

# AT Banter Podcast Episode 357 - Kari Brown-John

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## SUMMARY KEYWORDS

wheelchair, accessibility, ferry, ferries, canada, sue, years, bc ferries, air, waited, feel, seat, chair, flew, disability, plane, email, transport canada, litigious, airport

## SPEAKERS

Kari Brown-John, Lis Malone, Rob Mineault, Ryan Fleury

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 Rob Mineault 00:23

Hey and welcome to another episode of AT Banter. That was a long pause.

 Ryan Fleury 00:33

I whiffed on the cowbell. So I took a second swing.

 Rob Mineault 00:37

I like when you're honest. Hey, this is of course the podcast where we talk with advocates and members of the disability community to educate and inspire better conversation about disability. Hey, my name is Rob Mineault. And joining me today Mr. Whiff himself, Ryan Fleury.

 Ryan Fleury 00:58

Yes, that is I, mister Whiff.

 Rob Mineault 01:02

And also joining us Miss Lis Malone.

 Lis Malone 01:07

I always make it on the first swing. Just saying.

R Rob Mineault 01:15

I like you owned up to it. A lot of people would have been like, no, it's just pausing for dramatic effect or something. But you admit it. You're admit your mistakes, and I can respect that.

R Ryan Fleury 01:25

Thank you. I appreciate that.

R Rob Mineault 01:27

And how is everybody?

R Ryan Fleury 01:32

Go ahead Lis.

L Lis Malone 01:36

Fine, thank you.

R Rob Mineault 01:40

No wonder these shows are an hour.

R Ryan Fleury 01:40

All that for just fine? Yeah, no kidding. I'm getting over a cold. And I just had my COVID booster and flu shot two days earlier and then got sick.

R Rob Mineault 01:58

Like sick in terms of like part of the side effect of the booster? Or did you actually catch something?

R Ryan Fleury 02:04

I think I caught something. You know, we're teaching our neighbor's kid how to play guitar as well. And he's seven years old. So I'm sure I probably caught something from whatever he brought home from school.

R Rob Mineault 02:15

Guaranteed. Don't hang around with children. What are you thinking?

R Ryan Fleury 02:22

I know. So that's almost gone. Now. It's just a tickle in the throat.

R Rob Mineault 02:26

You got off light

L Lis Malone 02:31

Is it COVID?

R Ryan Fleury 02:33

We did multiple tests. It's not there was no aches, no pains, no fevers, no chills, just coughing one day.

R Rob Mineault 02:43

You can't hang run with a seven year old and not expect to get sick.

R Ryan Fleury 02:47

Yeah we do lessons twice a week.

R Rob Mineault 02:58

Twice a week?? Your better wipe him down with like a thousand handi wipes.

L Lis Malone 03:07

Get one of those like hazmat rooms where they hose you down And then they scrub you. Contamination protocol. Yeah.

R Ryan Fleury 03:25

Wow. There you go. Totally. Not a bad idea.

R

Rob Mineault 03:30

Well, there you go. Well, good. Well, good. Well, it's nice to have everybody here. Steve. A Steve Barkley. Of course not joining us for this show. But I'm sure he'll be here next week. I think he's still probably recovering from he went moose hunting, I believe over the last couple of weeks. So have you heard anything Ryan? Did you happen to hear, did he catch a moose?

R

Ryan Fleury 03:53

No. No moose, no deer.

R

Rob Mineault 03:59

Wow. Well.

R

Ryan Fleury 04:03

Skunked again this year.

R

Rob Mineault 04:05

He whiffed it. That's the new word for the day. All right. Well, Ryan. Yes, Rob? Why don't you tell the fine folks at home and just what the heck we are doing today.

R

Ryan Fleury 04:20

Today we are speaking with Kari Brown-John, who recently tried to board our new ferry service out here in British Columbia, and was denied service on said ferry service. So I wanted to get her on the show that kind of tell us a little bit about herself and share that story with our audience. Kari, welcome to the show.

K

Kari Brown-John 04:43

Thanks, guys. So it's kind of a long, complicated story, but I am 43, raised in the interior of British Columbia. I'm been in Nanaimo for four years. I was diagnosed with MS in 2001 when I was 20. So I was super young. And, you know, normal 20 year old, played sports did all the 20 year old things. And I kind of had an aggressive like, disease progression. So I've been in wheelchair for about eight years long story short. Six, eight years, something like that. Husband, one daughter, pretty normal.

R Rob Mineault 05:32

Okay, so fast forward now to this summer. Tell us about what happened to you when you tried to book passage on Hullo Ferries? Tell us a little bit about about what that experience was and what exactly happened when you when you tried to purchase a ticket to ride.

K Kari Brown-John 05:58

It was like a big hype. Apparently there's been a couple attempts at doing a ferry like a Downtown Vancouver to Downtown Nanaimo ferry like this in the past and have failed. Like I said, we're new to Nanaimo. So we were super excited. Our daughter is a nursing students nursing student at BCIT. So it would be super convenient for me to just hop on the ferry to ride over there, spend the day with her downtown shopping, whatever, and then hop on the ferry come home. So I was doing a little bit of, you know, daily social media scrolling. And an ad came up for Hullo Ferry. And I looked at the comments. And someone said, oh, yeah, it would be super great, but they won't allow electric wheelchairs on board. And I was like, yeah, as if. Like, that's not a thing. So I like went on their website and tried to navigate booking a wheelchair seat or whatever. And yeah, electric wheelchairs not allowed. So I sent them a Facebook message first and I just to clarify, and they they said, yeah, sorry. Because of our licensing, we can't allow electric wheelchairs on board. So that kind of put a stop to that. And then I emailed them because I thought, you know, like it's 2023. Everybody gets to ride on whatever kind of mode of transportation they want. Doesn't matter their disability, right? So I emailed them and they came back with you know, confirmation again, that because of their transportation, Transport Canada license, because they were a high speed craft, blah, blah, blah they couldn't take electric wheelchairs. So I kind of just left it at that. Then I contacted the media a couple of weeks later, I contacted CHEK News. And I was just like, hang on a second, like people need to know what's happening here, you know. So I contacted CHEK News. And they contacted CHEK News. And in the meantime, contacted Transport Canada, just for some clarification and I asked Hullo for a copy of their policy and they they wouldn't send me a copy of their policy. So like, I don't know, two weeks later, I got an email from Transport Canada, saying that they contacted Hullo Ferries and that Hullo Ferries was like revisiting their accessibility policies. And then the like, same day or the day later, two days later, something that I got another email saying that from Hullo saying that saying that they they were looking at amending their policy for accessibility. I got another email saying oh, actually it was an internal decision made by Hullo Ferries and Vancouver Island Ferry Company. It was an internal decision to not allow electric bikes, scooters, mobility scooters or wheelchairs on board. So it was like, a little bit of a gong show, it seemed like the right hand didn't know what the left hand was doing, you know?

R Rob Mineault 06:15

Well, what shocks me is probably the most out of that is that I didn't realize that they had it read on their website that they wouldn't accept power wheelchairs, because that's a blatant discrimination. You can't do that, like, that's amazing that they didn't - well, first of all, it's amazing that they felt that they could do that. And then it's amazing that they didn't get called out on that before. Like, that's, that's stunning to me.

K Kari Brown-John 10:10

So now, we've been gone for two weeks, and recovering from awful jetlag for 10 days, but um, I followed up with them, and they haven't responded to me. So I've looked on their website just today, actually, and I can't find anything that says anything about an electric wheelchair. So I'm not sure if they've amended their policies. I don't know. I'm, I'm hoping that they respond to me. But yeah, like it says, we welcome your wheelchair on board, you have to transfer to fixed seat, like an airplane, right? They use the high speed craft thing a lot. But I had told them in one of my emails, but like, I ride on airplanes all the time, and they go fast. They reference the batteries that how unsafe batteries for, which is a total crock. Yeah,

R Ryan Fleury 11:57

They would have to have some sort of fire suppression system anyway, to even get licensed.

K Kari Brown-John 12:02

And you're on a friggin boat. If the batteries catch on fire, throw them overboard. You know what I mean? Like, on an airplane. The chair I use for travel as lithium batteries. But I mean, I was just in an airplane for 10 hours with my lithium batteries. And that wasn't a big deal, you know? Yeah. So I don't know, I just don't know if the you know, if their safety policies and procedures aren't clear, or if they're not written properly. I don't know what's going on over there.

R Rob Mineault 12:42

I mean, it sounds like you know, granted, they're a new service. It's a new company. They're just starting up. And it sounds like they just didn't want to deal with that problem and just said, you know, what, we'll deal with it down the road. Or we'll, you know, we'll deal with it if somebody brings it up. But they just felt that they were safe and just saying yeah, no, no power wheelchairs, and the fact that they blamed Transport Canada initially, you know, that it was their policy that was preventing them from allowing them on the boat is very interesting. They wouldn't have a discriminatory policy like They're the last people that would be doing that.

K Kari Brown-John 13:22

Absolutely. And, you know, they threw Transport Canada under the bus with the whole high speed craft lingo. And they're saying that their license prohibited, you know, the use of electric mobility aids and E bikes and whatever. And then they decided to tell me that, oh, nevermind, it wasn't Transport Canada, it was in an internal decision. And then when any media reached out to them, they were like, oh, it's the safety issue regarding the batteries.

R Ryan Fleury 13:27

Still, like you're allowed on BC Ferries, you're allowed in electric vehicles. You're allowed in all these other modes of transportation that are battery powered or not? What makes Hullo Ferries so special?

K Kari Brown-John 14:16

Not because they go fast. I'll tell you - I can go on a city bus. They go fast on the highway.

L Lis Malone 14:25

How fast is this ferry actually going because I you'd never put the word fast and ferry in the same sentence. No, I know. They feel like it's almost like walking across the body of water.

K Kari Brown-John 14:39

There are high speed or high speed walk on ferry. So there's no cars on it. And they do they have the ability to travel up to about 40 knots which is like around 80 kilometers an hour. They're excuses for not letting me on are kind of crap. And I just, I'm not a hater. And like people are saying you should make a human rights claim. And I'm like, no, like, I just want to, I want to ride on the damn thing. I don't want to shut them down. I think it's a fantastic business.

L Lis Malone 15:17

You could own them!

K Kari Brown-John 15:22

My husband makes the joke, my husband makes the joke that once this is all finally over, there's gonna be a big picture of my face with a red X through it. But, ya know, I just want to go to Vancouver for the day.

R Rob Mineault 15:41

Well, you know, the, the interesting thing is, like, none of these excuses fly. I mean, you know, honestly, you're, you're building out a ferry service and, you know, even even if they're licensed somehow says that, okay, like, if you go this fast, you're considering a high speed vehicle, and you need to meet these certain criteria, like, whatever -- you have to have a fixed seat, or whatever the rules are, that's great. But build it out, like you build out a wheelchair section on the ferry, where this is where any wheelchairs go, and whatever, they can secure them. However, they need to do it, but they need to figure that out before they launch the service. It's not acceptable to just launch the service and be like, well screw it, we'll just we'll, we'll figure all that other stuff downstream. It is aggravating.

K Kari Brown-John 16:31

Its super aggravating then you know they do have they do have designated wheelchair

It's super aggravating, then, you know, they do have, they do have designated wheelchair spots, so the wheelchair get stowed or or secured in one spot. And then the passenger has to move to a fixed seat, which is decided or in front of it, and then the, they have a companion seat beside the passenger. But you can't put your electric wheelchair their way.

R Rob Mineault 17:07

See, that's that's so that just figures you know, like they, they didn't even consider the fact that some people maybe use power wheelchairs.

K Kari Brown-John 17:14

People with my disability, like I'm fairly severely disabled, but my husband always travels with me and he can like, stand me up in the seat, it'll be like awful for an hour and 15 minutes, because I'll be uncomfortable. But I could do it. Some people that use power chairs are a lot more immobile than I am. You know what I mean? It would be unsafe to put them in another seat other than their chair. You know, they have rehab seating and special cushions and special belts and you know, whatever. They'd be a lot safer having their power chair secured to the whatever the floor or rails or whatever. And apparently, they told one of the media that that did an interview with me that they're looking at amending their policy to say that passengers can stay in their own chairs. So see it was so much easier for them just say no, sorry. Right? Because the logistics around allowing severely disabled people on board are pretty complex. Like, for example, an airplane, I'm going to travel with WestJet say, which I hate, but I'm going to draw from my first chat. They can't, if I'm by myself, and I can't transfer myself from that little aisle chair that they have to my seat, they have to provide a lift or, or a transfer belt or you know, whatever they have to transfer you. So I'm not sure if the Hullo Ferry would be, you know, subject to the same regulations, but I don't see why they wouldn't. So I mean, there's a lot involved. So maybe that had something to do with their decision. Easier to say no.

R Ryan Fleury 19:36

Well, that's part of being you know, I think a private entity as well. You know, kind of like BC Ferries. I don't know what BC Ferries policy is about people who, you know, need to be transferred. But I would assume they would have to have a lift as well. You know, nurses in hospitals are not allowed to be lifting patients. They're supposed to be using lifts as well.

K Kari Brown-John 19:56

I stay in my chair on BC Ferries and just drive around at will. Because you don't go fast. But I mean, it gets rough on BC Ferries. Yeah. You know, I've been on there where I'm a little a little nervous. But yeah, on BC Ferries totally different ballgame because they don't they don't require you to move. You have to, you can stay in your own chair. A little different. Yeah.

R Rob Mineault 20:25

And I mean, you know, this whole high speed issue. I mean, I'd imagine that yeah, it's similar to

an airplane. Like airplanes have -- well, I shouldn't say airplanes have figured it out because we'll get to that later -- but it's that same thing like they either have to, if they can't leave you in the chair, then yeah, they have you they have to have some sort of a mechanism and with competent people there that can transfer you into the into the fixed seat. So and you know, when all these yes, they're private companies, but they're all under the auspice, they're all federally regulated. So that means that they all do fall under the Accessible Canada Act, which again, we'll talk a little bit more about. But I mean, I feel like this is why this is why it's really frustrating. And this is part of the reason why we wanted to have you on the show, because I think that it, it's important to call companies out on this when this happens. This is the only way we're going to we're going to make progress because literally obviously, as it's 2023 and they're still a company that feels safe launching a service that's federally regulated and just to say, you know what, we're just not gonna allow power wheelchairs. Like, that's the the arrogance of that is, is just stunning to me. And I think that it's just that for many years, they've just been able to get away with it. Even your story, as shocking as it is, we wouldn't be talking to you right now. If CHEK News hadn't picked up your story and ran. And we've been hearing, we've been lucky enough that they've also picked up on a lot of stuff about Air Canada recently, you know, there's been three or four stories in the past month that have been pretty shocking.

K

Kari Brown-John 22:11

There have been and you know, I, my husband, and I travel a lot and we spend a lot of time at mistakes and if at least probably will agree if something like this happened in the US. It would just be a shitstorm. The US, their policies on accessibility are far above ours. I think Canada's got a long ways to go.

L

Lis Malone 22:46

Then you know what, you're right, there would be a lot of dirt and dust and all kinds of other disgusting matter tossed up in the air. Oh, yeah. Look at me trying to like not say shit, but thanks.

K

Kari Brown-John 23:06

But it wouldn't be like there would be lawsuits flying around.

L

Lis Malone 23:10

We love to sue. Yeah. I think our founding fathers ingrained in us that we should just sue. But the biggest issue, though, is that, even with the ADA, and some of the offshoots of it, and all of the opportunities for us to cause such a stink, the the issue is always that it'll get kicked up for a moment, and then it's dead. And then no one cares about it anymore. And so it's it's, so we definitely still have that level of frustration that people care and then they just don't care. And they're on to the next thing they care because they say, oh my God, that's horrible. And then they go back to their lives and, and it's, oh, well, if I'm not in a power wheelchair, that really

doesn't affect me. And you know, but I feel so bad and okay, and on to you know, my shopping for my new purse. That's what that's what stinks, because that's sort of that universal lack of empathy.

R

Rob Mineault 24:13

Well, you know, we've even talked on the show before where we've, you know, we we've kind of like been like, oh, man, the US they're so litigious, you know, everybody's suing everybody. I don't know if that's a great way to go. But, you know, the flip side is that the struggle that we're having here is that yes, we have the ACA and sure, granted, it's five years old, it's still young. But anything that, you know, on the federal level, any government organization, they needed to have accessibility plans in place a year after the Act came into effect. So that was 2020. And that goes for private organizations that are federally regulated like the ferries like airlines, all of that they needed to have like new accessibility plans a year after and then two years after that they needed to have revised plans. So for example, Hullo Ferries, they needed to have a complete Accessibility Plan, you know, planned out before they even launched their service. And clearly they didn't. So, you know, we have all these regulations in place, but without any sort of an enforcement mechanism. They're useless, like nobody's paying attention to them.

L

Lis Malone 25:23

But the enforcement mechanism is the ability to sue because and the reason why yes, United States we're very litigious, but when you have a law, and it's not being enforced, and let's say, you know, you get your, your, your, all of your accessibility laws put into place in Canada, and someone's not not following it, what do you do to remedy it, you have to sue them. So it's, it's so it's sort of ingrained in any kind of system that if you're going to have rules, there has to be an enforcement and, and the courts are really the only way to go people only care when it hits them in the purse. And that's, that's right. You have to do it. Unfortunately.

R

Rob Mineault 26:06

You're, you're so right.

K

Kari Brown-John 26:08

I feel like they have an accessibility policy in place because they have wheelchair seating. They have accessible bathrooms. They have you know, the the gangways don't have stairs. They're all just they're long ramp. But they just kind of left out the the electric mobility aid part and I feel like that's why it got approved. It got approved. It just slid through the crack. I think.

R

Rob Mineault 26:40

You're probably very right. Although that's a really big crack.

L

Lis Malone 26:49

Cosmetic accessibility.

R

Rob Mineault 26:51

Exactly. It's just like, oh, yeah, we'll throw in it. We'll throw in some ramps, and you know, we're throwing a couple spots for for wheelchairs, we're good. Like, they really didn't sit down and really think it through. You know, that's the whole point of the Accessible Canada Act and coming up with accessibility plans is doing things like well, consulting the community that you're going to be serving and find out what they what they need. And, you know, if you're if you're a high speed craft, and you know, you require fixed seating, then you need some sort of a solution for that. Like not thinking that some people might have power wheelchairs with batteries before they launched the damn service. I don't know. That's, that's, that's pretty thin. Crazy.

K

Kari Brown-John 27:31

Yeah. Like, I mean, there's a lot of power chairs.

R

Rob Mineault 27:35

Yeah, no, absolutely. And, you know, you know, we are, I feel like right now we're in a bit of a, we're in a bit of a news cycle where, and let's be honest, I'm very grateful for the media for running with stories like this, but they also - when they smell blood in the water, you know, they they go into a bit of a feeding frenzy. And I think that that's why we saw, you know, four or five stories recently about accessibility issues on Air Canada.

R

Ryan Fleury 28:04

Well, they've been pretty extreme, though, too. You know, you've got an airline passenger through the attendance won't help him. So he's in his seat crawling to the door of the plane, right, like dragging himself off the plane because they refuse to refuse to assist him. Like the as click baity as that headline might be. That has to grab people's attention, right.

K

Kari Brown-John 28:27

But you know, what, as a as a wheelchair user who flies a lot and Air Canada is my Canadian airline of choice. If that would have happened to me, I would have just sat there. I would have refused. I would have refused to any through that third party. They threw the third party wheelchair company right under the bus. You know, I've waited when we just learned we just learned on British Airways. And it was like the, the wheelchair guy had to come from New Westminster to get me off the plane. I waited we landed at 8pm. I didn't get off the plane till

8:30. But Not once. Not once, did anyone say oh, can you walk? Is it possible for you to get to the front? Like, that flight attendant who told him that should have been fired. Yeah, that's right. Not okay.

 Rob Mineault 29:34

Yeah, that's right. You know, and then of course, the story before that. That particular story, of course, was they were unlucky enough to forget Stephanie Cadieux's wheelchair, who the Chief Accessibility Officer. Yes, they've made some pretty huge, high profile mistakes. But what concerns me is the fact that when they do screw up big enough to, to get into the media. But it's all of those stories that never make it that far. You know, that is really concerning. And the fact that really, at the end of the day, unless there is a really, really a lot of media attention, or they start to get some heat, they're not going to do anything about it.

 Kari Brown-John 30:24

But like Stephanie's wheelchair was probably the most important wheelchair in Canada. I mean, you forgot my wheelchair in Toronto, how does that even happen?

 Rob Mineault 30:47

And so I pulled some data. And this is I think this is really telling too. So this is from, you know, the This is data from the Canadian Transportation Agency. And there have been 1100 passengers over the last five years that have submitted accessibility complaints. 224 of those in just this past year, I don't know do the math like that's like, that's a couple every week. And those are the ones that those are the actual people who had issues and then went through the whole complaint process, right. So you got to imagine that there's probably double that of an actual events, because not everybody is going to submit a complaint. Some people just deal with it. And they go on, because they just did whatever they want to go on their vacation where they want to get from point A to point B, they just deal with it and move on. That that's stunning to me.

 Lis Malone 31:47

Double is being conservative. Yeah, probably,

 Kari Brown-John 31:50

I think so.

 Rob Mineault 31:52

So you know, obviously, even within, you know, just transportation, we have some real problems.

K

Kari Brown-John 32:00

We do. You know, my husband and I were just overseas and we've never been to anywhere in Europe. But the airlines, we flew with Lufthansa on the way there and British Airways on the way back. Granted, it was business class. I don't know if that matters. But you have like I called them my keeper. So we landed in Frankfurt. And there's just this little German lady waiting to take me to my next gate or to the lounge or to the bathroom or to the wherever. And I'm in my own wheelchair and my husband's beside me. And she just checks, goes with you. And we were there for our we missed our connection. So we were in Frankfurt for seven hours. And she knew where we were at all times. So I was like, Oh, that's weird. The Germans are really strict. Maybe it's Germany, get to we flew into Venice. As soon as we landed in Venice, there's a little Italian guy waiting to take me to get our bags and like do the whole thing. And the same on the way back with British Airways, like the guy in Greece, when we left Athens, he that's all he did was help wheelchair passengers. They have like, the airlines employee, they have this whole accessibility team that make sure their disabled passengers are taken care of. My husband and I are both just like, wow, we have some work to do. Yeah, it was just crazy.

L

Lis Malone 33:47

Because, I mean, most airlines, we we refer to that as special assistance. And I'm a pretty frequent traveler. And so if you if you guys don't have that in Canada, that seems very odd because I get it. Almost every airport that I've ever gone to including international.

R

Ryan Fleury 34:07

We can get it if at the time we're booking, we actually make a note that we require assistance. If we just if we just book our tickets and board our plane as any other passenger, they're not going to have a clue that I have a disability.

L

Lis Malone 34:23

Yeah, but once you register, you're in the system, and you will have somebody that will help you to the gate there will be if you change planes or if you're getting if it's your final stop, there will be somebody waiting for you. And you can decide, you know, do you need a wheelchair? Do you just want a sighted guide, whatever your need is. Yeah, so I mean it's it's one extra step but I think it's so worth it. Like just what you're saying is exactly what what they do. And I think a lot of people don't even know that it exists. That

K

Kari Brown-John 35:00

This is something in Canada, you know, whenever I booked our flights or whatever, you know, I always select the accessibility option that I need. And then I phone Air Canada has a special line that you phone, they pre select your seats for you, you know, they, they do all that, but you don't have like, maybe if, you know, maybe if I was visually impaired and I was traveling by

myself, it would be different. But I think because I have my own wheelchair, I don't need their wheelchair. I don't need someone to push me. I'm you know, pretty self contained unit. So they just kind of let me let me go on my way. The States is little bit better like Alaska Airlines in Seattle, I had had a little bit of an issue with getting off the plane. Same thing as the Air Canada, they didn't have anybody to take me off. And I waited and I waited and I waited. And this guy, this great big guy that worked for Alaska Airlines. My daughter and I were actually on the plane. He comes and says, I'm just gonna pick you up. And I said, Pardon me. If that's okay with you. If that's okay with you, I'm just gonna pick you up and carry you to the gate because your chair has been delivered to the baggage claim. And we don't have we don't have the people to get you get you off the plane. And I was like, Oh, okay. So he like firemans, me and carried me off the plane. And I was like, hey, I'm pretty sure he broke some rules.

R Ryan Fleury 36:38

Well, insurance? Absolutely. Totally.

K Kari Brown-John 36:41

And my husband is in insurance. So he was like, I don't think that's good. But they didn't have he they didn't make me crawl on the floor of the airplane. Yeah. You know, so which would have been the better option? I'm not sure. But yeah, so I have an I have had, we flew through Houston one time. My mom and I and we did have I think it was Delta. And we did have someone walk with us like, and we thought, why is this guy following us? You know, like, what does he want? That's his job.

L Lis Malone 37:16

And actually, in the United States anyway, it's not dictated by the airline, it's based on each airport is different. So most of them have no affiliation with the airline, they just do special services for the entire airport location. Some of the smaller airports, it'll actually be airline employees, but so it'll it'll definitely vary from city to city.

K Kari Brown-John 37:40

In Canada, like with WestJet whenever we fly WestJet. It's WestJet employees that take me from the gate to or from the door or the aircraft to my seat. It's always WestJet employees. So you never have an issue with getting on or off or waiting for crew or whatever, because it's the WestJet people that load you and unload you. I'm not sure how highly trained they are. Last time we flew with WestJet I ended up with like a navel orange size hole in the bottom of my pants because the transfer was a little rough. But at least I got into my seat. It's always a it's always a an adventure traveling with a disability. Right? There's never it's never perfectly smooth sailing.

R Rob Mineault 38:33

Well, that's really interesting because now that has sort of thinking about it I mean that would

Well, that's really interesting, because now that I'm sort of thinking about it, I mean, that would make the most sense if if accessibility services all sort of were taken care of by the airport. Like I get it like there's there's a whole handoff, right? Like you'd have to still have to be like, okay, well, you know, Air Canada is responsible for accessibility services, up to you know, the door of the plane. You're getting people on and off the plane that falls under the airline. And then the airport accessibility services would take over. I mean, that would make the most sense, but I guess, like, what confuses me is like, you know, the, in the story of the guy, the fella that would you know, him and his wife were went to Las Vegas, and he had to crawl off the plane. And then Air Canada was like, Well, that was because, you know, the third party that we contract, the third party accessibility services that we contract out, you know, in the States, they dropped the ball. I'm just like, Well, why? Like, why do you have a third party accessibility service provider? Why wouldn't it be the airport? It just it? I don't know. It maybe it's too complicated. I don't know.

K

Kari Brown-John 39:43

Toronto is like that too. Toronto has a third party at Pearson. They have a third party company that handles with all their wheelchairs and transfers and everything and I haven't been to Toronto since I was was 2010. So I was so walking like that. Well, so I needed a wheelchair just in the airport because it's so big. And I remember it just being a gong show, like we waited an hour for my chair to get delivered and like, they had to push me, but they didn't have time. Like it was just a gong show.

R

Rob Mineault 40:18

No

K

Kari Brown-John 40:18

And third party thing. You know, it really has pros and cons. But I guess so would it be the responsibility of the airline?

R

Rob Mineault 40:28

I mean, sure, I guess so. But I mean, we need to figure this out. Because, obviously, you know, these are huge problems. And, you know, I agree with Lis now. I mean, I think there was a time that I necessarily wouldn't have been just like, yeah, just everybody should have just sue. But you know, what, at some point, you know, maybe that's true. Maybe that's the way you gotta hit them in the pocketbooks and they have to be afraid of damaging their bottom line. Because going back to Hullo Ferries, I'm sure that they were just like, You know what, screw it, we'll just say we don't allow it. And who cares? There's no, there's no repercussions for us. And we can always, you know, ask for forgiveness later, or whatever that was, that must have been their attitude. It's like, we don't want to spend the money now figuring this out. We want to launch. So, you know, we'll just go ahead. And we have to get it out of these organizations that that's okay to do. Because it just isn't.

K

Kari Brown-John 41:22

And I'm sure you're right. I'm sure they were behind schedule anyways. You know, there was probably they were probably grossly over budget, like everybody else that starts in the transportation business, or any business for that matter. They, you know, they just want it to get rolling. Yeah. So they just left that part out.

R

Rob Mineault 41:44

Well, and that's and that's the thing, like, you know, it's, again, going back I'm sorry, I keep harping on the the Accessible Canada Act, but really, like, we need to start harping on this, because it's been five years. But you know, the idea is like, oh, we can have an accessible Canada by 2040. It's like, No, we're not, are you kidding me? Transportation is one of the the fundamental, most important things. I mean, how many people with disabilities want to fly or take a ferry or take a bus every single day, like, you know, the numbers are staggering. And so it's one of the most important things that we should have locked down, especially after five years. So it's really frustrating to me that, you know, we still seem to be in this, this, you know, really slow going limbo.

K

Kari Brown-John 42:32

It's kind of brutal, and on totally on a different aspect of it is in the States, the ADA regulates, you know, like accessible hotel rooms, you know, accessible hotel room in the States, it's the real deal. Like, you can do wheelchair square dancing in the bathroom sometimes. But in Canada, you know, they put a they put a bar behind the toilet, and they call it an accessible bathroom.

R

Rob Mineault 43:05

Oh my gosh, I didn't even think of that, too. Yeah, no, no at all. And you know what, I really, I really, really do believe this. It's with there's just one one thing that is slowing all of this down, and it's enforcement. If there were fines, if if you know, the people, the government could go to Air Canada and say like, okay, great. You said sorry, in the media, that's great. But this mistake is costing you \$200,000. And, and just keep letting them pile on every complaint that we get if we investigate it and you're at fault, boom, it's gonna be fine. Then, you know what, they would have all this shit figured out overnight.

K

Kari Brown-John 43:42

I agree. Instead of you know, trying to throw two grand at the passenger here. Sorry, sorry. You know, that's not okay.

R

Rob Mineault 43:51

I mean, Air Canada recently got called to Ottawa to talk about some of the these news stories

that came out. And you know, and they they did the whole oh, yeah, we're what we're gonna we're revamping our Accessibility Plan. And we're going to develop an app so people can track their wheelchairs and, you know, we're doing stuff. But you know, who's holding their feet to the fire? Like, is that really good enough?

K

Kari Brown-John 44:14

I know, I agree. Maybe we should all have maybe Stephanie should have had the little apple air tag or whatever it's called on her wheelchair. So she knew it was still sitting on the tarmac in Toronto when she was in the air. Yeah, exactly.

R

Rob Mineault 44:28

Although its really comes in handy knowing your wheelchair's in Guatemala while you're in Toronto. Lot of good that that information is going to be to you.

K

Kari Brown-John 44:39

Right. No good. Scratch that.

R

Rob Mineault 44:43

I think the really important thing about all of us, I think they really the only thing that people can do is to make sure that if they do come across something to complain. Tell people reach out to the media.

K

Kari Brown-John 44:58

I agree and I never have complained about I've never complained about anything my whole disabled life. And you know, it really, I want to believe that it matters. Yeah.

R

Rob Mineault 45:11

And it really does matter. These are fundamental rights that we're trying to build out. And when you get whatever, you get denied service for an Uber, if you're if you have a guide dog and you're visually impaired, or, you know, you get denied service on the ferry, like, these are all things that people need to complain about. And that's, you know, that's the other really frustrating thing I find. And actually, I'll ask you, Kari, because I'm curious. But how easy was it to complain? Because all of these places to under the Act are supposed to have some sort of a mechanism in place that is easy for people to report accessibility issues. What was what was that sort of process like for you?

K

Kari Brown-John 45:54



KARI BROWN-JOHN 45:34

They are not really set up to communicate with the public, they have, like, all the social media platforms set up. And it's like, message us on Facebook or comment on our posts. If you need to get in touch with us email support at hulloferries.com. They have no phone number, they have a Frequently Asked Questions section that like just tells you everything you already read in their website. The communication options with Hullo were really minimal. And like they did get back to me. It wasn't immediate, but they did get back to me. I feel like they're really trying to use social media as their main communication tools. I don't know how the media like because Global reached out to them and CHEK reached out to them. So I don't know if there's like a special media section to I don't know, for the media to ask questions. I don't know, I didn't see that. But they seem to get responses a lot faster than I did.



Rob Mineault 47:04

Yeah. So I'm pretty sure that probably doesn't cut it, you know, just having email. They probably want something a little bit more fleshed out. So



Ryan Fleury 47:14

At the same time, you know, it's getting harder and harder to get a hold of a person when you're trying to get through to some sort of call center. You know, you get so buried and buried and buried in levels. I recently was waiting for a package to come from FedEx. And there was a phone number and I called it and I couldn't hit zero for an agent. I said agent, it wouldn't put me through to anybody would to just disconnect my call. I had to use their AI Chatbot on their website. The the email communication was was conflicting with their website tracking was saying, like, you can't get a hold of anybody anymore.



Rob Mineault 47:53

And I think that that's what they kind of mean, in terms of like, it has to be a really clear line of communication with that, that's outside of just like regular customer service, because you're right, like these days, customer services blows and I pray every time that I don't have to call the bank or any sort of that organization because you just get stuck in this AI chat hell.



Kari Brown-John 48:18

It's all Yeah. I don't like ranting. I prefer raving.



Ryan Fleury 48:24

It's true, we can do that.



Kari Brown-John 48:28

But I mean, I feel like that's outside of just like regular customer service, because you're right, like these days, customer services blows and I pray every time that I don't have to call the bank or any sort of that organization because you just get stuck in this AI chat hell.

BUT I mean, I feel like this was just something that needed. I don't rant enough as a disabled power wheelchair user.

 Rob Mineault 48:35

I just, I feel like a lot of people are in that boat too. It does suck. It sucks to feel like you know, you're you are a complainer, but, you know..

 Ryan Fleury 48:46

I'll make it better for the next person who tries.

 Kari Brown-John 48:48

Exactly. I know. I have to, like people are saying you need to advocate. You need to advocate for disabled people more. And I'm just I don't, I don't I'm not really good at it. You know, MS erases your train of thought mid sentence. So I'm like, not a very good public speaker anymore. So I'm like, I don't know what to do. My daughter was surprised that when I showed up at Hullo Ferries for my news interview that I didn't I didn't have a sign protesting and I was just like, girl, I'm not protesting. I'm just going to go on the ferry.

 Rob Mineault 49:27

Yes, well, we've had that discussion, too, right. It's very important to advocate as somebody in the disability community, but at the same time, it's not always fair. Nobody wants to add have to advocate all the time. Sometimes you just want to, you know, have on have your vacation, or do whatever like you want to get from point A to point B, you don't want to have to like spend two hours trying to hunt down a contact email to actually make a complaint. So you know, and who knows, maybe a lot of people give up because two hours after the event, you know, you're not angry anymore and you're just like when I'm just taking up my evening trying to do this, you know what, screw it.

 Kari Brown-John 50:07

That's right. You just get over it and you just kind of move on because it's just the easiest thing to do. Right.

 Rob Mineault 50:14

Well, I'm glad that you didn't move on. I'm glad that you brought to the attention I'm really glad that CHEK TV picked it up because I think that it does it points out shines a spotlight on some some really big problems that I think we're having right now.

K Kari Brown-John 50:29

Take a page out of the US.

R Rob Mineault 50:33

Teach us to sue Lis.

K Kari Brown-John 50:34

I'll definitely let you guys know I have your email Ryan, I'll let you know if Hullo or when Hullo responds to me and yes, see what they say.

R Ryan Fleury 50:41

Well, let us know how your Mexico trip goes as well. If there's any barriers that you face their challenges that come up.

K Kari Brown-John 50:58

There's lots of areas in Mexico, we traveled, we traveled to Ixtapa yearly, and they're still in a bit of the dark ages. As far as their airport goes, they carry me off a 737 Max eight in that little in that little aisle chair. They carry me down those stairs. Like if there's a liability issue in the world, that's it. But they haven't dropped me and in 15 years of being carried off that plane, they haven't dropped me so we'll see. It's always good Mexico, you know, Mexico's got a long ways to go as far as accessibility. But the Mexican people are very, very willing to help.

R Rob Mineault 51:41

And you know, they have great tequila.

K Kari Brown-John 51:45

They really do

R Rob Mineault 51:49

Take a page from Mexico Air Canada, they just serve tequila on all the flights. Kari thank you so much for taking some time out of your evening to tell us the story.

K Kari Brown-John 52:06

Thank you guys. I really enjoyed my hour. I didn't know what I was gonna talk about for an hour, but here we are.

 Rob Mineault 52:11

Actually it felt good. I feel I feel a little bit purged. I feel like I get some frustration out.

 Lis Malone 52:20

It's the lawsuit itch.

 Rob Mineault 52:22

Yeah.

 Kari Brown-John 52:28

Thank you guys so much.

 Rob Mineault 52:32

I really do feel better. I was kind of wound up coming in.

 Ryan Fleury 52:38

You were.

 Lis Malone 52:39

You got a little accessibility release?

 Rob Mineault 52:46

Yeah. That's right.

 Lis Malone 52:54

I just pumped my own brakes. So we're good.

—

 R Ryan Fleury 53:00

I don't know if it was earlier in the show. Whether it was Rob or if it was Kari, but somebody mentioned the term cosmetic accessibility.

 L Lis Malone 53:07

That was me.

 R Ryan Fleury 53:08

Was that you? That's a great name for a podcast.

 L Lis Malone 53:13

Here to steal my idea.

 R Ryan Fleury 53:29

I think I might.

 R Rob Mineault 54:42

Maybe maybe the US has a point. Secret to everything is just to sue.

 L Lis Malone 54:58

It's the mechanism to enforce the law.

 R Rob Mineault 55:01

I wonder what is the is it just that our courts are set up the same? Like maybe? Is it just not as easy to sue? Because why doesn't that happen?

 R Ryan Fleury 55:09

Well, I think our mechanism in Canada is that even if you get a lawyer, because we recently had one of our members of AEBC, go through with a lawyer, the whole Human Rights Tribunal, because that is our only mechanism in Canada for settling disputes like this.

 R Rob Mineault 55:24



ROB MINEAULT 55:24

Oh, I see. So you can't sue?



Ryan Fleury 55:26

Yeah. So why I'm not a lawyer. I don't know, I just play one on TV. But, you know, that would be something we we might want to actually get a disability lawyer on to talk about it.



Rob Mineault 55:38

I'll be interesting. So it might not be in so I guess the answer is, it may not be quite as easy for us to just sue and get like a monetary settlement.



Lis Malone 55:49

I mean, I don't know what your court system is like, but here we have, we have various courts, but there's basically, you know, you've got your criminal court, and then you've got your civil court. And so that's obviously it's a civil, it's a civil matter, it's a violation of civil rights, or it's, you know, it's or it's a, you know, a suit from between a party, a party that is non criminal in nature. So, yeah, you know, the old saying, when when someone doesn't do what they're supposed to do, and they and you say, hey, you, you're supposed to let me do it. And they say, Well, go sue me. Okay. And that's, yeah. Because there's no one there was there's no one to really, I mean, yeah, I guess fines could be, I guess, could be implemented by certain agencies, but usually that like, they don't care about that. It's the actual civil suits that because there can be you can you can sue for damages. There's various levels, and I'm not an attorney.



Rob Mineault 56:56

The amount the amount of bad law advice coming out of the show is staggering.



Ryan Fleury 57:01

AT Banter law.



Lis Malone 57:11

But yeah, that's when the courts award punitive damages. That's really where companies freak out because it's not just the suing for the actual damages suffered by the party, but at the end of damages are to actually punish them for their misgivings.



Ryan Fleury 57:31

And I think, you know, if you were to understand the number that you threw Rob, but if you

were to fine Air Canada \$200,000, they make that in five minutes a day. Right. So that penalty would have to be substantial.

 Rob Mineault 57:43

Yeah, I mean, I grabbed that out of the air, but even even so, like, if they're screwing up twice a day, that's a lot.

 Ryan Fleury 58:00

They keep saying they're they're working on, you know, such thin margins, right?

 Rob Mineault 58:06

I mean, really, at the end of the day, I'm sorry, you can't rely on these places, the people doing the right thing. They're doing what's right for the company, and what's going to make them some money. And that's where you got to hit them. And we knew that we knew what when they announced the Accessible Canada Act, and we took a look at it. That that's one of the main criticisms that everybody leveled at it was the fact that there was no enforcement mechanism. And that was going to be a problem. And here we are five years down the road. And it's a problem. So we called it.

 Lis Malone 58:40

We don't want to stoop to the level of the damn Americans and sue everybody. Sue.

 Rob Mineault 58:52

I think you know what, I think if you go back far enough, there may be a podcast where where we complained about how litigious Americans were and it was ridiculous. So Well, I think that we have to eat our hat on that one.

 Ryan Fleury 59:04

The downside to the way the US is doing it, though, is if you know, and I forget what the stats are, because we did do a show that talked a little bit about how litigious it is down there. But, you know, there are 1000s of new suits per day happening down there because everybody just tries to go to a website, oh, it's not accessible boom, and there's a new lawsuit. So the courts are, have to be so backlogged. You know, in the long run, it might be, but when a lot of people get together, there's a class action against like dominoes, then yeah, people take notice, but, you know, Joe in his basement who can't get on to, you know, kicks for cats.com You know, files a lawsuit. I don't know how to probably I don't know I just made it up. But they that's probably are very high on the priority list.

 Rob Mineault 1:00:05

No. Ideally, ideally, what's, what would you want to happen is, you know, the government needs to have, like, there has to be enforcement within the legislation. Yes. Because you right, you don't want to clog up the courts with 1000s upon 1000s of lawsuits. I mean, that's not ideal either. It just needs to be as simple as oh, you didn't do this? Fine. Fine, fine. Like it's just because eventually they get the message and they be they do what they need to do and everybody's happy.

 Ryan Fleury 1:00:35

And there needs to be audits and reviews of the internal systems to make sure that you know the checks and balances are taking place.

 Rob Mineault 1:00:41

Yeah, it's not complicated.

 Ryan Fleury 1:00:51

Right.

 Rob Mineault 1:00:52

And the other thing that I'd like to present to the audience and we'll probably include this in the write up, but if you want to play a drinking game along with this is episode of the podcast, take it shot whenever the word litigious is used. Litigious. You're litigious. You're welcome. Okay, let's get the hell out of here. Hey, Lis.

 Lis Malone 1:01:17

Litigious

 Rob Mineault 1:01:22

Where can people find us?

 Lis Malone 1:01:24

They can find me on Thursday at Thanksgiving dinner. Everywhere else is [www.atbanter.com](http://www.atbanter.com).

R

Rob Mineault 1:01:34

Excellent. They can also drop us a line if they so desire at a cowbell@atbanter.com

R

Ryan Fleury 1:01:43

And they can find this wherever they listen to their podcasts or Apple podcasts. Spotify, Google, everywhere, everywhere. And you can find us on Twitter. I'm sorry. X. And Facebook.

R

Rob Mineault 1:02:03

And that is going to do it for this week. Big thanks, of course to Kari for joining us. And we will see everybody next week.