



February 29, 2024

Bonita Zarrillo, MP Port-Moody-Coquitlam
1116 Austin Ave
Coquitlam, BC
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Via email: bonita.zarrillo@parl.gc.ca

Dear Bonita,

RE: BCCLA encourages immediate financial assistance to PWD while CDB in limbo

I write to you on behalf of the BC Civil Liberties Association (BCCLA) to thank you for your commitment to disability and human rights and for your persistence in calling attention to the need for greater and sustained financial assistance for persons with disabilities (“PWD”). It is regrettable that the federal government chose not to support those who advocated and petitioned for an interim benefit or, what PWD called, the Disability Emergency Response Benefit (DERB).¹ Despite this outcome, we hope you will continue to advocate for desperately needed interim and retroactive financial assistance as a matter of prioritizing and protecting PWD rights to life, liberty, and security of the person, and equality under sections 7 and 15 of the *Charter* respectively. This also aligns with the government’s commitment to uphold the Convention on the Rights of Persons with Disabilities (UNCRPD).

Over the past few months, we have been meeting with a grassroots group of PWD to hear about their lived experiences and hardships, especially from those who are trying to survive on disability assistance as their only source of income. From struggling to maintain housing or afford food because of the soaring cost of living, to barriers to accessing comprehensive healthcare including medical equipment, accessibility devices, pharmacare, dental, vision, palliative, long-term, and mental healthcare, to not being able to adequately care for dependents

¹ “Petition to the House of Commons: e-4519 (Social affairs and equality)” (4 December 2023), online: *Parliament of Canada* <<https://www.ourcommons.ca/petitions/en/Petition/Details?Petition=e-4519>>.

or companion animals, the situation is dire, undignified, isolating, and wears away at the mind, body, and spirit.

Some members of this PWD group are representatives of Every Canadian Counts, Canadian Disability Organizations (CANDO), Citizen Economist. These groups are dedicated to ensuring that the lives of PWD are valued.

In our view, it is unreasonable to expect PWD to wait over 1200 days for desperately needed financial assistance since the first iteration of the CDB was promised, when the government was able to create and provide the Canada Emergency Response Benefit (CERB) in a matter of days.

While building in engagement on the CDB's regulations is important, PWD lives are not on pause until the benefit is delivered. Furthermore, in addition to other potential barriers, financial stress may have hindered the ability of PWD to know about the engagement process or to participate. We find it unacceptable that the government can commit \$21.5 million to "continue work on the future delivery of the CDB" but cannot provide needed and direct financial assistance to PWD now.

Disability and Poverty on the Rise in Canada

While the Canada Disability Benefit (CDB) moves through the regulatory process and the Senate Finance Committee develops a national framework for a guaranteed livable basic income program, PWD lives hang in the balance. Some PWD group members expressed that life is becoming unbearable under the weight of poverty compounded by the absence of proper social and mental health supports.

According to recently published data by Statistics Canada², the 2022 disability rate increased by 4.7 percentage points from 2017 to 2022 with mental health-related disabilities accounting for the largest increase. In 2022, 27.0% of Canadians aged 15 and older, or 8.0 million people, had at least one disability. The data also showed that the disability rate is highest among those who are 65 plus.

Likewise, Indigenous peoples in Canada are experiencing a worsening mental health crisis. On January 24, 2024, First Nations Chiefs raised alarm bells in Ottawa after a string of suicides and unexplained deaths in First Nations across Ontario.³ The Chiefs attribute these deaths to poor living conditions coupled with a lack of mental health supports, especially for children and youth. NDP MPP Sol Mamakwa explains, "[m]any youth living on First Nations without access

² "New data on disability in Canada, 2022" (2023), online: *Statistics Canada* <<https://www150.statcan.gc.ca/n1/en/pub/11-627-m/11-627-m2023063-eng.pdf?st=k99qybTw>>.

³ Alessia Passafiume, "First Nations leaders say mental health crisis worsening at emergency meeting" (24 January 2024), online: *Global News* <<https://globalnews.ca/news/10249092/first-nations-leaders-meeting-mental-health-crisis/>>.

to drinkable water, safe housing and adequate schools understandably experience depression as a result”.⁴

The BCCLA understands that poverty, physical disability and/or mental illness often go hand in hand. Indeed, there are approximately 1.4 million PWD living in poverty in Canada.⁵ The evidence indicates that “poverty-and the material and social deprivation associated with it – is a primary cause of poor health among Canadians.”⁶ As noted above, this is particularly true for Indigenous peoples who, because of enforced poverty and ongoing oppression, experience glaring disparities in health care and health outcomes. Not having access to adequate stabilizing resources, such as income, employment, and housing, can increase the risk factors for complications at birth, the full-range of disabilities, mental health issues and relapse.⁷

Lack of Accessible Employment Opportunities

Another issue that came up during our conversation with the PWD group is the lack of accessible employment opportunities.

The availability of jobs is not an indicator that they are accessible to PWD. Ongoing systemic discrimination against PWD means a greater risk of being excluded from the hiring process. This is heightened when employers do not institute proper Diversity Equity and Inclusion (DEI) provisions and lack the training to address and accommodate the specific needs of a variety of disabilities and neurodiversities. Furthermore, potential employment opportunities are not a reason to withhold required financial assistance to PWD.

In addition, in requesting greater financial assistance from the government, PWD should not be instead forced to seek employment opportunities. This response fails to take into consideration that PWD may not be ready and physically and/or mentally able to do so. Disabilities differ for PWD and require respite or modifications to activities of daily living. Ensuring that PWD’s basic needs are met through the provision of dignified financial support will make it easier for PWD to consider the possibility of finding a job if it is an option.

⁴ Michelle Allan, “Nishnawbe Aski Nation holds emergency meeting in Ottawa amid surge in sudden deaths on First Nations” (24 January 2024), online: *CBC News* <<https://www.cbc.ca/news/canada/thunder-bay/nan-emergency-meeting-sudden-deaths-1.7093799>>.

⁵ Michelle Hewitt, “Publications” (November 2021), online: *Disability without Poverty* <[⁶ Dennis Raphael, *Poverty and Policy in Canada: Implications for Health and Quality of Life* \(Toronto: Canadian Scholars’ Press Inc., 2007\)](https://www.disabilitywithoutpoverty.ca/publications/the-benefit#:~:text=Currently%20there%20are%20at%20least,of%20Canada%20are%20disabled%20people,>.</p></div><div data-bbox=)

⁷ “Backgrounder: Poverty and Mental Illness” (2007), online (pdf): *Canadian Mental Health Association* <https://ontario.cmha.ca/wp-content/uploads/2007/11/cmha_ont_poverty_backgrounder_112007.pdf>.

Financial Assistance is Needed Now

The BCCLA is committed to work toward a society where all PWD live free of discrimination and have full access to education, health care, homes, jobs, and civil engagement. One way the government could improve the lives of PWD and allow for greater autonomy is to provide immediate interim and retroactive financial assistance until the CDB is realized. In addition, immediate financial assistance and the CDB should be provided regardless of age or relationship status and without *any* clawbacks. This, we are told, would greatly improve the lives of PWD and would be consistent with Article 10 of the UNCRPD, “which requires states to ensure that persons with disabilities can effectively enjoy their inherent right to life.”

Thank you in advance for your continued vigilance and advocacy in this matter.

Sincerely

Veronica Martisius
Litigation Staff Counsel
BC Civil Liberties Association

CC:

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