2012 Toronto Monitoring Site Report

Disability Rights Promotion International

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But mostly it is the people with disabilities who were engaged in the project and who contributed through their stories who were the primary contributors.  They have been pioneers in recognizing the importance of letting people know the degree to which rights are realized and rights are not realized in Ontario.  Thank you to them and we hope this report can be used as a base for further reports and as a means to tracking positive change.

*“I’ve been in Toronto for 15 years and I still cannot go east and west through the downtown core on regular TTC service because streetcars are not wheelchair accessible in any way, shape or form. They’ve got more accessible buses but if I could take the regular TTC I wouldn’t have to rely on Wheeltrans at all to go to work and to go home” (man, 43 years old)*

*“I was going from high school to college and I was denied an application. They called us all in through the guidance office and my turn came they told me they’d run out of applications. But the kid after me got one. Then I realized that the guidance counselor was making a judgment. In her mind she didn’t think I warranted the opportunity because she didn’t think I could do it.”  (woman, 50 years old)*

*“I sent an email to Ottawa to say that I couldn’t access the information because I’m vision impaired and I’d love to apply for that position because I knew I had all the qualifications and more for that position. I got a response two days later from somebody in Ottawa. There was a name but I know it was a secretary who said to me: ‘Well, if you can’t access the website, why do you think that you need that job?’  I was really hurt by that.”  
(woman, age n.a.)*

*“I have some mental health issues. They [the ambulance attendants] don’t always understand that. They label you as crazy instead of just depressed or having post-traumatic stress symptoms.”  
(woman, 61 years old)*

*“Movie makers and the producers and the theater owners think for some reason that people are going to be inconvenienced or offended or confused by having captions on the screen. They will not, but the point is – they value those people much more than they do deaf people.” (man, 41 years old)*

### Executive Summary

According to Statistics Canada, in 2001 approximately 1.5 million people in Ontario, or 13.5% of the population, were limited in their daily life activities due to a physical or psychological condition.  From this data it can be estimated that about 335,000 Torontonians had some sort of disability ([Statistics Canada](http://www.statcan.ca/)).  Many of these persons also experience significant barriers in exercising of their rights.

Canada is signatory of a number of international human rights treaties, including the recent United Nations Convention on the Rights of Persons with Disabilities. Canadians with disabilities, regardless of where they live, should therefore be entitled to the same human rights and freedoms that are granted to all other citizens. Monitoring studies are fundamental to measuring the extent commitments made by the Canadian government are translated into action on the ground.

DRPI-Canada is a collaborative project funded by the Social Science and Humanities Research Council (SSHRC) through its Community-University Research Alliance program (CURA), working to establish a sustainable monitoring system to address disability discrimination in Canada. The project employs a [human rights approach](http://www.yorku.ca/drpi/hRights.html#startContent) to disability, which focuses on the way systemic discrimination and social exclusion increase vulnerability of persons with disabilities to abuse, poverty, unemployment, and other forms of discrimination and inequitable social conditions. Evidence-based knowledge regarding the extent to which people with disabilities face discrimination will inform effective societal, policy and program change to improve the lives of people with disabilities in Canada.

This study was one of a series of studies carried out across Canada and using the same methodology.  Projects were carried out in Newfoundland, Quebec, Ontario and British Columbia.

The study in Ontario was based on 42 individual interviews conducted in the city of Toronto with persons with various types of disabilities to document their lived experiences in exercising their rights. DRPI-Canada partnered with the Centre for Independent Living Toronto (CILT), which took leadership at all stages of the monitoring activities.  Monitoring data has been collected through face-to-face interviews conducted by monitors, persons with disabilities themselves. Training was held in advance for people with disabilities to learn the research skills of monitoring. Interviews were taped, transcribed and coded using a coding scheme developed by the international DRPI project ([DRPI Home Page](http://drpi.research.yorku.ca/)). Finally, coded transcriptions were analysed.

In the studies five key human rights principles – autonomy; dignity; participation, inclusion & accessibility; non-discrimination & equality; and respect for difference – were explored in connection to key areas of life for people with disabilities. The areas considered in this study are: social participation; privacy and family life; education; work; information and communication; access to justice; income security and support services; and access to health, habilitation and rehabilitation.

#### Experiences of Human Rights across Areas of Life

Overall, the findings indicate that individuals with disabilities encounter both positive and negative experiences in exercising their rights. However, instances of denial of human rights tend to outnumber positive experiences. Social Participation, Work and Income Security & Supports were the most discussed areas by people with disabilities and also the ones where negative experiences predominate.

#### Social Participation

Of the eight areas of life, social participation is clearly the most significant area of concern for participants. In this arena interviewees reported a myriad of obstacles, stemming from difficulties such as barriers to public transportation and the built-environment and discriminatory attitudes hindering their active and equal participation in society.

#### Work

The labour market and the workplace constitute another realm of exclusion and inequality for a large proportion of participants. Many were unable to find a job and others reported feeling discriminated against, with little opportunity for advancement and professional growth on the grounds of their disability.

#### Income Security and Supports

Another prominent issue that emerged in this study concerns the lack of opportunity to make autonomous choice around the provision of disability-related services.  This creates unnecessary dependence and prevents many people with disabilities from living independent lives and taking part in society as equal citizens. It is clearly a violation of their human rights.

#### Health, Habilitation and Rehabilitation

In this realm of life, some interviewees, especially those with psychosocial disabilities, reported experiences of exclusion and disrespect or labelling. Participants with mobility disabilities, on the other hand, reported the lack of physical accessibility in medical facilities, hindering their right to access health care.

#### Privacy and Family Life

For a significant number of participants, intimate relationships and family life experiences are intermingled with stories of disrespect and loss of dignity. These experiences stem from feeling largely misunderstood as a result of the disability, particularly due to deeply entrenched perceptions that cause shame or embarrassment in those who are around or care for the person with the disability.

#### Education

The majority of experiences collected in this area of life indicate instances of discrimination and lack of accommodation of disability-related needs. Some participants, however, also reported positive experiences of inclusion and accessibility, thus suggesting that the education system is a changing environment for persons with disabilities in Toronto.

Access to Justice and to Information and Communication are two other realms of life where people with disabilities faced significant disadvantage and exclusion. Lack of adequate supports for those with various sensory disabilities were reported as leading to exclusion from social contacts and marginalization in the labour market. Those interviewed also emphasized lack of accessibility in the justice system with legal and attitudinal barriers resulting in exclusion, particularly for those with psychosocial disabilities and/or those who were homeless.

Nevertheless, the majority of participants tend to take a proactive attitude when facing discrimination. In fact, almost three quarters of those interviewed chose to report or file an official complaint when they experienced a violation of their rights. For those who did not take any formal action, they reported that they did not think this avenue would be effective in changing their situation.

#### Systemic Roots of Discrimination

This study also explores the systemic roots of discrimination, as perceived by people with disabilities themselves, with a focus on economic, social and legislative factors. Most participants perceive social factors (e.g. ignorance and widespread misconceptions about disability) as the most dominant root cause of the discrimination they face. Economic factors closely follow as another prominent source of systemic discrimination and exclusion. The drive for profit that is characteristic of capitalist societies is often pointed out as a systematic force pushing people with disabilities to the margins of society.

#### Recommendations

In light of these findings and the reflective discussions held among participants, monitors and leaders of the partner organization, the following are the recommendations of the study:

* Guarantee income security and ensure the right to a decent standard of living to all persons with disabilities in Ontario.
* Improve accessibility in the public transit system in the city of Toronto and increase the quality and availability of the adapted transportation service Wheel-Trans.
* Improve accessibility to the built environment and to information and communication systems in the city of Toronto.
* Improve personal assistance services and expand the number of beneficiaries of direct funding schemes in the city of Toronto.
* Raise awareness and educate the public about disability as a human rights issue.

### Introduction

#### Background of the project

DRPI-Canada is a collaborative project funded by the Social Science and Humanities Research Council (SSHRC), working to establish a sustainable monitoring system to address disability discrimination in Canada. The project employs a [human rights approach](http://www.yorku.ca/drpi/hRights.html#startContent) to disability, which focuses attention on the way that systemic discrimination and social exclusion increase vulnerability to abuse, poverty, unemployment, other forms of discrimination and inequitable social conditions. Evidence-based knowledge regarding the extent to which people with disabilities face discrimination will inform effective societal, policy and program change to improve the lives of people with disabilities in Canada.

The project adopts a holistic framework in order to develop a sustainable system to monitor the human rights violations of people with disabilities in Canada by integrating four focus areas: individual experiences monitoring (gathering information about the actual human rights situations of people with disabilities in the communities where they live); media monitoring (examining the depiction of disability issues and persons with disabilities in the media); systemic monitoring (examining the effectiveness of laws, policies, and programs in protecting disability rights); and monitoring survey datasets (examining the information collected by Canadian population surveys on the situation of people with disabilities from a human rights perspective). DRPI-Canada is grounded in the general human rights principles: dignity, autonomy, non-discrimination, inclusion, respect for difference, and equality.

This report is based on the work carried out within the Individual experiences monitoring area of the overall project. Related monitoring activities took place at four monitoring sites, chosen to reflect the social and cultural diversity of the nation: Quebec City, Quebec, St. John’s, Newfoundland, Toronto, Ontario and Vancouver, British Columbia. This report presents data from the Toronto monitoring site.

#### Partners and people involved

In addition to the people recognized in the acknowledgment section previously, there were several other organizations and people who were involved in important ways with this process. David Meyers who, at the time wore two hats – one for Birchmount Bluffs and one for the Ethno-racial Coalition of People with Disabilities was instrumental in identifying individuals for this project, as were Tracy Odell as a member of Citizens with Disabilities Ontario, John Rae from the Alliance for the Equality Blind Canadians and various others.

#### Methodological approach for the fieldwork

Monitoring data was collected through face-to-face interviews with people with various types of disabilities about their lived experiences of human rights. After receiving ethics approval from York University, 43 interviews were conducted by monitors who are people with disabilities themselves. Informed consent was obtained from participants who were recruited by the Centre for Independent Living, Toronto using a mixed approach. A “snowball” sampling technique was employed, a strategy recognized for its ability to recruit groups who are difficult to access (Lopes et al., 1996). At the end of each interview, participants were asked to refer other people who would fit the sampling criteria. The people referred were then contacted and an interview was arranged. This strategy was reiterated several times until the desired sample size was achieved. In order to get to people who were more isolated, the snowball technique was complemented by recruitment through the networks of our partner. The sample size was considered appropriate given the nature of this study, which is mainly directed at an in-depth understanding of the meaning, context, and processes involved in the human rights experiences of people with disabilities. In light of this perspective, a qualitative approach employing intensive interviews on relatively small samples was favoured over other methodologies.

Each interview lasted on average of two hours and was conducted using an interview guide previously developed by the larger international DRPI project and adapted to the Canadian context. The semi-structured interview started with two broad questions, Which things have you found more satisfying in your life over the last five years? And which things in your life have presented the greatest obstacles or barriers?. Typically, interviewees named two or three key situations that monitors used to engage a conversation, probing into the lived experiences of those interviewed in order to explore their linkages with the exercise of human rights. Once collected, the interviews were transcribed, coded, using a coding scheme developed and field-tested in the international DRPI project, and then analysed using NVivo 8 qualitative software. Two experienced researchers who ensured inter-rater reliability and consistency of coding by comparing and contrasting codes throughout the coding process supervised the coding process.

#### Strengths and Limitations of the Project

A core dimension of the individual experiences monitoring process advanced by this project is the direct involvement of people with disabilities as monitors as well as the engagement of local disability organizations in all stages of monitoring. Having people with disabilities carry out the interviews is a solid research methodology as it creates an environment of mutual trust and respect between the interviewer and the interviewee that facilitates information sharing within a rigorous methodological framework. Furthermore, the leadership role played by the local partner in coordinating monitoring activities represents a key step to ensure capacity building and sustainability within the disability community in disability rights monitoring.

The semi-structured approach employed by this project in the data collection has the benefit of enabling the interviewees to focus on those topics that are most important to them rather than imposing a battery of questions.  It leads to a more in depth understanding of the meaning of human rights as experienced by the interviewees.

Besides the strength of this project, it is also important to acknowledge its limitations. The sampling technique employed by the project led to the overrepresentation people with mobility impairments in the sample. To address this occurrence, the local partner added to the sample other subgroups of people who were recognized as underrepresented during the process of the study.  Correcting throughout the sample is a standard and expected technique in snowball sampling.

### Part 1 – Context of Monitoring Efforts: The Toronto monitoring site

Current data on the demographics of people with disabilities is not available at the local level but it is possible to make estimates about Toronto based on data that has been collected by various organizations at the national and provincial levels.  According to Statistics Canada, in 2001, approximately 1.5 million people in Ontario, or 13.5% of the population, lived with disabilities.  From this data, it can be estimated that about 335,000 Torontonians had some form of disability ([Statistics Canada](http://www.statcan.ca/)).  It should be noted, however, that it is also possible that this estimate is too low. Toronto has a greater number of services and advocacy groups, as well as more accessible infrastructure such as audible crosswalk signals and the Wheel-Trans system, all things that would make Toronto more attractive to people with disabilities.

#### **Income**

According to Statistics Canada, in 2006, the average weekly earnings of Canadians with disabilities was $696.36, in contrast to the $747.08 made by Canadians without disabilities ([Statistics Canada](http://www.statcan.ca/)). According to the Canadian Council of Social Development’s Urban Poverty in Canada, A Statistical Profile ([Read the profile on the Canadian Council of Social Development website](http://www.ccsd.ca/pubs/2000/up/b2-12.htm)), compiled in 1995, of the total population of persons with disabilities (252,600), 94,700 people were living below the poverty line.  That is, 37% of Torontonians with disabilities were poor. In order to prevent persons with disabilities from sinking below the poverty line, the [Ontario Ministry of Community and Social Services](http://www.mcss.gov.on.ca/) has the Ontario Disability Support Program (ODSP)[1](http://drpi.research.yorku.ca/north-america/north-america-publications-resources/2012-toronto-monitoring-site-report/#note1).  The ODSP is designed to aid people with disabilities who are in financial need.  According to an article posted by DisAbled Women’s Network (DAWN Ontario) in 2003, entitled “Denial by Design” ([read the article on the DisAbled Women’s Network website](http://dawn.thot.net/denial_by_design.html#8)), ODSP offers a number of income and employment supports, but many people with disabilities encounter difficulties benefitting from these supports because of the complicated application process involved.

People with disabilities may be in greater need of income support given that they might need accommodation supports and services for their specific disabilities. Those with physical disabilities might require wheelchairs or other mobility devices, for instance.  Persons who are blind or have low vision might require adaptive technology in their homes in order to operate computers or read.

#### Employment

According to Statistics Canada, of the 2,168,260 Torontonians over the age of 15, 1,320,020 were employed while 107,190 were unemployed and 741,060 were not in the labour force ([Statistics Canada](http://www.statcan.ca/)).  According to PALS:

* 46.1% of women in Ontario with disabilities did not work during the year 2000
* 20.6% of women in Ontario without disabilities did not work during this time
* 35.3% of men in Ontario with disabilities did not work
* 11.5% of men in Ontario without disabilities did not work

Provincial funding has made available under the Ontario Works Program, which provides employment assistance to those who are in financial need, [read more about the Ontario Works Program on the website](http://www.mcss.gov.on.ca/). In addition to the Ontario Works program, services include the following: workshops on employment skills, resume writing, and preparing for interviews; referrals to job counselling or training; access to telephones, faxes, computers, and job banks; and information on who is hiring. The ODSP also has an employment support component specifically for people with disabilities that provide such services as transportation assistance, adaptive technologies, assistive devices and interpreter services. People with disabilities may require labour force adaptions including additional job support, or part-time or episodic work, or different productivity standards.  This has resulted in a need for increased eligibility in benefits, income support, and employment supports.

#### Housing

People with disabilities face greater challenges with respect to finding homes suitable to their lifestyles and needs.  According to the 2007 Street Health Report([read the report on the Street Health website](http://www.streethealth.ca/)), conducted in Toronto, when homeless people were asked what main reasons were preventing them from finding and maintaining housing, the second most frequent response (33%) was physical or mental disability.  Seventy-eight percent of those asked identified economic reasons including the high cost of rent and unemployment or underemployment People with disabilities encounter these problems more frequently than others for several reasons. Housing that accommodates disability tends to cost more than regular housing.  The cost of living can be higher for people with disabilities if they need adaptive technologies and generally housing is not built to accessible standards.  The rates of unemployment are also higher for people with disabilities and so they lack the income needed for housing in a rental market that is expensive.  There are some organizations in Toronto that make housing easier to find and afford including: Access Apartments ([visit the Access Apartments website](http://www.accessapartments.ca/)), Mary Centre of the Archdiocese of Toronto ([visit the Mary Centre of the Archdiocese of Toronto website](http://www.marycentre.com/)), Bob Rumball Centre for the Deaf ([visit the Bob Rumball Centre for the Deaf website](http://www.bobrumball.org/)), and the Toronto Centre for Equality Rights in Accommodation ([visit the Toronto Centre for Equality Rights in Accommodation website](http://www.equalityrights.org/cera)). An important component of many of these housing services is that they allow and encourage individuals with disabilities to live in community with one another.

#### People interviewed

Participants in this study included 43 men and women of different ages, who were living with a number of different disabilities. The key socio-demographic attributes of this sample were as follows: (TABLES)

This sample may not represent the entire population of people with disabilities living in Toronto. It is well-educated with 58% of participants having completed a college or university degree and almost 40% being employed at the time of the interview. Moreover, women as well as persons with mobility impairments are overrepresented, and the sample is primarily composed of middle-age adults (41-55 years old). The characteristics suggest that this group would likely be well informed about its rights and proactive when it comes to protect and claim them. These attributes must be taken into account when interpreting the findings of the study.

### Part 2 – Discussion of Findings

#### Spheres of life and human rights

In the data collection process, eight key areas of life were analyzed with respect to five human rights principles. These areas included: social participation; privacy and family life; education; work; information and communication; access to justice; income security and services; and finally, access to health, habilitation and rehabilitation services.  
The following five core human rights principles were considered with respect to each of these areas of life for people with disabilities: Autonomy; Dignity; Participation, Inclusion & Accessibility; Non-Discrimination & Equality; and Respect for Difference.  
Social Participation, Income Security & Support Services, and Work were the areas with the highest number of responses. The lowest number of responses were the areas of Access to Justice and Information and Communication.

The experiences shared by the participants in this study overwhelmingly report barriers to the exercise of their human rights (Chart 1). The most frequently reported barrier was social exclusion closely followed by instances of discrimination, erosion of dignity and a lack of respect for or recognition of difference.

##### Social Participation

Of the eight areas of life, social participation is clearly the most significant area of concern reported by participants (see Table 3). For the participant, this area encompasses more than simply physical barriers; it also includes participation in cultural and political life, sports, recreation and leisure activities.  In these multiple arenas, individuals with disabilities encounter a myriad of concerns, stemming from difficulties such as barriers to public transportation and the built-environment, and disrespect, and a loss of dignity (Table 5). In many cases, participants experience discriminatory attitudes that hinder their active and equal participation in society, as the following excerpts clearly show:

“They assume you can’t have sex, they assume you can’t go to the bathroom; they assume you’re spinal cord injured cause everyone is spinal cord injured. But the assumptions also work the other way sometimes – if you can do all kinds of things, they expect you to be superhuman and do everything!”(12-06’2008-interview13, Woman – age 55)

“People don’t defer to me… people don’t look to me for guidance. It’s fairly rare that people will actually be rude or outright hostile, but what is so common is… a strange emotion. I mean people are very distant and they seem to be distanced by emotions of their own, that are provoked by coming into contact with someone with a disability. So I find it very difficult to connect with people because it’s hard to get past their emotions around my disability.” (28-08-2008, interview15, Male – age 29)

False presumptions about what people with disabilities can and cannot do lead to disrespect. Indeed, findings from this study indicate that Torontonians with disabilities often feel victimized and excluded in their social interactions, with their dignity violated. This is particularly the case in situations involving transportation, leisure activities, and other areas of social life, as many interviewees reported:

*“We are considered second class citizens when it comes to flying. Somebody else can just walk on and have the same rights as everybody else, it doesn’t matter… who they are. But when you’re in a wheelchair you are categorized.” (12-06-2008, interview13, Female – age 58)*

*“They are very cruel. I have been bullied my whole life… I am a small guy… I don’t know why they must think that I walk around with a million dollars in my pocket… I get beaten a lot. They try and rob me and stuff like that… They can be quite mean… sure they are only words, but sometimes it can get to you.” (20-06-2008, interview19, Male – age 58)*

*“I feel like I always have to make an effort to change people’s perceptions, it’s always there, it’s always an agenda, it’s always something I need to do.”(16-03-2008, interview4, Female – age 51)*

*“It’s hurtful. It really is. You really feel that you don’t matter. It’s all about people who drive—actually I really feel that this whole thing is all about cars. Every—almost every decision that’s made in this city is about cars.” (10-02-2008, interview1, Female – age n.a.)*

These quotes illustrate the damaging effects of discriminatory and exclusionary treatment for people with disabilities, who are in a society where many of their needs are clearly not being accommodated.

##### **Work**

The area of work emerged as a second area of concern for persons with disabilities in this monitoring study.

In the workplace, a large proportion of participants reported feeling discriminated against, with little opportunity for advancement and professional growth (Table 6). These participants not only feel that their disability directly impedes their access to many sectors of the job market, but they also report encountering marginalization by their co-workers. One interviewee told the following story:

*“I’ve applied for director positions. I’m not getting interviews and I’m not sure why.  Even here, there was a director position that opened up and I applied for that and was not even given an interview…I suspect that… there’s some perceptions about whether I have the stamina or whether I’m energetic enough…” (13-03-2008, interview3, Female – age n.a.)*

And another stated:

*“I don’t think they really value people with disabilities as equals … it’s chronic in the helping professions, people love to help out people with disabilities but, sure as hell, they don’t want to work side by side with them.” (15-06-2008, interview14, Female – age n.a.)*

In addition to marginalization, participants feel frustration by being excluded from positions for which they are qualified. One woman confided:

*“It makes me feel very bad because I’ve gone to school. I want to work because I am bored. I live alone, but I cannot work. Nobody wants to give me a job…” (20-06-2008, interview18, Female – age 56)*

While another said:

*“I’ve been looking for work and haven’t managed to get any, which really frustrates me because I know I can work.” (08-22-2008, interview11, Female – age 45)*

As a result of this discriminatory treatment, internalized feelings of failure are common amongst individuals who cannot find employment, as one participant observed:

*“You lose self esteem, the satisfaction that you’ve done a day’s work. You certainly don’t have any money to show for it, so you lose all around.” (12-09-2008, interview19, Male – age 47)*

##### Income Security and Supports

Income security and support services are an important part of life for people with disabilities and are basic circumstances for the enjoyment of human rights.  A number of interviewees shared their experiences about this aspect of their day living situations.  
One issue that emerged in the interviews in relation to this area of life concerns the lack of opportunity to make autonomous choice around the provision of disability-related services (Table 7).  Many interviewees reported experiencing a lack of control, and a feeling as though they have little decision-making power or autonomy when dealing with caregivers or relying on adapted public transportation. Some described this as a stifling experience that interrupted their daily activity:

*“I had a lot of problems with that organization, and the quality of service …certainly felt… almost like I didn’t have a right to run my own life” (15-08-2008, interview3, Female – age n.a.)*

*“If I want to do something on the way home… if I want to stop here and do an errand, I can’t. Wheel-Trans will not do that kind of stuff for you.  I cannot organize to do anything in an evening because all I can do is get home with any certainty.” (13-03-2008, interview3, Female – age n.a.)*

Some individuals also commented on the lack of support services for their personal circumstances, and the extent to which they feel systemically marginalized because of that:

*“So for myself, I’m in what they call chronic pain most of the time so I need a place to rest. There isn’t such a place provided. It’s not available. Some shelters apparently do, but there is no opening there. What do I do? I lie on a park bench during a day, I have my master’s degree and I lie on a park bench in Toronto.” (12-09-2008, interview19, Male – age 47)*

*“Until their policies and their way of implementing things change, I think that’s where most people are going to run into problems… they’re looking at it in certain parameters and certain barriers that they’ve deemed as the eligibility criteria for whatever and if you don’t fall into it you’ve missed the boat.” (26-08-2008, interview14, Female – age 51)*

Economic insecurity and denial of appropriate supports prevent many people with disabilities from living independent lives, and taking part in society as equal citizens. This is clearly a denial of their human rights.

##### Health, Habilitation and Rehabilitation

This sphere concerns experiences related to access to health, habilitation and rehabilitation. In this area of life, interviewees reported experiences of exclusion and of being disrespected or labeled. This was particularly found to be the case of users and survivors of mental health services.  One interviewee reported:

*“I have some mental health issues. They don’t always understand that… they label you as crazy instead of just depressed or having post-traumatic stress symptoms. I even had…doctors that quit on me because they couldn’t figure out how to cope with my mood swings… and my anger.” (25-08-2008, interview13, Female – age n.a.)*

Participants with mobility disabilities, on the other hand, complained about the lack of physical accessibility in medical facilities:

*“In the doctor’s office I go to, the door’s so tiny that they have to open two doors to get me in… and they don’t have buttons on the doors anywhere. A lot of bathrooms are not accessible for a large scooter… and if they do, usually somebody else is in there that shouldn’t be there, like a mother with a child or something because they sometimes put the changing table in the large bathroom…”  (25-08-2008, interview13, Female – age n.a.)*

Thus a range of barriers including the physical inaccessibility of the hospital environment as well as attitudinal barriers on the part of health care professionals resulted in many people having difficulty accessing physician care. Poor access to health services resulting in individuals feeling as though their dignity is compromised, particularly for those with psychosocial disabilities. For example, one interviewee describes the poor treatment she endured, due to lack of control over the care being provided:

*“It made me feel like I was a nobody because they didn’t listen; they didn’t want to be kind. They just thought that brutality was the way to treat me and other times they even gave me antipsychotic medicine… when I don’t have any psychotic problems.” (25-08-2008, interview13, Female – age n.a.)*

Instances of poor treatment of exclusion and discrimination within the health care system  is something that resonates with the majority of interviewees, many of whom express distress over their encounters with health care professionals and the system as a whole.

##### Privacy and Family Life

Although this was not widely reported by respondents, data indicates that a few people with disabilities experience a loss of dignity in the realm of relationships and family life experiences. These experiences stem from feeling largely misunderstood as a result of a disability, particularly because of deeply entrenched prevailing attitudes, that cause shame or embarrassment in those who are around or care for the person with the disability.

One interviewee stated:

*“Most of my friends are able-bodied and…they thought I was absolutely … mad, I mean they thought I was making it up. I was over-exaggerating. I was not trying… hard enough because that was very much a teacher-parent kind of role. But for my friends, it was more like…maybe you’re just overreacting, maybe you’re being a little too sensitive. I bought into that a lot. They didn’t really get it…” (22-01-2008, interview2, Female – age 28)*

Another responded that:

*“I had very few ties with my family. I ended up separating from my wife…we got a separation agreement… and I lost contact with my son who was very hostile to me.” (01-21-2008, interview1, Male – age 70).*

Some participants also reported feeling disrespected by members of their family. This included disbelief on the part of family members, particularly for those with non-visible disabilities, making it harder for these individuals to identify, as this women experienced:

*“My family, my sister thought I was being ridiculous… She was like you’re not disabled at all… Because being disabled meant being physically disabled or having a visual impairment or anything like that. It was not something that people could see… so it was not believable.”(22-01-2008, interview2, Female – age 28)*

Those who are (or had been) institutionalized also reported enduring poor living conditions and lack of respect and support in those contexts, affecting their dignity and human rights. Here is one of such testimonies:

*“They put me out earlier to a home for special care for five years… homes for special care, they are the bottom of the bottom rank…they are really bad and particularly the one I was in was a farmhouse…just a farmhouse where I slept three in a room with just a rotten mattress… it was just horrible. It was horrible.” (01-21-2008, interview1, male – age 70)*

##### **Education**

This area includes life experiences that take place either at school or through education experiences. The majority of experiences reported in the sphere of education revealed instances of discrimination, where participants felt that their educational environment was not at all conducive or accommodating to their disability.

“Sometimes I feel really sorry for myself and I pity myself and I think I’m a horrible person… Often especially in a university and in an environment that is not made for people with disabilities.” (22-01-2008, interview2, Female – age 28)

*“There have been several times where I have applied for continuing education courses at a fairly advanced level, and have been told by the educational centers that they cannot offer these courses to a blind person.” (NoCode\_2, Male – age 45)*

These quotes are suggestive of the damaging effects of poor accommodation and support mechanisms that leave individuals feeling as though they are being targeted and excluded from their rightful access to education because of their disabilities. In many instances, individuals feel that the blame is placed on them for their experiences, rather than being perceived of as a systemic deficit in the education system itself. One interviewee noted

*“if someone… said something to me in school, and I had received the help I needed in school,  then I would not have been in the predicament I was in, where I was feeling suicidal and depressed. I mean, just getting that help earlier on and people believing me would have been really helpful.”(22-01-2008, interview2, Female – age 28)*

And yet another commented:

*“I was told that I demanded a lot. I had a lot of expectations cause I did not understand the work and I was very lost in the classroom. Things were happening that I didn’t process very well… so this professor made me feel terrible and I ended up crying in her office.” (22-01-2008, interview2, Female – age 28)*

Lack of accommodation and failure to provide appropriate supports at school prevent many persons with disabilities from learning. This breach of their human rights may well compromise their future.

##### Information and Communication

A number of individuals in this study – particularly with sensory disabilities – report experiencing difficulties and barriers with respect to information and communication. They include limited availability of Braille texts, visually inaccessible Internet websites, and the lack of sign language interpretation or real captioning services that act as barriers to access to information and limit opportunities for social participation on an equal basis with other people.

The following are examples of the stories gathered which show the range of barriers people with disabilities face in this area:

*“It’s basically the biggest frustration that you have things on television…that does not have accessibility like captioning on commercials… our lives are worth zero because they didn’t take the time to caption.” (28-08-2008, interview15, Male – age 56)*

*“When you’re vision impaired and you try to use a computer, which I do, there are sites you can’t access because we can only use the tab keys and arrow keys to access information. We can’t use the mouse, so very often you go on a site and it will read probably the heading, but then you try to arrow down and the cursor won’t hit the place and so it won’t read it to you… So going on websites is difficult.” (22-08-2008, interview11, Female – age 38)*

*“I think the federal government should be ashamed of itself because they put everything online and we are a sector of the population who can’t access that information, and then they wonder why so many of us have no jobs.” (22-08 2008, interview 11, Female – age 38)*

In the era of technology in which we live, some participants noted that their life experience is restricted because of the lack of efforts made to adapt technology to a broad range of needs. As a result, they are unable to enjoy the same lifestyle or complete daily tasks with the same ease as their able-bodied counterparts, as these interviewees observed:

*“We are gradually overcoming the whole use of what technology can do for people with disabilities. You know there’s still some out there who say that… unless you can read the printed word… there’s no other way of demonstrating literacy… but that is an ableist way of looking at the world.” (20-03-2008, interview6, Male – age 50)*

*“They’ve been telling me since I moved in that they’re going to put Braille on the washers and the dryers. Nothing has happened.  You must be kidding if they’re ever going to spend a dime, because you’re vision impaired, to help you.” (08-22-2008, interview11, Female – age n.a.)*

Unable to access information that is available to the general public and prevented from taking advantage of available technological progress (because of the lack of universal accommodation and adaptation), Torontonians with disabilities can’t help but feel excluded and marginalized.

While participants in this study did not frequently report issues related to access to justice, interviewees who did expressed a general distrust of the legal system. The majority of interviewees who reported encounters with the justice system identify themselves as having a psychosocial disability. For many, there is a stigma associated with people with disabilities in the prison system and therefore they experience isolation and feel ostracized because of their disability. One participant communicated that:

*“They don’t believe that people are recovering or ex-convicts or… once they know who you are it must be written in the computer… so they treat you with no respect.” (12-09-2008, interview17, Male – age 46)*

*“Even in court, when they told me to go to a judge to get a restraining order… the judge just sits there and laughs at you. I had to report them and they sent me another judge, and he’s no help either… you just feel like you’re being violated over and over and over again.” (25-08-2008, interview13, Female – age n.a.)*

When homelessness compounds disability, interviewees also feel that their personal circumstances result in barriers in accessing the legal system.. They feel silenced and experience various attitudinal and systemic barriers that inhibit their participation and right to access and utilize the justice system. One interviewee reports:

*“What I intend to do is go to city hall, but being homeless, it’s very difficult. I don’t have access to phone… I don’t have an address… I don’t have access to my computers… it’s very difficult to communicate with these people that might be able to give me some explanation of why certain things have happened to me, or to listen to my complaints…” (12-09-2008, interview19, Male – age 47)*

##### Intersectional Analysis

There were differences found in the study, based on the age[3](http://drpi.research.yorku.ca/north-america/north-america-publications-resources/2012-toronto-monitoring-site-report/#note3) and gender of participants, in the context of the eight areas of life. The data explores human rights principles in relation to these attributes.  It is important to note that this study included more females than males, and also included a majority of individuals over the age of 41, with far less participants in the 18 to 40 year old demographic. The total number of participants in this study according to age group and gender include:

##### The Impact of Age

The impact of age on participant experiences in the eight areas of life was examined. Areas of particular significance for the middle-aged group (35-54 years of age) occur in the domains of Social Participation, Income Security and Support Services, and Work (Table 13b).

Younger participants (18-40 age groups) tended to report human rights experiences in the area of Education and Information and Communication more often than the older interviewees. This may be explained by the greater relevance of these particular factors in the lives of younger people – who are more likely to be engaged in the Education system, or Communication and Information systems than those in the older demographic group. In contrast, results in the area of Health, Habilitation and Rehabilitation, as well as Access to Justice, were the concern of a higher proportion of mature participants (55+ and 41-55 age groups), which might be an indication that older adults may require or utilize the services of the legal and health care systems more so than their younger counterparts.

When examining the participant responses from the perspective of human rights principles (Table 14), and taking into account the higher number of individuals in the age group of 41-55 in this study, differences are less obvious. The principles of dignity, as well as participation inclusion and accessibility, and respect for difference garnered the highest proportion of participant responses in all age groups. An interesting difference between the younger and older participants (56+ and 18-40 age groups), are issues related to autonomy. Here, the results indicate that the younger group reports a lack of autonomy to a greater degree than those in the older adult category. Reasons for this may be grounded in the extent to which younger people with disabilities have higher expectations for autonomy.  On the other hand, it may be more likely for younger people to lose decision-making capacity to caregivers or other authority figures around them. These hypotheses need to be tested in studies with larger samples.

##### The Impact of Gender

When examining differences in men’s and women’s experiences across the eight areas of life examined in this study, there is remarkable similarity. Women, however, were slightly more likely to report experiences related to Education, and men more likely to discuss experiences of Access to Justice and Information and Communication (see Table 15).

Women’s and men’s experiences were also similar in almost all categories related to access or denial of human rights (Table 16). Women, however, were slightly less likely than men to report self-determination and inclusion and accessibility, while men were less likely than women to report experiences of respect for difference.

##### **Analysis based on participants’ responses to discrimination**

###### **Systemic Roots of Discrimination**

This study also explores the systemic roots of discrimination, as perceived by people with disabilities themselves.  These focus on economic, social and legislative factors. These three areas are seen as fostering and creating the discrimination interviewees experience or have experienced in the past on the grounds of their disabilities.

Most participants perceive social factors as the most dominant root cause of the discrimination they face. Ignorance and widespread misconceptions about disability are thus reported as significant sources of exclusion and disability-based discrimination that people with disabilities face in the city of Toronto. Here are some of the comments that were gathered:

*“The toilet was constructed by people who are not disabled and they didn’t, they didn’t consult people who are disabled when they constructed it … they assume that if you are disabled that you can do, but we can’t.” (20-06-2008, interview18, Female – age 56)*

*“I don’t quite know what goes through people’s heads, maybe sometimes they think that … a person with a disability is just being difficult or…demanding something exceptional. That’s where you get into how much people really believe in accessibility… and whether they really think that everyone should have an equal right to be able to get around in society.” (28-08-2008, interviewDTB15, Male – age 39)*

*“I’m not from the predominant culture, and I have a disability, so people perceive me as being less capable and different than them.” (interviewNoCode\_2, Male – age 45)*

Economic factors closely follow as a prominent source of systemic discrimination and exclusion. The drive for profit that is characteristic of capitalist societies is often pointed out as a systematic force pushing people with disabilities being perceived as a cost and a burden as well as being seen as outsiders. One interviewee clearly stated it when he noted:

*“In the case of… a private business or restaurant or something, there is a pure cost issue … the issue just comes down to logistics and money and timing and how to get it done.” (28-08-2008, interviewDTB15, Male – age 39)*

In cases where individuals chose not to report the situations in which they experienced discrimination the monitors probed the reasons behind such choice According to the findings (Table 18), the most important reason for not reporting discriminatory incidents is a perception that legal action would not result in any significant consequences or would not change the situation in any significant way. Part of this may be fuelled by a genuine distrust – on the part of the person with the disability – of the authorities, as one interviewee put it:

*The reality is, you can’t report. I didn’t know the system and I felt that if I reported it… that professor is going to say something to another professor and I’m going to be seen as a horrible student… they’re in charge of your grade and you can’t really say anything…” (22-01-2008, interview2, Female – age 28)*

Within the category of other reasons for not reporting based on ableism, ,a common sentiment expressed by a number of individuals is the feeling that they must be selective in their reporting of such treatment.  Here, individuals feel that they must “pick and choose their battles”.  Given that experiences of discrimination are quite frequent and that to make a claim takes considerable time and effort, individuals feel they have to drop some issues and just get on with their lives:

*“There didn’t seem to be any point. It wasn’t that big a deal. I didn’t want to put in the effort it would have taken to fight it through official channels.” (interviewNoCode\_2, Female – age 45)*

In one instance, the interviewee felt that their word would not be taken over that of a professional.  In addition to the assumption that nothing would have happened, and feeling as though reporting discrimination is a complex and cumbersome process, some individuals reported that they didn’t report an incident out of a genuine fear of the consequences. This is the case when there is concern that doing so could mean that he or she might lose much-needed support services and/or financial benefits:

*“Well it’s fear because… on the surface you’re told that there is no ramifications, but… when somebody has your life in the palm of their hands, as to whether or not your benefits get cut off, and you’re not willing to take the risk… I’m actually ashamed of that because I used to be quite the fighter, but my existence depends upon somebody saying…. I fit the criteria for benefits, otherwise I’m finished.” (26-08-2008, interviewDTB14, Female – age 51)*

Narratives such as this one are illustrative of the serious, and often invisible, obstacles that people with disabilities continue to face as barriers to exercising their human rights.

### Conclusions

The stories collected through this study reveal a pattern of discrimination and violation of human rights facing people with disabilities who live in the city of Toronto.

Of the eight realms/areas of life considered (social participation; privacy and family life; education; work; information and communication; access to justice; income security and services; and finally, access to health, habilitation and rehabilitation services), the area of social participation was the one which gathered the greatest number of reported incidents, suggesting the importance of social inclusion for the well-being and human rights of people with disabilities. The realm of work was second, and the domain of income security and support services followed. In relation to all these three domains the reports emphasized the denial or violation of human rights principles more often that they showed the full exercise of human rights and freedoms, thus documenting the disadvantaged citizenship status of people with disabilities, who were currently living in the city of Toronto, despite the fact that this was a relatively privileged group given the education level and the employment rate of the participants in this study.

According to the data, negative human rights experiences appeared to intersect with age and gender in various and complex ways. Older participants (those in the age group 41 years old and over as opposed to those 18-40 years old) were more prone to report rights violations in the realms of access to justice and health/habilitation and rehabilitation, thus suggesting that ageism and ableism might compound their daily life experiences. Furthermore, it is interesting to note that no report at all (either positive or negative) relative to the domain of access to justice has been collected from younger cohorts, and significantly fewer stories were gathered relative to the domain of health/habilitation and rehabilitation. While the number of participants in the younger group was smaller than in the older one, it was also possible that the lack or reduced number of reports collected in these domains from younger interviewees indicates their limited involvement with both these spheres of social life, particularly when compared to that of older generations.

Gender was found to moderately affect the rights experiences of people with disabilities in this study. While overall both genders report more negative than positive human rights experiences, male respondents were less likely than female respondents to report experiences of respect for difference while female respondents were slightly less likely than male respondents to report experiences of self-determination, inclusion and accessibility.

In response to situations of abuse and discrimination experienced, the majority of the participants reported that they have taken legal or formal action, an outcome that shows a high level of activism and proactivity, likely related to the high level of education of those interviewed.

### Recommendations

Based on the data collected in the monitoring interviews and the issues identified in this report, the recommendations from this study are as follows

* Guarantee income security and ensure the right to a decent standard of living to all persons with disabilities in Ontario.

This study showed that many persons with disabilities in Toronto are experiencing economic insecurity. The level of income provided through the existing support program is considered inadequate to meet the high cost of living in the city. Income insecurity creates many barriers to persons with disabilities including significant challenges to finding adequate and accessible housing. Living with economic insecurity creates a vicious circle of marginalization, isolation and exclusion that places an additional strain on the mental and physical health of persons with disabilities. Thus the government is urged to improve the level of supports provided and review the current rules concerning access to income security and the right to the highest standard of health and well-being.

* Improve accessibility in the public transit system in the city of Toronto and the quality and availability of the adapted transportation service Wheel-Trans.

Public transportation remains largely inaccessible in the city of Toronto. To address this situation, the city offers an adapted transportation, door-to-door service. However, the number of available adapted buses is insufficient, which results in long rides and overdue schedules. This causes a insurmountable problems for persons with disabilities who rely on this service to go to work, attend school and socialize while putting at risk the enjoyment of a basic human right – the right to mobility and self-determination. Thus the government is urged to improve the quality and availability of adapted transportation services in the city as well as the level of accessibility in mainstream public transit.

* Improve accessibility to the built environment and in information and communication systems in the city of Toronto.

Accessibility is key to exercising human rights for people with disabilities.  Many participants in this study reported persistent barriers in the built environment and lack of use of alternative communication systems in the city, hindering their full and equal access to information and social participation. These barriers cause the exclusion of persons with disabilities and some times might put their lives at danger. It is recommend that the city government improve accessibility for persons with mobility and sensorial impairments in public places including the street landscape, cross-walks and public spaces across the city of Toronto, and to provide information in a variety of accessible formats.

* Improve personal assistance services and enlarge the number of beneficiaries of direct funding schemes in the city of Toronto.

Social participation emerged as the area of life of most concern to people with disabilities in terms of their ability to exercise their rights. The right to live independently and be included in the community is protected under article 19 of the CRPD, and the provision of personal supports is integral to this right. Without adequate and flexible personal assistance many persons with disabilities are prevented from taking part in society on equal terms with others.

In the provision of assistance and supports, ensuring consumer choice and control, and guaranteeing flexibility and individualized solutions rather than “one size fits all”, agency-based controlled services are a key condition to enabling rights. Consulting with persons with disabilities and their organizations, involving them in decisions on issues that concern them directly and adequately addressing current disability support needs is fundamental. Therefore, it is recommended that the government improve funding to personal assistance services and enlarge the number of beneficiaries of direct funding schemes in the city of Toronto to increase autonomy and dignity

* Raise awareness and educate the public about disability as a human rights issue.

Raising awareness and public education about disability and how to include people with disabilities is one step to enabling the exercise of rights. The findings of this study clearly show that there are significant gaps in the understanding of non-disabled people that people with disabilities share with them their entitlement to exercise human rights.   These gaps need to be filled. The government is urged to develop training programs, awareness campaigns and other initiatives to promote the human rights of persons with disabilities. These initiatives should be planned and developed with the full participation of persons with disabilities and their representative organizations. The best possible campaign to change the way in which society thinks and deals with disability is to ensure that each person with disability is able to enjoy a life with equal rights and dignity.

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