

Understanding the Different Ways That People with Disabilities Are Treated

Introduction

The Canadian Centre on Disability Studies is pleased to present this report on our project. Our lead partner on this project was the DisAbled Women's Network of Canada. We also worked with the following three partners from across Canada.

- Egale Canada Human Rights Trust;
- National Network for Mental Health; and,
- British Columbia Aboriginal Network on Disability Society.

Our project was funded by the Canadian federal government.

About our project

We did our project because of advice from a United Nations Committee. This committee looks at how the Convention on the Rights of Persons with Disabilities is used in different countries. The Convention is a document that explains what the rights of people with disabilities are. It also explains what must be done to promote and protect these rights.

The committee said that Canada should look at the different ways that people with disabilities are discriminated against. 'Discrimination' means the unfair treatment of one person or a group of people.

We thought about the other factors that affect how people with disabilities are treated unfairly. This means that things like gender or race or sexual identity can cause more unfair treatment for a person. This idea is called 'intersectionality.'

What is 'intersectionality'?

The idea of 'intersectionality' can be difficult to understand. But it is very important.

It is an idea about why some people may be treated unfairly or differently than other people. This idea states that there are many different factors around why a person might be treated differently or unfairly. These factors include things like a person's race, class, gender, sexual identity, religion and other factors.

There are also systems in our society that treat some people or groups differently or unfairly. For example, certain people and groups have a hard time getting an education or a job or a good place to live.

This idea has been around for a long time but it didn't have a name. In 1989, a black woman named Kimberlé Crenshaw came up with the word 'intersectionality' to describe the idea. She was looking at how black women were discriminated against when looking for a job.

Black women didn't have much of a chance to get a job for two major reasons. The first reason was that many jobs were only for men. The second reason was that many jobs were only for white women. These two factors 'intersected.' The end result was that a black woman had a harder time getting a job than both a white woman and a black man.

We think using this idea as a tool will help us to understand how and why some people are treated differently or unfairly.

How we did this project

We used human rights documents to guide our work on this project. We used the Universal Declaration of Human Rights and other documents. We also used the United Nations Convention on the Rights of Persons with Disabilities. We did a lot of research and we interviewed people.

Through our research, we looked at many different kinds of information on disability. We got our information from many different sources. We looked for most of the information in Canada. But we looked in other countries when we needed to. We were looking for information about the problems that face different kinds of people with disabilities. We were also looking for solutions to these problems.

During our interviews, we spoke to many different people. We spoke with people from our partner groups. We spoke with people with disabilities from around the country. We interviewed researchers and people working on disability issues. We wanted to learn about their experiences. We wanted to find out their ideas about intersectionality and disability in Canada.

We used respectful methods in our project. We made sure our project was done in a way that didn't harm anybody. We also followed the rules when we did research with people.

We put all that information together and found the common ideas and topics. The following sections are what we found out about how different factors intersect with disability.

Disability and the Women's Movement

Disability studies and women's studies have a lot in common. But they haven't really included each other in their work. In fact, women with disabilities have often felt left out of the women's movement. They also feel left out of research about women.

This is a big problem. Women with disabilities experience more unfair treatment because of both their gender and their disability. Some of the facts below show the unfairness and barriers that women with disabilities face.

- They have a much higher unemployment rate;
- They often live in poverty. Many live on less than \$10,000 a year;
- They can't get affordable and accessible childcare services;
- They are twice as likely as women without disabilities to be victims of violence; and,
- In Canada, there are not many accessible rape crisis centres and transition houses.

In the past, and up to today, both women and people with disabilities are seen as 'less than' other people. Both groups have experienced human rights abuses. These include harmful actions like hate crimes, violence and forced surgery.

Many women with disabilities are not even seen as being women. They are not expected to do things that women without disabilities do. This includes having a relationship or family, getting an education, or working at a job. And in media, people with disabilities are often shown in a negative way. Many times, the public and people with disabilities accept these views as being true.

We need more information about how different systems are unfair to both women and people with disabilities. We think this tool can help the women's movement understand the experiences of women with disabilities. It can also help to see how race is an issue for women with disabilities.

Disability, Gender Identity and Sexual Orientation

The term 'gender identity' is about how people see themselves in terms of gender. This means a person may see themselves as a female or a male or a combination of the two, or neither one. A person's gender identity can be the same as or different from their sex when they were born.

The term 'LGBTQ2+' means that a person identifies sexually as being in this group. The term means a person identifies as a Lesbian, Gay, Bisexual, Trans, Queer or other sexual orientation. Sometimes the word 'queer' is used to refer to this group.

People with disabilities in this group often experience unfair treatment because of both their disability and being queer. But they are often not included in the research in this area. For example, people with intellectual disabilities have been left out of research and education about sexuality. Many live in supported housing and do not have privacy in their homes. And very often, their family, friends and workers do not support them to express their gender identity and sexual orientation.

The sexual orientation and gender identity of people with disabilities has generally been overlooked. They have been left out of both the LGBTQ2+ and disability communities. Yet there are many areas that both groups have in common and can work on together.

Here are some of the ways people with disabilities who identify as LGBTQ2+ are treated unfairly.

- They face many different kinds of discrimination;
- They have higher rates of sexual abuse;
- They have very little educational resources;
- They have very few role models or supportive communities;
- They do not have many chances to meet people and develop relationships; and,
- In Canada, 18% of hate crimes involved the LGBTQ2+ community.

There needs to be more research on disability, gender identity and sexual orientation. There also needs to be research on how sexuality intersects with disability and poverty.

Disability and Race

Disability and race have a long history. The word ‘racialization’ is about how some groups in society are put into a certain ‘race’ by another group in society. On the basis of being in that ‘race,’ people are often treated differently and unfairly. This happens to people of color and Indigenous people (First Nations, Métis and Inuit) more than any other groups.

Throughout history, there have been laws that limited and abused the rights of people based on race. In the United States, this happened to black people on a very large scale through slavery and segregation laws.

Throughout history, there have also been laws that limited and abused the rights of people with disabilities. They were often put in institutions. They were also put in places called ‘poorhouses.’ They were put there just because they had a disability.

There is not a lot of disability research that also looks at race. This means a lot of factors and experiences will be missed. Some of these factors are listed below.

- Some races have higher rates of disability;
- Over half of all hate crimes in Canada are about race;
- In the United States, black women have higher rates of disability and poverty;
- In the United States, black men with mental illness are treated more unfairly and experience more violence; and,

- In the United States, students of color are more likely to be labeled with an intellectual disability. They are also much more likely to be in a special education class.

Disability and Indigenous People (First Nations, Métis and Inuit)

‘Indigenous’ means people who are First Nations, Métis and Inuit. Sometimes the word ‘Aboriginal’ is also used to refer to this group.

The issues facing Indigenous people with disabilities are common to other people with disabilities. But they are made worse because of the many kinds of unfair treatment that Indigenous people face. In Canada, Indigenous people are more than twice as likely to have a disability. They also have higher rates of poverty and lower levels of education.

Another issue is that many do not have access to government and community resources. They have major barriers in getting these resources. It is so difficult that many give up trying. As a result, Indigenous persons with disabilities have become a ‘hidden and forgotten’ group. Currently, there is some growing awareness of the needs of this group. The British Columbia Aboriginal Network on Disability Society is one important organization that is working to address these needs.

Disability and Mental Health

In recent years, there have been some advances and changes to the mental health system in Canada. Most of these changes have been made by survivors of the system, advocates and volunteers. They have generally worked outside of the formal mental health system. They have raised awareness about the unfair treatment and violence that people with mental health disabilities face. But there are still many problems in the mental health system.

In Canada, people who have been labeled with mental health issues have experienced a lot of unfair treatment. For example, they have been forced to have treatment against their will. They are also put in institutions against their will.

Many people with mental health issues also experience social exclusion. They have a lower rate of employment. They are often mistreated by professionals and first responders.

There is a lot of misinformation about mental health illness. Most of the information does not include how different factors affect people’s mental health or their unfair treatment. These factors need to be explored and are important in the work of the National Network for Mental Health which is an organization that is run by, and for, people with mental health issues.

How to use this information

Here are some things that the people involved in our project suggested for using this information.

First and foremost, we need to listen to the lived experience of people with disabilities. We need to help people by listening to their needs and working to make things better for them. We need to make sure we don't focus on the individual factors of the person. We need to look at the system factors that lead to situations where people are treated unfairly.

The following areas were said to be system factors.

- Many people with disabilities live in poverty;
- There are unfair government funding and policies for people with disabilities;
- There is no national disability support system;
- There is a lack of employment for people with disabilities; and,
- There is a lack of connection between people and their communities.

We need to pay attention to these factors. And we need to avoid the conditions that cause unfair treatment. This means we need to find out exactly why people are discriminated against. If we want to use this tool to find out why, we need to do some work first.

Education and training

There needs to be education and training about the tool of intersectionality. A broad range of people need to be trained including front line service providers. Many people also said there needs to be more access to information. This is especially needed in rural and northern areas of Canada.

Policy

Most people agreed with the reason we are doing this project. It was suggested that this tool could be used with other similar tools in policy making. This includes the Convention on the Rights of Persons with Disabilities.

Research

Some people also had concerns about the usefulness of the tool. They suggested that the following would help.

- Expand the groups who are included in the tool;
- Use a broad definition of poverty when using the tool; and,
- Evaluate the tool to make sure it is working.

Challenges

People also said there may be challenges in using the tool. They included the following points.

- There are not many funding opportunities in the disability community;
- There is too much competition between disability organizations for funding;

- Organizations seem to work on issues for only one group; and,
- There can be tokenism when working with other groups. ‘Tokenism’ is when people with disabilities are only included in a limited way. They have no real voice or power.

Conclusion

People said there needs to be a goal to using the tool. That goal should be about equity. ‘Equity’ means including all those who have been excluded. It is about recognizing why they have been excluded. Equity is about giving everybody what they need to be successful.

Intersectionality is a tool that would be good for the disability community. This is because disability happens to people of all classes, races, genders, religions or other factors. The goal of using this tool is to move forward on disability issues. This includes on both the personal level and the society level. We want this project and information to help improve the lives of people with disabilities in Canada.