

Briefing Note: RIGHTS OF PERSONS WITH DISABILITIES IN CANADA
Produced by: The Council of Canadians with Disabilities

Despite human rights guarantees, there are barriers facing people with disabilities, particularly Indigenous persons with disabilities, that demand urgent action by Canadian governments.

I. Convention on the Rights of Persons with Disabilities (CRPD) and Optional Protocol (OP)

1. In March of 2010 Canada ratified the CRPD but not its OP. Canada has not adopted a national strategy for implementing or monitoring the CRPD or ratifying the OP.

II. Poverty and Disability

2. A person with a disability is twice as likely to be poor than the rest of the population. Women with disabilities are slightly more likely than their male counterparts to live below the low-income cut-off (21.3% vs. 19.6%, respectively). Indigenous persons with disabilities make up approximately a third of the Aboriginal population.

III. Adequate, Accessible and Appropriate Housing

3. Because there is a lack of affordable and accessible housing, many Canadians with disabilities live within institutions and others risk becoming homeless. 15.1% of working-age women with disabilities in low-income households live in places that are in need of major repairs, such as for defective plumbing or electrical wiring, or for structural repairs to walls, floors or ceilings. The UN Human Rights Committee noted Canadians with mental disabilities remain incarcerated because of a lack of community supportive housing.

IV. Disability-Related Supports

4. Over two million adults with disabilities lack supports necessary to do every day activities, and over half of children with disabilities lack needed aids and devices. The UN Committee on Economic, Social and Cultural Rights has raised concerns about cuts to home care and attendant care denying people with disabilities a life of dignity and the adverse effects of inadequate community-based services for persons discharged from psychiatric institutions.

V. Supported Rather Than Substitute Decision-making

5. In many jurisdictions in Canada, for persons with intellectual disabilities, substitute decision-making rather than support to exercise legal capacity, is the norm. Legislation and services to support individuals with disabilities to exercise appropriate choice and independent decision-making is lacking.

VI. Access to Work

6. Over 55% of working age adults with disabilities, and 75% of women in this group, are not working. While there is no coherent strategy to achieve labour market integration of people with disabilities, the 2013 Government of Canada report, *“Rethinking disAbility in the*

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Private Sector, by the Panel on Labour Market Opportunities for Persons with Disabilities”, is a positive initiative.

VII. Access to Transportation

7. Voluntary codes of practice on accessibility for transportation in federal jurisdiction have been ineffective. People with disabilities litigated to prevent use of inaccessible passenger trains.

VIII. Voting Rights

8. Persons with disabilities have not been fully accommodated by Elections Canada. For example, vision-impaired voters face barriers to independently mark and verify their own ballots.