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Chair

Ms. Candice Hooppner

Standing Committee on Human Resources, Skills and Social Development and the Status of Persons with Disabilities

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• (1530)

[English]

The Chair (Ms. Candice Hooppner (Portage—Lisgar, CPC)): I'm going to call our meeting to order. This is meeting number 14 of the Standing Committee on Human Resources, Skills and Social Development and the Status of Persons with Disabilities.

We are very pleased to welcome today two individuals from the Canadian Association for Community Living and two individuals from the Council of Canadians with Disabilities.

Bendina Miller is president of the Canadian Association for Community Living, and Michael Bach is the executive vice-president.

John Rae is vice-chairperson of the Council of Canadians with Disabilities. Laurie Beachell is national coordinator.

We want to welcome all four of you here today. Thank you for making time in your schedules to be here.

As you may know, we are going to be embarking on a study that concerns persons with disabilities. So we're very happy to have you here to be able to get some information from you and have a bit of a round table.

I understand that we're going to be splitting up. One group will have seven minutes, and another group will have seven minutes. So we will begin with our first witness, who will have seven minutes, and that will be John Rae.

John, would you like to begin, please?

Mr. John Rae (Vice-Chairperson, Council of Canadians with Disabilities): Thank you, Madam Chair.

As I am blind, you folks have an advantage over me in that you can see our name tags, but I can't see yours. Might I ask your indulgence to go around so that I can know who's here, please?

The Chair: John, would it work for you as well if, before people speak, they say their name. Would that also be helpful?

Mr. John Rae: It would be very helpful. Yes, please.

The Chair: Or do you want to do a quick go-around?

Mr. John Rae: A quick go-around first, if we could, please.

The Chair: All right. Then we'll begin with Madam Folco.

Would you please introduce yourself?

Ms. Raymonde Folco (Laval—Les Îles, Lib.): Madam Folco is called Raymonde Folco. I'm a member of Parliament on the Liberal side, and I represent the riding of Laval—Les Îles, which is just north of Montreal.

Hon. Maria Minna (Beaches—East York, Lib.): My name is Maria Minna. I'm the member of Parliament for the riding of Beaches—East York in the city of Toronto, and I'm the labour critic for the Liberal Party.

Mr. Michael Savage (Dartmouth—Cole Harbour, Lib.): Hi, guys. Thanks for coming.

I'm Mike Savage, member of Parliament from Dartmouth—Cole Harbour in Nova Scotia, the home of Sidney Crosby. I am the critic for human resources, skills development, and the status of persons with disabilities for the Liberal Party.

[Translation]

Mr. Yves Lessard (Chambly—Borduas, BQ): My name is Yves Lessard. I am the member of Parliament for Chambly—Borduas and I am the critic of the Bloc Québécois for human resources and skills development.

Mrs. Josée Beaudin (Saint-Lambert, BQ): My name is Josée Beaudin. I am the member of Parliament for the riding of Saint-Lambert, also for the Bloc Québécois. Along with Mr. Lessard, I am the deputy critic of my party for human resources and skills and social development.

[English]

Mr. Maurice Vellacott (Saskatoon—Wanuskewin, CPC): My name is Maurice Vellacott. I'm the Conservative member for Saskatoon—Wanuskewin in Saskatchewan.

Mr. Rick Casson (Lethbridge, CPC): I'm Rick Casson, the member of Parliament for Lethbridge, Alberta.

Mr. Ben Lobb (Huron—Bruce, CPC): And I'm Ben Lobb, member of Parliament for Huron—Bruce.

The Chair: Good. Thank you very much.

Mr. Rae, we will turn the mike over to you and look forward to your presentation.

Mr. John Rae: Thank you very much.

Madam Chair, since we have seven minutes per delegation, might we combine our 14 minutes and divide that among the four of us in a slightly different order? Is that okay with you?

The Chair: Yes, whoever would like to begin.

According to my records, you were going to begin, but whoever else would like to begin is absolutely fine.

Mr. John Rae: No, I'm going to start.

• (1535)

The Chair: Okay.

Mr. John Rae: Thank you, Madam Chair and members of the committee, both for introducing yourselves and for inviting us to be here today.

We want to begin by saying how happy we are that the Government of Canada has ratified the UN Convention on the Rights of Persons with Disabilities. We thank members of all parties, all sides of the House, for what was a multi-party piece of action. And that's the way we believe disability rights and disability issues should always be addressed—in a non-partisan, united way.

We believe this was an important day for Canada, an important day for Canada's reputation around the world, and certainly an important day for us, persons with disabilities, various disabilities, from sea to sea in this country.

Not only does the convention create more specificity about disability rights than any previous document has, it creates obligations on the part of Canada, partly at the federal level and partly at the provincial and territorial levels. But it also creates, in the minds of our community and your constituents, new expectations. We expect the convention to make some substantive difference in our lives.

As you know, the disabled community is among the most unemployed and most impoverished groups in our community. I know you are currently wrestling with finalizing your report on poverty. We very much look forward to the release of that document in the near future, and we look forward to some substantive content about the ongoing chronic plight of our brothers and sisters, the disabled community.

We are currently meeting in Ottawa. Tonight we celebrate the ratification of the convention, and we hope that you and some of your colleagues will be able to join us this evening at the Delta, once you finish your vote in the House.

Bendina.

Ms. Bendina Miller (President, Canadian Association for Community Living): Thank you so much, John.

I'm delighted to be here this afternoon, and thank you very much.

The Canadian Association for Community Living is very much encouraged by the work of your committee. We appreciate and honour the work you do and the focus you have on the importance of inclusion for individuals with disabilities and their families in Canada.

CACL appeared before this committee when you were involved in the hearings on poverty, and we're delighted to be here today to be able to have an opportunity to speak with you more specifically about the issues facing people who live with disabilities and their families.

As John said, we'd also like to return the favour and invite you to join us this evening at the Delta at 6:45 as we celebrate the UN Convention on the Rights of Persons with Disabilities and Canada's ratification of that convention.

We were honoured to be at the UN to participate in the ratification of the convention on March 11. This convention provides both the starting point and the scope of exploring efforts required to make full inclusion of people with disabilities in our country a reality.

I will now turn it over to Laurie Beachell to continue with more specific remarks.

Thank you, Madam Chair.

Mr. Laurie Beachell (National Coordinator, Council of Canadians with Disabilities): Good afternoon.

While we've had great discussions all day long with a variety of people around the convention, and we know of the ongoing work of your committee, we want to remind you of some of our key issue areas that relate to your study on poverty. Very briefly, I'm sure these are not unknown to you. We also commend the report of the Senate committee "In from the Margins". That report endorsed virtually all of the recommendations we brought forward around poverty, labour market attachment, etc.

One of our next steps in addressing the disproportionate poverty of people with disabilities in Canada is to make the disability tax credit refundable for those who have non-taxable incomes. You have to realize that on current welfare rolls in most provinces, between 45% and 60% of the people have disabilities. They are living on incomes of less than \$10,000 a year. So presently, even if they're eligible for the credit, they don't get any benefit from the disability tax credit because they don't have taxable incomes. So if we're going to do a poverty measure, let's make it refundable so those people with low incomes actually have some benefit of a tax measure that has been longstanding.

We are appreciative of the initiative around Minister Flaherty's registered disability savings plan. It has been very helpful and we're very supportive of it. But it is a long-term initiative to address poverty; it doesn't do much today. It is a long-term savings plan.

We would also urge the government in its negotiations with the provinces around labour market agreements to attach specific targets for the training of persons with disabilities in those agreements. Again I would remind you that if people are not attached to the labour force presently, they are not eligible for most of the programs funded through that because they are not on EI. So if eligibility for training at a provincial level is based solely on EI provisions, our community is not well served. We need to have measures that will address the unemployment of people who have not been in the labour market.

There have been no changes in the EI sick benefits since 1973, I believe. They're around 15 weeks, yet we have an increasing number of people with episodic disabilities—mental health concerns, chronic fatigue syndrome, etc.—and there should be reforms to EI sick benefits so they go beyond the 15 weeks.

Those are some of the specific initiatives we have put forward in the past, and we're reminding you of them.

There are many other initiatives within the federal realm that particularly relate to access: access standards to new communication technologies and federally regulated modes of transportation; standards to ensure that our banking services are fully accessible to persons with disabilities; and access standards that ensure that our polling stations—amazingly we still have this problem—are fully accessible. If you want to know more about that, go to the recent Human Rights Tribunal decision on Hughes. Mr. Hughes, two federal elections in a row, was unable to get into the polling station in downtown Toronto unaided. That's not acceptable in 2010. We have to do better than that. There are other election access issues that we could talk to you about.

I'll turn it to Michael to tell you a little more about the work we have been doing today. We will come back to the study you want to do.

Thank you.

● (1540)

Mr. Michael Bach (Executive Vice-President, Canadian Association for Community Living): Madam Chair and members of the committee, thank you for the opportunity to be here today.

We appreciate the invitation of the committee to appear before you at this early stage, as you consider the terms of reference for a study and what the focus of a study should be.

It strikes us that we're at a very unique moment, with Canada just having ratified the convention. That is a very important starting point and lens for any study on disability that would be led by this committee.

That said, this poses both an opportunity and a very unique challenge for us. The convention is 50 articles long. Many articles have a number of paragraphs. It's the most comprehensive civil, political, social, and economic rights convention that we have had across any sector at the international level to date. Various groups we are meeting with today and have met in the past have recognized this.

It's a massive and comprehensive agenda for how we should confront the various issues affecting people with disabilities. Canada took a unique and important role in advancing that convention because of this country's experience, including people with disabilities. There are important examples around de-institutionalization, inclusive education, the labour market, the right to legal capacity, and the recognition of self-determination of people with disabilities.

It strikes us that any study needs to find some focus within that. That said, a number of priorities from our perspective as a community have already been studied quite extensively in this country. Laurie has just outlined a number of the policy recommendations that have come from those studies.

The focus on addressing barriers that Canadians with disabilities face began systematically with the *Obstacles* report in 1981. A decade later, it was the "Mainstream Review", in 1992. There have been various studies and consultations convened by the Standing

Committee on Disabilities and Human Rights and by this standing committee over the years. We're not convinced that a study of disability issues generally, or of barriers generally, is going to move the mark forward.

What will move the mark forward? Why, after all the studies and consultations, are we still facing a reality in which the majority of people with disabilities are unemployed or are out of the labour market, where only a third of children with intellectual disabilities are fully included in education, and where the rate of violence, abuse, illiteracy, ill health, etc., among this group is among the highest of any group in Canadian society? Our sense is that we haven't recognized as a society...or had a vehicle to act on the kinds of recommendations that have been developed.

We would bring your attention to article 33 of the UN Convention on the Rights of People with Disabilities. This article establishes state obligations to establish a focal point, coordination mechanisms, and a monitoring mechanism that fully engages the disability community to review progress on the convention. Our sense of the central issue here is that we don't have effective mechanisms at the federal level or with a national perspective to monitor progress on the various recommendations this committee and various other committees of Parliament and the Senate have made with respect to Canadians with disabilities.

We know what needs to be done. What we don't have is a clear, established voice for coordinating government efforts at the most senior level and intergovernmental efforts, as well as reporting back to Parliament on the progress that this government and other governments are making with respect to Canadians with disabilities. We think a study that would look at the kinds of mechanisms required would be most effective. What are the models? Should we have a standing committee on human resources and human rights? Should it be an office in the Auditor General's office? Is the Canadian Human Rights Commission best positioned to be the monitoring body, or are there a number of structural limitations that would suggest that it's not? There's a sense in the community that it may not be.

We need to really look seriously at what mechanisms would be required that would be most effective in moving the mark forward.

● (1545)

We know what needs to be done, but we do need some mechanisms at the federal level to coordinate efforts, to focus responsibilities, to monitor and report to Parliament and Canadians on progress being made. We would encourage you, among the range of options before you for a study, to focus on article 33 and what the variety of options would be.

Thank you.

Mr. John Rae: To conclude our initial remarks, article 33 is important. Part of what it requires is for civil society organizations like ours to be more involved in the development of policies and programs. We believe that involvement needs to start not at the middle of the road or the end of the road, but when the foot of government or bureaucrats first touches that road. In other words, we need to be more involved.

As Michael has suggested, many reports have conducted useful research and provided many recommendations to advance our equality. It's now time that more action be taken to actually use the convention to bring about greater equality for all citizens with disabilities.

Thank you for this opportunity to make some opening remarks, and we'll be happy to dialogue with you.

The Chair: Thank you very much. We appreciate this opportunity as well.

We will begin with questions from the committee members. The first round of questions will be seven minutes, and that includes questions and answers. I do have to time it so that everybody gets a fair chance. If you start to go quite a bit over time, I will have to interrupt you, but hopefully you will be able to stay within the parameters.

We'll begin with Mr. Savage, please.

Mr. Michael Savage: Thank you, Chair.

Again, thank you for being here as witnesses.

I mentioned that Sidney Crosby was a constituent of mine, and I can tell you there's another great constituent of mine, among many. All of you know Steven Estey, who is working hard today with you guys in the work that you're doing. I look forward to seeing him this evening at the reception.

It was as a result of a discussion with him and with the support of the chair and the indulgence of the committee that we asked you to be here today. I think you've hit upon where we need to be now that we've agreed to do a study on disability issues, and that is to determine what the right study is.

Some members of this committee—I'm sure Madame Folco, Mr. Lessard, and perhaps others—have been involved in some of those studies on disability issues. I think this is really useful for us.

Your suggestion, Michael, about article 33 is perhaps the kind of thing I think we need to have a consensus to zero in on. We have to decide that as a committee.

One issue we've been looking at in the very early stages, just in discussions about doing this study, is that of bringing people with disabilities into the workforce in a better way, to maximize their potential and also the potential of the country. We're wasting a lot of human potential.

One issue I come back to is that there are a lot of people who could be much more gainfully employed for their benefit and the benefit of society. On the other hand, there are some people who are going to need help for the rest of their lives. I think of a conversation I had with a couple back home who I've known for a long time. They called me about their daughter. She's now 22. At the age of 21 you have to leave high school. I see this all the time with kids who have gone to high school, have done very well, and have benefited from being in school with other kids, and the kids have benefited from them. Then, all of a sudden they're forced out of school at the age of 21 in Nova Scotia and there's no place for them to go. They fall off a cliff in terms of society. We have to make sure we bring people into the workforce. That's a huge piece.

The other piece is that there are some people that we just have an obligation to. I want to ask you about one of the recommendations in the Senate report, which is the idea of a basic annual income for people with disabilities. In essence, we have that for seniors with the GIS and the OAS. The idea that Hugh Segal has certainly championed is the basic annual income more broadly, but I think the report zeroed in on people with severe disabilities. I wonder if anybody would comment on that.

● (1550)

Mr. Laurie Beachell: First, on that issue of people with disabilities who are age 18 to 25—a critical point in people's lives—often services provided for children are more robust than they are for people with disabilities turning adult age. That is that critical transition time when people experiment with living on their own, get post-secondary education, and enter the labour market. Yet for people with disabilities, it is the point when the services actually shrink.

If we are looking at a labour market study—and I do say “if”, because I'm not quite sure that's the best piece of work to do—I would think one of the focuses might be on that age group of young people who are in transition from children's services to adult services, because there is a huge gap.

If we get it right, we get people good training and good education and good attachment when they're young. But if people have been out of the labour market for 15 years, retraining and getting people into the labour market at age 40 is hugely challenging; people have become dependent upon various social service systems. If we can find ways of addressing that population in a more robust way at ages 18 to 25, that would be a good thing to do.

Mr. John Rae: There are a couple of other things. If you're going to embark on that kind of study—and I'm not sure about it either—so many issues are looked at in silos: employment here, transportation over there, training somewhere else, access to assistive devices somewhere else. That doesn't work, and that's part of the problem.

If you're going to look at it, there are issues like transportation and the fact that as a resident of Ontario I get access to 75% payment for a lot of the technical aids I may require or use. If in exercising my mobility rights under the charter, I leave Ontario and go to many other provinces in this country, my entitlement to coverage for assistive devices does not go with me.

There is a need for a greater federal role in helping us get those sorts of things. It must be looked at in a more holistic manner, if we're going to do anything about the chronic unemployment and under-employment that so many people with disabilities continue to confront.

• (1555)

Mr. Michael Bach: On the income piece around people with significant disabilities, the reason we've been working with CCD and others to advocate that proposal is that there is that group of people who have significant disabilities and are living in deep poverty. That's why we have been advocating.

We're pleased to see the Senate subcommittee support this proposal because they should have a basic floor.... They should have a secure income, which shouldn't deny them the opportunity to get supports at the provincial level for labour market programming to find their way into the labour market, even in a part-time way.

The difficulty that people with significant disabilities on social assistance are facing is that there's a welfare wall. You lose supports; you lose your prescription medications if you go into the labour market. We know that the labour market attachment for people with disabilities is so weak that you're likely to lose the job, or the employer will lose the subsidy, and then you've got to wait to become eligible again for social assistance.

Part of that proposal is that the federal government takes up an income role for those with significant disabilities. That would release significant dollars, at the provincial level, from savings in social assistance and welfare that could be reinvested in active labour market programming measures for people with significant disabilities.

The research is clear that the issue around labour force attachment for people with disabilities is not extent of disability; it's extent to which your needs for support are met. We've got people with significant disabilities who have their support needs met and they're in the labour force. We have people with relatively mild disabilities who do not have their support needs met and they're unemployed.

So it can happen for that young man in Nova Scotia who has a significant disability, if the supports are in place. We think he has a right to a basic income floor and we think the federal government has a role to play in that regard.

Mr. John Rae: It's also partly the extent to which—

The Chair: I'm sorry, I'm going to have to go to the next committee member. We did go well over seven minutes on that one.

Thank you.

Mr. Lessard, please.

[Translation]

Mr. Yves Lessard: Thank you.

I want to thank you for being with us today. I also want to commend you for your exceptional work. You have managed to make the Government of Canada acknowledge or accept the United Nations convention. While we do not meet you very often, we do follow what you are doing as we do our own work.

As for the study we intend to conduct, as was decided by the committee, on the obstacles person with disabilities have to contend with, I would like to hear your comments. Mr. Bach, if I understood you well, you are not convinced that a study with this kind of focus can lead to any progress. However, based on Mr. Rae's comments

and what you just said, I am left with the impression that it may be helpful.

[English]

Mr. Michael Bach: I think it would be very useful for this committee to do a study on disability that recognizes the significant barriers and obstacles that people with disabilities face.

This is an initial discussion, so we don't want to tie ourselves down absolutely to one direction, but our concern is about the number of studies that have been done on obstacles. In terms of employment, access to education, or disability supports, we have a deep understanding of what the issues are and what the policy recommendations are. If we step back from the fact that we know what the issues are and we know what needs to be done, why aren't we seeing progress, and do we have a way of actually measuring progress? That, for us, is an important question to ask right now. At the federal level, do we have in place the mechanisms to actually measure progress, monitor progress, and report back to Canadians?

We think that aspect may be one of the key barriers to actually moving forward on the kinds of recommendations this committee has made before. Our sense is that it may be a government machinery question that needs to be addressed in the disability file. A study to seek proposals and hearings from parties about what government machinery would be appropriate to make the convention real in people's lives is the area that we haven't studied, and clearly the machinery we've got is inadequate.

• (1600)

Mr. John Rae: There are lots of things the federal government could do right now without new legislation, such as conducting more aggressive outreach and hiring programs within the federal public service, such as making the voluntary transportation standards into regulations, such as making it possible for someone like me to verify my vote, such as making government websites truly accessible. There was a commitment for that to happen by the end of last year, and the matter is now before the Federal Court.

These things can all happen now, even without the convention, but with the convention, what we're really looking for is action. There may be some value in new research, but what we really need is using the federal authority that already exists to improve our lives.

[Translation]

Mr. Yves Lessard: Your presence here as we are about to embark on this study is very timely. You are absolutely right. In the context of other efforts, we have reviewed the situation of people with disabilities, mainly when we studied their employability and the conditions they have to meet in order to get and keep a job. Your point is very relevant.

As Ms. Miller indicated, we will celebrate today Canada's ratification of the United Nations convention. I understand the meaning of article 33 and the values we want to protect, such as the inclusion of persons with disabilities. I essentially feel that, in your opinion, we are going to get something more with this convention. Is this correct? If not, please tell me what you think this convention will contribute.

[English]

Ms. Bendina Miller: The ratification of the convention really is evidence to us that the Government of Canada is committed to and understands the rights of all people in this country. It's a human rights convention; that's really what it is.

So for us it becomes that knowing and doing gap. In other words, we know what inclusion looks like, we know how to support people in a way that they can have a valued and inclusive life, yet we don't have the monitoring mechanisms in place to be able to create the intervention at a point where the vision of inclusion is not being honoured and where people in fact are not having the opportunities in this country that they should have and could have. I say again that for us it really is that knowing and doing gap. We know what to do, we know how to do it, but the monitoring mechanisms are not there.

There was a conversation before with Mr. Savage about the problem of young people graduating from school and not having an inclusive place to go in our communities. They end up in congregated settings. They end up in sheltered workshops and unemployed and understimulated. That's unnecessary. We know what to do. We need the monitoring mechanisms in place to ensure that the appropriate settings are there and that the provincial and federal governments are doing what they can in order to bring the UN convention to life.

Mr. John Rae: We see this convention as confirming a paradigm shift. There are various ways in which society has viewed people with disabilities over the centuries. This puts our issues where we want them, in a human rights context—not a charity or a medical model. This confirms what we have been seeking, which is to move our issues into a whole human rights perspective. Thus we need programs and policies to follow what I hope is a shift in the way in which we will now and forever be viewed.

• (1605)

The Chair: Thank you very much.

We will now go to Ms. Wasylycia-Leis.

I do want to welcome you to our committee, in light of the fact that you just announced your retirement from federal politics. We understand this may be your last committee meeting. We're so happy to have you here, and I'll give you the floor for seven minutes.

Ms. Judy Wasylycia-Leis (Winnipeg North, NDP): Thank you. It's really an honour to be here, to finish out my time on the Hill talking about some issues that have consumed me in my political career and my personal life for a long, long time.

I'm really happy your committee is doing this study. I know my colleague, Tony Martin, has been vociferous on this point, along with others. I'm just really pleased that you embarked on this work.

I want to thank all of the presenters here today for your leadership, and in fact for being critical players in terms of Canada finally signing and ratifying the UN convention. I know we're going to be celebrating a bit later today this remarkable achievement.

I think what I hear you saying today—and I agree with you—is that there are so many studies. I have them all in my office; I don't know what I'm going to do with them. I'll give them to you, Tony. They would probably go close to the ceiling.

I guess what you're saying is we know what the problems are. We know what the status of persons living with disabilities is. But we've got to find a way to kickstart governments everywhere into a plan of action that will actually translate those recommendations into something concrete.

I think your recommendation to focus on section 33 makes a lot of sense. But then I want to ask you what that looks like in your mind. You talk about a focal point within the federal government—let's start with the federal government—and a coordination mechanism. Should we build on what is there now or should it be different? Where should it be? How does it look in your mind? What recommendations would you give to this committee in terms of working on that particular recommendation?

Mr. Laurie Beachell: We just spent our day with a variety of other communities looking at international instruments and how they can help move and advance domestic agendas. It is truly a challenging discussion, so our comments on this are still somewhat preliminary.

We have wondered whether we need a standing committee on the status of persons with disabilities. The HUMA committee is welcome, and your good work is welcome. But a study on disability that may happen once every two years, at this point in time, with ratification of the convention, may be absolutely inadequate. We believe it may be time to discuss the establishment of a minister responsible for the status of persons with disabilities. We have a Minister for the Status of Women. We have ministers with lead responsibility for seniors and so on. How do we do this?

We have talked about whether a disability lens should be applied to program analysis as new programs come forward. For example, as we are talking about pension reform, as is being discussed, we would look at the Canada Pension Plan disability benefits. My understanding is that the pension reform discussion is only looking at the retirement portion. But there is a disability portion; 20% of the program is disability related. How do we talk about the retirement of people who have had to leave the workforce because of disability and what their pensions are going to look like?

Look at the Nortel example. How do we look at people who are on long-term disability leave from a company that is going bankrupt? At the end of the day, they have no call on any benefit. They will go from a decent LTD plan, which they paid premiums into, to social assistance. How do we look at all these disability focuses? I'm sorry to say that a single study will not do it. A single dialogue will not do it.

Government and parliamentary committees must hear from the disability community. Parliamentary committees in the past, frankly, have held departmental feet to the fire and have asked what they were doing to address this issue. Equally, parliamentary committees have called before them in the past members of departments to ask what is happening for people with disabilities in EI. Have you looked at EI sick benefits for people with disabilities?

I think there are a variety of mechanisms. I don't think we have an answer on this yet, but we are most interested in having a discussion.

I would just like to take a bit of privilege here. I come from Winnipeg, and as a parent with a child with a disability and as somebody centrally connected to our community and understanding it, I have long known Judy and her championing of disability issues. I looked at yesterday's announcement with some sadness. But as a Winnipegger, I have some hope. I would just like to acknowledge her wonderful contribution and the great work she has done in non-partisan ways to advance the status of persons with disabilities.

• (1610)

Ms. Judy Wasylcia-Leis: Thank you very much.

Mr. Michael Bach: I would certainly echo that, from the perspective of the Canadian Association for Community Living. You have been one of the champions, Judy, and we will miss your voice at the federal and national levels. Well, we'll miss it at the federal level. I'm sure we'll be hearing from you nationally in the years to come.

In terms of thinking about a study, article 33 speaks of four things. First is having a focal point. The explanatory memorandum issued by the Government of Canada said it would be the Office for Disability Issues. That's a possibility. Can the Office for Disability Issues actually manage interdepartmental coordination? I think that should be looked at. Should we go in the direction of Norway, which has established a cabinet-level committee on disability to manage coordination and implementation of the convention? That establishes a much higher profile structure and authoritative structure, which we think is much more up to the task of managing the interdepartmental coordination issues this convention requires. So there is a focal point, coordination, monitoring, and civil society and engagement.

You can look at article 33 and ask what the options are. What do we know internationally about how to do this? What does the community think? What is our experience in this country with other international treaties, such as the Convention on the Rights of the Child, CEDAW, and the Covenant on Economic, Social and Cultural Rights? What have we learned about implementation and progress on those treaties that we might apply to this convention so that it could have the greatest impact possible? Those are questions we don't have answers to yet, but they are deserving of study.

The Chair: Thank you very much.

We will now go to Mr. Vellacott, please.

Mr. Maurice Vellacott: Thank you very much.

It's a great privilege to have both groups here today. We very much appreciate what the Canadian Association for Community Living does in all our cities across the country—in Saskatoon, and no doubt in the cities and communities of other people around here—and the work that the Council of Canadians with Disabilities does as well.

I want to ask some questions along the lines of the registered disability savings plan, the RDSP, but I want to preface them. We know firsthand...it has come upon us, not that one asks for it, or draws it, or in any way invites it, but our oldest son, who is 30, is married with six children and has had his struggles with schizophrenia. He's doing reasonably well now, but that will be an ongoing concern, whether he goes back into that trough or that valley again over a lifetime. And then understanding this to be genetic...whether our six grandchildren will have those kinds of issues. So you can understand why the RDSP is of great interest to us, and why we're one of those 26,000 participants in that particular program.

We have a 16-year-old son who is currently at the Royal Ottawa Hospital because he slipped into psychosis back in December-January of this year. We had the privilege of having him out last week at home with us on some day passes. He has Asperger's, he has OCD, or obsessive compulsive disorder, and then, a very dark day for us, he too was diagnosed with schizophrenia about a month and a half or two months ago.

So there were a lot of tears—it was a dark day for us—and then a lot of prayers went up asking questions of God: why? I may not get those answers any time soon, but some day I might, and then it probably won't matter anyway.

Obviously, with respect to the 16-year-old son in particular, we know what it'll be, in terms of a lifetime of caring and supporting. He will probably not have a steady job of any kind. I would be curious to explore that more with you some day. I think there are certainly some things he can do—he's a very bright boy—but we're trying to brace ourselves for the fact that he will not carry steady employment, and for the most part we will have to carry and support and keep him encouraged through the course of his life, as long we're around.

That brings me to the RDSPs. As you know, our government introduced the RDSP in 2007, which allows Canadians to save for the long-term financial security of a child with a disability. Over 26,000 RDSPs have been opened to this point. Budget 2010 provides more flexibility to make it even easier to save. It will extend the existing RRSP rollover rules to allow a rollover of a deceased individual's RRSP proceeds to the RDSP of a financially independent, infirm child or grandchild. That interests us a great deal too because there is that potential for a need, depending on how our grandchildren turn out, and whether any of the eight grandchildren we have, have these same struggles or challenges.

Also, in recognition of the fact that families of children with disabilities may not be able to contribute regularly to their plans, as you probably know, Budget 2010 proposes to amend the Canada Disability Savings Act to allot a 10-year carry-forward of the Canada disability savings grants, and also the Canada disability savings bonds entitlement.

Personally, and as a member of Parliament, talking to people in my community with mental health struggles, challenges, etc., in particular being part of these support groups, as I've had conversations with others, I am encouraged by those changes, but I'd like to know if you have some response, some positive comment, or some comments as to whether there are amendments required. What would be the views of the Council of Canadians with Disabilities and the Canadian Association for Community Living on those changes introduced in Budget 2010?

• (1615)

Mr. Laurie Beachell: The registered disability savings plan is a great program and an important one. I was one of the three appointed by Minister Flaherty to help create the program.

It has come from a variety of sources. It is a very good program that will assist families—as you described your family—I hope, in many ways, and will assist over a long-term period.

As you know, it is a savings plan. Dollars are locked in.

I'm really pleased with the uptake. I think it far exceeded the Department of Finance's expectations, and I think you will see many more people opening up RDSP plans in the near future for a variety of reasons.

There are two challenges that I see in the present program. One is, who qualifies? To qualify for an RDSP, you must be DTC eligible—that is, disability tax credit eligible. So you must meet that definition of prolonged, severe, and markedly restricted activities of daily living.

For those people with mobility, sensory, hearing, or vision loss, etc., it's easier to define because the evidentiary base is much easier to obtain. But for those people with cyclical disability, particularly mental health concerns, learning disabilities, etc., the definition is more challenging.

Michael and I were on a tax committee in the previous administration with Minister Manley, looking at those two communities—those with mobility sensory impairments and those with cognitive impairments—and how we assured qualification.

I think we may in the near future have to look at the definition of DTC, because we're building many of our programs and benefits on that definition. The child disability benefit is based on DTC, the RDSP is based on DTC, we have the DTC itself, and then we have the caregiver credit and the accommodation feature for people in education and employment based on DTC eligibility. So if you meet that criterion, you may have access to a whole range of programs, but if you don't meet it, you still probably have disability and limitations in your life. We're setting one bar as the criterion for all things.

The other challenge, which Michael can speak to more eloquently than I, is the issue of financial institutions' willingness to open plans in the name of individuals whose capacity they wonder about to direct those plans.

The Chair: Thank you.

Mr. Bach, the seven minutes have expired, but perhaps you want to respond briefly.

• (1620)

Mr. Michael Bach: Just very briefly on that, that is a major issue for us, for people with intellectual and psychosocial or mental health issues, the ability to open a plan ourselves rather than be declared contractually incompetent and have someone—a parent, for example—become a guardian.

We are actually working with the financial industry now to come up with an interpretation that is more inclusive of people with intellectual and psychosocial disabilities. We expect that one of the financial institutions will be issuing a policy statement within the next month or so. It's promising.

The Chair: Thank you.

We understand we have you just until 4:30, so we have about another nine or 10 minutes. We will try one more round of three minutes each and see how far we go.

Mr. Laurie Beachell: Because we moved our celebration back, we are more flexible now. We were going to start the celebration at 5:15 p.m., but there's a vote in the House, so we are more flexible, if that is of value to you.

The Chair: Thank you. We do have some committee business that we were going to attend to, but that does help. It's appreciated that we know we can go a little bit over.

Mr. John Rae: [*Inaudible—Editor*]

The Chair: All right, thank you. Then we'll try to stay with three minutes each.

We'll start with Mr. Savage, please.

Mr. Michael Savage: Thank you.

You know, as Canadians, we pride ourselves on our social infrastructure in this country. It's not as strong as we might think on some occasions.

In terms of people with disabilities, in fact, it's an area where we could even learn from our American cousins. Usually their infrastructure is not as strong, but they do have the Americans with Disabilities Act. They do have a stipulation or requirement that I think 1% of federal contracts have to benefit people with disabilities, which I think is a very strong idea.

You've spoken about sickness benefits under EI, and we've heard from a number of people that a lot of our social infrastructure does not suit people with disabilities. We heard from Michael Kirby, in terms of mental health issues, that episodic illness, which you've already spoken about, just doesn't suit the infrastructure we have.

We had a private member's bill a couple of years ago from Mark Eyking to increase sickness benefits from 15 to 50 weeks. The other part of that is to make it more flexible. Whether it's people with mental health issues or people with MS, whatever it is, they can't take them all at once.

Do you have a comment on that? Not only do we probably need to enrich our social infrastructure, but we need to adjust it to the specific needs of people with disabilities.

Mr. Laurie Beachell: This is the hugely challenging question in this current environment. I'd say to you that the reason our community celebrates the convention is that it was supported by all governments. The federal government and all provincial and territorial governments have said this is the vision for people with disabilities. This is where we go. Our community, frankly, doesn't care who provides the service, but we want the service, and we are very tired of having to try to line up 13 jurisdictions to find a way to move forward and advance the social agenda in this country.

We are very tired of hearing from our community that you now shop around by province according to the type of service you need. If you need good technical aids, go to Ontario. If you need a good income support program, go to Alberta. If you need good home care, go to Manitoba. If you need good services outside major urban centres, go to Quebec. If you need a much more accessible environment, go to B.C.

People are now starting to shop around because there is no coordination. There is no federal-provincial discussion on social policy in this country at the present time, and frankly, this cannot do us any good. If you leave the jurisdictions alone, you leave people in isolation and having to depend upon what exists in Brandon, Manitoba, versus what exists in Kingston, Ontario. We have students who can't travel from one university in one province to another university and get the same level of service. To us, this just does not sound like the Canada we believe should exist.

So I would say to you as a committee, and I say to you as parliamentarians of all parties, disability should be a non-partisan issue, and disability should be an issue that all governments are engaged in. For disability issues to be advanced, there has to be collaboration. If there are silos and isolation, do not expect that we won't be here ten years from now—not me but somebody else—telling you the same thing again.

• (1625)

The Chair: Thank you.

Mr. Cannan, go ahead, please.

Mr. Ron Cannan (Kelowna—Lake Country, CPC): Thank you, Madam Chair.

And thank you very much. Just briefly—I know Mr. Lobb has a quick question—I think each one of us around the table shares your compassion. We all have a story. I spent nine years as a City of Kelowna councillor and six years on a social planning committee. We dealt with the disability access committee. One of the most memorable times was when I met Mr. Rae. I introduced myself as being from Kelowna—Lake Country in the Okanagan, and I had an opportunity to work with a fellow who was with CNIB at the time. I put on the goggles and walked down the street to experience impaired vision. Doing that puts a whole different perspective on your life—understanding the limitations.

As you know, we have just embarked on this study, and as has been alluded to, there are several different studies. We do have some investments, through the labour market agreements or the persons with disabilities supplement, through the working income tax benefit. I wonder if you could quickly share with us whether you feel these investments are working. Have you had some success from some of your members? I know you've suggested some other ideas to expand on that. We're just trying to find out if that's a good base to work with or whether you go back to zero, because as you said, there are challenges with our Constitution. A lot of this is under provincial jurisdiction, and we'd have to change a lot in the Constitution, but we have to work with the framework we have. As far as working with our provinces goes, I know the minister has worked very closely with the provincial and territorial ministers, and we've had some successes, as you mentioned, with the UN convention and others, but there's a lot more to be done. Could you elaborate a little bit in the time we have?

Mr. Michael Bach: The instruments that are available for the federal government to shape labour market access and supports—the labour market agreements, the labour market development agreements, and the multilateral framework on labour market access for people with disabilities—have potential, but for them to live up to the promise of the convention is going to require stronger federal leadership. It's going to require the federal government recognizing that it's exercising its spending power through these instruments. We believe it can work in a more proactive way with provincial and territorial governments to establish a set of benchmarks for employment-related supports and services and labour market access for people with disabilities that we're not now seeing.

An example is the \$200 million flowing through the multilateral framework agreement. As a designated fund it doesn't come anywhere near addressing the labour force exclusion of people with disabilities. Moreover, those dollars are funding the kinds of employment-related services of a very old model. We have dollars flowing through that instrument into sheltered workshops and life skills programs that are not really providing opportunities for people to get into the labour market.

There are some great examples and some good programs, but it has been the case for a long time that the federal government could take stronger leadership in that instrument and in negotiating some targets in both labour market agreements and labour market development agreements for labour market access for people with disabilities.

Mr. Ron Cannan: Go ahead, Mr. Rae.

Mr. John Rae: It could also make better use of its spending. On contracts for the purchase of technology, if it took the position that it would not buy anything that wasn't usable by all people—current employees and potential employees—that would encourage manu-

facturers to do a better job of making their technology accessible. If you used the infrastructure funds that were spent and demanded that no new barriers to people with disabilities be created by those sorts of things, that would be beneficial.

So the federal government spends money in various ways that could be used more productively to remove barriers that continue to impede our participation in society and make a positive difference in our lives.

● (1630)

The Chair: Thank you very much for that.

It is just past 4:30, so I will end this part of our committee meeting.

I want to thank you again for being here and for the information you've provided. We look forward to possibly having you back when we begin our study. Thank you again very much.

[Proceedings continue in camera]

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