

The Honourable Minister Jean-Yves Duclos  
Minister of Families, Children, and Social Development  
House of Commons  
Ottawa, ON K1A 0A2

January 23, 2019

### **Open Letter: Strengthening Bill C-87, An Act respecting the reduction of poverty**

Dear Minister Jean-Yves Duclos,

We are writing to provide you with recommendations to strengthen Bill C-87, *An Act respecting the reduction of poverty*, and align Canada with our obligations under international human rights law and the United Nations' Sustainable Development Goals (SDGs).

In 2018, after decades of advocacy, anti-poverty advocates around the country welcomed this legislation following the release of Canada's first federal poverty reduction strategy (PRS). The legislation tabled in November 2018 commits Canada to a **target of reducing poverty by 20% of 2015 levels by 2020 and 50% of 2015 levels by 2030**; establishes the **Market Basket Measure (MBM) as Canada's official poverty line**; and mandates the creation of a **National Advisory Council of Poverty**.

As organizations and individuals that are working to end poverty in Canada, we believe that this legislation must be strengthened to ensure we meet the first Sustainable Development Goal (SDG) to end poverty by 2030.

This Bill comes at a critical moment in Canada's history. With the upcoming federal election later this year, we urge the government to pass legislation for the PRS before this session ends. We look forward to an open dialogue in the coming months as this critical legislation is studied by Parliament.

#### **International Human Rights**

The legislation does not reference Canada's international human rights obligations under *the Covenant on Economic, Social and Cultural Rights*, *the Convention on the Rights of the Child*, *the Convention on the Rights of Persons with Disabilities*, and other instruments. The Government should amend the legislation to explicitly reference human rights, committing the government to a rights-based process as the PRS is shaped and implemented, in alignment with recommendations from Parliamentary committees including the Standing Senate Committee on Social Affairs, Science and Technology.

#### **Poverty Reduction Targets**

The poverty reduction targets articulated in section 6 of the legislation commit Canada to reduce poverty by 20% by 2020, and by 50% by 2030. These targets and timelines are additionally articulated in Bill C-86, which was passed in December 2018.

While the strategy and legislation reference the SDGs, the target and timeline invoke the minimum threshold of a reduction of poverty by 50% by 2030. First, we believe that Canada must be more ambitious in reducing poverty over a shorter time line. Further, the reality is that when we only commit

to reducing poverty, we create opportunity for some, not all, and especially not those who are the most marginalized. To avoid this, the government must ensure the poverty rate declines by the targeted amount among those in deep poverty and among Indigenous, racialized and LGBTQ2S+ people; persons with disabilities; women; immigrants and refugees; children; lone parent families and other groups who experience disproportionate levels of poverty due to systemic factors.

A country as wealthy as Canada should be leading other countries in implementation of the SDGs. We are disappointed the legislation does not commit to the spirit of SDG 1, which is to end poverty.

### **Canada's Official Poverty Line**

[Many organizations](#) have [voiced concern](#) that the MBM, which has been chosen as Canada's official poverty line, will underestimate poverty rates in Canada. This measure does not include expenses for childcare or health care and grossly undervalues the reality of housing and other costs. It requires constant rebasing and is not internationally comparable.

The MBM is an adequate measure of material deprivation, but poverty must also be understood more broadly as a denial of social inclusion, dignity and human rights. We have serious concerns that the MBM, will not accurately reflect the lived experience of people in poverty, and this will have an impact on eligibility for services and programs. For example, eligibility for the low-income energy program in Ontario, which is currently calculated at the Low-Income Measure Plus, may be adjusted to a lower amount through the MBM. The consequence would be that fewer people may be able to access this program and others, including food banks, housing services, and income support programs.

In addition, the government has committed to develop a dashboard of indicators to provide a range of measurable elements that reflect the complex reality of poverty. However, it is unclear how heavily the government will rely on these multiple indicators to provide a holistic picture of poverty or to measure the progress of the strategy in achieving targets in publicly accessible ways.

### **National Advisory Council on Poverty**

The National Advisory Council on Poverty presents a unique opportunity to hold Canada to account for implementing its international human rights and other obligations for people in poverty.

For this council to effectively measure the progress of Canada's first poverty reduction strategy, it must be independent, adequately resourced, given authority to make recommendations and require remedial action for compliance with economic and social rights. There must be a transparent process for appointment of council members, including establishing criteria of qualifications, such as expertise in fields and services focussed on poverty eradication as well as human rights, representation of people with lived experience of poverty, representation of diversity, and regional representation.

Achieving the goal of 50% reduction of poverty should not end the mandate of the Council, given that poverty rates can fluctuate and that the ultimate goal should be poverty eradication. Therefore, we support the recommendations put forward by The Council on Aging of Ottawa to amend section 11 of Bill C-87, which authorizes the dissolution of the council once poverty has been reduced by 50% of 2015 levels, to ensure an ongoing mandate for the Council to oversee a goal of sustained poverty eradication.

## Recommendations

We, the undersigned, call on the federal government to implement the following recommendations:

- a) Amend the legislation to affirm economic and social rights as ratified by Canada, including: the right to an adequate standard of living; right to food; right to housing; right to work; right to social security; right to health as articulated in **international human rights** laws, such as the *International Covenant on Economic, Social, and Cultural Rights (ICESCR)*, as fundamental human rights;
- b) Establish regulations to Bill C-87, which articulate that the goal to reduce poverty by 50% of 2015 MBM levels by 2030 is a minimum target. Regulations must reflect that the obligation under the Sustainable Development Goals is to **end poverty in Canada**.
- c) Establish measures to ensure Canada's **official poverty line** genuinely reflects the experience of poverty in Canada, particularly those in marginalized groups who are more likely to experience poverty. This includes:
  - a. Taking every available step to ensure Statistics Canada understands that its role in measuring poverty in Canada must be in furtherance of our international human rights obligations and the SDGs;
  - b. Ensuring regulations which provide clarification of the "regular basis" upon which the MBM is assessed as up-to-date. Ensure that this review includes public input, particularly by individuals living in poverty; and
  - c. Acknowledging in regulations that multiple measures provide a fuller understanding of poverty and should continue to be part of the measuring and monitoring process of the PRS, particularly regarding sub-indicators and sub-targets in the dashboard. This dashboard must be easily accessible to the public.
- d) Ensure that the **National Advisory Council on Poverty** can adequately implement accountability of government for those living in poverty for the progressive realisation of the right to an adequate standard of living and social security rights, as guaranteed by articles 2(1), 9 and 11 of the *ICESCR*. This includes:
  - a. Ensuring through regulations that the Advisory Council is independent; given authority to make recommendations and require remedial action for compliance with the rights of people in poverty; and sufficient budget to fulfill its mandate. This includes oversight of progress of the PRS, public reporting, and public engagement.
  - b. Establishing regulations to set a clear schedule for implementation with a commitment to review progress on the strategy annually, plans for collaboration with provinces and territories, coordination with the National Housing Strategy, and the mandate, budget and public reporting process for the Advisory Council. This includes a commitment to introduce a new strategy with updated targets and timelines every five years.
  - c. Ensuring the Advisory Council can establish an adjudication body, which includes both experts in human rights and persons with lived experience of poverty, to hold accessible

hearings into systemic issues affecting the progressive realization of rights and to recommend effective remedies.

- d. Ensuring the Advisory Council has the authority to make recommendations to Parliament, which must be responded to by the Minister with reasons as to whether recommendations will be implemented.
  - e. Ensuring in regulations that the majority of representatives on the Advisory Council are experts in human rights and poverty, including persons with lived experience of poverty. Principles of equality and non-discrimination must be applied to representatives to ensure diversity based on region, race, sex, disability and other grounds.
  - f. Amend section 11 of Bill C-87, which authorizes the dissolution of the council once poverty has been reduced by 50% of 2015 MBM levels, to ensure an ongoing mandate for the Council to oversee a goal of sustained poverty eradication.
- e) In addition to this legislation, co-develop initiatives to ensure accountability and implementation of remedies for the distinctive barriers faced by First Nations, Métis, and Inuit persons living in poverty.

Along with Canada's first anti-poverty strategy, this legislation provides a historic opportunity for leadership. With our global commitments to end poverty by 2030, and our aspiration to be a country that leads on human rights, the time is now to implement anti-poverty legislation that move us forward to a more equal Canada.

Sincerely,

Anita Khanna, Campaign 2000: End Child and Family Poverty in Canada and Family Service Toronto  
Darlene O'Leary, Citizens for Public Justice  
Michèle Biss, Canada Without Poverty

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The Right Honourable Prime Minister Trudeau, P.C., M.P.  
The Honourable Andrew Scheer, P.C., M.P., Leader of the Official Opposition  
Jagmeet Singh, Leader of the New Democratic Party  
Elizabeth May, M.P., Leader of the Green Party  
Yves-François Blanchet, M.P., Leader of the Bloc Québécois  
Maxime Bernier, M.P., Leader of the People's Party of Canada