

Disability Declaration

The ODSP Action Coalition calls on the Ontario government to recognize the rights of people with disabilities—by making critical changes to ODSP



People with disabilities have basic human rights. Respecting, protecting, and fulfilling these rights should be the basis for all government programs or services for people with disabilities.

In good economic times, people with disabilities are told that our needs, priorities, hopes and dreams have to wait. But in bad economic times, we are told there isn't enough money in the system to accommodate us. People with disabilities won't wait any longer. We demand that our government respect, protect, and fulfill our rights — by making the following improvements to ODSP right now.

We believe that the United Nations Convention on the Rights of Persons with Disabilities—which is in the form of a list of articles—is a good reflection of our rights. We claim these rights as our own, and present them below as a framework for how ODSP should be reformed.

INCOME

Our Rights	What Government Must Do to Respect, Protect, and Fulfil Our Rights
<p>1. Article 28: Adequate standard of living and social protection</p> <p>People with disabilities have the right to an adequate standard of living for ourselves and our families, including adequate food, clothing and housing, and to a continuous improvement in our living conditions.</p> <p>2. Article 10: Right to Life</p> <p>People with disabilities have the right to enjoy life in the same way that other people do.</p> <p>3. Article 17: Integrity of the Person</p> <p>People with disabilities have the right to respect for our physical and mental integrity.</p> <p>4. Article 19: Living independently and being included in the community</p> <p>People with disabilities have the right to live in our communities with choices equal to others and with full inclusion and participation. We also have the right to choose where and with whom we live, with any required supports.</p>	<p>1. Raise levels of support under ODSP and OW to cover the real costs of living.</p> <p>2. Index ODSP and OW rates to inflation.</p> <p>3. Establish an Independent Social Assistance Rates Board to develop rational and just criteria for setting social assistance rates.</p> <p>4. Increase the amount that ODSP recipients can earn before deductions to allow up to \$6000 per person per year, which is the same amount that people can receive as gifts from family or friends.</p> <p>5. Recognize the benefits of volunteering for the health and well being of people with disabilities and the benefits to society, by creating a Community Participation Allowance within ODSP, and making it available to everyone in the province.</p>

BE PART OF THE CALL TO BRING A RIGHTS-BASED APPROACH TO ODSP!

ACCESS

Our Rights	What Government Must Do to Respect, Protect, and Fulfil Our Rights
<p>1. Article 9: Accessibility</p> <p>People with disabilities have the right to access to the physical environment, transportation, information and communications, and public facilities and services.</p> <p>2. Article 21: Freedom of expression and opinion, and access to information</p> <p>People with disabilities have the right to seek, receive, and impart information on an equal basis with others and through all forms of communication of our choice. We also have the right to get information in formats and technologies suitable to our various disabilities.</p>	<p>1. Simplify the ODSP application process and provide applicants with help to apply.</p> <p>2. Provide sufficient staff with appropriate training to ensure service is delivered in a manner which respects the dignity of all ODSP applicants and recipients.</p> <p>3. Make full information on all rights and benefits available to applicants and recipients in accessible formats.</p>

EMPLOYMENT SUPPORTS

Our Rights	What Government Must Do to Respect, Protect, and Fulfil Our Rights
<p>1. Article 27: Work and employment</p> <p>People with disabilities have the right to work, at jobs we choose, in an open, inclusive, and accessible environment, free from discrimination. We also have the right to technical and vocational programs, help to find work, opportunities for self-employment, and accommodation in the workplace.</p> <p>2. Article 24: Education</p> <p>People with disabilities have the right to an inclusive education that allows for the full development of our potential, personality, talents, creativity, and abilities.</p> <p>3. Article 8: Awareness Raising</p> <p>People with disabilities have the right to have their capabilities and contributions recognized.</p> <p>4. Article 17: Integrity of the Person</p> <p>People with disabilities have the right to respect for their physical and mental integrity.</p> <p>5. Article 19: Living independently and being included in the community</p> <p>People with disabilities have the right to live in our communities with choices equal to others, and with full inclusion and participation.</p>	<p>1. Increase access to and co-ordination of education and training.</p> <p>2. Eliminate the barriers faced by ODSP recipients when accessing ODSP Employment Supports and expand the kinds of supports available, so the full range of the differing needs, abilities and education of people with disabilities are met.</p> <p>3. Educate employers and service providers about the workplace contributions of persons with disabilities.</p> <p>4. Educate ODSP recipients about the Employment Supports Program and the impact of working and receiving ODSP Income Support.</p> <p>5. Change rules related to self-employment in consultation with those who have or would like to set up their own businesses, recognizing that the flexibility of self-employment may be a good option to accommodate people's disabilities.</p>

SOCIAL ASSISTANCE REVIEW and “STUPID RULES”

Our Rights	What Government Must Do to Respect, Protect, and Fulfil Our Rights
<ul style="list-style-type: none">• Article 4 of the Convention states that governments must take the protection and promotion of the human rights of persons with disabilities into account in all policies and programs.• People with disabilities too often confront barriers to the programs and services they need—barriers that exist within those same programs and services. These barriers must be eliminated.• A rights-based approach to programs and services requires a high degree of participation of people with disabilities in decision-making processes. People with disabilities must be part of the decisions that affect their lives.	<ol style="list-style-type: none">1. Undertake a comprehensive review of social assistance, taking a rights-based approach to the reform of ODSP.2. While the review is underway, immediately change some of the more obviously unfair and counterproductive rules of the current ODSP system.3. Ensure that people who rely on ODSP are included as integral contributors to the Social Assistance Review process, and to discussions about immediate rule changes.

A Rights-Based Approach and Poverty Reduction in Ontario

In December 2008, the provincial government committed to a five-year plan to reduce poverty in Ontario by 25%. Part of this plan is to review Social Assistance—including both Ontario Works and the Ontario Disability Support Program—to make these programs work better.

The changes to ODSP that we advocate in this document would not only contribute to the government’s recognition of the rights of people with disabilities, they would also go a long way toward making sure that the government meets its own poverty reduction commitment.

TAKE ACTION! HERE’S WHAT YOU CAN DO:

- Endorse this document and the demands it makes.
- Gather endorsements from individuals and organizations.
- Build support for the Declaration among people with disabilities, disability groups, disability policy analysts, friends, family, businesses, and others.
- Promote the Declaration in your local media (for tips, go to www.sareview.ca/take-action/contacting-local-media).
- Lobby your MPP (for tips, go to www.sareview.ca/take-action/contacting-provincial-politicians).
- Organize a forum or a rally, or ask to speak to a class, organization, faith group, union, or employers group to publicize the Declaration and start a discussion in your community.
- Bring the Declaration to your Municipal Council or local Poverty Reduction Round Table if your community is working together to develop a local poverty reduction strategy.
- Use the Declaration in trainings, or in meetings with ODSP staff, local offices, or service providers.
- Tell your story about your experience with ODSP, and how you think it can be improved (www.sareview.ca/tell-your-story)

What is a “rights-based approach”?

Governments usually take a ‘basic needs’ approach to the programs and services they provide to people with disabilities—like the Ontario Disability Support Program (ODSP).

This means they decide what they think people need, and then provide programs and services to meet those needs.

The problem with this approach is that governments often underestimate people’s basic needs. Another problem is that this approach doesn’t take into account the way the programs and services are designed and delivered, and how people are treated.

That’s why we are calling on governments to take a ‘rights-based’ approach instead. This approach is based on the idea that all people have human rights that must be respected, protected, and fulfilled.

A rights-based approach would ensure government programs and services respect human rights, like those described in the United Nations Convention for the Rights of Persons with Disabilities.

And it would mean that people could decide for themselves what their needs are, and seek out the goods and services that would help them reach their full potential.

Human Rights:

- Human rights are for everyone—they are **Universal**. Everyone is born with and has the same rights.
- Everyone has the same rights, no matter where they live, their gender or race, or their religious, cultural or ethnic background. Everyone is entitled to **Equality and Non-Discrimination**.
- Everyone has the right to have a say in decisions that affect their lives. They are entitled to **Participation and Inclusion**.
- All rights are equal in importance, and if one right is denied, the others cannot be fully enjoyed. All rights are at risk even if only one is. Rights are **Indivisible**.
- Rights are intimately connected. For one right to be fulfilled, other rights must also be fulfilled. Rights are **Interrelated and Interdependent**.
- Rights cannot be given or taken away by an individual or by a government. Rights are **Inalienable**.
- Governments are responsible for upholding human rights. They are **Accountable** to high international standards.

Governments that recognize human rights must do three things:

- **Respect human rights** — this means not interfering with people’s enjoyment of their rights.
- **Protect human rights** — this means making laws that make sure people’s rights are not violated by governments, corporations, groups or individuals.
- **Fulfill human rights** — this means actively creating the frameworks and processes, including providing the appropriate resources, to let people enjoy their rights.

For more information on the **UN Convention on the Rights of Persons with Disabilities** —and to download a copy— go to the United Nations Enable website at www.un.org/disabilities.

About the ODSP Action Coalition

The ODSP Action Coalition includes people with disabilities and more than 100 community disability agencies, provincial organizations, anti-poverty groups and legal clinics across Ontario committed to pushing for improvements to ODSP, so that people with disabilities can live with justice and dignity.

For more information about us and the work we do, visit www.odspaction.ca.