

Friends who once enjoyed perfect health may now find themselves facing new and frustrating

People with Disabilities in the Dog Show Ring

(Part 1 of a 3 part article intended for CKC Dog Judges)

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"Cap in hand" ... waiting with hand outstretched for the charity of strangers. A shilling to help make it through the day....

The Victorian notion of someone begging for the assistance of others brings to mind concepts such as pity, helplessness and rejection. These words do not convey a positive image. Instead, they foster stereotypical thoughts that people with disabilities are not productive or valuable members of society. Instead, they are a burden, "abnormal" and should be ignored or shunned. It was not that long ago that society treated its people with disabilities in this manner. Some would argue this negative treatment continues today. Research and countless human rights cases provide evidence that people with disabilities are not treated equitably or regarded in a positive light by society.

People with disabilities want to be seen as individuals; not as stereotypes to be cast aside, subjected to sympathy or regarded as heroic for going about their day to day lives. Advocates for people with disabilities discourage the use of the term "handicapped". Instead, they encourage society to refer to "a person with a disability" to convey a sense of dignity; and to recognize that a person with a disability is just as important to our diverse human family as a mainstream individual. After all, who decides what is "normal"??

There are many kinds of disabilities that affect people. The most stereotypical visual image of a person with a disability is the person sitting in the wheelchair. We see this image in parking lots every day. A physical impairment of this nature is known as a "visible disability". A visible disability is easy to recognize. You can see that the person uses a physical aid to function.

Other types of disabilities are less obvious; they are known as "invisible" disabilities. Invisible disabilities include a broad range of medical conditions such as: dyslexia (a learning disorder that causes people to mix up words or numbers). There are twice as many identified dyslexics in English speaking cultures as in countries with less complex languages.; fibromyalgia (pain and weakness of the muscles); depression; or alcoholism (addiction). These are but a few examples of conditions that the medical community recognize as legitimate disabling conditions. The list of invisible disabilities is expanding daily as medical and scientific knowledge increase. Visible and invisible disabilities may be temporary or permanent in nature.

The number of people affected by disabilities is increasing as our population ages. The next time you are at a dog show, look around the building. The ever increasing maturity of our dog show friends is typical of North America's aging population medical challenges. The unique aspect of disability is that it limits itself to no person or group. Any person can be subject to a disability at any time.

In Canada, it is estimated that one out of every six people will acquire a permanent disability within their lifetime. In the US, the estimate is one in five. These challenges may impair a person's capacity to work or to enjoy the same lifestyle. They may also impair their ability to exhibit their dog, or for that matter, judge dogs.

In addition to adjusting to a new lifestyle or reduced physical capacity, a person with a disability must also adjust to a socio-economic system that continues to harbour and foster stereotypes. Employers, friends and family may not understand or accept a person's limitations, particularly if the disability is of an "invisible" nature. Instead of acceptance and understanding, there may be resentment, ridicule or exclusion because a person is perceived as "weak", "not pulling their weight" or "needing special treatment". There is evidence to suggest that prejudice against a person with a disability increases based on the nature and severity of the disability; particularly if the disability is "visible".

Negative reactions and assumptions based on stereotypes can result in harsh economic and social consequences for a person with a disability. For example, an employer might assume you can no longer do your job; or you might find yourself unable to access a place that others frequent because of physical obstacles. All people, regardless of race, sex and physical ability, have value to society and must not be subject to "discrimination". The Supreme Court of Canada established that a balance must be achieved between preserving the rights of people with disabilities to be treated fairly, with dignity and respect; and preserving the ability of employers and public institutions to function without undue financial hardship.

The delicate balance articulated by the Supreme Court of Canada is now a well established part of human rights law across Canada. This legal principle finds its foundation in the equality provisions of section 15, of the *Canadian Charter of Rights & Freedoms*. It is reinforced by human rights legislation in each province and at the federal level.

The legal principle of finding an acceptable balance between the rights of people with disabilities and economic impact is unique to Canada. This legal principle has made Canada a world leader in the struggle for human rights in the workplace. It also differs significantly from the legal approach used in the USA and Great Britain.

How do disabilities and human rights law affect you, in your "workplace" (the conformation ring), when officiating at a CKC dog show? This article examines this question from perspectives: 1) a judge's obligation to treat all exhibitors equitably while accommodating the needs of an exhibitor with a disability; and 2) a judge's ability to contract and perform competently if personally affected by a visible or invisible disability. These perspectives will be discussed in parts 2 and 3 of this article.

While awaiting Part 2 of this article, each individual is encouraged to demonstrate leadership, inclusiveness and respect for people with disabilities by using appropriate terminology at work, at home (especially in front of children who model themselves after adults), and at community events such as dog shows. Table 1 provides examples of acceptable terms that acknowledge the individual with respect. Note the emphasis on "the person". The unacceptable terms are considered demeaning and should no longer be part of one's vocabulary at dog shows or elsewhere.

Table 1
Acceptable and Unacceptable Terminology
When Describing the Needs of a Person with a Disability

Unacceptable	Acceptable
Aged, Elderly	Senior
Birth defect	Deformity
Confined to a wheelchair	Person who uses a wheelchair
Cripple	Person with a disability
Deaf	Person who is deaf
Fit; attack; spell	Seizure
Handicap	Person with a disability
Insane, mentally ill	Person with a mental health disability
Psycho, psychotic	Person who has depression
Invalid	Person who has a disability
Idiot	Person who is intellectually impaired
Mentally retarded	Person with an intellectual disability
Mongoloid	Person with Down's Syndrome
Physically challenged	Person with a disability

In addition to a social obligation to change vocabulary and use appropriate language, there may also be a legal obligation to do so. Depending on the severity, frequency and impact of negative remarks on a person with a disability, an employer's (or for that matter a dog club's) failure to intervene could be regarded by a human rights tribunal as allowing or condoning the perpetuation of a discriminatory atmosphere. Damages for loss of dignity could be awarded against the offending Club or judge, or both, in that instance.

Paul Recer, "Dyslexia Difficult for English Speaking People to Overcome," The Associated Press, Washington, as published in the Globe & Mail, February 15, 2001 and based on Recer & Frith study. According to Recer, quoting Chris Frith, University College London, co-author of the study, between five to fifteen percent of Americans have some degree of dyslexia.

Multicultural Aspects of Disabilities: A Guide to Understanding and Assisting Minorities in the Rehabilitation Process, Bryan, 1999 Wil- lie V. Charles C. Thomas Publisher Ltd. at 8

Lawyers with Disabilities: Identifying Barriers to Equality, The 1999/2000 Disability Research Working Group, The Law Society of British Columbia at 4 citing the Office for Disability Issues 2000.

Multicultural Aspects of Disabilities at 31

Disability, Discrimination and Equal Opportunities: A Comparative Study of the Employment Rights of Disabled persons, Doyle, Brian, 1995, Mansell at 20

As defined by the Supreme Court of Canada, in *Andrews v Law Society of British Columbia* [1989] 1 S.C.R. 143 at 162: "a distinction, whether intentional or not but based on grounds relating to personal characteristics of the individual or group, which has the effect of imposing burdens, obligations, or disadvantages on such individual or group not imposed upon others, or which withholds or limits access to opportunities, benefits and advantages available to other members of society."

Central Alberta Dairy Pool v Alberta (Human Rights Commission) [1990] 2 S.C.R. 489; (1990) 111 A.R.241; 72 D.L.R. (4th) 417; [1990] 6 W.W.R. 193; 76 Alta. L.R. (2nd)*The Accessible Canadian Library* at 17 citing *A Way with Words: Guidelines and Appropriate Terminology for the Portrayal of Persons with Disabilities*, Human Resources Development Canada [Ottawa]: Supply and Services Canada, 1991. (Fold-out Insert)