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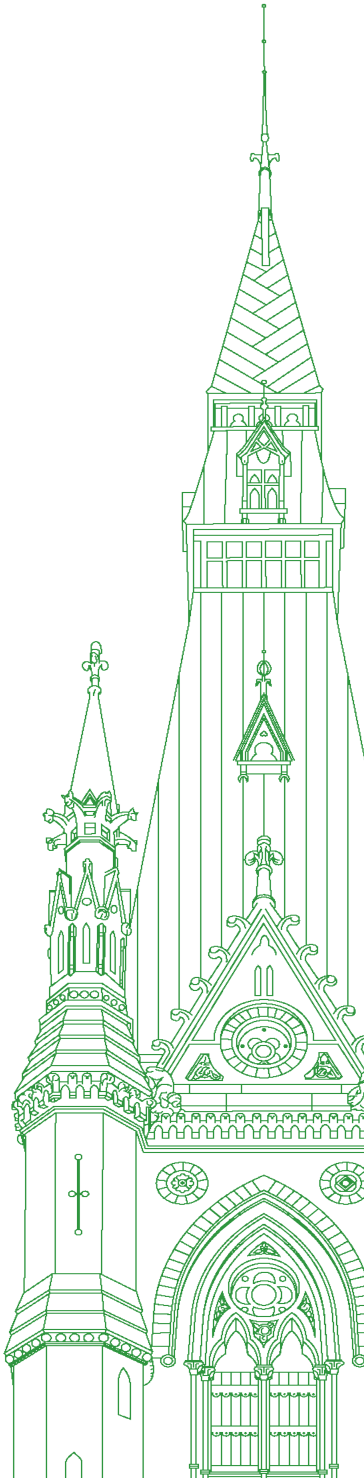

Chair: Mr. Robert Morrissey

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

Monday, November 14, 2022

● (1535)

[*English*]

The Chair (Mr. Robert Morrissey (Egmont, Lib.)): I call the meeting to order.

Welcome to meeting number 43 of the House of Commons Standing Committee on Human Resources, Skills and Social Development and the Status of Persons with Disabilities.

Today's meeting is taking place pursuant to the House order of June 23, 2022, and therefore members are attending in person as well as remotely by using Zoom.

To ensure an orderly meeting, I would like to make a few comments for the benefit of the witnesses and members appearing virtually.

Before speaking, please wait until I recognize you by name. For those participating virtually, please use the “raise hand” function. Before speaking, click on the microphone icon to activate your own mike. For those in the room, it will be controlled here by the verification officer. You may speak in the official language of your choice.

Interpretation services are available. For those participating virtually, you can choose either official language with the icon on your service. Unless there are exceptional circumstances, the use of headsets with a boom microphone provided by the House of Commons is mandatory for everyone participating remotely who wishes to speak. That is for the benefit of the interpretation services, so that they can do the translation accurately.

I would like to remind all participants that screen shots or taking photos during the meeting is not permitted. Should any technical issue arise during the meeting, please get my attention. We'll suspend until it's clarified.

Bill C-22 is an act to reduce poverty and to support the financial security of persons with disabilities by establishing the Canada disability benefit and making a consequential amendment to the Income Tax Act. Pursuant to order of reference of Tuesday, October 18, 2022, the committee will resume its study of Bill C-22.

I would like to take a moment to remind those participating in today's meeting, as well as those observing the proceedings in person and on video, that the committee adopted a motion on Monday, October 24, that included instructions for the clerk to explore options to allow for the participation of all witnesses and members of the public in the context of the consideration of Bill C-22. In planning inclusive and accessible meetings, the committee has made arrangements for sign language interpretation in both American Sign Language and Quebec sign language for those witnesses appearing in person and by Zoom, and for individuals in our audience. The sign language interpreters are being video recorded to be incorporated into a video recording of the proceedings today that will be made available at a later date on ParlVU via the committee.

Finally, if a member of the audience requires assistance at any time, please notify a member of the staff or the committee clerk.

I would like to inform all members that the witnesses appearing virtually today have completed the technical connectivity and equipment test, and adequate translation is available.

I would like to welcome our witnesses. We will begin our discussions with five minutes of opening remarks, followed by questions.

We welcome back Vincent Calderhead, legal counsel, who is appearing as an individual.

From the Accessibility for Ontarians with Disabilities Act Alliance, we have David Lepofsky, chair, who's with us in the room, and Shirelle Cogan, delegate.

We also welcome Danielle Gratton, director; and Louise Bourgeois, president and member, board of directors, Mouvement Personne D'Abord de Sainte-Thérèse.

We will start with Mr. Calderhead for five minutes, please.

Mr. Calderhead, you have the floor.

Mr. Vincent Calderhead (Legal Counsel, As an Individual): Thank you very much. I'm speaking to you as an individual, a lawyer who has worked in the poverty law area for about 35 years. I've worked on income support programs, both provincial and federal. I've done extensive litigation on both the federal and provincial levels, as well as in international human rights. Throughout this period of time, my clients have been exclusively people living in poverty, who are disproportionately people with disabilities.

I prepared and filed a submission with this committee, which I understand has not yet made it through the translation process. It talks about three issues. First is the absence of a definition for disability in the legislation. Second, it talks also about the clawback problems and clawback issues. Third, and the one I would like to focus on most substantively, would be the lack of a provision for adequacy in the bill. Let me speak just briefly on the clawback issue.

I've had an opportunity to review the speeches at second reading, and also the witness testimony from the minister before this committee. It was very clear from her remarks that the issue of clawback is top of mind for her, as it is for many people who are interested in this bill.

My issue here—and again I won't be long about it—is that as it is drafted now, if the bill becomes law, and regardless of what arrangements and negotiations are arrived at with the provinces, the current wording of the bill requires that a benefit be paid to everyone who meets the eligibility requirements, regardless of what any particular province intends to do by way of clawbacks, non-clawbacks or partial clawbacks. Again I'm not going to spend a lot of time on that, primarily because I know that others are very interested in the clawback issue, but I just flag for you that as currently drafted, the bill requires that a payment be made, completely irrespective of whatever arrangements have been arrived at with the provinces.

Let me move on to the most substantive issue, and I think that's the issue of benefit adequacy. Canada is under an international human rights obligation, under various human rights treaties, to ensure that people with disabilities enjoy the right to an adequate income. That's under the CRPD, which is mentioned in the bill, and also under the International Covenant on the Economic Social and Cultural Human Rights.

As currently drafted, the bill makes no provision whatsoever to ensure adequacy and leaves the quantum, the amount and so on, left to regulation. This is the moment that adequacy needs to be included in the legislation. It's required, I would submit, to ensure the compliance with international human rights law. Also, with Canada's constitutional commitments, under section 36 of the Constitution, specifically, section 36(1)(c) sets out a joint federal-provincial commitment to ensure that services of reasonable quality are made available to all Canadians. “Reasonable” here must for sure meet the adequacy test set out by the official poverty line in Canada.

That's strictly on income support with respect to people with disabilities. Of course there must be measures taken to ensure that the cost of their disabilities is taken into account. In my submission to you, I have set out at the very end of it a proposed amendment to the bill, which I would submit could be an amendment to section 5 of the bill and could simply read, “A benefit paid under subsection (1) must be sufficient to ensure that the person to whom it is paid does not live below the official poverty line as defined in section 2 of the Poverty Reduction Act.” That clearly needs to be interpreted and implied in a way that takes into account the cost of disability.

● (1540)

Rather than leave it to the uncertainties and vagaries of regulations that might be created down the road, now is the time when the standard of adequacy must be made. I know that many people who have testified have already indicated that there is urgency and that this bill must be passed immediately. I would submit that, as this committee reports, it ought to propose an amendment along the lines I proposed to clause 5, and that the government could very quickly ensure that its human rights obligations are met in a way that is not compromising and that meets those obligations.

No one should have to compromise with trade-offs to their human rights entitlements in order to ensure quick passage of the bill.

With that, I'll leave it there, and I thank you very much for the opportunity.

● (1545)

The Chair: Thank you, Mr. Calderhead.

We will now go to David Lepofsky.

Mr. David Lepofsky (Chair, Accessibility for Ontarians with Disabilities Act Alliance): Thank you.

There is common ground between every group and individual who has presented to you and every speaker from every party who has addressed this bill that disability poverty is absolutely unacceptably high and must be eliminated. There is common ground that legislation to create the Canada disability benefit must be passed quickly.

We don't need to debate those points. We need to talk about what needs to be done so that this bill achieves what the minister said it would in her very first statement on the bill at second reading—the commitment that no person with a disability should live in poverty in Canada.

This bill does not ensure that. We propose amendments that will. It is undisputable that under this bill there need never be a Canada disability benefit or, if there is, it need not exceed a dollar a month. There is no assurance that it will be maintained from one cabinet to the next or from one government to the next. There is no assurance that people with disabilities who need it will all be covered. There is only one policy decision in this bill that is clear—that upwards of a third of all people with disabilities over the age of 15 are assured that they cannot receive this benefit, no matter how poor they are.

We propose amendments that will speed up getting money into people's pockets, because as it is drafted now, this bill is a formula for that happening slowly, not quickly.

To support what we are tabling, which I will quickly summarize, we've tabled with you an open letter, already signed by 37 organizations drawn from six provinces, a wide spectrum of disabilities and national and very local organizations that are united around an agenda of six reforms.

The government has committed itself to the maxim “nothing about us without us”. This letter is the “us” that the government must listen to.

First, this bill cuts out anyone older than what is defined as “working age”. Upwards of a third of people with disabilities over the age of 15 are over the age of 65. That makes sense because aging is the greatest cause of disability. Thirty-five per cent of people who, like me, are visually impaired are over the age of 65. They are cut out of this bill completely. We ask you to change that. Allow cabinet to create a Canada disability benefit that leaves no impoverished person with a disability behind.

In support of that, I say something with which no one can disagree. Disability poverty does not end at age 65. There is no reason a person, if they get the Canada disability benefit before that age, should ever experience a fall-off, a reduction in their income, upon achieving the age of 65.

Second, this bill should set, as you just heard, some kind of minimum or standard to assure impoverished people with disabilities of what they're going to get. The open letter talks about a minimum dollar amount that cabinet can raise but cannot go below. Another way of focusing on this, which I invite you to consider, is to have the bill also designate the ultimate net income that people with disabilities should be entitled to and assured of receiving between what they get from the province and what the Canada disability benefit will add to it. Let people know what the end goal is, and then cabinet, in making regulations, can fill in the details.

● (1550)

By the way, this bill does not assure that the benefits will be indexed to inflation. We call for that indexing to be assured by legislation.

Next, this bill does not set a mandatory start date for the money to start flowing. If we want to get it to people more quickly, a start date should be enacted now and the government and the bureaucracy driven to meet that deadline. To that end, the bill permits cabinet to make regulations; it doesn't require them to ever do so. If they don't, there's no benefit. Set a mandatory deadline. All of us folks are driven by deadlines, and so are they.

Next, we've heard about no clawbacks, but all the minister has told us is that she's trying to negotiate agreements with provinces. The problem is, those agreements may not be enforceable, or another government may get elected in a province and decide they don't want to comply with that agreement, that they're backing out of it. This bill should be amended to provide enforceable ways to ensure that clawbacks do not occur.

Finally, and you've heard it from many, this bill does not ensure that people with disabilities will truly have a voice in the regulations.

Now it's nice that the bill in its preamble recites the principle of nothing about us without us, but nothing requires the government to consult with us. I accept that the government will consult now, but that doesn't ensure that the next government will, or the one after that. More importantly, it's not enough to just have websites where we give input or we talk to public officials. We need to be able to talk directly to those making the decisions, and we need to do so with the government making public the spectrum of options to be considered.

The Chair: Thank you, Mr. Lepofsky.

Mr. David Lepofsky: I look forward to your questions, and I welcome the opportunity to fill out these ideas.

The Chair: Thank you.

Committee, we have the third witness, but we have to do a brief sound check. We'll suspend for two minutes while we do a sound check with Madame Bourgeois.

● (1550)

_____________________(Pause)_____________________

● (1550)

The Chair: Thank you, committee members.

We'll now move to Mouvement Personne d'Abord de Sainte-Thérèse. I believe Madame Bourgeois will make the opening five-minute statement.

Madame, you have the floor.

[*Translation*]

Ms. Louise Bourgeois (President and Member, Board of Directors, Mouvement Personne D'Abord de Sainte-Thérèse, Fédération des Mouvements Personne D’Abord du Québec): Good afternoon, committee members.

My name is Louise Bourgeois and I am president of the Mouvement personne d'abord de Sainte-Thérèse. I have also been president of the Fédération des mouvements personne d'abord du Québec for a number of years.

I am the spokesperson for the 700 individuals living with an intellectual disability who are members of our provincial organization. I also sit on the board of directors of People First of Canada with my colleagues from the other provinces and territories.

People First groups are community-based self-advocacy organizations. Our organizations are run by and for our members. They sit on our boards of directors and decide what to do to defend their rights and ensure they have a place in society.

I truly believe that Bill C-22 will help People First and all people with disabilities in this country make their way out of poverty. In the current environment, many people have gone from a precarious situation to extreme poverty. In this context, the bill can be a safety net in a country like Canada, which is committed to fighting poverty.

Given the current inflation rate, Canada must take action to help these Canadians keep their dignity. Members of our organization are now having to make some tough choices to stay within their budget. I will give you some examples.

First, I know someone who lives in substandard housing. She can't move because rents are too high in her area. Second, many people miss out on learning opportunities because they have to line up at food banks every week. Finally, others will have to keep their winter boots with holes in them if they want to put food on the table this winter.

Bill C-22 must have an inclusive definition of the term “person with a disability” to address the right to dignity and ensure that as many people as possible living in poverty will be eligible for the new Canada disability benefit.

People living with intellectual disabilities are among the poorest in our society. They are also at greater risk of experiencing economic violence. It will be important that the amount given to individuals does not depend on their spouse's income. It should be calculated and given to the person individually. After all, the bill is about strengthening people's financial security.

● (1555)

It's important to me and to the people I represent to know that you respect the “nothing about us without us” principle and that you will take the time to consult with the entire disability community in Canada.

You must take into account the concerns of people living with developmental disabilities and people with disabilities to provide a fair and equitable benefit.

I know that you will have questions for me. I ask that you use simple words that I can understand. If I have trouble, I will ask the person with me to answer on my behalf.

Thank you very much for hearing what I have to say.

● (1600)

The Chair: Thank you, Ms. Bourgeois.

[*English*]

We will now open the floor for questions, beginning with Madam Gray for six minutes.

Mrs. Tracy Gray (Kelowna—Lake Country, CPC): Thank you, Mr. Chair, and thank you to all of the witnesses for being here today. We really appreciate it.

My first questions today are for Mr. Lepofsky and the AODA Alliance.

Earlier in this committee, Minister Qualtrough called Bill C-22 “framework legislation”. What are your thoughts on this? Does this concern you?

Mr. David Lepofsky: This term is a kind of government invention for a law that actually, frankly, says very little. It has no legal force and should not constrain your thinking.

For example, all laws provide some specificity and sometimes delegate some authority to cabinet, just like this one, but this law creates no rights for people with disabilities—none at all.

Forgive me, but we are a disability rights movement. To add details like a requirement that a benefit begin by a certain date and have a certain minimum amount and a targeted income that you are to achieve combined with provincial benefits, and to provide that there be a deadline for regulations to be made for it to happen, then it becomes a disability rights law, and even under the government's term that it keeps bandying about, it is “framework legislation”.

There's nothing in the Bible or any ensuing sources of wisdom that says it can't give us any rights lest it no longer be framework legislation. My answer to all is, please, let's get away from that term. Let's talk about what rights people with disabilities should be given in law. If they're in regulations, they can be repealed in secret by a cabinet populated by one party. If they're in legislation, they can be repealed only with the review of the whole House and the Senate and after being debated in public. That is an important difference in enshrining disability rights that are embedded and safeguarded.

Mrs. Tracy Gray: You touched base during your testimony about the concern regarding clawbacks.

When I asked Minister Qualtrough about this, she stated that it's “a red line” but admitted that there wasn't really anything specifically in the bill to prevent it. Is the minister's saying that it's “a red line” assurance enough for you that there won't be clawbacks from implementation of this benefit?

Mr. David Lepofsky: Obviously, I can't speak for her, and you're not asking me to. I can say that there's universal recognition on what the minister has said is “a red line”, by opposition parties and all presenters, that they don't want this to become essentially a subsidy for provincial governments rather than an income support for people with disabilities.

It's commendable that everybody agrees on that, but the only way I can think of is that you ensure that this is not just by ephemeral agreements that are negotiated today, but by mandatory consequences if a province now or in the future acts contrary to that. That's what we need to have, but in this bill we don't have any of that.

Mrs. Tracy Gray: Thank you.

The other thing I want to ask about is co-creation.

You touched on consulting. What consultation has there been with your organization or others that you know of up to this point? We know this legislation was tabled a year ago. It was retabled without any changes.

My first question is on what type of consultation there has been up to this point, and have you been happy with that? Moving forward, is there anything you can point to in this bill that assures that co-creation will exist if Bill C-22 passes?

● (1605)

Mr. David Lepofsky: Let me begin by saying that my coalition has not been engaged in the consultation up to now. I'm not in a position to and I don't propose to comment, because we haven't....

Our advocacy focus is accessibility. There are very good disability poverty experts. When it comes to issues like how much the payment should be and who should be eligible and how quickly we need it, they are the folks to turn to. Our focus is on what ensures that the legislation will work and what eliminates barriers from legislation.

On the issue of co-creation, let me just summarize what I understand.

Number one, the group that spoke of that before you was Disability Without Poverty, which is an important voice on disability poverty issues. What they said they mean by it is that people with disabilities will have an equal seat at the decision-making table. In fact, in their presentation on October 31, they said—I'm paraphrasing—it's more than just consulting and engaging with them.

Now, I don't propose to speak for them. That would totally not be appropriate. However, I can say this. Nothing in this bill gives people with disabilities any seat in the cabinet room. They are the deciders. Cabinet is the decider. Moreover, we don't even get in the cabinet room, because they are secret proceedings. The minister, in fairness, has never—at least never in anything that I saw in public debates on the bill in the House or at this committee—committed to co-creation. She committed to engagement and consultation.

I would conclude with this. It is valuable, of course, to hear our voice, but we need to build it in so we get to know what we're giving input on. That means we get to know the options on the table and get to speak to those who actually decide, not any intermediaries. Now, that raises practical problems, because there are a lot of us.

The Chair: Thank you, Mr. Lepofsky and Madam Gray. You may continue that in your further line of questioning.

Mr. Long is next, for six minutes, please.

Mr. Wayne Long (Saint John—Rothesay, Lib.): Thank you, Chair. Good afternoon, colleagues.

Good afternoon to our witnesses. Welcome back, Mr. Lepofsky. Thanks for your contributions to Bill C-81. That was landmark legislation, the Accessible Canada Act that we put through last session.

To spread it around a bit, my questions will be for Mr. Calderhead and Ms. Bourgeois.

Mr. Calderhead, you alluded earlier to clawback. I want to drill down on that a bit more. As we saw with our national day care program, it takes negotiation with each province.

It's going to be very important for us, as government, to make sure provinces and territories don't view the disability benefit as an income replacement or an opportunity to reduce existing benefits. Recognizing that we have 13 provinces and territories that all have different programs and plans, can you speak to us a bit on the importance of ensuring that this proposed federal benefit is harmonized with the existing provincial and territorial benefits?

Can you touch on that again, Mr. Calderhead?

Mr. Vincent Calderhead: If it's going to be a benefit that lifts people out of poverty, as the minister said repeatedly in her evidence before you, it has to be synchronized and meshed with the provincial programs. If there is no understanding that this will be “in addition to”, then the default position of many, if not most provinces will be simply that it will reduce the amount of support they provide by way of social assistance, dollar for dollar.

The most recent example of that is the CERB benefit that was provided during the pandemic. The minister repeatedly expressed the hope—that's all it was—that provinces wouldn't claw back. In the end, it was a checkerboard across Canada. Some provinces clawed back fully, some partially, some totally and some not at all. The national benefit that was envisaged was a real hodgepodge for people living in poverty.

Therefore, it will be absolutely important that this happens.

Having said that, as I mentioned, the bill as it's drafted now requires that benefits be paid, irrespective of whether any provinces claw back or don't claw back. That's why the bill must be amended to better reflect the importance of the clawback issue.

● (1610)

Mr. Wayne Long: You would see a province-by-province negotiation, if you will, for acceptance.

Mr. Vincent Calderhead: The fact that each province is providing different levels of social assistance support needs to be taken into account. For example, I think one of the witnesses said that in the case of a province that already provides assistance up to the poverty line, a different approach will be taken. If we have a universal concept of adequacy, taking into account the needs and costs of people with disabilities, there can be a national approach, but it can be taken only if there's a consensus position on adequacy.

In the absence of that, it will end up being a checkerboard. There have to be some overarching and overriding principles that come to bear on the provincial discussions that will inevitably follow.

Mr. Wayne Long: Ms. Bourgeois, can you also comment on the importance of making sure that we have this harmonized with provincial and territorial benefits?

[*Translation*]

Ms. Louise Bourgeois: Yes, it's important to me and to many people. Many are living in poverty and that has to stop. People need financial assistance so they can make ends meet. A person needs to be able to have good boots and a place to live and feel good about their home.

[*English*]

Mr. Wayne Long: Mr. Calderhead, could you—

[*Translation*]

Ms. Danielle Gratton (Director, Fédération des Mouvements Personne D'Abord du Québec): Would you like me to add a few words, Ms. Bourgeois?

Ms. Louise Bourgeois: Yes, please.

Ms. Danielle Gratton: Mr. Chair, I would like to complete my president's response. Is that possible?

[*English*]

The Chair: Give a short answer, Madame Gratton.

[*Translation*]

Ms. Danielle Gratton: Thank you.

In our community, people have also expressed very serious concerns about receiving any money from the federal government if it means systematically reducing the benefits they receive from the provincial government.

We have the same concern about adequacy as the other witnesses. If the legislation doesn't specify how much people should get, negotiations with the provinces are definitely going to be difficult.

You talked about harmonization. In my opinion, as Vincent Calderhead said, if you want to avoid a patchwork of measures, the federal government needs to have Canada-wide negotiations. Otherwise, there will be as many plans as there are provinces and territories. We don't want that, and I don't believe that's what the government wants.

● (1615)

The Chair: Thank you, Ms. Gratton and Mr. Long.

Ms. Chabot, you have the floor for six minutes.

Ms. Louise Chabot (Thérèse-De Blainville, BQ): Thank you, Mr. Chair.

I'd like to thank all the witnesses for their valuable testimony.

We know that this is an umbrella bill that sometimes makes us wonder what the future holds.

Ms. Bourgeois, thank you very much for your work and your testimony.

During your testimony, you made it clear that your organization is devoted to advocating for the rights of people with developmental disabilities. Being self-sufficient is very important to you.

Ms. Louise Bourgeois: Yes, it's important to me.

Ms. Louise Chabot: How does this new Canada disability benefit help meet the goal of self-sufficiency?

Ms. Louise Bourgeois: The government needs to work with people with disabilities and take the time to consult with them about their needs. They need access to individual benefits and enough money to survive. If the rent for an apartment is $900 a month, the individual won't have enough money to live on, and that's unacceptable.

We also need politicians to respect the “nothing about us without us” principle. We want to work with them to end poverty. Too many people live in poverty. We don't have enough social or affordable housing. You see condos on every street corner, but the rent is over $1,000 a month, which is crazy. If we had enough low-income housing, that would help people with disabilities.

Ms. Louise Chabot: Thank you, Ms. Bourgeois.

The issue of social housing and affordable housing is a concern in just about every region. I imagine that it's an even bigger challenge for people with disabilities.

You want to be consulted. You want to have your say.

As parliamentarians, we see this bill as nothing more than a statement of principles. The terms, amounts, and recipients of benefits will be determined by regulations, so that's not in the bill, and we have no timeline.

Do you feel it's a good thing that things will be determined by regulation? Do you feel you will be consulted on these regulations?

● (1620)

Ms. Louise Bourgeois: We'd like to be consulted when the regulations are being developed. We need to take the time to sit down and discuss it.

Ms. Louise Chabot: You don't take issue with it being done by regulation, by and for people with disabilities. We currently have no timeline for the new benefit. We have no idea.

Ms. Louise Bourgeois: I would ask Ms. Gratton to respond.

Ms. Louise Chabot: Okay.

Ms. Danielle Gratton: Having no timeline is problematic. As someone said earlier, timelines are often helpful because they help people anticipate when discussions will end.

Ms. Bourgeois said that we want to be consulted on both the bill and the regulations. I believe that a permanent consultation mechanism should be enshrined in the bill to give substance to discussions between people with disabilities, the government and its decision-makers. That way, the outcomes would always reflect what people want and need. Clearly.

With respect to the timeline, people are asking us that question and they're going to keep asking us. You're always going to be asked about that. There is no timeline, when will there be one? It's urgent.

On the other hand, it has to be done right. Why not establish a timeline, even if it's far off in the future? At least people will know where they're going and how they need to work with decision-makers towards an outcome.

Ms. Louise Chabot: Thank you very much, Ms. Gratton.

The Chair: Thank you, Ms. Chabot.

[*English*]

Madam Zarrillo for six minutes, please.

Ms. Bonita Zarrillo (Port Moody—Coquitlam, NDP): Thank you, Mr. Chair.

I really appreciate the witness testimony today, it's an interesting discussion about rights, and I want to revisit the discussion around rights. If I have the chance, I'm going to go to Mr. Lepofsky second. He mentioned that the amendments would speed up getting money to people, and I want to ask him about that.

First, I want to ask Mr. Calderhead a question. He mentioned that now is the time to get the standard of adequacy included in this bill, because of the human rights framing, and I want to ask Mr. Calderhead what rights are currently not being met or at risk, and how adequacy could solve that.

Mr. Vincent Calderhead: The key here is that the federal government is now on the edge or at the point of having a once-in-a-lifetime opportunity to ensure that people with disabilities no longer live in poverty. In order to do that, in order to get it right, they have to take measures with the provinces, importantly, and come to arrangements with the provinces, but also with the federal government's own role, to ensure, on the right to an adequate income—as set out in the International Covenant on Economic, Social and Cultural Rights and as set out in the CRPD, which is mentioned in the bill—that those human rights obligations finally get implemented and respected. Now is the time to do that.

If the bill is not amended coming out of this committee, or subsequently, to ensure adequacy, then whether or not adequacy ever gets respected in the regulations is entirely unpredictable and, from my experience of 35 years, very unlikely. If Canada wants to ensure that it's respecting its obligation to ensure people with disabilities have the right to an adequate income and to enjoy that right, then it should put it in the bill. The minister said repeatedly that the purpose of the bill was to lift people with disabilities out of poverty. That should be in the bill.

● (1625)

Ms. Bonita Zarrillo: Thank you very much, Mr. Calderhead.

I want to go to you, Mr. Lepofsky, because you made a statement about how amendments to the bill could speed up getting money to people. I'm just wondering if you could expand a little on how getting amendments would help to speed up the bill.

Mr. David Lepofsky: Because this bill leaves everything up in the air, that means cabinet has to figure it all out whenever they feel like it and whenever they get to it and so on, without deadlines. Deadlines would speed it up, but putting in details about the specifics—setting some mandatory minimums of who is eligible and a mandatory minimum of the amount that it can't sink below—would help to speed it up. Let me be clear: As designed now, we have an open-ended, possible future consultation.

There are only three major things to consult on: number one, how much money people with disabilities need to live on; number two, who should be eligible; and number three, what we need in the application and appeal processes to make sure they are swift, fair and barrier-free. This is not rocket science. The minister has been consulting for two years. I don't know why it would take too long to figure out those things.

Lastly, I'll tell you quickly that my coalition, with a funding of zero—we didn't take any money and we didn't ask for any money from the government to do this—put together a list of six proposed improvements. In the open letter, that's all before you. We sent it out. We wrote it in a couple of days and sent it out 10 days ago. We already have 37 organizations sending emails, with more emailing us while I was on the plane, on my way here to speak to you.

That was in 10 days, with a budget of zero. This doesn't have to take a super long time, but left to cabinet and not decided on with constraints from this committee and Parliament, it could go on indefinitely.

Ms. Bonita Zarrillo: To follow up on that question, when you say it could go on indefinitely, in your best estimate, without any guidelines, any amendments, any commitments or any guardrails, so to speak, how long do you think this will take if it passes as is?

Mr. David Lepofsky: I have no idea, because the government could decide that something else is important, or someone could intervene and say they don't want to spend money on this now, or it could take less time but they would end up with fewer dollars. One thing I know about all of us is that we work better to deadline.

The other thing I know is that if this committee takes the messages on which these 37 organizations have united.... If you go through the briefs and the submissions, many of them support many or most of the various messages that are in our open letter. You have the agenda for change. It's just a matter of putting it together and coming up with the wording.

Ms. Bonita Zarrillo: Thank you.

Mr. Calderhead, one of the things you said was that no one should have to trade off human rights for quick passage of the bill. That's sticking with me a little today, because I think we should be able to get both.

I wonder if you could share with us what you think the risks are. You mentioned a few, but can you reiterate what the risks are to persons with disabilities of letting this go as is?

Mr. Vincent Calderhead: The evidence from November 2, when the committee heard witnesses then and subsequently, was really very compelling. People were telling you that adequacy's important, that ending poverty is important and that we have to get this right. They're referring to essential human rights—the right to an adequate income.

When those witnesses say, "But we have to be pragmatic. We really want it to pass quickly. We really have to have it pass quickly. We just want this bill passed so that the regulations can be made," what they're effectively saying is, "We're going to go along with a bill that doesn't protect adequacy whatsoever just to expedite the process, and we'll cross our fingers at the regulations stage that it might be okay."

Really, no one should have to make that trade-off. Fundamental human rights are not ones that we trade off. That is to say, "If you give up on adequacy, we'll agree to pass the bill quickly." Everyone knows this bill can be amended with the snap of a finger coming out of this committee or at the cabinet level to say, "Yes, we will make an amendment." If you want to include and protect human rights, then that has to happen without people being forced to give up on human rights in order to ensure quick passage.

● (1630)

The Chair: Thank you, Mr. Calderhead and Madam Zarrillo.

Madam Ferreri, you have five minutes.

Ms. Michelle Ferreri (Peterborough—Kawartha, CPC): Thank you, Mr. Chair, and thank you to all of the witnesses for being here. It's Michelle Ferreri, member of Parliament for Peterborough—Kawartha. Thank you for all of your honest testimony and for helping try to achieve two things: that we do this quickly and properly.

I have a question for Mr. Lepofsky from the AODA Alliance.

Before I got here, a headline news article just popped up in my newsfeed from CityNews about MAID, medical assistance in dying, as an alternative to poverty. I'm curious about your thoughts. Do you think this is a growing concern among the disabled community: the alternative use of MAID as a resource?

Mr. David Lepofsky: I would welcome an opportunity to come back before this committee in its study of medically assisted suicide, because I believe that practice has run amok. It was, I believe, accepted by the Canadian public to deal with people near the end of life in insufferable, untreatable, physical pain, and now it has gone to the lengths of being literally a new response to holes in the social safety net. This is devastating, but the message I would convey to you as parliamentarians is this: Look at how quickly Parliament passed amendments to make medically assisted suicide more quickly—that is to say "dying"—focusing on only people with disabilities.

I call on you to move with even greater speed to make it easier to live with a disability, and that includes not only those under 65 but also those over 65.

Ms. Michelle Ferreri: I appreciate that. Thank you very much.

I will turn it over to Mr. Calderhead as well. I also would like your feedback on this headline of MAID as an alternative to poverty.

Mr. Vincent Calderhead: The number of cases of people saying they cannot live any longer—people with disabilities saying they can no longer stand to live because the social supports they as a person with a disability need are not being provided by governments, which are either indifferent or incapable—is now becoming staggering.

There was a case out of Winnipeg two weeks ago that achieved notoriety. There are many cases. This isn't really the proper forum in which to get into them, but cases in which people are saying the lack of social supports, their poverty, is rendering life intolerable for them now points very directly towards a social justice solution, a human rights solution, which is to say that we ensure that people with disabilities are enjoying the human rights we have agreed to internationally, the human rights obligations we say we're complying with when we go to UN treaty bodies all the time.

Now is the time to say let's lift people out of poverty and, concretely, for this committee to report that an amendment is required to ensure that any benefits provided under the regulations meet the standard of adequacy that the official poverty line has set out, which has to be interpreted in a way that takes into account the needs of people with disabilities. The two are very closely linked.

Your committee is in a position to do something about it, so, as Mr. Lepofsky has said, the devastating MAID solution is no longer one that is taken simply because of indifference on the part of government.

● (1635)

Ms. Michelle Ferreri: Thank you so much, Mr. Calderhead.

Ms. Bourgeois, I would love your feedback on this as well, if you have any.

[*Translation*]

Ms. Louise Bourgeois: I would ask that Ms. Gratton answer the question about medical assistance in dying.

Ms. Danielle Gratton: I can't speak for everyone, but in our organization, we've never discussed this with our members. So I won't go down that road.

However, Quebec will be introducing a basic income on January 1, 2023. People will receive a certain amount, and although it may not be enough, it will be a relatively high amount and will help those individuals meet their basic needs. It's not perfect and it's only a step, and I believe that the federal government could support this initiative.

Having said that, for us, MAiD isn't on the table at this time.

The Chair: Thank you, Ms. Gratton and Ms. Ferreri.

[*English*]

Now we will have Mr. Kusmierczyk for five minutes to conclude the first hour.

Mr. Irek Kusmierczyk (Windsor—Tecumseh, Lib.): Thank you, Mr. Chair.

I want to thank all the witnesses for coming and bringing really important testimony here today at this committee. Absolutely, we are hearing loud and clear from all of our witnesses about the urgency of making sure we deliver the supports that Canadians with disabilities urgently require. That's something that has been repeated time and again at this committee, and it's something that is guiding our work here.

We also heard very clearly in previous testimony at this committee from witnesses who urged "urgent passage" of Bill C-22 through the House and through this committee. We heard other witnesses say that this needs to move forward "without delay". There was even one witness who testified and said simply "get 'er done". That seems to be the sentiment we have heard time and again as well, that there is tremendous urgency.

I want to ask Ms. Bourgeois if she can comment on how vital it is that we get this bill and this legislation passed through committee and passed through the House.

[*Translation*]

Ms. Louise Bourgeois: It's important, because we urgently need to lift people with disabilities out of poverty. They mustn't be sidelined. They have got to have enough money to survive. Just like us, they're having trouble making ends meet, and it breaks our hearts to see that happening. It hurts us. It's urgent that we help these individuals.

[*English*]

Mr. Irek Kusmierczyk: Thank you, Ms. Bourgeois.

As a follow-up question, we heard the minister, during her appearance here at the last meeting of HUMA, clearly state that she sees the regulatory process taking about a year to complete. How important was it to hear the minister give a clear timeline and a clear endpoint in terms of the next stage, which would be the regulatory process? This is the process whereby we work together with the disability community to co-create and co-design the Canada disability.... Was it important to hear directly from the minister that the process is going to take about a year, and that this is not going to be an open-ended process?

This is a question for Ms. Bourgeois.

[*Translation*]

Ms. Danielle Gratton: Did you understand the question, Ms. Bourgeois?

Ms. Louise Bourgeois: No.

Ms. Danielle Gratton: Mr. Kusmierczyk, your question was a little too complex for Ms. Bourgeois. If I understood you correctly, you asked if she found it reassuring that the minister said the regulatory process could take a year.

On the one hand, that may be reassuring. On the other, if the bill doesn't establish a timeframe, as others suggested earlier, it will depend on the regulations.

As Ms. Bourgeois has been saying from the outset, we hope that, in consultation with the provinces, the disability community and the federal government can work together to come up with concrete measures.

Ms. Bourgeois and I have been working on a bill for about two years. We worked with statutory committees that supported the bill and its passage. The meetings were held on a regular basis. So it can be done.

I'm sure that we can find a way to consult the provinces and the individuals concerned to determine the minimum income people with disabilities need to live decently. They are entitled to it.

● (1640)

[*English*]

Mr. Irek Kusmierczyk: Thank you.

[*Translation*]

The Chair: Thank you, Ms. Gratton.

[*English*]

Thank you, Mr. Kusmierczyk.

That concludes the first hour. We will suspend for a few moments.

Thanks to the witnesses for appearing and giving testimony during the first hour.

We'll suspend for a few minutes while we transition to the second round of witnesses.

Again, witnesses, thank you for appearing and providing testimony to the committee members.

We'll suspend for a couple of minutes.

● (1640)

_____________________(Pause)_____________________

● (1650)

The Chair: I call the meeting back to order. Welcome back.

The committee is resuming its study of Bill C-22, an act to reduce poverty and to support the financial security of persons with disabilities by establishing the Canada disability benefit and making a consequential amendment to the Income Tax Act.

To assist the interpreters in their work, I kindly remind all members and the witnesses appearing today to introduce themselves when speaking and to speak slowly. You may choose the official language of your choice to speak in. If there is a loss of translation services, please get my attention by raising your hand in the room or using the "raise hand" icon if you're appearing virtually. I will suspend and it will be corrected. Please address any comments through me, the chair.

I would like to welcome our witnesses to begin the discussion with five minutes of opening remarks. We have Leslie Yee, vice-chair of the Council for Persons with Disabilities; Neil Belanger, chief executive officer of Indigenous Disability Canada; and Peter Zein, chairperson of the Stratford Advisory Committee on Accessibility Issues.

We will start with Ms. Yee for five minutes. You have the floor.

Ms. Leslie Yee (Vice-Chair, Board of Director Member, Council for Persons with Disabilities): Thank you, Mr. Chair and members of the HUMA committee.

I'm honoured to be here today. My name is Leslie Yee. I am legally blind and I have a guide dog. I'm also representing the Council for Persons with Disabilities in Peterborough, Ontario.

We're very happy to see Bill C-22 moving forward, and we applaud the government for considering a bill that is quoted as being “to reduce poverty and to support the financial security” of persons with a disability. It is a step in the right direction. However, there are a few concerns I would like to address.

For years now, a person with a disability has been living well below the poverty line. Bill C-22 is focused on bringing people out of poverty, and it has the intent of reducing poverty, but not of eliminating it. With today's inflation rates, the cost of living, increased rent and additional expenses, people are falling further and further below what is considered poverty.

If the provincial and federal governments continue to claw back benefits, we will never see an elimination of poverty. Only by eliminating the clawbacks between supports will we start to see poverty eliminated. Only then will we see people living a healthier, safer and happier life.

Twenty-two per cent of Canadians have a disability, and many cannot afford their rent, food or medications. To manage our disabilities, to purchase mobility and technology aids that are needed to navigate our surroundings, and to receive the proper and often expensive medication we need costs an average of 30% of our income.

Regarding clawbacks for persons with disabilities, individuals living on CPP disability earn approximately $1,200 per month. If they take on a part-time job and earn more than $533 per month—$6,400 per year—they are often reassessed and told they are making too much money. These individuals are told that their benefits might be reduced or taken away for working too much. This does not eliminate poverty. Instead, it creates fear and undue stress.

Another concern with Bill C-22 is the elimination of the benefit at age 65. While I understand that the benefit turns into CPP retirement, it is at a further reduced amount. Disabilities do not go away or simply disappear. Individuals with disabilities still need aids or medication and supports. In fact, these are only exacerbated by increased age.

CPD strongly believes the terminology “working age” should be eliminated from this bill. Bill C-22 should also be lifting seniors with disabilities out of poverty.

People with disabilities have the same desires, hopes and expectations as able-bodied citizens. We want to be part of our community and contribute to society by paying taxes, volunteering and supporting one another. Living a healthy and safe life is a human right, not a privilege. No one deserves to live below the poverty line, especially a poverty line that is currently below the cost of living.

I commend the committee for assessing Bill C-22, but respectfully ask that the wording of the bill be looked at carefully. All eligibility criteria, including any restrictions, should be reviewed carefully and determined through the development of the regulations. The wording of the Canada disability benefit act should not be allowed to impose any limitations or create more barriers.

On behalf of the Council for Persons with Disabilities, I thank you for giving me this opportunity to speak with you about Bill C-22. Our organization looks forward to a bill that will lift people out of poverty and create a better life for all persons with disabilities. Thank you.

● (1655)

The Chair: Thank you, Ms. Yee.

Now we have Monsieur Belanger for five minutes.

Mr. Neil Belanger (Chief Executive Officer, Indigenous Disability Canada): I would like to thank the committee for this opportunity to speak briefly today on Bill C-22, the Canada disability benefit, during this eighth anniversary of Indigenous Disability Awareness Month being celebrated across Canada.

My name is Neil Belanger and I'm a member of the Lax Seel Clan in the House of Nikateen of the Gitxsan nation. I am also the chief executive officer of Indigenous Disability Canada and executive director of the British Columbia Aboriginal Network on Disability Society.

Before I begin, I'd like to acknowledge the Esquimalt and Songhees peoples, whose territories I am pleased to live and work on and where I am presenting from today.

Over 1.8 million people identify as being indigenous in Canada. Indigenous people experience a rate of disability higher than that of the general population, at over 30%, equating to approximately 600,000 indigenous people living with a disability in Canada. In addition to higher rates of disability, indigenous people and communities experience higher rates of poverty. In 2016 it was reported by Stats Canada that four out of five communities, or 80% of indigenous communities, had a median income under the poverty line.

Over the past 30 years, our organization has provided a number of direct programs and services to indigenous persons with disabilities residing within indigenous and non-indigenous communities, with the overwhelming majority living in systemic poverty.

Living in systemic poverty restricts indigenous people with disabilities in their ability to be active and included members of their communities. In addition to poverty, indigenous people with disabilities face other barriers, such as anti-indigenous racism; lack of disability and health-related programs and services; lack of safe, affordable and accessible housing; inaccessible communities; gender-based violence; jurisdictional issues; lack of transportation; inequity in employment and education, and the list continues.

The implementation and delivery of the Canada disability benefit would assist indigenous people with disabilities in their ability to begin to address some of these barriers. That being said, additional and expanded programs, services and supports, federally, provincially and territorially, are necessary for all persons with disabilities. Without their implementation, we will never achieve a fully accessible Canada by 2040.

The need for a supplement such as the Canada disability benefit has always existed for persons with disabilities living in poverty. However, the urgency has increased exponentially due to inflation coupled with a national housing crisis.

While we cannot and would not speak for all indigenous people with disabilities in Canada, we know from our work and discussions with our clients that the need for the benefit is now and with no further delays, as they have waited long enough. We can no longer expect persons with disabilities living in poverty to do more with less and survive on the kindness of others, nor can we passively sit by and feign ignorance to the inequality they endure.

It is for these reasons and others that we would urge this committee to fast-track the passing of Bill C-22 and in doing so enable the work on the regulations to begin in partnership with and directed by indigenous and non-indigenous people with disabilities. We are in agreement with the process outlined by the Government of Canada for Bill C-22 and fully expect and are confident that we and other members of the indigenous and non-indigenous disability community will be at the table as partners in all aspects.

In addition to the fast-tracking of the bill, we would recommend the following during the development of the regulations:

One, as noted by others, ensure that the benefit is not a race to the bottom but a mechanism to substantially reduce the poverty experienced by persons with disabilities.

Two, ensure that the benefit takes into consideration the additional expenses and higher costs for necessities of living that persons with disabilities incur.

Three, ensure that the eligibility criteria for the benefit for working-age Canadians with disabilities aged 18 to 64 are as broad as possible.

Further, it is essential that the federal government continues to work with the provinces and territories to ensure that once the Canada disability benefit is implemented, no clawbacks or reductions in federal, provincial or territorial benefits or supplements occur.

As well, a number of other complementary initiatives to the Canada disability benefit should be engaged by the federal, provincial and territorial governments. Some of these include development of an ongoing anti-indigenous racism and disability discrimination awareness initiative; development and implementation of federal, provincial and territorial employment strategies for indigenous people with disabilities; implementation of generous annual earning exemptions across all jurisdictions for persons with disabilities who are able to work; expansion and lessening of restrictions pertaining to the enabling accessibility fund; increased federal, provincial and territorial budget allocations to departments providing resources to disability-related organizations and initiatives; and review and modification of the disability tax credit and registered disability savings plan programs and more.

● (1700)

In closing, I would like to thank the committee for this opportunity to speak today and to again express the urgency of getting this bill passed and then working on the regulation development. The time is now.

Thank you.

The Chair: Thank you, Mr. Belanger.

Mr. Zein, you have the floor for five minutes, please.

Mr. Peter Zein (Chairperson, Stratford Advisory Committee on Accessibility Issues): Thank you for inviting me to speak. I'm going to talk about it a little more personally—what in the past has caused people with disabilities to be where we are. Nothing has really changed.

I'm the chair of the Stratford advisory committee on accessibility issues. We're an advisory committee that recognizes the needs of persons with disabilities in Stratford and makes recommendations to the city council. We have had many discussions about poverty, affordability and accessible housing.

I want to begin by sharing my story, as it is relevant to my views of this bill.

Forty years ago I was at Humber College studying engineer technology—a good future—but after my second year, in the summer, I dove into shallow water, broke my neck and became a quadriplegic for life.

While in rehab, a number of men had begun planning to incorporate subsidized, accessible housing units with Metro Toronto Housing so that they could move out of the rehab centre and into an apartment. Before this, there wasn't any assisted living, wheelchair-accessible housing in Toronto—or anywhere else, for that matter. This was groundbreaking. Because the board majority was over 50% persons with disabilities, it was consumer controlled. In other words, we had the decision-making in terms of what was being done in that building.

I lived on family benefits, which is now called ODSP. It was $900 a month, and the rent subsidy was $200. This left little for gas and groceries, insurance, etc. It's not much different from today.

I returned to school, but as a rehabilitation worker, and I got a job at the Centre for Independent Living. My job was to help persons with disabilities and their families find funding for equipment, housing and government grants, and to communicate their needs to the government.

The ILC is also a consumer-run organization. I had a one-year contract, and I made $20,000 to start. I threw away all my opportunities to stay on the security of government funding, and instead I went it alone. It was only a one-year contract, and after 11 years—it went on and renewed regularly—I had to go on long-term disability due to syringomyelia. The insurance company paid 70% of my long-term disability, plus CPPD, but it would not pay any benefits because there were too many people working at the organization who were at high risk to go on disability. My benefits cost thousands of dollars.

I've had a disability for 40 years. I raised my son by myself, starting when he was a teen. It was hard to make ends meet. I know a lot of persons with disabilities from work, wheelchair sports and committees. In the 1990s, it was the UN Decade of Persons with Disabilities. It was supposed to be a celebrated time. Vancouver put on a world show, and everybody was invited. It was supposed to change the world with regard to disabilities, start providing regular funds and the things we need, and recognize people with disabilities as human beings.

It was 1990 when the Americans with Disabilities Act came in. We thought for sure that Canada was going to come up with one. It didn't happen. As a matter of fact, halfway through the 1990s, the government lost money. It didn't prepare for this. It had no money left over. By 1993 or 1994, it ran out of money, and all the funding was cut. I was the one who was taking the calls and trying to tell people why they were cut. I had to do it, and I couldn't explain, other than the failure of the government. It didn't prioritize people with disabilities. It didn't care.

Now is it different? I don't know. I don't think it's much different. I know friends of mine who have gone to MAID. My best friend went to MAID. He was the first one to go to MAID. I didn't want him to do that. I know a guy who starved himself to death for two years because he couldn't stand living in the conditions: no money, nothing to do and no ability to really enjoy life whatsoever. He passed away, and I know many others who passed away. Then, when we got the one-time $500 payment for COVID, it demonstrated a total lack of understanding of the costs we incur. I get a cheque now, and it sounds good, but the problem is that I have no benefits. The benefits I need are thousands of dollars. Many others are on different conditions. The way to set this up is going to be so difficult. You have to really think about who needs it, and you're going to have to look at very diverse ways, because not everybody's the same.

● (1705)

People on ODSP are different from me. They get the benefits; I don't. Everything's different. Twelve hundred dollars a month is absolutely no way to live.

Bill C-22 is for the “working-age” disabled. I'm not crazy about that. I've advocated for persons with disabilities since I was 22. I'm now 61, and the projection for this bill to come into effect is approximately 2024. I'll be 64, which is one year away from retirement and being cut off from any part of this.

Why do we suddenly stop being disabled at 65? Bill C-22 needs to include those over 65. Our costs are still high, and we have no ability to save for retirement.

I'm in Stratford and I'm very happy here, but we are a rural community. There are higher transportation costs and extremely high housing costs. Very few houses are accessible, if any. There's one supportive housing unit for the physically disabled, and the building condition...is in dire need of repair.

We also have a homelessness problem due to mental health. Many in Stratford have a disability, whether physical or intellectual, or have mental health issues. It will be a challenge to achieve equity. Stratford is expensive. Many rural areas are very expensive. Toronto is expensive, but they all have different expenses and different needs.

I hope Bill C-22 will be very quickly delivered, but it has to be expanded for the age; it has to be equal to the needs of the people, and it has to not leave anybody out. More importantly, it needs to be delivered with input from persons with disabilities.

Thank you.

● (1710)

The Chair: Thank you, Mr. Zein.

We will now open the floor to questions, beginning with Mr. Aitchison for six minutes, please.

Mr. Scott Aitchison (Parry Sound—Muskoka, CPC): Thank you, Mr. Chair. I'll start first with Ms. Yee.

Did you hear Mr. Lepofsky's testimony earlier in the committee? Were you listening in on that?

Ms. Leslie Yee: I heard some of the question and answer period, but I didn't hear him speak initially.

Mr. Scott Aitchison: Okay. I'd like to ask you a bit about it.

I'm hearing over and over again from various groups as we go through these committees about the importance of getting this passed quickly because, of course, there's been nothing quick about any of this. I can appreciate that.

Mr. Lepofsky made some very valid points, though, about some amendments that need to be made. His concern was that using regulation to achieve this provides an awful lot of wiggle room for governments to make changes to regulations without going through the process of the House.

I'm wondering if you could speak to that. Do you have any concerns about the way this is being done? Would you prefer to see it done with more certainty or...quickly as is being proposed right now, however the regulations get formed by cabinet?

Ms. Leslie Yee: I definitely think it needs to be done quickly, because there's definitely a need for it, but it still needs to have full consultation from the disability community, however that will happen. It shouldn't be passed through just by cabinet. There needs to be input from the disability community on all aspects of the bill, from the rules around the bill right down to how one receives the benefits.

Yes, I agree that it needs to be done quickly. Yes, I agree that it needs to be done with consultations with the provinces. We need to reduce those clawbacks, and that's the only way you can do that. However, I think you definitely have to consider all parties when building all of the bill.

Mr. Scott Aitchison: I wonder if I could ask Mr. Belanger the same question.

Your comments were very much about getting this done as quickly as possible. Would you have any concerns about the fact that it's being done by regulation, as opposed to some very serious and firm commitments about minimum amounts, start dates and all that kind of stuff being actually in legislation that goes through the public process?

Mr. Neil Belanger: No, I don't. I would say get it to regulations. Get it done with persons with disabilities and the disability community.

My concern, quite honestly, is that this bill is not going to go through. With some of the recommendations that are coming now.... The bill's been out for a year and a half. It clearly said “working-age” Canadians. Now we have different groups saying it has to go out to children and to seniors as well, which is a significant change in the bill.

My concern is that the government is going to go back and say that it tried, but there seems to be some division within the disability community, so it'll go back and consult again. Then it won't go forward at all.

I believe this needs to go forward now. The bill's been out for a year and a half. As I said, it states “working-age” Canadians. A lot of work still needs to be done with provinces and territories in relation to clawbacks. There's so much stuff to do, so let's get it to regulations. Let's get the work done.

● (1715)

Mr. Scott Aitchison: Mr. Zein, I'd ask you the same question. You've spoken very eloquently about how long this has been, and I'm sure you don't want to see it take any longer, but would you like to see a little more certainty in what's produced?

Mr. Peter Zein: Yes, they've been saying this, and we've had certainty before. In 1990, they were certain they were going to do it. As long as what we need to do is make a commitment to do it, what's going to happen when the government changes? What's going to happen if they can't agree with this and on how much money is going to be spent where, and if the provinces don't agree? My concern is that it's going to be one of those things that they're going to beat around and end up nowhere on, and then it will get stopped by an election. Didn't it get stopped from moving on by an earlier election?

The Canadians with disabilities act is weak, in my opinion, and is not something that has any bite. I really find that we need to get it done quickly, but it has to be done right, and I don't know how you're going to do that, to ensure that, to be honest.

Mr. Scott Aitchison: I'll ask you, then, if there are any....

Actually, I'd like to go back to Mr. Belanger.

Mr. Belanger, are there any specific amendments that you think should be made to Bill C-22 that would inform the regulations process?

Mr. Neil Belanger: No. I just think it should be as generous as possible in relation to the benefit itself, whatever that might be.

We have 13 jurisdictions across Canada. That's going to take some work to take a look at, and with the provinces and territories for the clawback.... Those are all there. That's work that still needs to be done. Let's get to it. I think the minister said she anticipated it would take 12 months to get this done if there were no delays. Let's move forward.

Mr. Scott Aitchison: Okay. I think that's fine. I'm happy to move on. Thanks.

The Chair: Thank you, Mr. Aitchison.

Mr. Coteau, you have six minutes.

Mr. Michael Coteau (Don Valley East, Lib.): Thank you very much, Mr. Chair.

Before I start my questions, I want to thank the witnesses who are here today. I know some of the stories you've shared with us are tough, and that the challenges people you know and represent, and even that you personally are going through are quite challenging. I want to say thank you so much for being here and for standing up for folks who sometimes feel that they're not listened to and that they don't have a voice. Thank you.

My first question will be for Mr. Belanger.

When you were talking about disabilities within the indigenous community, you said that it was at about 30%, which is a huge number. In addition to having a higher percentage, I would assume that because of challenges like anti-indigenous racism, as you said, and also because of distance and remote communities spread right across this country, and even the provincial divides and territorial divides...there are challenges there. I know from a previous file on child protection that even who has responsibility for what is always a huge challenge that gets in the way of finding good solutions.

Do you have any advice on how you build a program that's flexible enough that it can work with indigenous communities across this country, considering the increased challenges they may be going through that may be different from those for somebody living in downtown Toronto, for example?

Mr. Neil Belanger: It's like anything else. The engagement has to happen. They have to be involved in the process. With Bill C-22 they have to be at the table as well. They have to be directing how the regulations are being created and be talking about the experience they have from remote, rural and isolated communities.

The provinces and territories have a big role to play in this as well. This is a federal benefit, but in reality most of the services come from the provinces and territories. They need to step up as well, which they haven't done. I alluded to that in my comments. A lot more work needs to be done as well—work that is complementary to this benefit.

This benefit will be a great step forward, and it will alleviate poverty for many, but it won't eliminate all the difficulties that indigenous people with disabilities experience, not by any stretch of the imagination. This is only one part of many things that might happen. It's a great part and should have happened a long time ago, which is why we're saying, “Let's get it done.” Our fear is that if we don't get it done now, we won't get it done at any time. There's always work that needs to be done with the provinces and territories, and the engagement with indigenous communities and indigenous persons with disabilities has to be there as well.

● (1720)

Mr. Michael Coteau: There are mechanisms within the legislation—I believe three and five years post implementation—so that there will be an opportunity for the community to reflect on the legislation and to make changes and suggestions. Again, I'm assuming that's through regulation.

Is there going to be an opportunity to engage the community you represent and work with to work within that process and make sure this legislation gets better as it continues to serve the community?

Mr. Neil Belanger: I expect there will be. We've been engaged in the process since the beginning with Bill C-22.

We've informed our clients about it. We've participated in the online survey. We've had meetings. We've worked with other disability organizations that have done consultations while helping them develop an indigenous-specific survey, which we sent out to communities.

Even before, when the Accessible Canada Act was passed, we did a lot of work on that, too, although that's different legislation. A lot of the information that we gained from those consultations had to do with provincial and territorial jurisdictions. A lot of that stuff came...not a lot came from the federal side. It was mostly the barriers that people faced provincially and territorially. A lot of information has come through that too.

I fully anticipate, moving forward, that our communities will be engaged and will provide their input to let the government know how it's going, as well as changes that are needed.

Mr. Michael Coteau: During your deputation, you spoke about the fact that you're okay with it being a regulatory-based piece of legislation that will be used to ensure that we can get to the next point and implement this process as quickly as possible.

The approach, working through legislation and being very descriptive versus being more prescriptive in the regulations, and even more so through local directives.... There are a lot of different processes through the legislation and the process that a minister or a government takes.

To be clear, you're fine with the approach that has been put forward by the department to make sure we use regulation to get to the next point as quickly as possible.

Mr. Neil Belanger: We are, and that's from our clients. What we are hearing from them is, “Get it done now.” I don't believe the benefit will be a dollar. I think that's a speaking point. We need to move forward on this quickly.

Again, my fear is that it won't get passed. My fear is that there will be a division within the disability community, wanting things that were never in the bill to begin with, and that we'll just go back to the drawing board and get more and more behind.

We're confident in the process. We're confident that persons with disabilities will be involved in the process, direct the process and move it forward. We intend to be involved in the process going forward, so yes.

Mr. Michael Coteau: Thank you for your contribution.

Thank you so much, Mr. Chair.

The Chair: Thank you, Mr. Coteau.

[*Translation*]

Ms. Chabot, you have the floor for six minutes.

Ms. Louise Chabot: Thank you, Mr. Chair.

I'd like to thank the witnesses. They are addressing important issues on behalf of the people they represent.

Mr. Belanger, like everyone else, you know how urgent it is that we get this bill passed. As parliamentarians, we understand that urgency. We've been talking about the bill for a long time and have been waiting for it. However, even if the bill were to pass tomorrow morning, its very essence would remain in regulations that will define the expression “person with a disability” and specify the terms and the amount of the benefit.

There are diverse realities, especially in Canada. We also know that persons with disabilities aren't one big monolithic group, and for good reason.

How do you see the consultations? How will they help us act swiftly and include the vast majority of groups or persons with disabilities? How do you reconcile the urgent need to take action with the fact that everything will be decided by regulation?

● (1725)

[*English*]

Mr. Neil Belanger: As I noted, consultations have been going on for a while. Even back under the Accessible Canada Act, a lot of the barriers that were noted were in relation to provincial and territorial sectors as opposed to the federal side.

We've been involved with a number of meetings, and our clients have as well. The consultations will continue as it goes forward, as will the conversations with provinces and territories. Realistically, until those conversations are done and we know the impact they will have on the programs and services they have to take a look at, it will be difficult to come to any finalization of the amount or anything else, and then we will still be trying to get back to the clawback.

For me, though, if I wanted some guarantee that this was going to go through, I would ask that the leader of each of the parties, including the Prime Minister, stand up to say, “Let's get this done. It doesn't matter what the cost is.” Each party should give support to the government to get this done. We haven't seen that. We've seen that there's support for the bill. However, if we saw the political parties, including the Prime Minister, standing up and saying they would get this done, I think that would give everybody assurances.

If I had to offer a challenge to make sure things would happen, I would have the leaders of the parties stand in the House and say that they're going to make this happen, no matter what the cost.

[*Translation*]

Ms. Louise Chabot: The bill may not pass anytime soon. Although the minister said it would take a year, there's no guarantee of that because she wouldn't commit to it. Our concern is that the benefit may not see the light of day for three or four years.

My next question is about the benefit, and it's for all three witnesses.

The bill aims to reduce poverty. In your opinion, what is the minimum threshold that should be guaranteed to persons with disabilities?

[*English*]

Ms. Leslie Yee: Thank you.

Unfortunately, I don't have a number to give you. It would have to depend on.... Everybody lives differently across Canada, and there are so many different thresholds if you go province by province. I'm not in a position to give the actual number of what that is.

I can say, though, that we need to take into account our most recent inflation costs and hikes in food, and even just in the basic needs, in order to survive properly. Take that into account before any number is thrown out there.

Unfortunately, I can't give you a number. I'm not in a position to do that.

[*Translation*]

Ms. Louise Chabot: Thank you.

Mr. Belanger, how would you define the poverty line?

[*English*]

Mr. Neil Belanger: I agree with Ms. Yee. It's difficult. When we look at individuals—and active members of the community need to be included—it's different from one person to the next. I think I heard the minister say anywhere from $19,000 to $24,000.... A minimum of $2,000 a month is what we were going for. That's in line with CERB, which we saw during the time.

Even then, that's not going to be enough for some people. Whatever the amount ends up being, there has to be consideration of the extra needs that persons with disabilities experience financially that other people do not. I hope that will be considered as well moving forward.

● (1730)

[*Translation*]

Ms. Louise Chabot: Thank you very much.

Mr. Zein, you've told us you are a person with a disability and you have worked. I respect you.

How could the Canada disability benefit meet all the needs of persons with disabilities without depriving them of other income?

[*English*]

Mr. Peter Zein: I found that to be a really difficult problem. I thought a lot about how they are going to be able to do this. To be honest, I wouldn't want that job.

When I worked, I commuted from one city to another. I worked for 11 years straight, five days a week. It was good. I enjoyed the work, but it was a low wage. It was a government-funded organization. I had transportation costs.

Where I live now, in Stratford, I'm not working. I have insurance. However, I have to worry about getting a van, transportation. I can't work anymore. I'm at the point where my expenses are probably less, but I still have a mortgage. I have payments. How do we differentiate? I lived in Toronto, and I know how expensive Toronto is. Then I didn't have money, but I had subsidies. Subsidies helped. Each person is different, so how do you come up with a formula? I don't think it's an amount that's thrown, and we'll give disabled people $4,000 or whatever. I don't think that's going to work.

I agree with what you said, that there are a lot of different things to consider. If we do it too quickly, it's not going to be done well. It has to be done right. I've lived through too many years, 40 years of living through different governments and different promises, and it's never come through. It has to be well thought-out.

It has to be firm, so that the next government that comes in will know that this is required. This needs to be continued to be worked on for people with disabilities. Somehow make it so that the next government can't just go for votes for something else.

I'm not going to give you a number, because I don't know. I know my benefits and my supplies and medications.

The Chair: Thank you, Mr. Zein.

Just for your information, Mr. Zein is appearing from the hospital today. That's why there was an issue connecting with him.

Merci, Madame Chabot.

Now, to conclude, we have Madam Zarrillo for six minutes.

Ms. Bonita Zarrillo: Thank you, Mr. Chair.

I will come back to Mr. Zein, because I want to talk about those promises over the last 40 years, just to get an idea of how we ensure that it doesn't happen again.

I'm going to start with Ms. Yee, though, to talk about the cost of living.

You spoke about the cost of living, the current rise in the cost of living in the current situation and how much fear and stress persons with disabilities are living under right now.

Have there been any conversations among the organizations that you are in regular contact with around an emergency disability benefit as we wait for a Canada disability benefit, to alleviate some of the pressures that are happening right now?

Ms. Leslie Yee: Unfortunately, there hasn't been much conversation in my group around an emergency benefit. Everyone's been really concentrating on Bill C-22 and moving forward with something a lot more permanent.

As Mr. Belanger said earlier, a lot of our supports come provincially. I know a lot of people are really working hard in order to find supports in order to make up the difference. It would be really nice to not have to always be fighting for that little extra support somewhere and to know that we are getting a base amount that at least allows people to live comfortably.

An emergency is a one-time thing that can help for a moment, but it doesn't help to create systemic change for a long-term change.

Thank you.

● (1735)

Ms. Bonita Zarrillo: Thank you so much.

I'm going to follow up with that on the long-term change, the systemic change.

Mr. Zein, you said that in the 1990s, when the Americans with Disabilities Act came into being, there was some expectation in the community that Canada would follow suit. I had a meeting just last week with a couple of folks out in B.C. who said the exact same thing. They can't believe we're still waiting right now.

As legislators sitting around this table, we're being asked to trust that this will happen. My question to you is, what do you see as the risk to people living with disabilities if this doesn't materialize in any way?

Mr. Peter Zein: I think MAID would become much more popular. You see it all the time on the news. I just watched on the news somewhere, where a man doesn't want to die, but he has gone on MAID because he is scared of being homeless. He would rather die than be homeless, even though he doesn't want to die.

I think there's hopelessness. If we don't get something to give us the opportunity to get employment—I'm getting a little too old for that, but there are some people who could make enough money and actually save something to get any transportation to get to work, or anything.... If there's absolutely nothing offered above the poverty line, it can't help anybody. We're just going to stay on the same route and get worse, and people with disabilities are just going to become sickly.

It is a disappointment. When they stopped it, the government simply.... After this big Vancouver conference, with people from all over the world.... We were seeing Russian guys with skateboards for wheelchairs.

It's changed in other countries. The United States didn't take any.... It was put in place. A lot of the businesses and the governments didn't like it because they said it was too harsh and too hard, but look at them today. If I go to the United States, I can go anywhere.

I heard they get cars in England. They actually give vehicles to people to find employment. They do things that go far and beyond. It doesn't have to be a cash amount. I think it has to be something that would benefit everybody.

How that's worked out, I can't tell you. Something needs to be done, because right now it's getting worse. It's disgusting that Canada, one of the top countries in the world, hasn't even looked at people with disabilities and said they need help. I see money going everywhere and elsewhere, to every other group, but I never hear of people with disabilities being mentioned.

I actually watch the Parliament channel. I watch the government. I look at the website. I don't see anything. It is very rare that we hear disability mentioned.

I don't know if that answers the question or gives you more problems, but that's how I feel.

Ms. Bonita Zarrillo: No, it does answer the question. Just to follow up on that, the fall economic statement came out and there was really no mention of persons with disabilities and financial relief on that.

I know you're saying that other barriers are creating those financial problems.

I would ask the same question of you that I asked Ms. Yee.

Have there been conversations in your circles around the need for some sort of interim benefit while these regulations get worked out, or before this benefit becomes a reality?

That's for Mr. Zein.

Mr. Peter Zein: I'm sorry. Can you repeat the last part?

Ms. Bonita Zarrillo: I was just wondering if, in your circles, there have been any conversations around any kind of emergency benefit while we wait the year, two years or even three years for the Canada disability benefit to come.

Mr. Peter Zein: No, we haven't, because I don't know if anybody believes it's going to happen.

I don't know. We're a community that's kind of spread around. I haven't heard much about that at all.

● (1740)

Ms. Bonita Zarrillo: There's lost hope?

Mr. Peter Zein: Well, yes, there is with me.

Here I am in the hospital. Do you know why I'm in the hospital? It isn't from a disability. I had a kidney stone explode. I had pneumonia and a collapsed lung, and I went septic. I had a wound. I've been here since June. Do you know that I could go home if I had attendant care?

That's another thing. There are no units for people to move into. I have a house. My cat lives there. That's it.

We need emergency...something like that. Something to say you can find this for us. I don't really know much about that act.

The Chair: Thank you, Mr. Zein, and thank you, Madam Zarrillo.

That concludes our two hours. I thank the witnesses.

Is it the pleasure of the committee to adjourn the meeting?

Thank you, committee members.

The meeting is adjourned.

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