**Know Your Rights Podcast Series**

**Episode 2: Self-Advocacy**

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**Jacob:** Hello, and welcome back to another episode of the Know Your Rights podcast. And I'm joined by Jason and Avesta, today to talk about self-advocacy and what that really means. I mean, for all of us listening, watching this episode, this podcast, I think it's really an interesting topic to know what our rights are and how we can advocate for ourselves and to really take charge through education and implementation, execution of advocacy. And as some of you may know, I have a rare form of macular degeneration and I'm legally blind, and have made it my mission in patent to help others live a purpose-driven life through self-advocacy implementation, to live exactly how you wanna emotionally and physically. So, without further ado, I'd like to first introduce Jason to the episode. So welcome.

**Jason:** Thanks for having me.

**Jacob:** Yeah, no problem. So, Jason, you are a lawyer, a criminal lawyer with the Crown, and you also have some vision loss as well. Would you mind sharing a little bit about your experience, you know, of the type of vision loss, you have and you know, how you have gotten around that to be, you know, working as a lawyer?

**Jason:** So, yeah, so I'm totally blind and I'm a Federal Crown Counsel with the Public Prosecution Services Canada. And what I do is I am a federal prosecutor and I prosecute criminal cases namely cases involving, narcotics drugs, the sale of narcotics, trafficking in narcotics possession of firearms, proceeds of crime, et cetera. I'm in court a lot. I do a lot of trial work, a lot of motions. When I'm not in court, I'm basically preparing to go to court. And I'm totally blind. And I've been doing this job for about 17 years now, coming immediately out of law school. And so, it's been a challenge for sure, especially, being a person living with vision loss, but I think it comes down to what the theme of our topic is today, and that's self-advocacy. I think that when you're having a disability, in particular sight loss in a field that typically, has not been very accommodating for people disabilities and has been kind of, in the past a closed kind of field and one resistant to change. One does have to be kind of out there for themselves and letting everyone know that they can do the job and showing them how and also advocating for your accommodations. For example, with my job I have a paralegal who's specifically dedicated to assisting me. For example, we deal with a lot of police officer's notes and they're typically handwritten, which obviously don't lend themselves well to being scanned or being read. So, the person would basically type them out for me, will transcribe them for me. We're organizing very large files and very large pieces of evidence and whatnot. So having someone help me streamline that is definitely an assistance. In terms of going to court, it can be a very visual process. I bring typically, a more junior, a lawyer with me, or perhaps a student that I think is beneficial for both, as I get the assistance, I need and they get the experience. So, there's workarounds, but the legal profession has been particularly, a very closed field resistant to change, that is obviously changing now, but it's taken some time.

**Jacob:** Yeah, absolutely. And thank you for sharing that. I wanna circle back to that in just a moment, but I wanna also introduce Avesta to the episode and welcome her. So, thank you so much for joining us. And Avesta, you have just finished law school, is that correct?

**Avesta:** Yes. I just graduated in April from Osgoode Hall Law School, and I just finished my license examinations with the Ontario Bar.

**Jacob:** Wonderful. Congratulations. I know that's really exciting. My sister just actually finished her Summer Placement at a firm as well. So, I know how exciting that whole process is. And I believe, you're starting an articling position at one of the larger firms in Toronto here. Is that correct?

**Avesta:** That's right. It'll be at Borden Ladner Gervais LLP, and yeah, so I'm very excited for that.

**Jacob:** Yeah, I totally agree. I know how exciting that is. So, congratulations. And, you know, I think something that I'd like to know a little bit more about is, I understand that you also have a visual difference. Would you mind telling our viewers a little bit about that and then just briefly, about how that has impacted your journey through law school. And I wanna dive into a little bit deeper as well. And one thing I do wanna leave our viewers and listeners as a cliffhanger is, I understand that you've also written a book. So, if you could just give us a very quick synopsis of how that came to be, I'd be really interested in. Once again, we'll dive into that a little later on in the episode.

**Avesta:** Great. So, my name is Avesta, and I'm diagnosed at the age of eight years old with a cone rod dystrophy. So, what that means is I have 20 over a 350 vision. With the diagnosis, to me, it's just a number or it doesn't explain very much. So, it's not too helpful in that sense, you know presenting a diagnosis when you go around. But essentially what that means is that I have trouble seeing distance and things can be pretty fuzzy and small, and smaller things are tougher to see. And that's definitely challenged me throughout my education and the couple of different jobs that I've had. It's made me become more adaptable and more resilience and definitely, more proactive throughout my life. And it was a lot of trial error. Well, I particularly like this podcast about self-advocacy because I find that working with visual impairment, a lot of it does start with knowing yourself and what you need. And so, for me, a lot of my journey was figuring out my own vision and how I can best, like what do I need to be accommodated and be able to do my schooling and my work. And I guess my undergraduate was in International Development and Globalization and my minor was in philosophy. And that was at the University of Ottawa that I finished in 2017, and that's when the idea for my book came about. I was studying a lot of philosophers and they had a lot of different ideas about identity, but never really in the sense of people who are differently abled, but a lot of gender philosophy and average philosophy. So, I thought, wouldn't this be an interesting dynamic to re-evaluate what exactly it means to be differently abled then what exactly it is to be called disabled. And that's where my idea for my book, "Diffability, The Liberation of Potential" started. And so that's more of like a non-fiction sort of piece where I take a lot of philosophical and linguistic theories and trying to unpack where this ideology that kind of has become a little bit of an uphill battle, I think if you're differently to be able to present yourself, to show that you are able to do something even though you do it a little bit differently. Especially, like was previously said, I'm just hopping into my legal career here, particularly in the private sector. And those are traditionally two areas that I've been a little bit more restricted for people who are disabled. So, I really wanna be able to join in kind of pierce it a little bit so that, you know the people who come after me have an easier time and there's more understanding and more collaboration both in the private sector and the legal field and other field of employment as well. So, that's my true sense.

**Jacob:** I'm so excited about this episode, because I think both of you really embody, you know, why we're doing these series on knowing your rights. And one topic that has come up, not so much a topic, but a point that has come up in a lot of the other episodes is this is so important for other people with visible and invisible difference to know that you're not alone, there's other people who are paving the way for change for all of us, for, you know, future generations, and to not accept intolerance, and for everyone to be as accepting and accommodating as possible because we all deserve a personal plan of attack, whether that school, whether it's for applying for a job, we're all different. And we all succeed in different ways. And if we can figure out the best way, and Avesta, you said that beautifully, of finding the right tools so that you have the best resources to be as successful at whatever you choose to do in your job, your life or relationships, it doesn't matter. Finding that is so important. So, I'm really, really excited to hear about that. I'm really interested to know about your book as well, but Jason, I'm just wondering, you know at this point, and probably our viewers and listeners are wondering, you know, how do we kind of know what our rights are, you know in Canada, in Ontario, does it vary in province to province? I'd love some insight on that from you.

**Justin:** It does vary from province to province. What one's rights are in Ontario may differ from British Columbia. So how to know, you know, is there a one-stop shop other than maybe the know your rights project itself? I'm not sure that there is, I mean, obviously you can you can do your classic Google search, but I can't say unless you go to like a disability law clinic or go to a resource like what we're providing, there probably isn't a one-stop shop for all these things. But at the brief overview, I can tell you that federally there are a few things. There's obviously, the charter of rights and freedoms, which is federal law which is basically, a charter that has all of the rights of all individual Canadians enshrined, and that includes, you know, the right to be free from the state, the right to be free from illegal search and seizure and illegal detention and whatnot all your classic legal rights of someone who's an accused person that I would deal with in my job. But it also includes clause on inequality, section 15 that it, specifies certain enumerated, analogous groups, disability being one of which our equality is guaranteed under the charter and which we can actually potentially bring legal action against a government for if they're not treating us, "Equally." So that that's a macro level on a federal level. And of course, there's a Canadian Human Rights Commission which deals with federal employers, such as banks, chartered banks and federal government departments which would deal with those people that work in those jobs their human rights issues, but on the provincial level, each province has its own human rights commission including Ontario and their own human rights code, which which may differ slightly. So, in Ontario, on a provincial level, we have of course, that the Ontario Human Rights Code which governs individual human rights say, at school or in the workplace or employment, et cetera. And then we, of course, we have the AODA, which has been enforced now since 2005. And that covers a broad spectrum of kind of all life in Ontario, from businesses to government. That's more of a societal systemic level whereas I think, the human rights commission is more of an individual level. So that's, you know, a broad brush of what we have available in terms of human rights law in Ontario. But I don't know of any one-stop shop other than the Know Your Rights Project where you could kind of get a sense of that, all in one place.

**Jacob:** How do we necessarily know what our accommodation should be? I mean, for me, I know that I need large fonts. Things are becoming less and less paperless. So, I really rely on digital formats. And I love Apple technology because of their accessible features and their font enlargement and contrast and things like that. But what it's, how do we kind of figure out what the right accommodations for us are? And I know that's a pretty unique question. And then from that, so the second fold of this would be, how do we start asking for those accommodations? Whether it be at school, at work or in public service.

**Justin:** So, if I could just do a quick plug, just from our last question, I should have mentioned ARCH, which is a disability law clinic I happen to Board of Directors of, they've got some great online resources in terms of fact sheets and kind of how to go about doing a human rights complaint and whatnot. And they're a free legal clinic where everyone's entitled to, I believe, at least a half an hour of free consultation. So that's also a great place to start in terms of their resources online and their staff lawyers.

**Jacob:** If you guys missed that, we'll share that link in the description for, so you'll be able to access that in the description or somewhere surrounding this piece of information. So, sorry, go ahead, Jason.

**Jason:** Sorry. So, I wanna get that plugin. I think that's another great resource for people to start that has (indistinct) that you would need. And it's done in a very readable way. It's not done in like legally, it's done in like plain language which is also very important for, even for lawyers. It's obviously you can say something, and, you know four words that have 40 words it's obviously going to be better and clearer in terms of knowing one's accommodation it's very individual, as both of you have said somebody with partial vision will have different needs than somebody with no vision, for example. So, you've re it's really a lot of trial and error on the individual's part to see what works for them. And then once they know what that is to advocate for it. So, for example, for me we've mentioned obviously the cell phone. I think that the Apple products are tremendous in terms of the voiceover mode and what not. I've recently been struggling with learning Microsoft teams for a course I'm taking your work with using it on the computer but after download it onto my phone, my iPhone it's actually a lot more accessible a lot easier to figure out, not perfect but comparatively speaking better than on the desktop, right? So, the phones have really, you know, I have a work iPhone and I have a personal iPhone and the phones have really brought us a long way in the last couple of years, but it's very individual for example, for me, that has no vision a large print program doesn't work for me. So, I need to have a program with a speech access that he'd have something where I can scan documents to get them in speech. I would need something that accommodates my I'm not really a braille user, but if I was, I might need a braille display, for example. So, I think it's the person has to try to see what they can put in their tool kit. And the individual has to do some trial and error to see what works. And then once we know what works in a school setting or a work setting, we have to say, you know I've done my homework, here's my needs. Here's why I need them. And here's why you have to provide it for me. So, I think we have to first on us to figure out what works for us and that there's not a one size fits all solution. It's very individual. And then once we kind of experiment with our own situation, then we have to advocate those needs to our employer, school or whatever to make sure that we're properly accommodated.

**Jacob:** Yeah, I think that totally, it makes sense to me. I know that I've gone through that process myself, but you know for somebody who is, you know, maybe was recently diagnosed or has yet to really hone in on the resources that they need or is kind of almost there, you know, whether it be in an educational setting or a, an employment setting I think packaging, you mentioned kind of saying here's what I need and why I need it. I think maybe can be a little daunting for some people especially starting a new job or starting, you know, at a school where they don't know people. I know that it's challenging. I've come across it, myself of being unsure as to how to properly request those accommodations. Now the best I know that you've just, you know just starting an articling job and finished school. How did you go about, you know, putting together that packet of requests for the accommodations that you need to succeed.

**Avesta:** Right. So, I completely agree that it's definitely an individual package and you have to know what works best for yourself but I do wanna say it doesn't necessarily have to be an isolated process to know that I know the CNIB has a lot of different programs where you can come together and play with technology with some other people in the community. And growing up, one of the big milestones for me was for most of my like beginning education after I was diagnosed, I sort of tried to hide the fact that I was visually impaired. And so, I escalated myself from a lot of other people that may have had similar experiences to me. And that was a little bit of a detriment to myself because they didn't really know what accommodations were out there and how it could help me. So going to those things, and my first time going to one of them was at the Lake Joe camp. So, I think if you're definitely younger high school or that's something you wanna consider cause you learn a lot and you learn from others, and that's actually a philosophy that I've written my book too that through others, you can actually learn a lot more about yourself as an individual. So, I definitely think that though it's an individualized package and you have to know the combinations that work best from you. It's not an isolated process. You can definitely do it while working with others. And so CNIB is the best place to start for that especially for youth and also older people as well. So, I just wanted to throw that in there, so that that part isn't as daunting, but I'm also, don't feel like you have to get the accommodations that are assumed like upon you. So, I do have some vision and if somebody just saw me, they'd probably think that I'd be able to read large print just on how I behave and how much I can see. But actually, I prefer the audio because I'm like it's just too much text and it'll like, give me a headache. So, like those kinds of things you have to figure out for yourself and sort of don't feel like you have to be put in this box of what accommodations, you know people think you should be having. So again, definitely be willing to experiment in different accommodations and see what works best for you. And that said, once you kind of know what works best for you and your you've got your little package going, I think you definitely wanna be able to present it in a way that it's almost empowering. I would say like, oh, these things that, you know I'm going to have challenges but here's a way I can overcome it. So, somebody who hears that, it kind of seems like an empowering and sort of like more like a relaxing sort of message to them that, oh like I know a way that I can help this person and they can be the best that they can be at my work or my institution instead of like saying, well I'm going to have challenges, develop these things but I have no idea how to help what to do to accommodate myself. Please help me that I feel like would be a little bit more daunting. So, I would say that the package to a lot of people may be daunting for you to present, but maybe if you think about the mindset that it's actually easing the person who hears it that might be a little bit easier to kind of push you to bring it forward. And I would say that also once you do have your package going, like, don't be like definitely stand by it. But if there's something that the, that is presented to you that it's almost the same thing. Let's say it comes under a different name but does the exact same thing, try to be like a little bit like, just like with your peers and how you're able to try different things and see what works for you. If this is something that, you know, could possibly work for you, try it. And if it doesn't work out, then go back to your original package. But if it does then, you know be a little bit flexible as you can, but not to the point where it's like a completely different thing than being presented to you. When, you know, that's not gonna work based off experience. So, you got to have your sort of judgment calls and be able to, again, knowing your rights is a lot about knowing yourself. So, know what works for you and where you can kind of be flexible and where you can't.

**Jacob:** I a 100% agree with that and I'm going to do something that I haven't done on this series yet, because I think it ties in exactly to what both case and investor have been talking about here is, as some of you may know I'm currently in the process of a human rights dispute. And that came from me requesting accommodations to write an examination of professionally examination and being denied and offered accommodations that did not fit my needs whatsoever. And it was really challenging letter to receive our email, I guess at this point to say that we're not going to give you what you've always been accommodated with in the past, and what has proven to be a successful accommodation packet for you. We're going to give you what other people and these are their words. Other blind people have used and been successful with and given your disability you're going to have to use those as well. Otherwise, you know, you're on your own here. And I think the reality, he has a lot of us have experienced one form of that or another. And I've been I don't wanna say guilty of this, but I've circum to that pressure of giving in of saying, okay I'll try it your way and not being successful and feeling that I was denied a fair shot at success. So, I have stood up against that and fighting for a systematic or systemic change within that institution and hoping that that will have residual effects amongst a larger scope. But I wanted to share that because I wanted to really humanize this conversation for everybody listening, watching, participating. It's that it's okay to say no if you understand that you're chances at success or your rights as somebody with difference. And as an individual we're all different, aren't being fulfilled. And it's really hard to advocate for yourself because especially in a large institution how do you go about making change or creating change for yourself to start with? And I love the know yourself aspect. You really need to know yourself too to know what your rights are. And I guess that comes into, you know a large topic that we tend to bring up almost on every episode of what are reasonable accommodations. And I know that we're going to bring up the duty to accommodate an undue hardship. So, Jay and Jason, would you mind just kind of giving our viewers a brief definition of what undue hardship is and duty to accommodate?

**Jason** So sure. I'll give you kind of a 30,000-foot view. So, this is all spelled out in the Ontario Human Rights Code. For those of us who are in Ontario I'm sure each province has their own version of it. So basically, what it says is that every entity in Ontario be that an employer, a school, a store, any sort of public entity that's regulated through the law laws of Ontario has a duty to accommodate somebody with a disability, whether that be someone who's a customer a student, an employee, et cetera. And so, they have to provide what's called reasonable accommodation to the point of undue hardship, undue hardship is a legal term but it's not precisely defined. It basically means that the entity has to, or the business or whatever has to accommodate that person to the point of basically almost the they'd have to show that to comment. This person basically is going to almost like bankrupt the company. Like it's going to be so much of a drain on resources that the company wouldn't survive or there'd be a risk to health and safety of other people in the company or something it's a very high hurdle. Basically, it has to be something that would it would interfere substantially with their business to do the accommodation. And that's very hard to show, especially if you're in government or in a, say a post-secondary institution. So, there's this legal duty to comment to the point of basically having your business shut down almost undue hardship. So, it's a high, it's a very broad duty to accommodate and to show undue hardship is a pretty high bar which gives us as people with disabilities, a lot of runway and leeway to advocate for our own individual needs and not accept something that's being imposed on us or kind of shoved down our throat cause it's convenient for them. No, no, it has to be that we have it has to work for us and they have to do it unless it's going to basically cripple their business. So that gives us a lot of leeway and a lot of room to move in terms of what are our accommodations and needs are.

**Jacob:** Yeah, no I think it's really important to keep reinforcing the, the importance of really understanding from, you know, breaking it down to a point where everybody can understand, you know undue hardship has been reiterated this series so many times and hearing the definition, just, I don't know it just really kind of instills the leverage. We have to make sure that we are accommodating and that the duty to accommodate people with difference to be as successful as possible is crucial. And it's really being put forward. That it's really important. And I mean, I know that this episode is definitely running long and there's a ton of topics I would love to cover with you guys. So, I guess we can discuss that another time but I wanted to kind of dig into a little bit about, you know, Jason, how you kind of figured out what were the right accommodations for you, somebody with no sight to go through law school, to, you know know that you needed a paralegal to help you succeed in your career and what was the kind of journey and requesting those accommodations and advocating for yourself.

**Jason:** So, to vest this point, it wasn't done in isolation. I think that we always work best when we work with others. So, but it was a lot of trial and error. So, for example, I used to have I had some limited vision before and as I was in law school that I wound up losing in my first couple of years of practice. So even had to be some accommodations even along the way as I went along. But generally, what I would do is I've actually been pretty lucky. So, I went to law school at UFT and they knew I was blind. It was, you know, obviously it was very clear in my application and I was part of my personal statements and I certainly didn't have any issue in disclosing it. So, they knew I was going to have some accommodation issues. So, they actually, when I started going to school there the staff sat me down and said, what accommodations what do you need basically? So, it was actually pretty easy. I didn't have to really force my way and they kind of offered it to me. So, and I thought, well, okay, in the business back in 1998 and though there's, it was an actual library at that time which is basically now just a bunch of computer terminals but at time there still were the classic, you know stacks of books. So, I'm like, well, you know there's a lot of research projects here and it's a very, very daunting library. I'm going to need someone to help me do my research in the library and so done. And I knew from undergrad, I needed a PC with a speech program called JAWS for Windows Dot. I also knew I needed some way to get printed documents or sorry, documents in, on paper, into electronic format. So, I was able to ask for a scanner. So it was, it was kind of that process where we they talked about, they asked me what I needed and I told them and I explained why he did it and how it helped me. And I didn't really get any pushback. So, I was very lucky in that sense, I guess being my disabilities very obvious. I didn't have to sell people on me being disabled where some folks that maybe have some partial vision, it looks like they can see better than they can, may have more of a hurdle. Whereas with me, it was pretty obvious. So, I didn't have the same. I didn't have to prove my disability. It was a very obvious. So, I just had to basically articulate as to what my accommodations were. And once I finished law school and had no vision and started working. So, I worked at my current job as a summer student for two summers where I didn't have a full-time assistant. And it became very clear that I was going to need one because of the level of just printed material to read through. And then when you're doing work, doing criminal law and you're doing docket courts, for example and there's documents coming at you all the time that that are new a person just got arrested and they're being processed and being brought to the court to have their bail hearing. So, you don't have time to get those documents transcribed in alternative format. They're coming at you in real time. And the only real accommodation is to have someone there with you to have to wait to have them. And that's kind of where we figured out actually, I would need a Dean an assistant to help me doing things like docket court where you go, how these written documents on the fly. We were making decisions on them and dealing with lawyers. So, I, as I started my job, it became very clear that it would be, there was some accommodation issues and I would need to resolve them. And then, so I worked with my HR people and my managers to come up with a solution. And that was to have a full-time paralegal dedicated to me and my accommodations. And when I go to court especially now as I'm a more senior lawyer I I'm part of the training program. Whereas I bring a student or a young lawyer with me too, and they, they can help me with making sure that I can read things that are, you know let's say that the other side, you know drops 10 cases on us, five minutes before a court. I can at least deal with them because I've got someone there with me or it'd be really hard if I, if I didn't. So, I'm lucky that I work for an employer that's very into accommodation and really gives me what I need but I know not everyone's that fortunate, but really for me it was a lot of trial and error. And I would try things that are hard to do. And then I would find a workaround. It's all about really finding workarounds. There's always more than one way to do things. It's just finding that way to do it.

**Jacob:** That's something I've I really live by in my professional capacity and capacity, you know as a partner in a business kind of creation company is ways multiple ways to get to point A to B. And just because its bright line is the fastest doesn't mean it's the most effective, but if you can still get there your journey along the way may yield amazing results that you know taking the straight and narrow path might not have provided. So, I think that's a really key takeaway. And thank you for sharing that. I know that it really helps kind of bring this into really real scope for our viewers and listeners here. And just one quick follow-up question with that, you know as technology evolves, you mentioned that you have a work iPhone, as well as a personal one. What's the kind of requests process, you know if something comes along, that's going to make your job easier for you to do. Is it a, a formal application that you have to submit or is it just reaching out to, you know, your HR department and saying, hey, I would really need this to help me do X or what's that process like?

**Jason:** That, depending on where you work for me for the federal government, it's pretty easy. We have a centralized accommodation office in Ottawa and go directly through them and they'll work with us to find the proper accommodation. And then basically from that point, we get sign off from our manager, which for me is no problem. I guess I'm lucky in that. Again, I've been at my job for so long now that I think I'm trusted so that if I say something I need something it's not really questioned, but oh that's harder for someone who's just starting out. Some of the priests say in an investor's situation where she starting articling and she's not a known commodity there it may be a little bit more difficult cause you got to get known for me. Now I'm doing this so long that it's kind of like if I say I need it, you know I pretty much get it unless again, and it's pretty hard for a federal government department, to claim undue hardship. We can't get you this laptop because it might bring the department down. I mean, it's pretty hard to make that claim if you're in government, maybe different if you're in more of a small business situation but when you're working in governments and large corporations, it's pretty hard to say getting you this computer is going to bankrupt us. You know it's hard to say that. So, I, so I, my process is sort of formal the way that after I have to go through the accommodation folks in Ottawa, and then I have to get sign-off from my manager which is all pretty much, I don't wanna say it's academic but it's fairly easy to do. And I don't have to really go through too many hurdles to do it. But you know, that process in itself has evolved over the last 17 years. It wasn't always that way. It used to be more red tape. And it's fortunately the red tape has been, has been cut down for me personally, but people it's not that easy. And they have to really prove themselves and to prove they have a disability and be it's one that has to be accommodated and see why this expense should be undertaken to accommodate them. And that can be a much, much more challenging. So, it kind of gets into more here's the tools I need to do my job. And here's why. And so, I think it, for me, it's probably a little bit I don't wanna say it's ever easy but easier than most habits.

**Jacob** Yeah. It's fantastic that, you know, you're so well accommodated without pushback. And I think my, my real point of the question is to show people that, you know, things change and we're in such a high pace of change, especially with the current situation, you know, before we signed on Jason and I were talking about, you know using Zoom as just, almost like a, a reflex of conversation at this point where, you know, six, 12 months ago, it wasn't really something that people would have been comfortable with. So, I mean, my point here is don't be afraid ask but make sure that it works for you first. These tools I mean, this seems to be the theme is to really to try things out there is no harm in trying, I know that there are financial resources and aid that can provide you with financial resources to test things. CNIB is a great resource to start to learn about accessible technologies and resources. There's tons of groups, Jason me, it was ARCH. You said was the company that you're on the board for

**Jason:** Disability Law Center. It's a clinic that's funded primarily through legal aid, Ontario and some other sources that is a disability law clinic. And so, they do exclusively, they do test case litigation but they'll do individual assessments and they may take on your case and they refer you some somewhere else but they'll at least it's a great starting point. They've got some great online resources as well in terms of fact sheets and how to use and legislation. So, it's, it's a great compliment for the CNIB know your rights program. We actually did a joint workshop back about a year ago now arch and CNIB, where we actually put on a workshop for lawyers who wanna have visually impaired and clients with sight loss and how they would accommodate them. And it was actually very productive.

**Jacob:** That's awesome. I think that's a great resource that I certainly didn't know about that. So, I'll be checking that out after this realization. Oh, and it looks like we lost Avesta but I think she's joining back in now. So just give us one air while we re re sync on the technology front. And as soon as Avesta kind of rejoins the call I I'd really like her to share some insight about the book that she's written. I think the topic itself is so empowering. And the pivots in terminology are really key to understanding and reframing how we consider difference whether it be physical, emotional, invisible, visible all of those things really are important to consider. And, you know, as somebody who has an invisible visible difference, and that complicated way to say is, as Avestas mentioned in this episode is most people don't initially view me as somebody with vision loss. And there's, there's always a hurdle or that kind of second where people have to calibrate in their mind that, Oh he can't see, or I forgot. He might not be able to read the menu at this restaurant whatever it may be. I've been on client lunches; I've taken out my phone and use it as a magnifying glass. And, you know, had to explain that. And it's just, I mean, not that it was an issue but there are these little tiny things that, you know always need to be considered. So, I think with that said, you know, Jason is there any advice that you could give our listeners our viewers in terms of advocating for themselves or any inspiration to kind of send people off with?

**Jacob:** Well, I think, and advocacy isn't necessarily actually going in and, you know, arguing in front of a formal tribunals, it could just be education. What we're doing right now is advocacy it's it's self-empowerment. So, I think what people can do is really educate themselves to what their rights are. And they can do that by watching this podcast go into the CNIB website, going to the arch website talking to people, and so kind of experimenting for themselves what accommodation they need. And then a lot of it's about the education. And I think we've actually got a real opportunity here right now. I think that the one positive thing that's happened over the last say six months with the pandemic is I think it's made the world in some ways less accessible in some ways more accessible. And I say this because working from home now is the norm. And I think it's going to be here to stay. I think that my office, you know, six months ago, we'd been there were litigators working from home was it was almost unheard of you can't do it. You gotta be in court every day. You have to be in the office. You need to be, you know and the things you have to be in the office for. That's true, but there's no things that you don't like. A lot of courts now are being run remotely through Zoom or through other platforms. I've set up my summer office on my balcony, in my condo. So, I mean, you know and there's actually been some stats that people were actually working longer days now working from home. Cause you're not commuting. You're not going out for lunch for, you know an hour and a half. You're not, and you're spending less money every day cause you're not blowing money on $20 lunches. So, in some ways it's become more accommodating that someone doesn't have to worry about getting to an office or getting home or getting on transportation or much of what's happening is being done electronically chronically on formats that are more or less accessible by zoom. So, I think that the pandemic has actually created a new opportunity although it's, there's some challenges with it, of course in terms of getting around and social distancing there are some advantages in that working from home I think is now the norm and working from the office will be the exception. So, I think that creates more opportunity for people with disabilities that perhaps would have had challenges getting in getting around to an office or commuting or accessing transportation can work from home on, you know more or less accessible platforms like zoom which I find for the most part, very accessible. So, there's, there's opportunities there too.

**Jacob:** Yeah. I, I think it's it. Yeah, it's really well said. And I, it feels like everybody is trying to accommodate in one way shape or form these days, whether it's accommodating a meeting, you know, because they have to drop their, or, you know, watch their kids from X, Y and Z time. But it really, I think is paving the way to a change in terms of, you know, getting people what they need to succeed, whether it's with any type of difference so, to say or not. And I think it's a really exciting time for, to advocate for change, to be able to, to really understand what we need as individuals generally speaking, to succeed and live a life that has meaning that gives us joy and purpose in our day-to-day lives. Jason, I really wanted to thank you so much for the time to speak with me this morning and to be part of this series the information and motivation that you've given myself and I'm sure other people to advocate and to succeed and to make it a priority. So, to get what you need to be, to be successful. And it really goes a long way. So, thank you so much for joining. I'll be sure to add the, the arc information in the description or comments or wherever it may live in perpetuity on the internet so that people can access that information. I know I'll be sure to check it out after this call and guys, if you need, you know, have any questions, comments anything about this episode or human rights you can always reach out to the CNIB as they would be more than happy to help point you in the direction you need. Okay. So, we're actually back on a different day we had some technical difficulties getting Avesta joined for the rest of the conversation. So please ignore any continuity issues but I'm back here and to kind of segue back into the conversation that we were talking about terminology and how that makes such a big difference in Avesta you've written a book called Diffability. And I think that's such an interesting choice of words there. So would you mind sharing with our listeners and viewers a little bit about the book what drew you to it, and I'm really interested in how you kind of coined that term if you will.

**Avesta:** Yeah, for sure. So, the book sort of began when I was inspired by sort of going into the roots of the ideology behind disability cause at least from my experience in life it always felt that people always took it as a given that you lost some sort of ability or some sort of innate part of that you should have had. And so, it was more about, okay so how can we sort of accommodate and start a discussion about like compensating for that part or accommodating that part that you didn't, that you've lost. And so, I found that a very interesting discrepancy because I didn't hear that much discussion about where that original idea that we have lost or we don't have something that is quote unquote normal or that we should have had sort of became. And that's when drew my first degree I studied a lot of philosophy and there was a lot of philosophers who sort of talked about different relations between whether it was gender studies or race studies between the differences that we feel towards one another. And so, they kind of inspired me to think about disability a different way to, like where did this idea come from and how accurate is it? And I feel that it's for a lot of the prejudice or stigma or hard times that somebody who identifies as having a disability faces usually comes from this idea that we've lost something or we can't do something. And that becomes internalized by the community and then becomes then internalized by the and so, it makes it a really hard upward battle to try to build yourself back up to that point of confidence. So, Diffability, the book is about trying to reformulate that ideology and trying to bring back a different perspective as to what identifies us and what ability really means because it's not that we can't do something. And so, we do it differently and sort of bringing back appreciation for diversity both to the community and to the individual. And I think that my personal opinion that once you start sort of chipping away at that traditional ideology and bring an different way of thinking about it, it helps alleviate a lot of the structural and social stress for people who identify as being disabled, if you will, and sort of helps them bring out their potential a little bit easier.

**Jacob:** I really love that. And I think it's something that, I mean you've really nailed it in terms of, you know, differentiating, you know disability as something to regain to give back to, you know, a status quo, if you will. And I mean, a term that I use here very intentionally a lot to describe individuals is not, you know people with disabilities, but with visible and invisible difference. So, I mean, that was something that I really, you know even when we were doing this a few weeks ago was excited to to hear kind of your description about this and, you know how did you kind of get the idea to write a book about this, you know, being a student of philosophy student and now an articulin law student where did this kind of concept of a book come from?

**Avesta:** I think a book hold a special place to me for a lot of different reasons. I think first of all, it's something that you can kind of see the beginning structural point of it and have like a final product of of sort of what your idea became. And it's a book is a very interesting platform because it's sort of a collection of words that first formulated in your mind and now it's on paper or ebook version if you will. But it's a very interesting way of communication. And it's almost makes you feel a little vulnerable that like people are kind of reading into these, you know ideas that you've worked and thought about for so long without like you be directly communicating. So that's a very interesting platform. And when I was younger, I was, I really loved books and I read a lot and I think it's a very, very very powerful way of collecting knowledge and ideas because it preserves so well and it distributes so well and you can come back to it and you can preserve it. And I think you can like expand on it too. So that's why I chose a book.

**Jacob:** Yeah, no, I, I really love it. And I think, you know tying to this whole topic of self-advocacy, what did what the unique way of advocating, not only for yourself but I presume others, I haven't read the book, but you know based on our conversations, I I'm, you know I guess I would be assuming that you did this also to inspire others, to advocate for themselves and to foster change within their communities. Would that be fair to say?

**Avesta:** Yeah. So very essential theme to the book that sort of ties in to self-advocacy or advocacy as a whole is this whole theme of Hey goals. Who's a very famous philosophers for a concept of the other. And so, what the other is is that we know we can only know ourselves by knowing each other and knowing each other's differences. And then based on each other's differences we know more about ourselves. So, for example, a woman wouldn't know she's a woman unless she saw a man cause then she would know that there's a difference. And then a man wouldn't or an old person wouldn't know they're old until they saw a young person. And so, it kind of brings back to the fact that self-advocacy is very important and it's not just for yourself but you're actually doing the community a service too because the more diversity and inclusion you have in a community in a society and institution or wherever or whatever a collective you have, the more, the more self-appreciation it spreads not just for the person that's advocating for the people that are around you, more enlightenment. So, I think that's a really important thing to remember.

**Jacob:** Yeah, no, I think that's so, so well said and I see your philosophy coming out right there. I love the, the quotation and the citation. So Avesta, do you have any kind of thoughts or comments that you'd like to leave our listeners and viewers with any kind of words of wisdom, inspiration or anything that other people can do to help inspire and foster change within the community?

**Avesta:** Well, I think it's important to first of all, know yourself do you wanna free to be yourself? And don't afraid to speak up for yourself, know your rights know your responsibilities, and try to build those relationships. And don't, don't sway away from fostering relationships or going after your goals, because you feel that there may be challenges along the way. Don't count your cell phone. Don't let people count you for, for reasons that can be accommodated and should be accommodated. I would say when possible, take the collaborative approach. But if, if that doesn't work, then it's always important to, to know your rights and bring them to the table because you're not just, you're going to be doing it for yourself, but you're also influencing and inspiring those around you. So never be afraid to do that

**Jacob:** Well said. And if any of our listeners or viewers want to get a copy of your book, where can they do that?

**Avesta:** So, there's a print version and an ebook version and you can find them on Amazon or Google play or Kindle or notebook or the recent press publishing website or iTunes or just some of the places.

**Jacob:** That sounds like a major, all the major kind of platforms. I'll put some links in the description or have access to them. So, if you are interested in reading and picking up a copy of Avesta's book, which I highly recommend please check that out in the links below.

**Avesta:** Thank you.

**Jacob:** Thank you so much guys, till next time. We'll see you then.

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