differences in ability and training among the various contracting security agencies in the airports in this country are staggering, as are some of the questions we're asked as people with disabilities, like, "What do you need this piece of equipment for?" If they find a piece of equipment and they don't know what it is or how it works, they use that as an excuse to search you by hand, and, in my case, to ask me if I was carrying explosives. Other examples are, "Where do you work?" and, even better, "How much money do you make?"

This is our reality. These are the kinds of things that we, as people with disabilities, face.

Thank you.

The Chair: Thank you, Mr. Fenton.

[*Translation*]

Mr. Lupien, I see you've raised your hand. Would you like to add anything before I give the floor to another member of the committee?

Mr. Paul Lupien: I'd like to say something quickly. Disabled people's organizations are in a position to help with training and provide adequate training. We should be consulted, first of all.

Let's not forget one thing, either. If I go to Cuba, for example, and the wheels on my wheelchair are broken, my vacation is ruined, not just my wheelchair. That's it, I won't be able to enjoy my vacation. I'll be offered a refund for my wheelchair, but why won't I be offered any compensation for my ruined vacation?

The Chair: Thank you very much.

[*English*]

Our final round will be a little bit rapid-fire. I'll give everyone three minutes so we can get through it.

Mr. Muys, I'll turn the floor over to you for three minutes, please.

Mr. Dan Muys: We've heard from you and from others, so obviously these are not just the one-off incidents that are reported in the media.

Mr. Brault, I think you said you had an issue 40% of the time. This is far more prevalent than we realized.

I forget who raised the impact of travel delays. It's one thing to have a travel experience end to end where everything runs on time, but we know that travel delays are unfortunately increasing, unfortunately. There have been more and more delays in Canadian air travel.

What's the impact of those, and what could be done to help mitigate them when you're faced with this situation?

Mr. Robert Fenton: Can I speak to this?

The Chair: Please, go ahead, Mr. Fenton.

Mr. Robert Fenton: Travel delays are quite profound for people who are blind, especially when there isn't someone available to take us to a new gate where the new aircraft may be leaving from.

Other times, when the delay is longer, we have to take our dog out again. We always have to go back in some airports still through security. If your flight is to the U.S., you then have to reclear customs again.

There are considerable barriers in certain circumstances. While some airports now have dog relief areas in them that mitigate against some of these problems, not all do. That is something that should be taken into account for dealing with people with travel delays, that we have access to all the services that we need during the delay.

• (1245)

Mr. Dan Muys: Thank you.

Ms. Michelle Hewitt: If a flight is delayed to the extent that we have to have an additional layover, first of all, the impact on our bodies is massive because we weren't prepared for that. We may be going to a hotel room where we can't get into the bed and that sort of thing—if we get to a hotel room. When the process comes, we've all been in those long lines when we've tried to have our flights re-booked and vouchers for hotels and those sorts of things. We're not treated any differently from anybody else, and that may sound like equality, but it's not equity.

The equitable experience for us is that the needs of our bodies have to come first. We need to be asked if our medications and our food needs are okay. I have a service dog, as well, so are our dogs taken care of? Sometimes, if your suitcase has gone on to the final destination somehow but you haven't, have you been separated from those things?

That door-to-door experience has to happen no matter what the situation is, whether there are delays or all of your flights line up, it has to be, because it's never a consistent experience.

The Chair: Thank you very much.

I see your hand up, Mr. Brault.

Mr. Max Brault: I travel with my wheelchair, but I also have additional equipment.. If it goes on to the next location and I don't have that equipment, now I have to sleep in a room that I don't know is fully accessible without that equipment. It puts me into physical danger.

The Chair: Thank you, Mr. Brault.

Ms. Ziv, I saw your hand up. I'll turn the floor over to you to add as well, please.

Ms. Maayan Ziv: I just want to quickly echo that point about equality versus equity.

I can tell you that last week I was on a flight that was overbooked, and they tried to combine two flights into one. I was promised seat strapping, which allows me to secure my travel portable wheelchair onto the plane, and it takes one and a half seats on the plane. It's strapped so that it stays with me and there's no need for any cargo issues. That was taken away from me because other people now needed to be on the plane.

To the point about who pays more, who's more important, who's a priority or who's super elite, disability is not really high ranking on that list right now. Understand the impact that it has on a person with a disability when these decisions are made in real time: Everyone's angry, and everyone's trying to fight for their needs. It's very difficult for someone who is often also withholding fluid intake because they don't know how long the flight's going to be or when they're going to see the next accessible washroom.

I'd like to emphasize the point that this is about equity. It's not about treating every single person the same, because we don't all have the same needs.

The Chair: Thank you very much, Ms. Ziv.

We'll now turn the floor over to Ms. Murray.

Ms. Murray, the floor is yours. You have three minutes, please.

Hon. Joyce Murray (Vancouver Quadra, Lib.): Thanks very much.

Thank you for sharing your experiences. It's very eye-opening for me, and I'm sure others, to hear about the stress, the pain, the humiliation, danger and trauma of travel. It's simply unacceptable.

We've talked and heard about a range of greater accountability standards, regulations, laws, penalties and education. I think that is all very important testimony.

MP Strahl asked what would change airline behaviour. I think it was Ms. Ziv who answered—or maybe this was MP Koutrakis' question, actually. A co-creation of policies, plans and decisions was an answer I heard.

I want to dig into that co-creation just a bit. In the Public Service of Canada, co-creation is done, because the public service has a target of having an equal number of people in the public service with accessibility challenges as in the general public, with the range of challenges, to co-create policies, rules, regulations and so on. The public service also has the accessibility, accommodation and adaptive computer technology unit to make sure that whatever the accessibility challenges, the public servant is supported to be effective.

I would like your thoughts about whether, in this need for a cultural shift to a greater amount of empathy, you would recommend that the airline, airport and air manufacturers target having their employees be representative of the universe of accessibility challenges there are in the public, so there are people co-creating the policies, plans, decisions for the key deliverers of travel.

• (1250)

The Chair: I see Mr. Fenton's hand up, Ms. Murray.

Perhaps, Mr. Fenton, you want to take the first stab at that.

Mr. Robert Fenton: I'll take a first crack at it.

The problem with something like that is it's very aspirational unless governments at all levels are willing to implement laws, rules or regulations to require that behaviour.

I'm not sure that's where the industry is in Canada. However, taking the air transportation sector as a whole, I do believe this committee has the ability to make recommendations to require airlines, if they're going to do business in Canada, to have to follow the public service standard. There is precedent for this in the Broadcasting Act, where broadcasters are given specific mandates to accommodate people with disabilities in their programming and have people representative of disability portrayed in the media.

This committee and government have the ability to mandate these kinds of things within the sector. I don't think we should take this too big. I think we need to remember what our scope is here and stay within the scope and focus of what we can do within this sector to make the experience better.

The Chair: Thank you, Mr. Fenton.

Thank you, Ms. Murray.

Hon. Joyce Murray: I would just like to thank you for that recommendation, because this committee is not making rules and laws and policies, but we are hearing your recommendations, and they will be public.

The Chair: Indeed.

[*Translation*]

Mr. Barsalou-Duval, you have the floor.

Mr. Xavier Barsalou-Duval: Thank you, Mr. Chair.

I'd like to thank the witnesses again. We'll try to do them justice in our report. This is one of the most important studies we've undertaken.

I'd like to ask Mr. Reznick a question. This will probably be my last question today, given the time we have left.

Following the appearance of Air Canada representatives before the committee, we received a document that explained to us how well the company was doing in handling complaints and working hard for people with accessibility needs.

I know that, for your part, you represented Mr. Tim Rose in a lawsuit against Air Canada. Your goal was to bring about systemic corrective measures so that the company would comply with the Accessible Canada Act.

Could you tell us a little about what these systemic corrective measures are?

[English]

Mr. Gabriel Reznick: The main issues have been reflected by everyone today. Air Transit is not accessible for persons with disabilities.

Though I can't specifically speak about the active litigation, the main issue is that airlines have the ability and the obligation to accommodate persons with disabilities. That's the main thing we're fighting for, to ensure that persons with disabilities receive that adequate accommodation and to ensure that they have the idea of universal design so that airlines accommodate without the need for individual accommodation. They start at the terminal stage and then, if needed, for individual accommodations, and they deal with them on an individual basis to ensure their dignity.

• (1255)

[Translation]

Mr. Xavier Barsalou-Duval: I'd like to ask you one last question, if time permits.

From a legal point of view, is there a certain point or threshold at which a carrier can argue that the costs of implementing the necessary measures are too high? How do we deal with this on a day-to-day basis?

[English]

Mr. Gabriel Reznick: They agreed to accommodate us up until something called "undue hardship", which is the legal test. This is a very high test, especially when considering the size of Air Canada. I know that they came out and said they made \$2 billion in 2023, so the test would be heightened for cost depending on the individual. That would be the answer to the question.

Thank you.

[Translation]

Mr. Xavier Barsalou-Duval: Thank you.

The Chair: Thank you, Mr. Barsalou-Duval.

[English]

Finally for today, we have Mr. Bachrach.

Mr. Bachrach, the floor is yours.

Mr. Taylor Bachrach: Thank you, Mr. Chair.

The issue of co-creation of policies and regulations is an important one, I believe. The government recently announced that it would be convening a summit on accessibility in the air sector.

Briefly, to all of our witnesses, have any of you been invited to this summit?

Mr. Robert Fenton: Not yet.

Mr. Taylor Bachrach: Your phone is on.

Okay, I'll take that as a no.

Mr. Robert Fenton: It is a no.

I'm sorry; it's not registering for some reason.

Mr. Taylor Bachrach: That's fine.

I'm assuming that, if any other of the witnesses had been invited, they would have so indicated. I would offer as a suggestion to the government that, based on the testimony today, these folks would be excellent participants in that summit.

The Chair: Mr. Bachrach, along those lines, as I stop your clock here, is it the will of the committee, with no objection from our witnesses, that their names be put forward as potential participants in that summit?

I see no objection, thank you.

Please proceed.

Mr. Taylor Bachrach: Ms. Murray said that we're not in a position to make laws, but we are very much in a position to make recommendations to the government, including in cases when laws need either to be amended or created.

We have the Accessible Canada Act that was just passed in 2019, yet it doesn't address many of the issues that have been raised in today's testimony.

My final question is: Can we depend on the industry to do the right thing voluntarily, or do we need the government to take a leadership role and legislate to require them to do the right thing? If so, what form should that take?

I imagine that every witness has thoughts on this.

Perhaps I'll start with Mr. Reznick, and then we can go around the table until I run out of time.

Mr. Gabriel Reznick: I would start off by saying that, as outlined earlier, we already have the ATPDR and really strong human rights legislation, and they need to be intertwined. They can't be seen as in a vacuum but should be seen as different cogs in a wheel towards full inclusion and accessibility.

I'll end there to allow the other panellists to comment.

The Chair: Thank you, Mr. Reznick.

I'll go to Mr. Brault.

Mr. Max Brault: One of the fundamental parts of the Accessibility Canada Act is that no policy or decision should be made in a vacuum without people with disabilities. That is the fundamental concept of that particular act and legislation, and it's not being adhered to in this particular situation.

The Chair: Thank you, Mr. Brault.

I saw Mr. Fenton's hand up so, I'll turn the floor over to you, sir.

Mr. Robert Fenton: There are a couple of things. First of all, we need to enforce what we have. We don't do a very good job at enforcing the regulations and airport human rights obligations. We need to enforce what we have. However, I think that, within some of these sectors, we actually do need to develop new regulations and standards, especially around transportation of mobility devices, security—those kinds of things—to better accommodate people with disabilities, because there are major gaps there.

To respond to Mr. Brault briefly, the problem with the the Accessible Canada Act is that there are no enforceability provisions. There's nothing that we can do to enforce our rights under that legislation, so for whatever is developed, we need to have a strong enforcement mechanism so that we can assert our rights, have them adjudicated and have penalties imposed when appropriate.

• (1300)

The Chair: Thank you, Mr. Fenton.

Next I go to Ms. Ziv.

Ms. Maayan Ziv: The airlines have known about this issue for a very long time. We haven't seen their willingness to actually address it proactively. We hadn't heard much until more recently, when this issue gained national and international attention.

We do need regulations and, to echo the colleagues on the call, we need enforceability. We need the ability to ensure that not every issue is something that needs to go through litigation, falls through the cracks and takes over seven years to resolve. It's not acceptable. Under Accessibility Standards Canada, yes, there is a technical committee that will look at the accessible travel journey, but I think there is an important part to play here in the enforcement of how that will actually play out.

The Chair: Thank you, Ms. Ziv.

I go to Ms. Hewitt next, please.

Ms. Michelle Hewitt: I'll be brief. Mr. Brault mentioned the sentence in the Accessible Canada Act that says that every policy legislation has to be done alongside disabled people. That's currently happening all over government. I don't think that, broadly, government has worked out what that actually means. Rather than having every committee like this working out what co-creation with disabled people means, it would be great if we could actually sort that out so that, when we say to airlines, "You need to co-create," this is how you do it.

The Chair: Thank you, Ms. Hewitt.

[*Translation*]

I yield the floor to Mr. Lupien, who will be the last person to speak in today's discussion.

Mr. Paul Lupien: I have to say that reasonable accommodations become, the majority of the time, unreasonable accommodations. Often, instead of being useful to us, these accommodations even complicate our lives.

Also, how can we rely on airlines and their goodwill when they ask manufacturers to install as many seats as possible on the plane in order to have as many people on board as possible? We ask them to make space for disabled people, but for these companies, I think it's a question of money. They completely forget that we should have the same rights as all other passengers. We have the right to exist and to be there.

I think the airlines should be forced to change their ways. They should now be obliged to provide spaces for people with disabilities, adapt their bathrooms and make any other accommodations, just as all other carriers do, whether by land or otherwise.

The Chair: Thank you.

[*English*]

Colleagues, before I adjourn and before I thank our witnesses for being with us today, I inform members that we received a communiqué from Her Excellency the Ambassador of Germany, Ms. Sparwasser, with an invitation to meet with the German minister of housing, urban development and construction, the Honourable Klara Geywitz, between May 5 and May 7.

I believe I've already spoken to many of you about this. I move the following motion:

That the committee meet, in an informal meeting, with a delegation from Germany on Tuesday, May 7, 2024; and that the committee defray the hospitality expenses related to this meeting.

It would happen between 1 p.m. and 2 p.m. and not take up any committee time. I believe there has been some discussion.

Go ahead, Mr. Barsalou-Duval.

[*Translation*]

Mr. Xavier Barsalou-Duval: Can we make sure there will be interpretation services?

The Chair: Yes, absolutely.

[*English*]

Do I hear any objections to that?

(Motion agreed to)

The Chair: I would like to extend a heartfelt thank you to all of the witnesses for the time they spent with us this morning, as well as for the intimate stories they shared with us. I can assure you that the information you shared will go a long way in strengthening the report and the recommendations that we put forward to the government.

With that, I thank you.

This meeting is adjourned.

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