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People First Nova Scotia

Nothing about us without us.

October 17, 2017

The Honourable Mark Furey
Nova Scotia Minister of Justice
425 King Street
Bridgewater, Nova Scotia
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Dear Minister Furey,

Re: The Race to Restrict our Human Rights

Yesterday, the Nova Scotia Law Amendments Committee heard from seven different presenters about the issues, problems, and limits of the *Adult Capacity and Decision-making Act* (Bill 16). The new Act is meant to replace the outdated and especially restrictive *Incompetent Persons Act*, which the Nova Scotia Supreme Court struck down over a year ago.

The Law Amendments Committee is supposed to give consideration to any interested persons or organizations about the contents of Public Bills referred to the Committee after the Bill has received second reading in the house.

Before the presenters were even back to their home bases, the Law Amendments Committee had voted to send the Bill back to the House without any changes.

The presentations ended at 10:30 am. By 12:20 pm, the first article about it was written and online stating that the Bill had passed second reading as is.

That's less than two hours in total. That's less than fifteen minutes discussion of each presenter's information and objectives. It's less time than it takes to play a single period of a hockey game. It's less time than it takes to get your Tim Horton's on a busy workday morning. It's much less time than it takes to do the simplest tax form.

It's very little time for such a big issue. And, frankly, that's not what we would call consideration. The final reading will be today or tomorrow. The whole process to pass the Bill is happening in only two weeks. It's moving along at breakneck speed.

But that's not surprising for Nova Scotia is it? We are good at violating and limiting the rights of our citizens with intellectual disabilities. We are the province that institutionalizes more people with intellectual disabilities than any other province in Canada. We also boast a long list of human rights violations, poor treatment, assaults and deaths of those we put in our various institutions.

And here we are again – racing to the bottom as the worst in Canada. But of course the NS government does not see it this way.

Minister Fury, you said that Bill 16 has the “elements of supported decision-making.” But it really doesn’t. The Bill does not empower court appointed representatives to support a person to have a decision-making authority in their lives. It only authorizes that court appointed representatives can make decisions for a person.

Unbelievably, this includes making decisions about who a person can hang out with, or whether they can have a bank account. They can decide if a person can have a job or take part in a recreation program. They can even decide that a person should have invasive surgery and even medical experimentation.

We are beyond disappointed. We are devastated. We feel devalued. We feel left out and left behind. We thought this Bill was going to change the current reality. We didn’t think this Bill was going to take away our right to make our own decisions just because we may need support to do so.

There are better options. Provinces and territories like British Columbia, Alberta, Saskatchewan, Manitoba and Yukon have managed to make it possible for people to have supported decision-making as an alternative to guardianship. Why can’t we do this in Nova Scotia? Why do we only get ‘elements’ when ‘actuals’ are within our grasp and ability to legislate?

We are pleading with you Minister Furey to meet with us so that we can make this Bill right when it goes back to the legislature.

Let’s not win another race to the bottom. Let’s try to rise to the top this time.

Sincerely,



Dave Kent
President People First Nova Scotia



Kory Earle
President People First of Canada

People First of Canada (PFC) is the national voice of people who have been labelled with an intellectual disability. For further information contact Shelley Fletcher, Executive Director for PFC. Phone: 204-784-7362 or by Email: sfletcher@peoplefirstofcanada.ca

People First Nova Scotia (PFNS) is a self advocacy group of members who have been labelled with an intellectual disability. For further information, contact Cindy Carruthers, Provincial Coordinator for PFNS. Phone: 902-893-3033 or by email: pfns2014@gmail.com