

## **Introduction**

This paper is presented by the Canadian Civil Society Parallel Report Group. This group is made up of sixteen disabled people's organizations and their supporters. We represent many different kinds of disabilities and groups of people. We came together to make sure our issues would be in a report to the Convention on the Rights of Persons with Disabilities (CRPD) Committee.

The Convention on the Rights of Persons with Disabilities Committee looks at how the convention is working in countries around the world. Countries send reports to the Committee. The Committee then develops a list of issues that are important.

## **How we came together and did this report**

The Canadian Civil Society Parallel Report Group first came together in December 2015. We wanted to look at the report that Canada sent to the CRPD Committee. We decided to form a short-term partnership and make our own report.

We hired an assistant to help us do the work. One of the things the assistant did was ask people with disabilities and disability organizations what their issues and barriers were. We put those into a first report. Some of our members took that report to Geneva where the CRPD Committee was meeting in September 2016. They talked to the CRPD Committee about the important areas for Canadians with disabilities.

Then the CRPD Committee put out its report called the List of Issues or LOI. Again, our assistant contacted the disability organizations in Canada and got their response to this List of Issues. Then the Canadian Civil Society Parallel Report Group met again in person in December 2016. We made a plan on how we would do our final report.

We finished the report in February 2017. The report is based on the knowledge and experience of Canadians with disabilities and disability organizations across Canada. The way we did this report by consulting and talking with people was very good and should be used again in the future.

## **Executive Summary**

Canada is a pretty rich country. People have a good quality of life. We are all protected by the Constitution. We have social programs that protect people. We follow the laws of our country. But even with these safeguards, people with disabilities are often discriminated against in many ways.

People with disabilities in Canada have higher rates of poverty and unemployment than people without disabilities. People with disabilities are also left out of the school system more than people without disabilities.

We think it is good that the government of Canada is working to protect and promote the human rights of people with disabilities. But not all of the rights in the Convention are in practice in Canada yet. There is still a lot of work to be done before people with disabilities are fully included. There is also work to be done to make sure Canada is more accessible and people have their citizenship rights.

## **Equality and non-discrimination, Article 5:**

Canada's Constitution makes sure that we are all equal before the law. Our provinces and territories have human rights laws to protect people. Those laws protect people from discrimination in employment and housing and many other areas of life.

But discrimination still happens. Almost half of discrimination charges filed in Canada involve people with disabilities. Some groups in the disability community have even more discrimination than other groups. For example, Indigenous people with disabilities do not have the same access to services that non-Indigenous Canadians with disabilities do.

## **Equal Recognition Before the Law, Article 12:**

Article 12 is about the ability of people to make their own decisions. It is called 'equal recognition before the law.' It is also called 'legal capacity.' Canada has not approved this article of the Convention.

In all provinces and territories, there are substitute decision-making laws in place. These laws take away people's right to make their own decisions and have them followed.

First, Canada should approve this article right away. Second, Canada should work with provincial and territorial governments to help make rules around supported decision-making. Canada must also make sure that there are enough safeguards and services for people to get support to make their own decisions.

## **Living Independently and Being Included in the Community, Article 19:**

People with disabilities still live in large institutions in several Canadian provinces. These institutions still take in new people to live there.

There are not enough services to support people to live independently in the community. This is a very big concern for people with disabilities in Canada.

Canada must make sure that people with disabilities are not put in institutions. Canada must work with the provincial and territorial governments to give people with disabilities the support they need to live and take part in the community. People with disabilities need to be able to get housing that they can afford. Housing needs to be accessible to the needs of people with disabilities.

## **Education, Article 24:**

Education is very important for all our citizens. But most students with complicated disabilities are not included in the regular school system. Many students only have the option of going to a separate school. Students with hearing and sight disabilities have more barriers to getting an education than students without disabilities.

Many of our provinces and territories support inclusion in school. But only one province has an inclusive education policy in practice. That province also funds their policy. Canada should work to make sure that inclusive education policy is put into practice across the country.

## **Work and Employment, Article 27:**

In Canada, people with disabilities are unemployed at a higher rate than people without disabilities.

Within the disability community, certain groups have even higher rates of unemployment than other people with disabilities. For example, women and youth with disabilities are not employed as much as other people with disabilities. Some groups of people with disabilities are more likely to have unstable employment. This includes groups like new immigrants and Indigenous people. For people with intellectual disabilities, sheltered workshop models are still the main kind of employment support.

Canada must work with many partners to remove barriers to employment. This includes working with the provinces and territories, unions, employers and civil society. Canada should create a national accommodation fund. This will help employers to hire persons with disabilities.

**National Implementation and Monitoring, Article 33:**

Canada has not picked out an independent group to monitor the Convention yet. This is required in the Convention by article 33.2. We think the Canadian Human Rights Commission is the right group to monitor the Convention. They should be funded to do so.