

13th SESSION OF THE OPEN-ENDED WORKING GROUP ON AGEING SOCIAL INCLUSION

Response by Canada

1. What are the legal provisions, policy frameworks and/or measures in your country that explicitly focus on older persons who are marginalized on the grounds of their sex, disability, race, ethnicity, origin, religion, economic or other status?

There are several legal provisions, policy frameworks and measures in Canada that promote social inclusion. These include for example:

Criminal Code

Section 718 in the *Criminal Code* of Canada provides that it is an aggravating factor for sentencing purposes if an offence was motivated by bias, prejudice or hate and/or if it had a significant impact on the victim given their age. Section 718 further directs the court to give primary consideration to the objectives of denunciation and deterrence if the offence involved the abuse of a person who is vulnerable because of personal circumstances.

The Accessible Canada Act

The Accessible Canada Act aims to realize a more inclusive Canada for all Canadians, including older persons and persons with disabilities, through the identification, prevention and removal of barriers to accessibility.

The Gender Budgeting Act

The *Gender Budgeting Act* enshrines Gender-based Analysis Plus (GBA+) which includes considerations of age within the Government of Canada's annual budget cycle as a mandatory requirement.

In Canada, (GBA+) analysis asks program and service areas to take into consideration the entire life cycle and demographic characteristics of a person, including age.

The United Nations Convention on the Rights of Persons with Disabilities

As a state party to the United Nations Convention on the Rights of Persons with Disabilities (UN CRPD), Canada has committed to the ongoing implementation of the treaty, which includes Article 28 on Adequate standard of living and social protection and recognizes the right to an adequate standard of living and social protection for persons with disabilities of all ages and their families without discrimination.

A Dementia Strategy for Canada: Together we Aspire

Canada's first national dementia strategy, *A Dementia Strategy for Canada: Together we Aspire*, was released in June 2019 as a requirement of the *National Strategy for Alzheimer's Disease and Other Dementias Act*. The Strategy aims to create a Canada where people living with dementia and caregivers feel valued and supported, have an optimal quality of life, and where dementia is better understood, can be prevented and is effectively treated.

Canada's First Poverty Reduction Strategy

In 2018, the Government of Canada released Opportunity for All: Canada's First Poverty Reduction Strategy. The strategy establishes an official measure of poverty and includes a target to reduce poverty by 20 percent by 2020 and by 50 percent by 2030 relative to 2015 levels. Results from the 2020 Canadian Income Survey show there was a decrease in the poverty rate for seniors in 2020. The poverty rate for seniors was 3.1% in 2020, compared with 5.7% in 2019 and 7.1% in 2015. This represents 187,000 fewer seniors living below the poverty line between 2015 and 2020.

Gender-based Violence Strategy and the National Action Plan to End Gender-Based Violence

The Federal Gender-based Violence (GBV) Strategy is a whole of government approach that focuses on preventing gender-based violence, supporting survivors and their families, and promoting responsive legal and justice systems. Building on the Federal GBV Strategy, Canada's National Action Plan to End Gender-Based Violence (2022) was launched as a 10-year plan to have a Canada free of gender-based violence. Seniors may be impacted by violence in different ways given vulnerabilities linked with ageing, in particular when combined with other intersectional identity factors: e.g., sex, sexual orientation, gender identity, rural vs urban.

2SLGBTQI+ Action Plan

The Government of Canada launched in 2022 the Two-Spirit, lesbian, gay, bisexual, transgender, queer, intersex and additional sexually and gender diverse (2SLGBTQI+) Action Plan. This Action Plan aims at advancing rights and equality for 2SLGBTQI+ people in Canada. Through this Action Plan, the Government of Canada is leading several initiatives that will play an important role in decreasing marginalization and the resulting social isolation experienced by many 2SLGBTQI+ seniors.

New Horizons for Seniors Program

Canada's \$70M per year New Horizons for Seniors Program, provides funding to seniors-serving organizations for projects that help foster social inclusion and engagement of seniors in all aspects of society. Supported projects are often led and inspired by seniors, with priority given to projects that specifically target vulnerable seniors' populations.

The Canada Disability Savings Program

The Canada Disability Savings Program (CDSP) supports the well-being of its beneficiaries with severe and prolonged disabilities. It encourages long-term savings by providing federal disability savings incentives through the Canada Disability Savings Bond and the Canada Disability Savings Grant. This becomes especially important throughout later life when parents and family may no longer be able to provide support. This financial security can support the beneficiary's health and well-being, especially past age 59 when withdrawal of money typically begins.

Social Development Partnerships Program

The Social Development Partnership Program – Disability (SDPP-D) supports projects intended to improve the participation and increase the social inclusion of persons with disabilities in all aspects of Canadian society. The program enables organizations to build their capacity to better serve all people living with disabilities, including older populations.

Enabling Accessibility Fund

The Enabling Accessibility Fund (EAF) improves accessibility and inclusion of persons with disabilities of all ages in communities and workplaces through renovation, construction and retrofit projects. With accessible spaces, EAF aims to create more opportunities for persons with disabilities to take part in community activities, programs and services, or access to employment.

Equitable Access to Reading Program

About 2.4 million adults in Canada have a print disability (Canadian Survey on Disability, 2017), and this number is increasing due to an aging population. In order to improve access to alternate format reading materials for persons with print disabilities, the Government of Canada is providing funding to support the production of alternate format reading materials and creation of a new Equitable Access to Reading Program that will launch in 2024 – 2025.

2. What legal age limits exist in your country that prevent the full and equal participation of older persons in societies in areas such as employment, education, healthcare, financial goods and services, or others?

Canada does not have any federal legislation which mandates a specific age of retirement. The *Canadian Human Rights Act* used to contain a provision allowing federally regulated businesses to impose an age of mandatory retirement. However, this provision was repealed in 2011.

Moreover, while income-support programs for older people, specifically the Old Age Security (OAS) program and the Canada Pension Plan (CPP), do have minimum age requirements to be able to access benefits, both programs include measures which allow eligible individuals to delay receiving their program benefits in exchange for a higher monthly amount. These provisions provide seniors with additional flexibility in planning their retirement.

3. What measures are in place, if any, to ensure that older persons in institutions segregated from their communities – such as institutional care systems or prisons – can continue participating in their society?

In 2018, to address the unique needs of older people in custody as a specific population, the Government of Canada launched the Promoting Wellness and Independence of Older Persons in federal custody framework. The framework highlights the federal correctional system's implementation of a person-centred comprehensive approach to supporting wellness and independence of the older person population in federal custody. Engaging community organizations and the development of partnerships to help respond to the needs of older persons in federal custody is a key element of the framework. Building on existing community partnerships including the engagement of volunteers, can help address the stigma that many older persons experience upon release.

4. States have an obligation to use maximum available resources to progressively achieve the full realization of economic, social and cultural rights. What is the share of national public expenditure budget targeted to older persons as a distinct group?

In Canada, Government spending on old age as defined under the Canadian Classification of Functions of Government (CCOFOG) provides the best estimate of the share of national public expenditure budget targeted to older persons as a distinct group. However, it should be noted that other programs intended for older Canadians may be classified under different expenses within the CCOFOG framework as program function, not recipient target age, is used to classify the government programs. Old age spending as a proportion of total federal government expense¹ was 14% in 2021 and old age spending as a proportion of total consolidated Canadian general government² expenditures was 6.9% in 2021.

Notes:

¹ Expenses exclude acquisition of tangible capital assets and consumption of fixed capital

² The consolidated Canadian general government includes federal, provincial, territorial, local and other government entities. It does not include consolidated social security plans.