

The Permanent Mission
of Canada to the United Nations



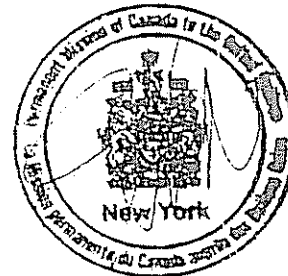
La Mission permanente du
Canada auprès des Nations Unies

No. 0409

The Permanent Mission of Canada to the United Nations presents its compliments to the Division for Social Policy and Development of the United Nations Department of Economic and Social Affairs and, with reference to the letter from the President of the Conference of States Parties to the Convention on the Rights of Persons with Disabilities of July 21, 2010, has the honour to enclose herewith the Government of Canada's response to the request for information, on a voluntary basis, concerning best practices on the implementation of Articles 11, 19 and 24 of the Convention. The French version of Canada's response will follow shortly.

The Permanent Mission of Canada to the United Nations avails itself of this opportunity to renew to the Division for Social Policy and Development of the United Nations Department of Economic and Social Affairs the assurances of its highest consideration.

NEW YORK, August 16, 2010



Canada

**CANADA'S RESPONSE TO THE REQUEST FOR INFORMATION CONCERNING BEST
PRACTICES ON THE IMPLEMENTATION OF ARTICLES 11, 19 AND 24 OF THE
CONVENTION ON THE RIGHTS OF PERSONS WITH DISABILITIES
August 2010**

FEDERAL DISABILITY-RELATED PROGRAMS AND INITIATIVES

ARTICLE 11 - SITUATIONS OF RISK AND HUMANITARIAN EMERGENCIES

Public Safety Canada

Emergency preparedness guide for people with disabilities/special needs

Emergency preparedness is a shared responsibility. All Canadians are encouraged to be prepared to cope for at least the first 72 hours of an emergency, while emergency workers focus on those in urgent need.

Public Safety Canada has developed a guide, which provides information on preparing an emergency plan and kit for people with disabilities / special needs and for caregivers. While disasters and emergencies affect everyone, their impact on people with disabilities / special needs is often compounded by factors such as reliance on electrical power, elevators, accessible transportation and accessible communication – all of which can be compromised in emergency situations.

Canadian International Development Agency (CIDA)

Humanitarian assistance programs

CIDA's International Humanitarian Assistance Directorate works through its partners, such as the Office for the UN High Commissioner for Refugees, the International Organization for Migration, and the Red Crescent Movement, to support the delivery of essential services to highly vulnerable populations affected by conflict, natural disaster or slow onset emergencies such as drought.

It is recognized that an individual vulnerability can be exacerbated by any number of factors including disability, especially when traditional safety nets have broken down. However, since humanitarian assistance is guided by the principles of Humanity, Impartiality, Universality and Independence, there is no focus on, or discrimination between, specific vulnerable groups. As such, to the extent that people with disabilities form a vulnerable group in a given emergency context the expectation is that their basic needs and protection requirements will be commensurate to that delivered by humanitarian actors to other vulnerable groups.

Human Resources and Skills Development Canada (HRSDC)

Planning for safety: Evacuating people who need assistance in an emergency - A guide for building managers and occupants

HRSDC has developed a guide, which is intended to provide building occupants and emergency managers with information regarding the needs of at-risk individuals in emergencies and to provide practical strategies to ensure their safety.

ARTICLE 19 - LIVING INDEPENDENTLY AND BEING INCLUDED IN THE COMMUNITY

Canada Mortgage and Housing Corporation

Residential Rehabilitation Assistance Program for Persons with Disabilities (RRAP-D)

Canada Mortgage and Housing Corporation (CMHC) offers financial assistance to allow homeowners and landlords to pay for modifications to make their property more accessible to persons with disabilities. These modifications are intended to eliminate physical barriers, imminent safety risks and improve the ability to meet the demands of daily living within the home.

Modifications must be related to housing and reasonably related to the occupant's disability. Examples of eligible modifications are ramps, handrails, chair lifts, bath lifts, height adjustments to countertops and cues for doorbells/fire alarms.

Residential Rehabilitation Assistance Program – Secondary/Garden Suite

CMHC offers financial assistance for the creation of a Secondary or Garden Suite for a low-income senior or adult with a disability — making it possible for them to live independently in their community, close to family and friends.

Home Adaptations for Seniors' Independence program (HASI)

The Home Adaptations for Seniors' Independence (HASI) program offers financial assistance to homeowners and landlords for minor home adaptations that will help low-income seniors to perform daily activities in their home independently and safely. Examples of eligible adaptations are handrails in hallways, easy-to-reach work and storage areas in the kitchen, lever handles on doors and grab bars in the bathroom.

Housing for Persons with Disabilities

Canada's Economic Action Plan is providing \$75 million over two years (2009/10 and 2010/11) to build new rental housing for persons with disabilities. To ensure a quick start to construction, funding is being delivered through existing arrangements with provinces and territories. Through the amended agreements, Provinces and Territories cost share federal funding on a 50-50 basis and are responsible for program design and delivery. Program details are available through the appropriate provincial or territorial government or housing agency.

Shelter Enhancement Program (SEP)

Canada Mortgage and Housing Corporation (CMHC) offers financial assistance to assist in the repair, rehabilitation and improvement of existing shelters for women and their children, youth and men who are victims of family violence, and to assist in the acquisition or construction of new shelters and second-stage housing.

Eligible repairs are those required to help preserve the quality of existing shelters and second-stage housing by bringing the structure and systems up to a minimum standard of health and safety (including heating, structural, electrical, plumbing, and fire safety). Repairs and

improvements can also be made to provide safe play areas for children, provide appropriate levels of security for occupants, and to increase accessibility for persons with disabilities.

Off-reserve renovations

In 2009, through the off-reserve renovation programs, close to 11,200 units were rehabilitated benefitting, for example, low-income families and persons with disabilities, over 2,600 units were repaired on an emergency basis; some 1,200 shelter units for victims of family violence were built or renovated; and almost 1,800 senior households were helped to live independently

Canada Revenue Agency

Child Disability Benefit

Budget 2006 enhanced assistance for people with disabilities by: increasing the maximum annual Child Disability Benefit (CDB) to \$2,300 from \$2,044; extending eligibility for the CDB to middle- and higher-income families caring for a child who is eligible for the disability tax credit, and boosting the maximum amount of the refundable medical expense supplement to \$1,000 from \$767.

Disability Tax Credit (including supplement for children)

The Disability Tax Credit (DTC) recognizes the impact of non-itemizable disability-related costs on an individual's ability to pay tax. Families caring for minor children eligible for the DTC may receive additional tax relief through the DTC supplement for children. Part or all of the DTC can be transferred to a spouse, common-law partner or other supporting person if the recipient does not use all of the tax credit because he or she has little or no income. Claimants must have a qualified medical practitioner complete the Disability Tax Credit Certificate (Form T2201) and return it to the Canada Revenue Agency for approval.

In addition, a number of tax measures contain enhancements for DTC-eligible individuals in recognition of their special needs and circumstances. These include the Working Income Tax Benefit (WITB), the Children's Fitness Tax Credit, the Child Care Expenses Deduction, the Home Buyers' Plan and the Home Buyers' Tax Credit, the Education Amount, and the Registered Education Savings Plan (RESP).

Infirm Dependant Credit

The Infirm Dependant Credit offers assistance to eligible individuals providing support to a dependant relative with a disability living in a separate residence. The credit may be claimed by taxpayers supporting a child or grandchild 18 years of age or over, parent, grandparent, brother, sister, aunt, uncle, niece, or nephew who is dependent due to an intellectual or physical disability.

Caregiver Credit

The Caregiver Credit provides tax relief to individuals providing in-home care for a parent or grandparent 65 years of age or over or for a dependent relative with a disability, including a child or grandchild 18 years of age or over, brother, sister, niece, nephew, aunt or uncle, who resides with the taxpayer.

GST/HST Relief

Some services used by persons with disabilities are exempt from the Goods and Services Tax/Harmonized Sales Tax, including basic health care services, such as services of physicians, dentists and registered nurses, as well as occupational therapy and physiotherapy services. In addition, certain medical devices are tax-free, such as wheelchairs, walkers and other mobility aids specially designed for use by persons with a disability.

Home Buyers Plan (HBP)

The HBP permits first-time home buyers to withdraw up to \$25,000 from an RRSP tax free (provided the amount withdrawn is contributed back to an RRSP over time), and allows people eligible for the Disability Tax Credit to access the HBP to purchase a "more accessible or more functional home," even if the first-time home-buyer requirement is not met.

First-Time Home Buyer's Tax Credit

This initiative is a non-refundable \$5000 tax credit for first-time home-buyers purchasing a qualifying home. Similar to the HBP, the credit applies to people eligible for the Disability Tax Credit, even if the first-time home-buyer requirement is not met.

Refundable Medical Expense Supplement

This refundable tax credit is available to working people with low incomes and high medical expenses.

Medical Expense Tax Credit

The medical expense tax credit, the disability tax credit and the attendant care expense deduction all provide tax relief for individuals. The medical expense tax credit applies to individuals who have sustained significant medical expenses for themselves or certain of their dependants. The disability tax credit applies to individuals who have a "severe and prolonged mental or physical impairment" or for individuals who support certain dependants with such an impairment. The attendant care expense deduction is available to individuals who are entitled to claim the disability tax credit and who have incurred expenses for personal care that are necessary to enable them to work.

Department of Canadian Heritage

Athlete Assistance Program for athletes with disabilities

Sport Canada's Athlete Assistance Program (AAP) provides funding to support individual Canadian athletes with a disability identified as performing at or having the greatest potential to achieve a top-16 result at the Paralympic Games or World Championships.

Federal/provincial /territorial projects related to sports programs for people with disabilities

Federal-Provincial/Territorial (F-P/T) bilateral agreements are a means of advancing the goals of the *Canadian Sport Policy*. The opportunity for such bilateral agreements was approved by Federal-Provincial/Territorial Ministers responsible for Sport, Physical Activity and Recreation when they endorsed the Federal-Provincial/Territorial Priorities for Collaborative Action 2002-05 revised for the 2007-12 period, as a collective action plan, complementary to those of the F-P/T governments and of the sport community.

The Government of Canada has signed generic bilateral agreements with all provincial and territorial governments and is contributing up to \$4.4M per year to support these agreements. Provincial/Territorial governments are required to match the federal contribution thereby leveraging the investment by the Government of Canada.

The objective of the agreements is to enhance the sport participation of children and youth and under-represented groups including: Aboriginal people, persons with disabilities, visible minorities, youth at risk, and women and girls.

Funding for national sport organizations' Long-Term Athlete Development (LTAD) Model for sports programs for athletes with disabilities

All Sport Funding and Accountability Framework (SFAF) eligible sports that have a Paralympic component receive specific funds to develop either a separate LTAD model for that sport or integrate the AWAD specific components and information into their able-bodied model.

Sports participation funding -disability component, base funding for national sport organization's sports programs for athletes with disabilities

This total includes core funding for national sport organizations' disability sports programs and sport participation projects for persons with a disability. It includes funding to National Sport Organizations (NSO) to develop sports programs for athletes with a disability.

Sport Canada expenditures on Official Languages

Through its programs, Sport Canada allocated additional funding to sports organizations to help them meet official languages requirements. Funding for these targeted official languages initiatives included funds for translation, interpretation, and linguistic training.

Transport Canada (TC)

Accessible transportation

Transport Canada's Accessible Transportation Unit provides leadership in the development and promotion of strategies and policies that seek to provide accessibility to the national transportation network without undue obstacles for persons with disabilities, and seniors. TC establishes the legislative policy framework and monitors its effectiveness, administers and monitors compliance of the Intercity Bus Code of Practice and assists in the dispute resolution mechanism. It also leads a research and development (R&D) program, supports industry through educational and outreach programs, as well as provides information to travellers with disabilities through the operation of a 1-800 line and the Access to Travel website (www.accesstotravel.gc.ca).

Canadian Transportation Agency

Ensure that our national transportation system is accessible, particularly to persons with disabilities

The Canadian Transportation Agency is a quasi-judicial administrative tribunal that helps to protect the interests of users, transportation service providers and others in terms of their access to the federal transportation system through a specialized dispute resolution system and economic regulation of air, rail and marine transportation.

The Agency resolves disputes between travellers with disabilities and transportation service providers concerning the accessibility of the federal transportation system through informal processes, including mediation, and through formal complaint adjudication. In cases where the Agency determines that persons with disabilities encounter undue obstacles to their mobility, the Agency orders corrective measures to remove them, such as the purchase or modification of equipment, the development of policies and procedures, and the training of personnel. In recent years the Agency has resolved disputes regarding seating required by persons with disabilities travelling by air, at no additional charge; the use of medical oxygen by persons with disabilities travelling by air; and accommodation in air travel for persons with disabilities due to their allergies.

The Agency ensures that systemic undue obstacles to the mobility of persons with disabilities are removed from the federal transportation system through the administration of regulations regarding the training of transportation service provider personnel and the carriage of persons with disabilities by air using larger aircraft, and through codes of practice regarding the accessibility of aircraft, rail cars, and ferries; terminals; and communication with persons with disabilities.

The Agency monitors and ensures compliance with its regulations and codes of practice using a risk-based approach to set priorities for monitoring activities, identify new monitoring tools and assess the effectiveness of Agency standards through the identification of trends, gaps and early problem areas.

The Agency also uses education and outreach to improve the transportation industry's knowledge of the Agency's accessibility standards and works with service providers to facilitate their compliance. The Agency also has an advisory committee with which it consults to develop its accessibility standards and identify priorities for its program work.

Elections Canada

Accessibility of the Electoral System

A federal electoral event is a major undertaking, with strict requirements for precision, security, confidentiality and accessibility. The Canadian electoral system has long been recognized as a model for other countries. Over the years, it has undergone many changes, making voting as accessible as possible to all electors.

Continuing improvements in access

Elections Canada has worked to remove the obstacles electors may encounter at the polls by making constant improvements to administrative practices. Additional recommendations have been made by parliamentary committees that have reviewed the Canada Elections Act over the years. Since 1992, several amendments to the legislation have produced services that are better adapted to the needs of the Canadian electorate, particularly persons with disabilities.

- There are now three ways to vote: by special ballot; at an advance poll or on polling day.
- Electors can now register at the advance polls, as well as on polling day.
- The polls are open on polling day for 12 hours.
- The special ballot, through the use of a unique system of envelopes that protects the secrecy of the vote, allows Canadians to vote by mail or in person at their local Elections Canada office. While all electors can use the special ballot, it is particularly useful to persons with disabilities who would have difficulty reaching a polling station (see the Elections Canada backgrounder Voting by Special Ballot for details of special ballot voting procedures and deadlines).
- Access to Government of Canada buildings to set up polling stations is guaranteed.
- If an elector's polling station is moved to another location after the voter information card giving the polling station address has been sent, the elector who arrives at the original polling station on election day may request a certificate to vote at that polling station.
- All revision offices, all polling stations and all other premises used during an electoral event must have level access. Under exceptional local circumstances, the returning officer may seek specific authorization from the Chief Electoral Officer of Canada to use a polling station that lacks level access. Accessibility is indicated on the voter information card, which is sent to every registered elector shortly after the issue of the writs.
- Elections Canada has modified buildings and offices used during electoral events everywhere in Canada to ensure level access.
- "Permitted personal expenses" for a candidate with a disability or one who cares for a person with a disability now include expenses directly related to that disability.
- Before an election or referendum, Elections Canada provides training for all returning officers across the country on accessibility and awareness of special needs.
- Public education and information programs have been put in place to make the referendum and electoral processes better known to the public, particularly those persons and groups most likely to experience difficulty in exercising their democratic rights.

Additional services provided by Elections Canada for persons with special needs

Elections Canada offers information, education and accessibility services to persons with special needs, seniors and those with limited reading and writing skills. Material is available in multiple formats: large print, Braille, DVD and CD.

- information, e-mail access and special ballot registration forms available at www.elections.ca
- a page on the Elections Canada Web site dedicated to information for voters with special needs
- a toll-free information line for people who are deaf or hard of hearing: TTY 1-800-361-8935 (toll-free in Canada and the United States)
- documents written specifically for persons with disabilities and/or special needs, including reading difficulties
- a sign-language DVD with open- and closed-captioning for people who are deaf or hard of hearing
- a voting template for persons with visual disabilities
- a large-print list of candidates
- language or sign-language interpreter services on request
- help with registration at the advance polls and on polling day
- transfer certificates on election day to permit persons who use wheelchairs or who have other physical disabilities to vote at facilities that provide level access if, in exceptional cases, their own polling sites do not provide such access
- assistance, at the voter's request, in marking the ballot at the advance polls, the polling station or the local Elections Canada office
- transportation of the ballot box from room to room to facilitate voting in hospitals and certain residential institutions
- mobile polling stations for certain institutions (as specified in the Canada Elections Act) where seniors or persons with disabilities reside
- voting at home in the presence of an electoral officer and a witness, for electors who are registered for a special ballot and who cannot go to the local Elections Canada office and who cannot mark the ballot due to a disability

Between electoral events, staff at Elections Canada in Ottawa provide ongoing information and education services. During an election or referendum, Elections Canada in Ottawa answers requests for information or directs them to the appropriate local Elections Canada office.

The Bill of Electoral Rights for Citizens with Disabilities

Elections Canada helped draft *The Bill of Electoral Rights for Citizens with Disabilities*.

- On September 17, 2002, representatives from 24 countries created a new tool to promote access to the electoral process by signing the *Bill of Electoral Rights for People with Disabilities*.
- The authors of the Bill of Rights include disability rights experts, parliamentarians and election administration officials, including the Chief Electoral Officer of Canada, Jean-Pierre Kingsley. They met in Sigtuna, Sweden, through the efforts of the International Foundation for Election Systems (IFES) and the International Institute for Democracy and Electoral Assistance (IDEA).
- Access to the electoral process for people with disabilities remains an issue in both established and developing democracies. The Bill of Rights will help guide the work required to address this issue. It is based on the United Nations *International Covenant on Civil and Political Rights*.

The Bill of Electoral Rights for Citizens with Disabilities

Every citizen shall have the right and opportunity, without distinction on the basis of intellectual, physical, psychiatric, sensory or other disability:

- To have access on general terms of equality to the conduct of public affairs directly or indirectly through freely chosen representatives;
- To participate on general terms of equality in the conduct of elections;
- To register for, and to vote in genuine and periodic elections, referenda and plebiscites which shall be by universal and equal suffrage;
- To vote by secret ballot;
- To stand for election, to be elected, and to exercise a mandate once elected.

These rights shall be guaranteed without discrimination on any grounds, including disability, and without restrictions other than those justified in a free and democratic society.

States have the obligation to take affirmative and effective measures to ensure that citizens with disabilities enjoy these rights and have the opportunity to exercise their political and electoral rights on the basis of equality.

All these rights are guaranteed by the International Covenant on Civil and Political Rights.

Sigtuna, Sweden

September 16, 2002

By drafting and signing this Bill of Electoral Rights for Citizens with Disabilities, we the undersigned pledge to advance and disseminate the spirit and intent of this Bill within our organizations and networks.

Indian and Northern Affairs Canada

Assisted Living Program

The Assisted Living Program of Indian and Northern Affairs Canada provides funding to support First Nations people ordinarily resident on reserve who have functional limitations due to age, health problems or disability in maintaining their independence, to maximize their level of functioning and to live in conditions of health and safety.

The Assisted Living program has four components:

- in-home care, which provides homemaker and non-medical support services;
- adult foster care, which provides supervision and care in a family setting; and
- institutional care, which provides services in residential care for individuals requiring only limited supervision and assistance with daily living activities for short periods of time each day, and extended care for individuals requiring some personal care on a 24 hour basis, under medical and nursing supervision (but does not cover cost for medical services).
- Disabilities Initiative – provides funding for projects to improve the coordination and accessibility of existing disability programs and services on reserves, which can include advocacy, public awareness or regional workshops.

Industry Canada

Accessible resources

The Office of Consumer Affairs (OCA) promotes the interests of all Canadian consumers and has undertaken a number of activities in support of those with disabilities. The OCA is currently in the process of improving their already accessible websites and recently launched consumerhandbook.ca and Consumer Measures Committee website which is managed by the OCA. Both sites contain significant consumer information and the recent complete redevelopment has ensured accessibility to all Canadians. Additionally, the "Be Informed About...Consumer Issues" series was written in plain language and is aimed at low literate Canadians. Its five information sheets cover important information all consumers-particularly those who are vulnerable-have the right to be informed about including Debt, Identity Theft, Internet Safety, Landlords and Tenants; and, Making Complaints.

Contributions Program for Non-profit Consumer and Voluntary Organizations

The Contributions Program for Non-profit Consumer and Voluntary Organizations welcomes proposals from eligible organizations that have an interest in disability issues with a consumer perspective. The Program has allocated funding for research projects on these issues in the past.

Treasury Board Secretariat

Policy on Accessibility Standard for Real Property

The Canadian Human Rights Act (CHRA) gives effect to the principle that all individuals should have equal opportunity to have their needs accommodated, consistent with their duties and obligations and to function as members of society, without being hindered in, or prevented from,

doing so by discriminatory practices. The CHRA prohibits discrimination in the provision of goods, services, facilities or accommodation customarily available to the general public and prohibits the adverse differentiation between individuals.

The Treasury Board Policy on the Management of Real Property holds Deputy Heads responsible for providing barrier-free access to, use of and exit from real property in accordance with this standard. This standard establishes minimum requirements for the accessibility of real property to meet the objectives of the policy.

This standard is issued pursuant to the Financial Administration Act, subsections 7(1), 9(1.1), 9(2) and the Federal Real Property and Federal Immovables Act, subsection 16(4).

Department of Justice Canada

Justice Canada programs -disability component

The Department of Justice is dedicated to developing and maintaining a fair and accessible Canadian justice system and has a number of programs that help to test various approaches to improving Canada's justice system and to contribute to policy development that supports an accessible, equitable and efficient justice system for Canadians. In 2009-10, through the Justice Partnership and Innovation Program (JPIP), Victims Fund, and the Youth Justice Fund, the Department supported projects aimed at building knowledge, awareness and an informed dialogue among justice stakeholders and the public with respect to Canadians with disabilities. Specific initiatives included: the *Reach Canada: Equality in Practice - Sharing the Knowledge* project, the *Human Rights and Persons with Intellectual Disabilities 2010 Conference*, the *Communication Access to the Justice System for Victims Who Have Complex Communication Disabilities* project, and the *Understanding Youth with FASD and Making Accommodations* project.

Mental Health Commission of Canada (MHCC)

The MHCC was established as a catalyst for reform of policies and services to improve the lives of people living with mental health problems and illnesses. While the organization of mental health services is the responsibility of each province and territory, the MHCC supports research-based demonstration projects, policy development and knowledge exchange to facilitate change.

Chez Soi/At Home

MHCC has launched a \$110M research demonstration project in mental health and homelessness - a pragmatic, multi-site field trial, wherein homeless, mentally ill participants are randomized to experimental and usual care conditions. Participants in the experimental conditions receive recovery-oriented Housing First interventions that place consumer choice at the centre of housing and support considerations. Housing First provides access to permanent housing, and promotes community and mental health by offering recovery-oriented support and intervention.

The goal of the project is to influence advocacy and policy by finding out what service system interventions best achieve housing stability and improved health and well-being for those who are homeless and mentally ill.

Opening Minds

Opening Minds (OM) is the MHCC's ten year anti-stigma / anti-discrimination initiative designed to change the attitudes and behaviours of Canadians towards those living with mental illness. It was launched in October 2009 and is the largest systematic effort to reduce the stigma of mental illness in Canadian history.

The MHCC is working closely with the broad mental health community of consumers, stakeholders and professionals. It is carrying out a carefully targeted plan, based on the best available research. OM's goals are to ensure people living with mental illness are treated as full citizens; have equal opportunities in society and life and to encourage organizations to eliminate discrimination.

Mental Health Strategy for Canada & Social Inclusion

Generating a comprehensive Mental Health Strategy for Canada is a key mandate for the MHCC. The purpose of the strategy is to transform the mental health system so that it will strengthen opportunities for people in Canada to achieve the best possible mental health and wellbeing. A framework setting out seven aspirational goals for this strategy was released in November 2009. This framework resulted from a nationwide dialogue.

One of the seven goals in the Framework focuses specifically on social inclusion and the elimination of stigma and discrimination of persons living with mental health problems and illnesses. This goal sets out an aspiration for Canada that "people with mental health problems and illnesses are fully included as valued members of society". (Goal 7, pp 90-99, Mental Health Commission of Canada, *Toward Recovery and Wellbeing: A Framework for a Mental Health Strategy for Canada*, Ottawa, 2009).

The MHCC is currently developing specific recommendations for actions that will help achieve this goal. The focus includes building on the Opening Minds initiative, how people living with mental health problems and illnesses can be accorded the same rights and entitlements and have the same opportunities as people dealing with physical illnesses and as other people in Canada, as well as how to foster their positive contributions to community and society.

Western Economic Diversification Canada

Entrepreneurs with Disabilities Program

The Entrepreneurs with Disabilities Program provides western Canadians with disabilities with access to business information, training and development, mentoring and one-on-one counselling services, and financing in their pursuit of self-employment and entrepreneurship. These services are delivered through Community Futures offices in rural communities and a number of partners in urban areas. The program was designed to benefit entrepreneurs whose disability impairs their ability to perform at least one of the basic activities of self-employment or entrepreneurship. For more information, please visit: <http://www.wd.gc.ca/eng/273.asp>.

Veterans Affairs Canada (VAC)

Veterans Independence Program

The Veterans Independence Program helps clients remain healthy and independent in their homes and communities. Services include home care (i.e., grounds maintenance, housekeeping, personal care) and health support services. This program is available to people who have needs related to the condition for which they receive a VAC disability pension or award and to wartime veterans or overseas civilians who qualify due to low income.

Human Resources and Skills Development Canada (HRSDC)

Social Development Partnerships Program — Disability (SDPP-D) component

This program supports a wide range of community-based initiatives that help people with disabilities overcome social and economic barriers to fully participate in society. SDPP-D provides \$11 million per year in grants and contributions to eligible non-profit organizations working to meet the social development needs of people with disabilities.

HRSDC, through the Social Development Partnerships Program – Disability Component (SDPP-D) provides grant funding to the Canadian Association of Independent Living Centres (CAILC) to support its operations and network of Independent Living Centres across Canada. The mandate of this national umbrella organization is to advance the principles of Independent Living by providing leadership and resources to people with disabilities through its network of centres.

In addition, contribution funding is provided to CAILC for two strategic projects aimed at increasing the organization's capacity to: 1) analyze and report on the impacts of the independent living movement; and 2) to develop and implement an awareness, marketing and funding diversification strategy to move the organization towards a more sustainable funding framework.

Enabling Accessibility Fund (EAF)

To enhance accessibility for people with disabilities, Budget 2010 extends the EAF and provides \$45 million over the next three years. The Fund will continue its support for small projects, which focus on removing barriers and enhancing accessibility. The program will also support a number of mid-sized projects, allowing for communities to undertake larger retrofit projects or foster partnerships for new facilities.

Multiple Formats

HRSDC and Service Canada provide the public with multiple format of publications, forms or letters upon request. The term "multiple format" refers to any non-traditional publishing format such as audio cassette, Braille, computer diskette and CD, described video, large print, multi-media and on-screen text.

Service Canada publications can be ordered in multiple formats by calling 1-800 O-Canada. HRSDC Publications Catalogue offers the possibility of ordering publications in multiple formats at: <http://www12.hrsdc.gc.ca>

New Horizons for Seniors Program

The New Horizons for Seniors Program helps to ensure that seniors can benefit from, and contribute to, the quality of life in their communities through active living and participation in social activities.

Through grants and contributions, the Program funds projects that help improve the quality of life for seniors and their communities – from enabling seniors to share their knowledge, wisdom and experiences with others, to improving facilities for seniors' programs and activities, to raising awareness of elder abuse. The Program is comprised of three funding components: Community Participation and Leadership; Capital Assistance; and Elder Abuse Awareness.

Canada Pension Plan Disability Program

The Canada Pension Plan Disability (CPPD) Program is a key federal program for supporting persons with disabilities. As a social insurance program, CPPD provides basic earnings replacement to Canada Pension Plan contributors who can no longer work due to a severe and prolonged disability. The program promotes beneficiaries' return to work, should they regain work capacity over time. A monthly benefit is also provided to eligible dependent children of contributors with disabilities.

Canada Pension Plan Disability Vocational Rehabilitation Program

The Canada Pension Plan Disability (CPPD) program offers vocational rehabilitation supports to help CPPD beneficiaries make a successful transition from income support to regular employment. Services could include vocational counselling, financial support for training, and job search assistance.

Federal Worker's Compensation benefits

Through the *Government Employees Compensation Act* (GECA), the federal government provides compensation benefits to federal employees who have sustained an occupational injury or illness in the course of their work. The benefits include salary replacement, health care and rehabilitation support as well as assistance to ensure early and safe return to work.

Merchant Seamen Compensation Act

The *Merchant Seamen Compensation Act* (MSCA) provides workers' compensation benefits to injured seamen or to their dependents for accidents arising out of or in the course of employment. Coverage is limited in scope to those seamen engaged in "home trade voyages" and "foreign voyages" as defined in the MSCA and who are not covered under a provincial workers' compensation scheme. \$188.5, which includes the compensation costs under the federal statutes, i.e., the *Merchant Seamen Compensation Act* and the *Government Employees Compensation Act*. These funds represent the compensation costs for fiscal year 2009-2010 and the injury-on-duty leave for calendar year 2008.

Registered Disability Savings Plan

Announced in Budget 2007, the Registered Disability Savings Plan (RDSP) became available to Canadians in December 2008. The RDSP is a long-term savings plan to help people with disabilities and their families save for the future. To be eligible for the RDSP, individuals must be

under the age of 60, a Canadian resident with a social insurance number, and eligible for the Disability Tax Credit.

There is no annual contribution limit to the RDSP, but there is a lifetime contribution limit of \$200,000.

To help people save, the Government will pay a matching Canada Disability Savings Grant (grant) of up to 300% depending on the amount contributed and the beneficiary's family income. The maximum grant is \$3,500 a year, with a limit of \$70,000 over the lifetime of the Plan.

The Government will also pay a Canada Disability Savings Bond (bond) into the RDSPs of low- and modest-income Canadians. Beneficiaries who qualify for the bond will receive up to \$1,000 a year, with a limit of \$20,000 over the lifetime of the Plan. No contributions are necessary to receive the bond.

Grants and bonds are paid into the RDSP until the year the beneficiary turns 49 years old.

Earnings accumulate tax-free until money is taken out of the RDSP. To encourage savings, grants and bonds must remain in the RDSP for at least 10 years.

Money paid out of an RDSP does not affect eligibility for federal benefits such as the Canada Child Tax Benefit, the Goods and Services Tax credit, Old Age Security, or Employment Insurance. In addition, all provinces and territories have announced a partial or full exemption of RDSP income and assets for the purposes of assessing eligibility for provincial and territorial programs and services.

Employment Insurance Sickness Benefits

Employment Insurance provides Sickness Benefits to individuals who are unable to work because of sickness, injury, or quarantine.

Employment Equity Act

The Employment Equity Act (EEA) seeks to achieve equitable representation in federal workplaces for four designated groups: women; Aboriginal peoples; persons with disabilities, and members of visible minorities. The EEA covers federally-regulated private sector employers and Crown corporations, the federal Public Service, separate public sector employers, the Royal Canadian Mounted Police, the Canadian Security Intelligence Service and the Canadian Armed Forces. The Federal Contractors Program covers provincially-regulated employers who receive federal contracts of \$200,000 or more.

Since the federal Employment Equity Act came into force in 1986, there has been steady and gradual progress in the employment situation of the four designated groups in both the public and private sectors.

Online resource

In May 2009, HRSDC implemented a web page linking employers to information on hiring marginalized Canadians to encourage employers to hire immigrants, Aboriginal peoples, seniors, youth and persons with disabilities.

Service Canada

Service Canada offers single-window access to a wide range of Government of Canada programs and services for citizens through more than 600 points of service located across the country as well as through call centres and the Internet. Services to people with disabilities include providing assistance for finding and maintaining employment, help with accessing skills training and the provision of information on pensions and employment insurance. Service Canada strives to ensure that services are accessible, respectful and tailored.

In June 2006, the Service Canada Management Board approved a three year strategy, built to ensure a transformation in service delivery to people with disabilities and help them overcome gaps in employment, education, training, income and inclusion. The strategy sought to ensure that:

- Disability would not be a barrier for people to access government services, regardless of the channel they chose to use (in-person, Web, telephone and by mail).
- People with disabilities would receive all benefits and services to which they had a right.
- The number of interactions that people with disabilities needed to go through to access programs, benefits and services would be greatly reduced, with a 'no wrong door' policy
- The employment of people with disabilities in Canada would steadily increase.
- The Government of Canada, through Service Canada, would be at the leading edge in providing services to people with disabilities.
- Service Canada would be an employer of choice for people with disabilities

To attain these outcomes, priorities were organized under three main pillars:

- Improving accessibility through all service delivery channels (in-person, Web, telephone and by mail).
- Simplifying and bundling services to provide clients with a 'no wrong door' approach.
- Increasing awareness and expertise through building world class excellence.

By the end of the 2006-2009 period, a number of concrete steps had been taken towards achieving the goals of the strategy and of Article 19 more broadly, such as:

- Undertaking pilot projects for in-person sign language interpretation and intervenor services, as well as for the use of assistive technologies under the draft *Policy on Services for the Deaf, Deaf-Blind and Hard-of-Hearing*.
- Working with Public Works and Government Services Canada to undertake accessibility audits of 300 Service Canada Centres (SCCs).
- Developing In-Person Service Experience Model (IPSEM) guidelines for interior design standards in SCCs. These call for a common look and feel to office design, zones for welcoming clients fitted with accessible workstations, and accessible office equipment for client use.
- As part of a pilot called the Citizen Access Workstation Systems (CAWS) Accessibility Project, fitting some service centres with accessible workstations for use by seniors, persons with disabilities, and people with low literacy skills. The ultimate aim is to replace all current workstations in all SCCs with accessible ones.
- Developing bundling handouts which group together information on relevant programs for persons with disabilities.
- Making forms and documents available in multiple formats and making web sites and web applications comply with government-wide accessibility guidelines.

- Designing and delivering sensitivity training to staff in regional offices, to ensure that citizen service officers are ready to respond to the needs of persons with disabilities. In addition, the IPSEM calls for sensitivity and awareness on the part of service staff

Also, working with the Accessibility Centre of Excellence (ACE), significant progress was made helping employees and their managers find proper adaptive computer technology solutions, resulting in more accessible and effective work spaces. In addition, ACE conducted research and testing on adaptive computer technologies as well as Web applications when requested by internal clients.

A new client service strategy for 2010 to 2015 has been drafted and is pending approval. The new strategy proposes the following five transformational priorities:

- Ensuring accessibility to services, benefits and programs through all service channels.
- Improving service delivery through stronger Federal/Provincial/Territorial coordination, program and service enhancements, and easing service access processes.
- Building employees' capacity to deliver efficient and effective services to clients
- Utilising technological/innovative solutions, equipment and instruments to improve services for persons with disabilities.
- Collaborative engagement and partnerships with stakeholders to ensure continuous improvement in service delivery.

ARTICLE 24 – EDUCATION

Veterans Affairs Canada

Vocational Services

The Vocational Services aim to help Canadian veterans who have recently been released from medical care and those with disabilities who need support to re-enter civilian life. Experts help them learn if skills and education from their military job can be transferred to a similar civilian job. Service include: vocational counselling and evaluation help to find a job, possible support for training, and other costs related to training such as child care.

Canada Revenue Agency

Disability Supports Deduction

The Disability Supports Deduction provides tax relief for the cost of disability supports incurred for the purposes of employment or education (such as sign language interpretation services and talking textbooks). This deduction eliminates the income tax payable on income (including government assistance) used to pay for these expenses, and exempts this income from the calculation of income-tested benefits.

Department of Justice Canada

Canadian Charter of Rights and Freedoms

Every person, irrespective of status, has an equal right to access education, as per Section 15 of the Canadian Charter of Rights and Freedoms, which provides as follows:

15. (1) Every individual is equal before and under the law and has the right to the equal protection and equal benefit of the law without discrimination and, in particular, without discrimination based on race, national or ethnic origin, colour, religion, sex, age or mental or physical disability.

(2) Subsection (1) does not preclude any law, program or activity that has as its object the amelioration of conditions of disadvantaged individuals or groups including those that are disadvantaged because of race, national or ethnic origin, colour, religion, sex, age or mental or physical disability.

In Canada, the government provides an education for every child, in every province and territory free of charge. Public education is paid for through taxes and controlled by the provinces and territories. Compulsory public education starts at age four or five until at least age 15 or 16 (or 18 in the case of the province of Ontario), depending on the province or territory in which a child lives.

Which specific factors impact Migrants, Refugees and Asylum-Seekers (MRAs) with disabilities?

None that differ from Canadian persons with disabilities. All jurisdictions offer special education programs that attempt to address, to various extents and within the limits of financial constraints the needs of students with learning, intellectual and/or physical disabilities

Canadian Human Rights Act¹

In this Act, discrimination is prohibited on the basis of many things, including disability. The Act

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Canadian Human Rights Act¹

In this Act, discrimination is prohibited on the basis of many things, including disability. The Act states that it is illegal to deny, or deny access to, any such good, service, facility, or accommodation to any individual or to differentiate adversely in relation to any individual. Included in this is access to education.

Department of Finance

Canada Social Transfer (CST)

The CST is a federal transfer to the provincial and territorial governments in support of post-secondary education, social assistance and social services, early childhood development and early learning and child care. The CST is calculated on an equal per capita basis².

- The CST cash transfer, including transition protection payments, will be about \$11.2 billion in 2010–11.
- The CST base increased by \$687 million in 2007–08 to support the move to equal per capita cash. In 2008–09, the CST will increase by \$800 million for post-secondary education and an additional \$250 million to support the development of child care spaces.
- CST cash levels are set in legislation up to 2013–14 and will grow by 3 per cent annually as a result of an automatic escalator, effective 2009–10.

¹ UNESCO Seventh Consultation of Member States on the Implementation of the Convention and Recommendation against Discrimination in Education – Report for Canada – September 2007

(www.cmec.ca/Publications/Pages/default.aspx?cat=24&page=0&sort=Publication,PublicationDate&dir=desc)

² <http://www.fin.gc.ca/fedprov/cst-eng.asp>

Provinces and territories also receive CST support through a tax point transfer. CST tax transfers amount to \$8.2 billion in 2009–10 and will continue to grow in line with the economy.

In 2008-09, the CST cash transfer will provide approximately \$10.5 billion in support to provinces and territories, up from \$9.5 billion in 2007-08, for all supported areas. Budget 2007 provided an \$800 million increase to the CST to provide stable, predictable, long term funding to provinces and territories for post-secondary education. This funding took effect in 2008-09, increasing the total amount of funding available through CST for post-secondary education to \$3.2 billion, and will grow by three percent annually until 2013-14.³

Human Resources and Skills Development Canada

Community Inclusion Initiative

The Community Inclusion Initiative (CII), under the Social Development Partnership Program – Disability Component (SDPP-D) is a national community development initiative to promote the economic inclusion, full participation and citizenship of Canadians with intellectual disabilities. Its objective is to assist communities to develop the capacities they require to successfully include people with intellectual disabilities in ways that promote their roles as full citizens.

Since 2005, one of the funding priorities of the CII has been education. Projects currently funded under this priority focus on inclusive education. Activities include providing supports and training to teachers, families and parents to address the need for changes within the public education system to modify curriculum and/or instruction in ways that enhance the educational outcomes and inclusion of students with intellectual disabilities. Projects focus on providing youth with the opportunity for an inclusive school experience that will provide real opportunities for them to reach their potential and have the support and preparation they need to make successful transitions from high school to work and adult life in the community.”

Aboriginal Human Resources Development Strategy -disability component

The Aboriginal Human Resources Development Strategy (AHRDA) provides funding to 79 Aboriginal organizations to design, develop and implement employment and human resources programs for Aboriginal people in Canada. AHRDA holders are Aboriginal organizations that design and deliver employment and human resources programs for Aboriginal people in their communities. Key results for AHRDAs are completed interventions, returns to work and/or school.

Canada Student Grant for Students with Permanent Disabilities

The Canada Student Grant for Students with Permanent Disabilities is an up-front grant awarded to students with permanent disabilities who have at least \$1.00 of demonstrated financial need. It is intended to assist in covering the costs of accommodation, tuition, books, and other education-related expenses. This grant:

- provides \$2,000 per academic year (August 1 to July 31); and

³ Government Response to the Third Report of the Standing Committee on Human Resources, Social Development and the Status of Persons with Disabilities
<http://www2.parl.gc.ca/HousePublications/Publication.aspx?DocId=3599503&Language=E&Mode=1&Parl=39&Ses=2>

- is available for each year of post-secondary studies, provided the student continues to meet the eligibility criteria.
- Grant money is issued by the province or territory of permanent residence at the beginning and in the middle of the school year.

Canada Student Grant for Services and Equipment for Students with Permanent Disabilities

The Canada Student Grant for Services and Equipment for Students with Permanent Disabilities provides financial assistance to help students with permanent disabilities pay for exceptional education-related costs associated with their permanent disability. These costs may include tutors, oral or sign interpreters, attendant care for studies, specialized transportation (to and from school only), note takers, readers and brailers. The grant:

- provides up to \$8,000 per academic year (August 1 to July 31) based on the actual costs of the service provided; and
- is available for each year of post-secondary studies, provided the student continues to meet the eligibility criteria.

Permanent Disability Benefit

Under this benefit, a borrower with a severe permanent disability may be eligible to have their Canada Student Loans immediately cancelled.

The Canada Student Loans Program defines a severe permanent disability as preventing the borrower from working and from participating in post-secondary education.

Borrowers with a permanent disability, who do not qualify for this benefit, may be eligible for financial assistance under the Repayment Assistance Plan for Borrowers with a Permanent Disability.

Repayment Assistance Plan for Borrowers with a Permanent Disability (RAP-PD)

Under RAP-PD, borrowers only pay back what they can reasonably afford, based on their family income, family size, and any exceptional medical expenses related to their permanent disability. Affordable monthly payments are limited to less than 20 percent of a borrower's family income, and in certain cases, borrowers may not have to make any student loan payments until their income increases.

To ensure that their repayment period is not longer than 10 years, the Canada Student Loans Program covers any interest and principal not met by a permanently disabled borrower's monthly affordable payment (even if that payment is \$0).

Canada Student Loan Assistance

Under the Canada Student Loans Program, post-secondary students with permanent disabilities receive Canada Student Loans with relaxed eligibility criteria for full-time education and an extended lifetime limit of 520 weeks of loan assistance. The loan amount is determined based on the person's financial need. Students with permanent disabilities are eligible to enroll in reduced course loads while continuing to maintain their full-time or part-time status: eligible

students are considered full-time when they take a 40% course load; they are considered part-time students when they take between 20% and 39% of a full-time course load.

These conditions differ for students without a permanent disability, as they are required to be enrolled in a minimum of 60% of a full course load to be considered a full-time student and between 20% and 59% to be considered a part-time student. In addition, the maximum number of weeks of loan assistance is 340.

Adult Learning, Literacy and Essential Skills Program (ALLESF)

ALLESF is administered by the Office of Literacy and Essential Skills (OLES). It is delivered through grants and contributions, which fund projects that build knowledge and expertise; develop, adapt and disseminate tools, supports and best practices; and sustain partnerships with partners (e.g. provinces and territories, employers, unions, and literacy organizations). ALLESF also provides core funding to 22 literacy and essential skills organizations across the country.

Opportunities Fund

The Opportunities Fund (OF) for Persons with Disabilities assists persons with disabilities in preparing for, obtaining and keeping employment or becoming self-employed, thereby increasing their economic participation and independence.

OF provides direct assistance to participants to help them obtain skills for employment. Skills for employment provides clients with the opportunity to upgrade their existing skills or to acquire new skills that enable them to obtain employment in a given occupation. It may include full-time and part-time training, distance learning, generic or occupation-specific skills, and apprentice training (pre-employment).

Labour Market Agreements for Persons with Disabilities (LMAPD)

Through the Labour Market Agreements for Persons with Disabilities (LMAPD), the Government of Canada transfers funds annually to the provinces for programs and services designed to improve the employment situation for persons with disabilities. The Government contributes up to 50 percent of the costs incurred by provinces, up to a maximum specified in each agreement. Provincial governments are responsible for the design and delivery of programs and services. A wide range of activities are supported under the LMAPD, including pre-employment preparation, skills training, and post-secondary education supports.

Workplace Skills Initiative (WSI)⁴

WSI is part of the Government of Canada's long-term economic plan, Advantage Canada. It is a federal contributions program that funds projects that test and evaluate promising, partner-based, outcomes-focused approaches to skills development and human resource practices for employers and employed Canadians. Projects receive a maximum federal contribution of 75% of the total value of eligible costs. The partners are organizations or individuals who share the cost of the project through cash or in-kind contributions.

⁴ The Development and State of the Art of Adult Learning and Education Report for Canada October 2008 (www.cmec.ca/publications/Pages/default.aspx?cat=4&page=0&sort=Publication_PublicationDate&dir=desc)

Targeted Initiative for Older Workers⁵

The Targeted Initiative for Older Workers (TIOW) provides employment assistance services and employability improvement activities (such as skills upgrading and work experience) to unemployed older workers aged 55 to 64.

The Initiative is cost-shared with the provinces and territories. Participating provinces and territories design and deliver projects aimed at unemployed older workers in communities experiencing ongoing high unemployment and/or with a high reliance on a single industry affected by downsizing or closures. To be eligible, participants must:

- be aged 55 to 64 (in some circumstances, unemployed workers aged 50 to 54 or 65 and over may participate);
- be unemployed;
- be legally entitled to work in Canada;
- require new or enhanced skills to successfully transition into new employment, and
- live in an eligible community.

Funding of \$70 million was provided by the Government of Canada to start the initiative in Budget 2006, and Budget 2008 committed \$90 million to extend TIOW until 2012. Canada's Economic Action Plan included an additional \$60 million over the three years (to March 2012) for TIOW to allow more older workers to benefit from the activities offered under the initiative. Also, the eligibility for cities and towns was changed so that all communities with populations of 250,000 or less are eligible, even if they are located in larger census metropolitan areas. This change has meant that up to 250 additional communities could be eligible, depending on whether they met the other eligibility criteria and also depending on provincial and territorial participation

⁵ http://www.hrsdc.gc.ca/eng/employment/employment_measures/older_workers/index.shtml (accessed August 5, 2010)