



CANADIAN
HUMAN RIGHTS
COMMISSION

COMMISSION
CANADIENNE DES
DROITS DE LA PERSONNE

FRAMEWORK FOR DOCUMENTING EQUALITY RIGHTS





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Message from the Chief Commissioner

Human Rights legislation in Canada aims to give effect to the principle that all individuals should have an equal opportunity to make for themselves the lives that they are able and wish to have. This principle is at the core of the notion of equality rights.

In the absence of a tool that provides Canadians with a consolidated portrait of where various groups are situated in terms of equality rights, the Canadian Human Rights Commission embarked on a multi-year project that led to the development of the Framework for Documenting Equality Rights.

The Framework is designed to allow for a variety of uses—from positioning groups on a set of dimensions, to comparisons within a given group over time, to comparisons between groups. This tool provides federal, provincial, territorial and municipal governments, community and non-governmental organizations, academics and think tanks with a conceptual framework to look at a multitude of measures from a human rights perspective. The result of this analysis will help in developing policies and programs aimed at reaching equality amongst all Canadians.

I wish to acknowledge the support of the Canadian Association of Statutory Human Rights Agencies (CASHRA). The support of the Association and of its members was and continues to be important as the issues of equality rights transcend provincial and territorial boundaries.

From its inception to its conclusion, Dr. Charles Théroux, Director of Research at the Canadian Human Rights Commission, has led the project. He has been its “heart and soul.” The knowledge and expertise of Eric Diotte, senior researcher, have been invaluable to the project.

John Dwyer and Pearl Eliadis, both consultants with an extensive background in international and national human rights, have carried out the research and the development of the Framework. Their combined expertise and efforts have guaranteed the success of the project. I also want to recognize the contributions of two Commission employees: Maciej Karpinski, senior researcher, for his involvement in managing the project; and Cassondra Campbell, writer/editor, for reviewing the document to ensure consistency and quality.

I want to thank all federal, provincial and territorial government representatives, academics, organizations, think tanks, research centres, community groups and individual subject matter experts concerned with equality rights who participated in the consultations. The results were overwhelmingly positive in terms of the need for the Framework and the input was invaluable.

Finally, I want to recognize the very important contributions made by the subject matter experts at Statistics Canada. Their insights have been very helpful in identifying the appropriate indicators and measures in the Framework.

I hope that this Framework will become a tool used by many organizations and individual researchers to document particular situations or to conduct more focused analyses of the situation of particular groups.

David Langtry
Acting Chief Commissioner



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NOTES

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Where the authors were aware of and had access to French-language versions of documents, the relevant URLs/ citations are provided.

The citation styles used in this document include APA for general sources and journal articles, and the McGill Canadian Guide to Uniform Legal Citation (6th ed.) for Canadian law and international instruments.

The Canadian Human Rights Commission is aware of the Government of Canada's decision to replace the Census mandatory long form questionnaire with a voluntary National Household Survey (NHS) and to cancel the 2011 Participation and Activity Limitation Survey. Any further revisions of the Framework will have to take these decisions under consideration.



Part I: About the Framework for Documenting Equality Rights

1. Introduction

WHAT IS THE FRAMEWORK FOR DOCUMENTING EQUALITY RIGHTS?

The Framework for Documenting Equality Rights (the Framework) is a tool for developing a consolidated portrait of equality in Canada. It was built using two main components: human rights grounds, and social and economic dimensions. For each dimension, indicators were chosen because of their ability to reflect an aspect of equality rights. Each indicator is expressed through selected measures, which may be disaggregated according to human rights grounds such as race, sex and disability, and at the national, provincial, territorial and Census Metropolitan Area levels.

OBJECTIVES

The primary objective of the Framework is to provide reliable and policy-relevant data on equality rights in Canada, by examining the social and economic well-being of groups protected under the *Canadian Human Rights Act*, and provincial and territorial human rights legislation. For the purpose of this Framework, the term “protected group” is used to refer to groups that can invoke a human rights ground to seek equality in accordance with Canadian human rights legislation.

As a secondary objective, the Framework will serve as a catalyst to identify and fill data gaps for equality-related issues in Canada.

It is important to understand that even if data show significant variations among persons or groups based on human rights grounds, this does not necessarily point to discrimination in the sense meant by human rights laws. The significance of variations is frequently controversial because of the difficulty in establishing causality. There may be a number of factors at play that account for differences, but do not necessarily reflect a lack of equality in the human rights sense of that term. For example, when looking at unemployment among recent immigrants, there is a documented “entry effect” that simply reflects the time it takes for recent immigrants to settle, integrate into their new country and build social capital. Therefore, further study and analysis would be required to discount such effects, or to take education levels into consideration. However, significant and persistent variations can point to areas where further study is required. This should be kept in mind throughout the Framework.

It is also important to note that the Framework is about indicators, and is not an index or a “report card.” It does not “grade” Canada’s performance. Rather, it brings together existing but disparate data in a single resource. The Canadian Human Rights Commission (the Commission) is sensitive to concerns about the critical importance of understanding data in context. In this regard, it must be understood that the Framework is a tool that brings together existing data to support their analysis through an equality rights lens. It is meant to support, not replace, deeper analysis and ongoing specific monitoring in particular areas such as housing, employment, and other social and economic areas. In this sense, the Framework takes a human rights-based approach to social and economic data.



HOW IT WORKS

Social and economic well-being is quantified through data that are collected and analyzed by Canada's statistical agencies and government departments. The Framework highlights seven dimensions of well-being in Canada:

Economic Well-being

Education

Employment

Health

Housing

Justice and Safety

Political Engagement and Social Inclusion

For each dimension, the Framework identifies indicators chosen because of their ability to reflect an aspect of equality rights, which are then quantified through statistical measures that draw on data primarily from Statistics Canada and other federal government sources. Measures are chosen for clarity, directness and capacity to be informative about equality rights. Where possible, data are selected based on sensitivity to variations over time and across jurisdictions within Canada, and on their capacity to provide comparative information about how different groups in the population are managing.

In order to provide information about equality between groups of the population, it was essential that data allow for disaggregation by variables that correspond to human rights grounds, including Aboriginal identity, age, disability, ethnic origin, family status, marital status, national origin, race, religion, sex and sexual orientation.¹ The number of grounds that can be disaggregated will depend on the underlying data source which, in some cases, limits the type of information that is available. Ideally, each indicator will be able to provide measures that can be disaggregated by all human rights grounds; in practice, some measures may not lend themselves to be disaggregated by all grounds.

WHY IS THE FRAMEWORK NEEDED?

It may not be obvious why this Framework is necessary. After all, Canada is prosperous and has a high living standard. Successful policies and programs, such as minimum wage laws, income security, job creation and training employment schemes, all help to ensure a basic standard of living. We enjoy well-established social programs for immigrant settlement, supports for persons with disabilities and publicly subsidized housing. We also have a federal policy of multiculturalism that encourages peaceful and stable communities.

It is also true that both our Constitution and our laws provide guarantees of equality. Section 15 of the *Canadian Charter of Rights and Freedoms* (the Charter), for example, guarantees equality as a constitutional right. Human rights laws at the federal, provincial and territorial levels prohibit discrimination, and these laws have quasi-constitutional status.

¹ It is important to note that, where possible and appropriate, data on all grounds should allow disaggregation by sex so that gender differentiation within groups can be noted.



Despite these successes, there are several reasons why such a Framework is necessary, which apply to both the national (federal, provincial, territorial and municipal) and international levels.

NATIONAL

Despite the importance that Canada gives to human rights and equality, we have no official report that measures equality rights. There are several historical and practical reasons for this. First, although statistical agencies collect a wealth of important data, these are not consolidated and presented through an equality rights lens.

Second, there are many human development indicators, indices and studies on how to measure progress currently under development.² Some work has also been done on measuring human rights, both from a civil and political rights perspective, and an economic and social rights perspective.³ However, these studies and reports are mostly international and have little circulation in Canada, beyond media reporting about how Canada has done in global ranking; for example, the Human Development Index (HDI), or more particular reports from the Organisation for Economic Co-operation and Development (OECD) on economic and social issues. These reports are not immediately relevant to human rights in the sense that they contain no explicit way to connect the data to equality rights.

The lack of consolidated data at the national level is a serious policy issue in human rights: without it, Canadian institutions like human rights commissions, and indeed governments in general, have difficulties in making evidence-based decisions about policy interventions. As a result, they are not strongly situated as agents of change, or able to influence and inform decision makers and the Canadian public about rights-relevant issues.

Non-governmental organizations and community organizations are similarly hampered in their ability to support progressive arguments about equality rights through the use of evidence, because national data are not easily available in Canada. The ability to measure equality on a regular basis across all grounds would facilitate comparisons over time, and would allow governments and human rights commissions to identify trends, define priority areas of intervention and make more informed policy choices.

² See, e.g. the UNDP [Human Development Index](#); Genuine Progress Indicator (e.g. the [Genuine Progress Index for Atlantic Canada](#)); the Economist's [Democracy Index](#); the [Gender Parity Index](#) (for education) from UNESCO; and the OECD [World Education Indicators](#). See also: Gostin, L., Mann, J., and Gostin, L. (1994). Towards the development of a human rights impact assessment for the formulation and evaluation of public health policies. *Health and Human Rights*, 1, 58-80.

³ For an excellent overview of resources and methodologies for measuring civil and political rights, see Landman, T. (2005). *Protecting Human Rights: A Comparative Study* (Washington, D.C, Georgetown University Press). With respect to economic and social rights, a recent initiative is the Economic and Social Rights Fulfillment Index (ESRF), see: Lawson-Remer, T., and Randolph, S. (2008). *Measuring the Progressive Realisation of Human Rights Obligations: An Index of Economic and Social Rights Fulfillment*. Unpublished manuscript, University of Connecticut.



INTERNATIONAL

The Paris Principles oblige human rights commissions to work with and support the international human rights system.⁴ Human rights commissions are key elements of effective national human rights protection systems, and are required to ensure not only internal compliance with national human rights laws and practices, but also compliance with international human rights norms.⁵

Canada has ratified most major United Nations human rights treaties. Each one obliges Canada to take all necessary measures, including providing effective remedies, to ensure that individuals enjoy the rights set out in the treaty without discrimination of any kind. In regards to economic and social rights (which cover many areas where human rights commissions operate, e.g. education, employment and health services), Canada is required to ensure the progressive realization of these rights and to report on progress to treaty bodies and other United Nations bodies.

The need and the importance of improved transparency and reporting in response to recommendations from the international system was recently affirmed by the Canadian Parliamentary Subcommittee on International Human Rights:

It was agreed, that the Subcommittee [would] commence a study on how to move forward with the creation of an efficient and transparent mechanism/process whereby the recommendations from the Universal Periodic Review of Canada's human rights record can be implemented in Canada, [including] extensive consultations with indigenous peoples and representative organizations, and other relevant civil society groups; and that this study should also look at the present mechanisms in place (such as, for instance, the Continuing Committee of Officials on Human Rights) to see where they are not working...⁶

While this comment was about the Universal Periodic Review process, it is equally applicable to all international reporting by Canada. The Framework may help in identifying some of the data necessary to meet Canada's obligation to report.

Because human rights commissions are statutory guarantors of equality rights and are required under international norms to support the human rights system at the international level, they can provide input to human rights treaty bodies and other procedures of the United Nations. Thus, human rights commissions are well placed to initiate and promote the development of such a project.

⁴ *Paris Principles relating to the Status and functioning of National Institutions for Protection and Promotion of Human Rights* ("Paris Principles"), GA Res. 48/134, UN GAOR, 48th Sess., UN Doc. A/RES/48/134 (1993).

⁵ UN GA, National Institutions for the Promotion and Protection of Human Rights: Report of the Secretary-General, UN GAOR, 13th Sess., UN Doc. A/HRC/13/44 (2010).

⁶ The Subcommittee on International Human Rights of the Standing Committee on Foreign Affairs and International Development. *Evidence*, 40th Parl., 3d sess. (23 March 2010). [Version française](#).



LEGAL BASIS FOR THE FRAMEWORK

The benchmark for the Framework is the constitutional guarantee of equality set out in section 15 of the Charter.⁷ The Framework draws primarily on Canadian legal and policy literature, adopting a purposive, substantive and progressive understanding of equality—a perspective that is well developed in Canada and supported by research.⁸ Section 15 of the Charter provides:

15. (1) Every individual is equal before and under the law and has the right to the equal protection and equal benefit of the law without discrimination and, in particular, without discrimination based on race, national or ethnic origin, colour, religion, sex, age or mental or physical disability.

The term “the law” in s. 15(1) is broad, and its application is not limited to striking down legislation that is overtly discriminatory between groups. It may also be used to impose positive obligations on governments to put into place policies or programs to comply with Charter rights.⁹ In addition, Canada regularly takes the position before international treaty bodies that it meets its economic and social rights obligations through policies and programs, rather than through specific laws.¹⁰

At the legislative level, the Commission has a broad mandate to promote and protect human rights and prevent discrimination. Section 2 of the *Canadian Human Rights Act* provides that:

The purpose of this Act is to ... give effect ... to the principle that all individuals should have an opportunity equal with other individuals ... to make for themselves the lives that they are able and wish to have and to have their needs accommodated, consistent with their duties and obligations as members of society, without being hindered in or prevented from doing so by discriminatory practices based on race, national or ethnic origin, colour, religion, age, sex, sexual orientation, marital status, family status, disability or conviction for an offence for which a pardon has been granted.

Section 27 of the *Canadian Human Rights Act* further provides that the Commission:

- a) shall develop and conduct information programs to foster public understanding of this Act and of the role and activities of the Commission thereunder and to foster public recognition of the principle described in section 2;
- b) shall undertake or sponsor research programs relating to its duties and functions under this Act and respecting the principle described in section 2;

Comparable provisions exist in almost all jurisdictions in Canada thereby providing support for the development of this Framework as a pan-Canadian exercise.

⁷ The Supreme Court of Canada has made it clear that there is a relationship in law between human rights legislation and the Charter, and that the courts and human rights commissions, and other national institutions by implication, should strive for consistent interpretations. See *British Columbia (Public Service Employee Relations Commission) v. BCGSEU*, [1999] 3 S.C.R. 3.

⁸ For a retrospective discussion of the evolution of this area, see Moran, M. (2006). *Protesting Too Much: Rational Basis Review under Canada's Equality Guarantee*. In McIntyre and Rodgers (Eds.) *Diminishing Returns: Inequality and the Canadian Charter of Rights and Freedoms*. Toronto: LexisNexis. For the Supreme Court of Canada's most recent formulation of the test to be used in equality cases, see *R. v. Kapp*, 2008 SCC 41, [2008] 2 S.C.R. 483. For an in-depth analysis of the notion of substantive equality: see Abella, R.A. (1984). *Equality in Employment: The Report of the Commission on Equality in Employment*. Ottawa, ON: Supply and Services Canada.

⁹ *Eldridge v. British Columbia (Attorney General)*, [1997] 3 S.C.R. 624.

¹⁰ Implementation of the International Covenant on Economic, Social and Cultural Rights: Fifth periodic reports submitted by States parties under articles 16 and 17 of the Covenant – Canada, UN Doc E/C.12/CAN/5 (2005).



2. Methodology

PRINCIPLES

A number of principles were identified that informed the Framework's design and approach:

- At this time, focus on equality rights as per the mandate of human rights commissions, as opposed to the broader spectrum of all human rights.
- Use a few, easily understood "dimensions" of well-being.
- Measure dimensions of well-being using indicators that provide meaningful insight across all the major human rights grounds.
- Be national in scope.
- Use standard measures that allow comparisons over time, and between Canada and other countries.
- Be repeatable over time for ongoing trends and progressive analysis.

The indicators identified for each of the dimensions should be:

- Relevant, valid and reliable.
- Simple, timely and few in number.
- Based on objective information drawn from official sources.
- Suitable for temporal and spatial comparison and in line with relevant international statistical standards.
- Amenable to disaggregation by sex, age, and other vulnerable or marginalized population segments (UN OHCHR, 2005).

PHASE I: 2006–2007

The project began with a review of the legal literature, including a comparison of the statutory basis of human rights grounds from both a human rights perspective and a statistical perspective. Social science literature relevant to the topic of indicators on equality issues was reviewed, as well as reports by government, community organizations, non-governmental organizations and think tanks.

Data that centred on equality based on human rights grounds such as sex and race was also sought because of the work human rights commissions do. This seemed to be a natural starting point for an equality-based analysis. It became quickly apparent, however, that data in Canada are not directly collected in this way. Rather, data are collected within broad dimensions or sectors such as education, health, housing and so on, and then sometimes disaggregated by variables that are relevant to human rights.

It was therefore decided to structure the approach around broad dimensions of well-being in Canada and that these dimensions would create a conceptual framework for the documentation of equality rights.

A series of indicators and measures for each dimension were then selected. A first analysis was conducted with the support of Statistics Canada to see which measures would be appropriate and which data sets were available.



Based on these early findings, a preliminary Framework was developed and shared with the Canadian Association of Statutory Human Rights Agencies (CASHRA).

PHASE II: 2008–2009

In order to test the proposed Framework, a consultation document was prepared in early 2008 to solicit wide input on:

- the proposed rationale;
- the underlying principles identified for its development;
- key elements of its proposed design; and,
- the preliminary results contained in the proposal in relation to the availability and relevance of data sets in Canada.

The consultation document, which described the proposed design of the Framework, including background material and key questions, was distributed to about 250 federal, provincial and territorial representatives, organizations and individuals from across Canada. More than 125 of these organizations and individuals responded. In addition, a separate consultation was undertaken with human rights commissions across the country.

The results were overwhelmingly positive in terms of both the need for a framework for documenting equality rights and the basic elements of the proposed design. Several changes were recommended regarding the number of indicators and the measures that should be used. Based on the feedback, additional indicators, data sets and research questions were identified, and some indicators and data sets were dropped or modified.

PHASE III: 2010

Building on the work from Phase II, the proposed indicators and measures were analyzed in an intensive consultation with experts from Statistics Canada and other government agencies having specialization in each of the proposed dimensions.

They provided feedback on the choice of dimensions, the proposed indicators and measures, as well as the data sources, with regard to availability and cost.

3. Grounds

Based on Canadian human rights legislation, and following extensive consultation, 11 grounds were identified for inclusion in the Framework: **Aboriginal identity, age, disability, ethnic origin, family status, marital status, national origin (and citizenship), race and colour, religion, sex and sexual orientation.**

Although there is broad similarity among human rights laws in Canada, there are also major differences. Race, colour and ethnic origin, for example, are protected grounds under most human rights laws in Canada, but some jurisdictions use additional terms like “perceived race” and “ancestry.” The Framework uses “race and colour” as a generic term for this group of grounds. This approach was used where it was thought that basically similar terms could be consolidated into a single concept.



Many grounds are not defined at all, making comparisons difficult: for example, creed and religion are not generally defined in human rights laws, although some commissions have developed policy statements to clarify or interpret their positions on various grounds. This issue has been approached in the same way as “race and colour,” notably that, where concepts were broadly similar and represented most jurisdictions, a broad definition has been included.

Despite growing recognition and importance of the critical links between human rights, poverty and social condition, the Framework does not use “receipt of social assistance” or “social condition” as distinct grounds, in part because the degree of coverage across Canada is so inconsistent. Quebec and the Northwest Territories, for example, extend full protection to persons on the ground of “social condition.” Ontario, by way of contrast, extends protection to persons in receipt of social assistance only, and even this is restricted to the area of housing. For these reasons, social condition has not been included as a ground. The Framework, however, pays close attention to the treatment of persons in receipt of social assistance in the data selected for “Economic Well-being,” which contain measures related to government transfers. In addition, “low income” is selected as an indicator under “Economic Well-being.” In some cases, indicators are quantified using measures that are disaggregated by “low income,” an important component part of “social condition.”

Finally, some grounds that exist in some jurisdictions, notably those related to political activity, belief or association, have no equivalent in other jurisdictions. As a result, these grounds have not been included.

The “core” group of human rights grounds included in the Framework are presented below in alphabetical order. Note that, as the courts have consistently stated that human rights laws should be given a broad and purposive definition, this Framework focuses on such broad purposive meanings of the grounds, rather than on technical and narrow interpretations.

ABORIGINAL IDENTITY

While most human rights laws do not list “Aboriginal status” or “identity” as a distinct ground, some do.¹¹ In the Northwest Territories and Nunavut, for example, human rights laws have special provisions for the constitutional rights of Aboriginal persons, and in the case of Nunavut, particular mention of the culture and values of the Inuit people.¹²

Aboriginal identity is included as a distinct ground in the Framework, given the unique nature of human rights issues experienced by Aboriginal peoples—First Nations, Inuit and Métis—and persons who claim Aboriginal ancestry, as well as their unique constitutional and social history. This approach was strongly endorsed by consultation results.

AGE

For statistical purposes, “age” refers to the age at last birthday and is derived from date of birth (Statistics Canada, 2010).

¹¹ See the Nova Scotia *Human Rights Act*, R.S.N.S., 1989, c. 214 (“*Nova Scotia Human Rights Act*”), which does include Aboriginal identity. Many statutes use the term “ancestry” which is often applied to Aboriginal persons. See, e.g., British Columbia’s *Human Rights Code*, R.S.B.C. 1996, c. 210.

¹² *Human Rights Act*, S.Nu. 2003, c.12; *Human Rights Act*, S.N.W.T. 2002, c.18 (“*N.W.T. Human Rights Act*”).



Most human rights concerns arise at the upper and lower ends of the age spectrum. These groups tend to be more vulnerable and experience discrimination as a result. For younger persons, the dimensions of education and health were most cited by consultees, most of whom felt there should be no lower age limit, except in those areas related to the protection of young persons, such as age of majority, safety, public order and employment standards.

For older persons, the demographic realities of Canadian society point to a critical increase in older persons: according to Statistics Canada, by 2031, one in four Canadians will be age 65 or older.

DISABILITY

Human rights laws in Canada cover mental and physical disabilities (including dependency on alcohol and drugs) as well as perceived disability. In some legislation, there is protection for persons because of predisposition to disability, which is a major issue in insurance cases.¹³ There are several models for understanding disability, but the case law favours a social model, rather than a medical one, focusing on social and environmental barriers that prevent full enjoyment of human rights. Barrier removal, full equality, autonomy and freedom of choice are basic human rights standards, and are of particular relevance to persons with disabilities.

Statistics Canada's **Participation and Activity Limitation Survey** (PALS) uses the World Health Organization's framework of disability provided by the International Classification of Functioning, Disability and Health. This framework was officially launched in 2001. It defines disability as the interrelationship between body functions, activities and social participation, while recognizing the role of the environment as providing barriers or facilitators.¹⁴ This definition will be important because Canadian statistics on disability are gathered in relation to its parameters. It should be noted that PALS data can also be disaggregated by type of disability.¹⁵

Recently, there has been more focus on mental health. In British Columbia, for example, disability remains the highest ground of human rights complaints. In 2008 mental disabilities were the basis of about 14% of disability complaints in British Columbia: a 20% increase from 2004–2005 (British Columbia Human Rights Tribunal 2008; 2004).¹⁶

ETHNIC ORIGIN

Statistics Canada defines ethnic origin as the ethnic or cultural group(s) to which the respondent's ancestors belong (Statistics Canada, 2002). The Census of Canada sets out detailed classifications of ethnic origin. These include the British Isles, French, Aboriginal, North American, Caribbean, Latin and Southern American, European, African, Arab, West Asian, South Asian, East and Southeast Asian and Oceania ethnic origins. In addition, Statistics Canada's Ethnic Diversity Survey surveyed ethnicity in Canada, its various ethnic and cultural dimensions, as well as related issues of changing cultural diversity. Although it

¹³ *N.W.T. Human Rights Act, Ibid.*

¹⁴ PALS is a national post-censal survey of persons with disabilities. PALS uses the Census as a sampling frame to identify its population. Funded by Human Resources and Skills Development Canada, PALS was first conducted by Statistics Canada in 2001, following the 2001 Census. The latest PALS survey was conducted in 2006, following the 2006 Census. See the *Participation and Activity Limitation Survey 2006: Analytical Report* (Statistics Canada, 2007b).

¹⁵ The items listed are: hearing, seeing, speech, mobility, agility, pain, learning, memory, developmental disabilities, psychological, other. *Ibid.*, p. 30.

¹⁶ Education falls under "services" as a social area.



was a non-repeating survey, the Ethnic Diversity Survey has generated a great deal of research and literature on issues related to ethnic diversity, social inclusion and discrimination (see Banting *et al.*, 2007).

FAMILY STATUS

International law accords a high level of protection to the family, especially in the care and education of dependent children, and the rights of women to maternity leave after childbirth.¹⁷ In addition, the Convention on the Elimination of All Forms of Discrimination against Women states that governments should provide social services to “enable parents to combine family obligations with work responsibilities” (article 11).¹⁸

The ground of family status does not have a consistent meaning in human rights laws. In Ontario and Prince Edward Island, for example, it is defined as being in a parent-child relationship, although the definition has been interpreted to extend to foster families and non-biological same-sex parents. Alberta defines “family status” as including a relationship by blood marriage or adoption; in Nunavut, the definition is similar. New Brunswick and Quebec do not explicitly protect this ground (although Quebec does offer protection on the ground of civil status).

While many people understand family status as parent-child relationships, Canadian families have dramatically changed over the years to encompass single-parent families, composed families, same-sex parents, etc. (Che-Alford and Hamm, 1999; Statistics Canada, 2003).

Historically, family status has not been a source of significant human rights complaints. However, there is increasing focus and concern as requests mount for accommodation in employment from workers who seek flexibility and alternative arrangements to manage care for dependents, older relatives, and children who are ill or who have a disability.¹⁹

Census data on family status is collected in two forms: as “census family status”²⁰ data or as “economic family status” data. The “economic family” concept is used when collecting data on income. The data used in the Framework focuses on the concept of an “economic family,” defined as two or more persons who live in the same dwelling and are related to each other by blood, marriage, common-law or adoption. An economic family is a broader concept than a census family and permits us to take into consideration how individuals choose to organize themselves. Statistics Canada uses the term “adjusted family income” to refer to economic family income that has been adjusted by a factor that accounts for family composition and size. The adjustment factor takes into account the lower relative needs of additional family members as compared to a single person living alone, and is determined by using a scale that assigns a decreasing value to the second and subsequent family members (Statistics Canada, 2009).²¹

¹⁷ Article 10, *International Covenant on Economic Social and Cultural Rights*, 16 December 1966, 993 U.N.T.S. 3, Can. T.S. 1976 No. 46, 6 ILM 368 (entered into force 3 January 1976).

¹⁸ *Convention on the Elimination of All Forms of Discrimination against Women*, 18 December 1979, 1249 U.N.T.S. 13, Can. T.S. 1982 No. 31, 19 I.L.M. 33 (entered into force 3 September 1981).

¹⁹ E.g. *Health Sciences Association of British Columbia v. Campbell River and North Island Transition Society*, [2004] B.C.J. No. 922 (C.A.); *Canada Post Corp v. Canadian Union of Postal Workers*, [1997] 2 S.C.R. 294, (2006) 156 L.A.C. (4th) 109. See also the [Policy and guidelines on discrimination because of family status](#) (OHRC, 2007).

²⁰ Census family status refers to a married couple (with or without children of either or both spouses), a couple living in common-law (with or without children of either or both partners) or a lone parent of any marital status, with at least one child living in the same dwelling. A couple may be of opposite or same sex (Census Dictionary, 2006).

²¹ Note that data are also gathered on individuals who are not in a census family or in an economic family, including persons who are living alone.



MARITAL STATUS

Under human rights laws, marital status (civil status in Quebec) generally refers to the status of being single, married, widowed, divorced or separated, and it covers living with a person in a conjugal relationship outside of marriage (which in many jurisdictions is called common-law marriage).²² Regardless of these differences, the Supreme Court of Canada has made it clear that a broad and purposive definition should apply.²³ It has also been recognized that marital status may extend to stereotypes or assumptions made about persons, because of the particular person to whom they are married.²⁴

Statistics Canada uses the broad categories of “legally married” and “common-law” to describe marital status.²⁵

The 2006 Census was the first Canadian census where same-sex married couples could indicate their relationship, as persons can now be married in Canada in same-sex unions.

NATIONAL ORIGIN (AND CITIZENSHIP)

National origin identifies a person in relation to a particular nation or state. Some statutes explicitly use the term “national origin,” while others use similar grounds such as citizenship. The relationship between citizenship, national origin and human rights is especially relevant today, where dual or multiple citizenships are cited as factors in discrimination on the grounds of employment,²⁶ or in the increased vulnerability experienced by persons with dual or multiple citizenships.²⁷

As Canada’s diversity grows, our capacity to address the needs and concerns of new groups, especially persons from non-traditional source countries, is increasingly challenged. Researchers have been looking closely at the effects of immigration on countries from the perspective of social cohesion and belonging, (Soroka, 2007) and in terms of equality (Reitz and Banerjee, 2007; Eliadis, 2007).

Immigration to Canada has generated significant and growing interest in sociology and political science, especially in regard to the social and economic well-being of recent immigrants. These individuals experience barriers to integration and there are excellent data sources on this phenomenon (e.g. Picot *et al.*, 2007).

Linked to these developments is a longstanding irritant for recent immigrants: the lack of recognition of their foreign experience and credentials. This problem has been posited as a factor in the rise of recent immigrants experiencing low income (Picot and Hou, 2003; Reitz and Banerjee, 2007; United Nations, 2009).

²² Some jurisdictions explicitly include the status of being engaged to be married, e.g. Nova Scotia *Human Rights Act*, *supra* note 11.

²³ *Miron v. Trudel*, [1995] 2 S.C.R. 418.

²⁴ *B v. Ontario (Human Rights Commission)*, [2002] 3 S.C.R. 403, 2002 SCC 66.

²⁵ Within these categories are: never legally married (single); legally married (and not separated); separated, but still legally married; divorced and not remarried; and widowed.

²⁶ See the Ontario Human Rights Commission press release, *Human Rights Commission Sent 170 Complaints To Tribunal This Past Year*, with respect to a number of complaints sent to the Tribunal on this basis. (OHRC, 2006) In the employment context, some Canadian manufacturers are required to comply with U.S. rules barring dual citizens from some countries from working on particular projects. The Ontario Human Rights Commission has found such practices to be discriminatory. See *Human Rights at Work* (OHRC, 2008).

²⁷ Witness the experience of Mr. Arar, a dual citizen of Canada and Syria who was subject to extraordinary rendition from the U.S. to Syria, where he was detained and tortured.



RACE AND COLOUR

While there is no genetic basis for “race,”²⁸ both race and colour continue to be the basis for discriminatory treatment in our society. They are understood and experienced as socially constructed theories of group stereotypes, and are linked to dignity and equality. Because of our changing demographics, this area is rapidly changing: in Quebec in 2009, race-based complaints overtook disability for the first time as the largest number of complaints in that province.

Race-based human rights complaints in Canada are frequently framed in terms that combine multiple components of “race,” colour and ancestry, and sometimes include other elements such as citizenship (where that ground exists). For the purposes of this Framework, race and colour are used together.

“Visible minorities” is a defined term in federal law and employment equity statistics are a useful proxy for “race” and colour. Although the term is not well accepted by racialized groups in Canada and has been criticized internationally by the Independent Expert on Minorities (United Nations, 2009), the *Employment Equity Act* defines “visible minorities” as persons, other than Aboriginal peoples, who are non-Caucasian in race or non-white in colour.²⁹ Aboriginal peoples constitute a specific category of designated persons in Canada.³⁰

With respect to racialized minorities who are recent immigrants, the evidence indicates pressing and substantial social issues at the intersection of race, national origin and immigrant status.

Recent Statistics Canada data show that the face of our country—and especially our cities—continues to change rapidly: they predict that one third of Canada’s population will be of a “visible minority” by the year 2031 (Statistics Canada, 2010).

RELIGION (CREED)

There is no single definition of religion or creed used by Canadian human rights laws or institutions. The Canadian Census counts specific religious denominations, groups or bodies, as well as sects, cults or other religiously defined communities or systems of beliefs. Major categories of religions that have statistical relevance in Canada are covered.³¹

While there are relatively few complaints on this ground, issues regarding minorities seeking religious accommodation continue to surface, as do incidents of religious intolerance.

²⁸ Miles and Torres (1995) state that:

... earlier this century, the biological and genetic sciences established conclusively in light of empirical evidence that the attempt to establish the existence of different types or “races” of human beings by scientific procedures had failed. (p. 25, as cited in Ontario Human Rights Commission, 2005)

²⁹ *Employment Equity Act*, S.C. 1995 c. 44, s. 3. These categories are also linked to census information, based on groups of persons, identified by ethnic, national or even regional origin, including: Chinese, South Asian, Black, Filipino, Latin American, Southeast Asian, Arab, West Asian, Japanese, Korean, visible minority, multiple visible minority and others.

³⁰ For a comprehensive overview, see the *Report of the Royal Commission on Aboriginal Peoples* (Royal Commission on Aboriginal Peoples, 1996). *Version française*.

³¹ See for example the *GSS Cycle 17*, which sets out the following religious groups: Lutheran; Baptist; Pentecost; E. Orthodox; Jewish; Islam; Hindu; Buddhist; Sikh; Jehovah Witness; Other religions (Statistics Canada, 2003b).



SEX (GENDER)

Human rights laws provide equality protection for all persons regardless of gender or sex. Canada has made good progress on several fronts, notably on workforce participation and income disparities. However, the World Economic Forum's Gender Gap Index reports that inequalities persist for women in Canada and that, on the international scale, we ranked 25th out of 133 countries in 2009. This represents an 11-place drop from 2006, when we placed 14th (World Economic Forum, 2009).

Disparities are especially acute for women with disabilities and women from racialized minorities. The United Nations Committee on the Elimination of All Forms of Discrimination against Women observed that cuts in social programming have had negative impacts on poor women, and pointed out the links between poverty, social policy and women's rights (UN CEDAW, 2008 at 13):

... cuts in social assistance schemes in many provinces ... [have a] ... resulting negative impact on the rights of vulnerable groups of women, such as single mothers, aboriginal women, Afro-Canadian women, immigrant women, elderly women and disabled women, who rely on social assistance for an adequate standard of living.

One strategy to address these issues is to ensure that women have access to employment and related benefits. Child support and benefits, and access to paid maternity and parental leaves are part of this protection and are therefore included in the dimension related to employment.

Human security remains a serious issue: violence against women, including domestic violence, human trafficking, and other such practices are both criminal law and human rights issues since they overwhelmingly affect women.

In terms of political representation and participation, the imbalance between men and women in the distribution and exercise of political power is a longstanding concern. As of March 31, 2010, for example, Canada ranked 50th out of 187 among the world's democracies in terms of elected women (IPU, 2010). While there are complex reasons for these disparities, this nonetheless merits attention.

Finally, although case law and policy regarding transgendered people are still relatively new in Canada, transgendered people have the right not to be discriminated against, and to be treated with dignity. This also falls under the ground of sex, although some jurisdictions specifically protect gender identity as a separate ground.³² There are no national data sources to track progress of this group, and Statistics Canada does not collect data with respect to transgendered persons.

SEXUAL ORIENTATION

The right to be free from discrimination covers the right to equality for all persons regardless of sexual orientation. This extends to heterosexual, lesbian, gay or bisexual orientation. Since being transgendered does not define one's sexual orientation, but rather refers to gender classification, transgendered persons are not considered under sexual orientation, but rather under sex or gender.

³² N.W.T. *Human Rights Act*, supra note 12.



No official data were collected before 2004 on sexual orientation. The statistical approach has shifted from sexual behaviour to self-identification (Renaud *et al.*, 2004). This method is more consistent with human rights principles.

Data on sexual orientation and marital status can be produced with the Census of Canada. The data are limited to those who report that they are living in a same-sex relationship and who are married. These are classified as “other” in the 2006 Census. A current area of legal activity for equality seekers is to ensure that same-sex couples have the same rights as heterosexual couples, including the right to marry. As more data become available, we will be in a better position to monitor this ground.

4. Dimensions, Indicators and Measures

In Canada, human rights protections are based on “social areas.” Federal, provincial and territorial laws do not define “social area” in the same manner. And, even if the definition of social areas were consistent across Canada, statistical agencies do not always capture information using the same definition as human rights laws. Census and survey data collected by agencies such as Statistics Canada use broad categories like unemployment rates, household incomes and educational attainment levels, which do not correspond directly to social areas in human rights law.

To reflect this reality, the Framework is structured along dimensions of “well-being” that are relevant to human rights. Following research and consultation, the following dimensions of well-being were chosen:

Economic Well-being

Education

Employment

Health

Housing

Justice and Safety

Political Engagement and Social Inclusion

The following sections discuss the rationale for choosing each dimension from a human rights perspective, including both international law and Canadian legal standards.

It should be noted that for most dimensions, the Framework proposes an indicator called “Discrimination.” It includes data from General Social Surveys regarding “experience of discrimination” for each dimension, and it also includes data from complaints filed with human rights commissions and tribunals across Canada about cases under particular grounds and social areas. It is proposed that the Framework use data about complaints that are filed with commissions (or in tribunals, in BC and Ontario), excluding those complaints that are dismissed on a preliminary basis. Complaints that are accepted for investigation and sent on for adjudication, or complaints that pass the preliminary screening at tribunals with a direct access system, may provide a more accurate picture of what is happening from an equality perspective.



ECONOMIC WELL-BEING

| Indicator | Measure |
|---------------------------------------|---|
| Income inequality (total income) | Share of income in top and bottom quintiles (20%) of population Share of income per tertiary degrees earned inside/outside Canada in top and bottom quintiles (20%) |
| Low income | Low income measure (LIM) Low income gap ratio Persistent low income rate Rate of receipt of government transfer payments that are the main source of income Rate of receipt of government transfer payments during a given reporting period |
| Median income (individual and family) | Median individual and family income Median individual and family income of members of protected groups with tertiary degrees earned inside/outside Canada in top and bottom quintiles (20%) |
| Wealth | Median net worth of family units (unattached individuals and economic families) Share of wealth of family units in top and bottom quintiles (20%) |

Income and wealth distribution data tell us how economic well-being is shared across society. This is not only about economic outputs, but also about understanding equity and fairness at a broad social level. The right to fair remuneration, equal pay for work of equal value, social security and an adequate standard of living are provided in the International Covenant on Economic, Social and Cultural Rights (ICESCR, articles 6-11).

Defining and understanding economic well-being in Canada is a complex exercise. It requires examining several measures, since no single measure fully captures the picture. The Framework selects four indicators to provide a balanced and robust portrait: income inequality, low income, median income and wealth. As a general rule, Census data is the principal source of information for this dimension, supplemented where required by the Survey of Labour and Income Dynamics.

Income is defined here as median total income. Total income includes market income plus income from government transfers.

There are obvious connections between income levels and equality. In recent years, immigrants have become more likely to be in the low income category (Picot, Hou and Coulombe, 2007). Even controlling for education and the “entry effect” for immigrants, particular racialized groups have lower household incomes and higher low-income rates as compared to persons of European origins (Reitz and Banerjee, 2005). These differences do not diminish for these groups over time as they did for traditional European settlers in earlier generations. For visible



minorities in Census Metropolitan Areas, incomes are less than the local average, according to data from the Ethnic Diversity Study. These figures provide important research tools for those seeking to better understand these phenomena, their causes and how they might be best addressed.

Income inequality³³ can be measured by examining the upper and lower levels of income distribution in a population. Here, we look at income levels to show how income is distributed in the top and bottom bands of the population.

Two types of measures are used here. The first is the share of income in the upper and lower bands or quintiles of the population (20%). The second is the share of income per tertiary degrees³⁴ earned inside/outside Canada in the top and bottom quintiles (20%). These measures provide information about the implications of earning a degree outside Canada. Almost half of visible minority employees feel that their foreign credentials are not recognized as being on par with Canadian credentials (Diversity Institute, 2007); this is an ongoing issue in Canadian social studies. It should be noted that these data should be cross-referenced with data in the “Employment” dimension dealing with the recognition of foreign credentials.

The incidence and distribution of **low income** is of particular interest in the area of human rights, because of its obvious links to poverty, and what it tells us indirectly about capacity to purchase basic social goods like housing, food and transportation. Four measures are used.

The first measure is the low income measure (LIM). This was selected in part because of critiques about the alternative measures, namely low income cut-offs (Mitchell and Shillington, 2008) and market basket measures.³⁵ The LIM is widely used internationally, and international comparisons are especially helpful in understanding relative economic well-being. In addition, the LIM is widely used by Statistics Canada.

Because the LIM has its own shortcomings, Statistics Canada also uses a supplemental measure of low income called a “gap ratio,” which is the second measure identified for this indicator. The low income gap ratio is described as follows:

The most widely used and recognized low-income measure that is sensitive to small income changes among low-income families is the low-income gap. Once a low-income cut-off is determined, the low-income gap is constructed by computing by how much, on average, the incomes of those in low income fall below the [LIM] cut-off (Skuterud, Frenette and Poon, 2004, pp. 28-29).

The third measure is persistent low income rate, which measures the depth and duration of low-income status in Canada. Survey studies reveal patterns of persistent low income and resulting vulnerability to exclusion from social and economic well-being (Hatfield, 2004). “Persistent” can refer to periods as short as two years or as long as six years. Here the indicator defines “persistent” as four years, the common period used for international comparisons.

³³ While several consultees referred to the GINI coefficient, experts advised that this was not useful for comparing sub-groups of the population to the general population. Since the ability to compare groups by disaggregating data is a guiding principle of the Framework, the GINI is not included as a measure.

³⁴ “Tertiary degrees” refer to bachelor’s, master’s and PhD degrees earned at a post-secondary institution such as a university.

³⁵ In fact, three measures were candidates: low income cut-offs, low income measures and the market basket measure. Low income cut-offs were critiqued by both anti-poverty activists and social scientists, and there were concerns about the limitations of the market basket measure. While market basket measure low-income rates may provide a more meaningful measure of poverty, it is felt by experts that it is far from obvious exactly what should be included in the “baskets” used to construct the income thresholds, a choice that may be seen as subjective and variable depending on different applications of the test. (Skuterud, Frenette and Poon, 2004)



Most human rights laws in Canada prohibit discrimination against persons who are in receipt of social assistance. In some provinces, protection is limited to protecting people who receive social assistance housing; in others, there is a broader protection based on social condition. The common element, however, is that from a human rights standpoint, being in receipt of social assistance is relevant across the country.

For this reason, the fourth measure is rate of receipt of government transfer payments. Government transfers or “public assistance” include not only welfare, but also the Guaranteed Income Supplement and the Spousal Allowance, both of which are linked to Old Age Security. Unlike Old Age Security, the Guaranteed Income Supplement and Spousal Allowance are income-tested so that, by definition, those in receipt have low income. If these were omitted, issues affecting the elderly poor would be largely overlooked, which is relevant to the ground of age. Two measures are examined here: first, those who rely on social assistance as their main source of income, and second, those who have sought and received social assistance in a given reporting period.

Median income is the mid-point where, by definition, half the population falls above the median line and half falls below. Experts told us they prefer median income to average or mean income, in part because median income provides better information about the distribution of income in the population.

Total income is used for this indicator, which means before-tax income, including both market income and government transfers.

Measuring both median individual and family income is essential in order to understand income distribution; as a result, both are presented. For further clarification, please see the discussion of “Family status” in the grounds section of this document. It should be noted that family income can be presented directly as the median income of family members or as the median income of the “adjusted family,” which is a measure that adjusts the median to take account of family composition and size. The Framework allows for either approach.

The next measure is the median individual and family income of members of protected groups with post-secondary (or tertiary) degrees earned inside/outside Canada in top and bottom quintiles (20%). Again, this permits us to see differences in economic well-being for individuals who earned post-secondary diplomas outside Canada as compared to inside Canada. These data should be cross-referenced with data in the “Employment” dimension.

Finally, **wealth** is defined as net worth or “stock,” measuring material well-being. The median net worth of family units (unattached individuals and economic families) provides another way to examine potential economic inequalities in Canada. Differentials between the median wealth of family units in which the major income earner is in a protected group and others can point to systemic patterns of inequality in how wealth is shared in Canada. Differentials as to the share of wealth that such groups enjoy in the top and bottom quintiles (20%) provide a further measure of the degree of economic polarization that exists in Canadian society.

The right to education is a free-standing right under international instruments ratified by Canada, including the International Covenant on Economic, Social and Cultural Rights (ICESCR, article 13) and the Convention on the Rights of the Child (article 28).

Education is inherently important, as well as being a powerful influence on income levels and economic well-being. It is also a key determinant of human health (Frank and Mustard, 1994). Education is extensively used to track human development on a global scale.



EDUCATION

| Indicator | Measure |
|---|--|
| Access to educational supports | Rate of access to educational supports (by students with disabilities) Rate of usage of government educational loans for post-secondary education |
| Educational attainment (population aged 25–64) | Graduation rate (secondary certificates, BAs, MAs, PhDs) |
| Enrolment rates (secondary and tertiary institutions) | High school enrolment rate Post-secondary enrolment rate |
| Drop-out rates | High school drop-out rate Drop-out rate due to disabilities of students with disabilities (high school and post-secondary) |
| Literacy levels | Adult literacy levels |
| Discrimination in education | Rate of discrimination experienced in education Rate of complaints filed with human rights commissions and tribunals |

The right to education without discrimination is guaranteed in legislation across the country. In human rights commissions and tribunals in Canada, education-related complaints are filed under the area of “services” or “services customarily available to the public.”

Access to educational support is a major current issue in education rights. Parents of children with disabilities and disability advocates work to ensure that supports are provided to children with disabilities. From a legal standpoint, the courts have been reluctant to intervene and require schools with limited resources to provide therapies and supports in order to allow children with disabilities to attend school.³⁶ However, it is clear that educational attainment is demonstrably affected by disabling conditions: among younger Canadians (aged 15–24), those with disabilities are somewhat less likely to have any type of degree or diploma than those without disabilities. Among older age groups (aged 25–64), those with disabilities are substantially more likely to be without a high-school diploma and less likely to have a university degree than those without disabilities (CCL, 2007a). As one public consultation study has noted:

Among the issues that were raised...was the concern that elementary and secondary schools did not have the resources to deal with students with mental health disabilities, resulting in young people falling through the cracks. Some participants identified the prevalence of discriminatory attitudes in classrooms. Others indicated that post-secondary institutions and business schools are not sufficiently accommodating students with mental health disabilities (OHRC, 2009a).

³⁶ *Eaton v. Brant County Board of Education*, [1997] 1 S.C.R. 241; *Auton (Guardian ad litem of) v. British Columbia (Attorney General)*, [2004] 3 S.C.R. 657; *Wynberg v. Ontario* (2006) 82 O.R. (3d) 561 (C.A.) leave to appeal to S.C.C. refused 31713 (April 12, 2007).



For these reasons, information on access to supports—whether within the mainstream system or in special schools—is critical. Data are available from PALS to show access to these supports at the primary, secondary and post-secondary levels.

The indicator related to access to education uses two measures: the first is rate of access to educational supports needed by students with disabilities—children and adults—to attend school. This measure examines the extent to which children and adults with disabilities report access to the supports they require in primary, secondary and post-secondary institutions. Supports include physical modifications, assistive services and devices, etc., which are considered necessary for learning as reported by all children and adults with disabilities who attend primary, secondary and post-secondary schools.

The second is the rate of usage of government educational loans generally by post-secondary students. This measure examines access to financial supports that are necessary for some students to attend post-secondary institutions. The National Graduate Survey provides regular data on the use of government-sponsored financial support, such as loans, for students to attend post-secondary learning institutions. It should be noted, however, that the National Graduate Survey reviews the situation only of graduates and not of all students who access the post-secondary education system.

Educational attainment (population aged 24–65) is defined as the highest level of education a person has completed, and is an indicator of a person's knowledge and skill level, and predicts the likelihood of success in the workforce. Educational attainment also reflects what skills are available to society and the labour market (HRSDC, 2010). In short, Canada's prosperity and competitiveness depend on the skills of its workforce, and trends in attainment may also reflect changes in access to education and the equity of education systems (Statistics Canada, 2007b). Overall, Canadian attainment levels compare positively with other OECD member countries and show improvements over time, with more Canadians obtaining master's degrees and doctoral degrees in the last 15 years (CCL, 2007a).

This indicator examines the extent to which these successes are shared across the country by looking at measures for both high school and post-secondary attainment levels.³⁷ These figures are obviously of general importance, but they assume particular importance for historically disadvantaged groups. For Aboriginal women, for example, there is a significant increase in earnings for those who complete university (Howe, 2004).

Enrolment rates are widely used internationally to assess the degree to which countries are meeting their obligations on the rights to education entrenched in the International Covenant on Economic, Social and Cultural Rights. While Canada's performance tends to be very good regarding this indicator, there may be variations between specific groups that would say something about whether all students have the same degree of access to education. Since enrolment rates are at virtually 100% for primary school, the measures focus on secondary and post-secondary enrolment.

³⁷ "Tertiary degrees" refer to bachelor's, master's and PhD degrees earned at a post-secondary institution such as a university.



Drop-out rates apply to individuals who have not completed high school graduation requirements and are between 20 and 24 years of age. Drop-out rates have, overall, declined over the past decade in Canada. However, they remain significantly higher for boys than for girls, and for rural and Aboriginal students in particular, the rates are well above the national average (CCL, 2005). These data are especially significant because rates of economic return for those with a high school education are very high for Aboriginal peoples, and especially for Aboriginal men (Howe, 2004).

The second measure looks at the drop-out rates for young people and adults in both secondary and post-secondary institutions who have left school because of their disability as compared to drop-out rates of all secondary and post-secondary students and/or other appropriate comparator groups.

Finally, **literacy levels** are essential indicators for the knowledge economy. Just over half (52%) of the population aged 16 or over in 2003 had prose literacy proficiency at level 3 or above (as measured in the [International Adult Literacy and Skills Survey](#)), while 48% performed at levels 1 or 2 on the prose literacy scale. These individuals are likely to face real challenges in coping with the emerging skill demands of a knowledge-based economy. The IALSS assesses adult literacy across four domains: prose literacy (skills needed to understand ordinary texts, such as news stories, brochures and instruction manuals), document literacy (skills needed to understand forms or graphics, such as job applications, maps and timetables), numeracy (mathematical skills) and problem solving (planning and reasoning skills).

Data on the rate of **discrimination in education** are presented through the General Social Survey – Victimization, which asked respondents across Canada: “In what types of situations have you experienced discrimination (in the past 5 years) [when] attending school or classes?” (2004, 2009).

Administrative data on the rate of complaints filed with human rights commissions and tribunals could also be used to document the incidence of complaints received concerning education.



EMPLOYMENT

| Indicator | Measure |
|---|--|
| Access to income support | Rate of access to Employment Insurance (EI) benefits Rate of access to maternity and parental benefits (EI and Quebec Parental Insurance Plan) |
| Attachment to the labour force | Employment rate Unemployment rate Chronic unemployment rate Precarious employment rate Visible under-employment rate |
| Employment equity (federal only) | Rate of representation, hiring and promotions |
| Recognition of foreign qualifications | “Match” rate Under-employment rate per tertiary degrees earned inside/outside Canada (non-management jobs) |
| Quality of work | Unionization rate Access rate to employer-sponsored maternity and parental benefits Access rate to employer-sponsored retirement benefits Access rate to employer-sponsored long-term disability benefits |
| Discrimination, including harassment, in employment | Rate of discrimination experienced in employment Rate of complaints filed with human rights commissions and tribunals |

The right to work—the opportunity to earn a living—and the right to just and favourable work conditions are set out in articles 6 and 7 of the International Covenant on Economic, Social and Cultural Rights. In addition, the International Labour Organization provides for fundamental instruments that contain basic standards and internationally-agreed norms, including equality of opportunity and treatment, and non-discrimination.

The right to equal treatment at work is guaranteed in every human rights jurisdiction in Canada. Employment is the most-cited area of discrimination in human rights commissions across the country and accounts for about 70% of all complaints.

Access to income support, such as Employment Insurance and other forms of pooled benefits for persons who are temporarily unable to work, is an important part of the Canadian “safety net.” Yet many working Canadians who pay for Employment Insurance do not benefit from the program when they become unemployed. This may be because they have not worked enough



hours or because the type of work they do does not make them eligible. Long-term or frequently unemployed people, many of whom are recent immigrants, as well as part-time and temporary workers, are in this category (Maytree Foundation, 2007). For this reason, the Framework looks at rate of access to Employment Insurance benefits, as well as the particular category of rate of access to maternity and parental benefits (Employment Insurance and Quebec Parental Insurance Plan).

Attachment to the labour force is a strong predictor of social inclusion and economic well-being among the working-age population and their families. It is expressed through five measures here: employment rate, unemployment rate, chronic unemployment rate, precarious employment rate and visible under-employment rate.

The employment rate is the number of persons employed in the reporting period, expressed as a percentage of the total population aged 15 or over (Statistics Canada, 2003a, p.55).³⁸

The unemployment rate indicator shows the number of unemployed persons, expressed as a percentage of the labour force. A study (Brooks, 2005) defined three groups of unemployed. The “seldom unemployed” group were the 10% of all unemployed persons with the least time spent unemployed: those in the “best” situation. The “always unemployed” were those who could not find a job when they searched for one, and accounted for 5% of the unemployed: those at the other end of the unemployment continuum. The “chronically unemployed” are those in the remaining top 10% of the unemployed with the most time spent in unemployment, once the “always unemployed” were extracted. This last group represents an important disadvantaged segment of the total unemployed cohort.

The next measure is the precarious employment rate, which reflects the rate of non-standard work. The Canadian labour market has dramatically changed over the last two decades: today the market has more involuntary part-time, short-term, seasonal and other forms of employment than in the past (Vosko, 2007). Such types of employment are less stable than full-time employment (Jackson, 2004). Higher levels of precarious employment—which often involves fewer or less advantageous benefits, higher risk of unemployment and less economic well-being—are important measures of attachment to the work force and have implications for equality in employment.

“Under-employment” is not defined in a standard way in Canada in part because the notion of under-employment is somewhat subjective. Nonetheless, Statistics Canada advises that this is a potential measure of both job quality and equity in employment. The measures are based on visible under-employment, which refers to part-time workers who would like to have full-time work. We know from previous studies that youth and women, among other groups, are more likely to be underemployed (by this definition) than others. This measure has traditionally been used and matches with international (International Labour Organization but not U.S.) measures.³⁹

³⁸ The population of Canada is divided into three groups: employed, unemployed and those not in the labour force.

³⁹ Canada and the ILO define part-time as less than 30 hours per week. The U.S. defines part-time work as less than 35 hours.



Employment equity is legislated under the federal *Employment Equity Act*, and this indicator is expressed as the degree of representation of members of protected groups in employment. Protected groups are defined as persons with disabilities, women, visible minorities and Aboriginal persons. Because simple representation, or participation in the workforce, is not the only determinant of employment equity, this indicator is also measured through rates of seniority and promotion.

Recognition of foreign qualifications is the next indicator. According to one study, Census data show that the years of schooling and immigrant work experience accumulated before arrival is valued much less than Canadian experience of comparable natives (Ferrer and Riddell, 2008). The measure is the “match” rate, the degree to which individuals are in occupations that “match” their educational specialization. In 2006, for example, 284,000 employed foreign-educated immigrants in Canada had degrees that normally would lead to work in regulated occupations, which Statistics Canada defines as those governed by regulatory or professional associations, and requiring specific credentials to practise. Of those, just 24% worked in a job that matched their education. In contrast, 53% of the 163,000 employed immigrants who were educated in Canada had jobs that matched their training, while the “match rate” was 62% among the Canadian-born (Zietsma, 2010). (Readers should also see the “Education” dimension for related indicators.)

The other measure is under-employment rate per tertiary degrees earned inside/outside Canada, which is more indirect, but also broader in that it looks at the extent to which those employed in non-management jobs have educational qualifications at the post-secondary level (bachelor’s, master’s and PhD degrees) that should have led to higher-level jobs.

Quality of work is expressed here as attachment to unionized employment and employment that offers access to a range of employment benefits. Unionization rate is included in quality of work because of its link to improved working conditions, pensions, benefits for members and a host of other factors. The other three measures are access rates to employer-sponsored maternity and parental benefits, retirement benefits and long-term disability benefits.

The last indicator is **discrimination, including harassment, in employment**. Employment is the single largest source of human rights complaints in Canada, accounting for upwards of 70% of complaints. This indicator is expressed through data from the General Social Survey and PALS 2006, which measure the self-reported rate of discrimination experienced in employment; and through the rate of employment-related human rights complaints filed with Canadian human rights commissions and tribunals.

Health indicators measure both health and the factors that influence health. They can be used not only to inform health policy, but also to identify gaps in the health status and outcomes for specific populations (Canadian Institute for Health Information and Statistics Canada, 2009).



HEALTH

| Indicator | Measure |
|-----------------------------------|---|
| Access to health services | Self-reported rate of difficulty in obtaining routine and ongoing health services |
| Child and maternal health | Perinatal mortality rate Rate of small for gestational age (SGA) births |
| Health-limiting conditions | Prevalence of HIV/AIDS Obesity rate (BMI) Incidence of type 2 diabetes |
| Life expectancy | Life expectancy at birth |
| Mental health | Self-reported mental health rate Rate of diagnosed mood disorders Suicide rate |
| Discrimination in health services | Rate of discrimination experienced in health services Rate of complaints filed with human rights commissions and tribunals |

Article 12 of the International Covenant on Economic, Social and Cultural Rights provides that States' parties "recognize the right of everyone to the enjoyment of the highest attainable standard of physical and mental health." This goal is reflected in Canadian law, which emphasizes that: "...continued access to quality health care without financial or other barriers will be critical to maintaining and improving the health and well-being of Canadians."⁴⁰

In Canada, human rights complaints on the ground of health are filed under the social area of "services" and extend beyond merely preventing discrimination to the obligation to take positive steps. As noted by the unanimous Supreme Court of Canada decision in *Eldridge v. British Columbia*:

The principle that discrimination can accrue from a failure to take positive steps to ensure that disadvantaged groups benefit equally from services offered to the general public is widely accepted in the human rights field. It is also a cornerstone of human rights jurisprudence that the duty to take positive action to ensure that members of disadvantaged groups benefit equally from services offered to the general public is subject to the principle of reasonable accommodation.⁴¹

⁴⁰ *Canada Health Act*, R.S.C., 1985, c. C-6.

⁴¹ *Eldridge v. British Columbia*, *supra* note 9.



Access to health services is a central indicator for the well-being of Canadians. It is a pillar of the *Canada Health Act* and is a direct indicator of Canadians' fundamental right to universal health care, regardless of ability to pay. The selected measure is self-reported rate of difficulty in obtaining routine or ongoing health services. It reflects the percentage of population reporting difficulty obtaining various health services in Canada (Health Canada, 2006; Health Canada, 2008).

The next indicator is **child and maternal health**. Infant mortality and infant weight are birth-related indicators not only for child health, but also for maternal health, since the health and behaviour of the mother has an influence on both.

Infant mortality is used worldwide as an indicator of population health and the effectiveness of health care and public health initiatives. One measure is the perinatal mortality rate, the annual number of stillbirths and early neonatal deaths (deaths in the first week of life) per 1,000 total births (including stillbirths). "Stillbirths" apply to deaths at the gestational age of 28 weeks or more.

Low birth weight is a determinant of infant survival, health and development. Low birth weight infants are at a greater risk of dying during the first year of life and of developing chronic health problems (HRSDC, 2009). In order to take into account the gestational age, the measure chosen here is the rate of small for gestational age (SGA) births, which is defined as live births with a birth weight less than the 10th percentile of birth weights of the same sex and the same gestational age in weeks (Kramer et al., 2001). It is expressed as a percentage of live singleton births with gestational ages from 22 to 43 weeks.

The presence of certain **health-limiting conditions** can be indicators of equality. Three measures were chosen. First is prevalence of HIV/AIDS: this measure estimates the total number of Canadians who were living with HIV infection at the end of the reporting period. The Public Health Agency of Canada has noted that there is a growing need to improve the availability and quality of data in order to better understand and monitor the full scope of the HIV epidemic (PHAC, 2007). A better understanding of the prevalence of HIV/AIDS broken down by human rights grounds can help shed light on trends that may be relevant to equality rights and discrimination (Canadian HIV/AIDS Legal Network *et al.*, 2008). Obesity rate is a measure that is linked with many chronic diseases, including hypertension, type 2 diabetes, coronary artery disease, osteoarthritis and certain types of cancer. To assess the health risks of obesity, the World Health Organization and Health Canada use guidelines based on the Body Mass Index (BMI), a measure that examines weight in relation to height. Finally, there is accumulating evidence that the social determinants of health—the living conditions experienced by Canadians—are the primary factors shaping the incidence of type 2 diabetes (Raphael et al., 2003).

Life expectancy at birth is the proposed measure for the **life expectancy** indicator. This measure shows the number of years a person would be expected to live on the basis of the mortality statistics for a given observation period. It allows for reliable comparisons of the overall state of health of a population over time and among countries, and is a measure of overall quality of life. It is used as an international measure of well-being (Statistics Canada, 2007a).

Many consultees felt that **mental health** should be reported in a separate category, given the increasing awareness of this disability as well as the stigma associated with it. It is therefore included as an indicator. The first measure is self-reported mental health: an individual's perception of his or her overall mental health. This is considered to be a predictor of actual health status, complementing other health status indicators (Health Canada, 2006a).



In addition, the rate of diagnosed mood disorders shows whether persons have been diagnosed by a health professional with at least one of a host of mood disorders including depression, bipolar illness, obsessive-compulsive disorder and others. This is an area of increasing attention and research; from an equality standpoint, it raises issues because of the discrimination and stigma that accompany mood disorders (Canadian Institute for Health Information, 2009; Everett, 2009).

Finally, suicide rate, based on age-standardized rate of suicide death per 100,000 of the population, is included as a measure.

Discrimination in health services is expressed through two measures. The first is the rate of discrimination experienced in the provision of health care in Canada from the General Social Survey – Victimization, and the second is the rate of complaints filed with human rights commissions and tribunals. These data could be used to document the incidence of complaints received relating to the health care system.

HOUSING

| Indicator | Measure |
|--------------------------------------|---|
| Quality and affordability of housing | Rate of living in core housing need Rate of households spending more than 50% of income on housing |
| Accessible housing | Rate of required accessibility features |
| Homelessness | Rate of use of shelters |
| Discrimination in housing | Rate of discrimination experienced in housing Rate of complaints filed with human rights commissions and tribunals |

“Adequate housing” is a human right identified in international human rights instruments including article 11 of the International Covenant on Economic, Social and Cultural Rights. Canada is obliged to work progressively towards ensuring that everyone has access to adequate and affordable housing. But some people, based on human rights grounds such as race, disability, sex, family status, and social and economic status, experience discrimination and cannot access adequate housing. This can be exacerbated when multiple factors intersect for people at even greater risk of discrimination, resulting in deepening poverty and even homelessness (OHRC, 2009b).

Human rights laws across Canada protect people from discrimination in housing (sometimes referred to as accommodation). Legislative standards apply to both tenants and landlords, and this is an area of growing interest and attention in Canada (OHRC, 2009b; CERA, 2009).



Quality and affordability of housing is expressed through two measures. The first draws on data in relation to core housing needs. This measure is a Canada Mortgage and Housing Corporation concept that integrates the following factors into a single measure:

- The physical condition of the dwelling, which determines the adequacy of shelter (e.g. housing that is not in need of major repairs).
- The size or potential crowding situation in the dwelling (suitability: the housing has sufficient bedrooms for the size and make-up of the occupying household).
- Affordability and the value of typical rents.

The subset of households classified as living in unacceptable housing *and* unable to access acceptable housing is considered to be in core housing need.⁴² A household is only in core housing need if one or more of the above three factors are not met and a household cannot potentially afford (i.e. pay more than 30% of before tax income) the typical rent in the area.⁴³

The second measure is the rate of households spending more than 50% of income on housing, which is an indicator of both quality and affordability for poor households.⁴⁴

Access to **accessible housing** refers to requirements for modifications to homes and/or access to assistive living supports that reduce barriers and increase independence within the home environment. The measure compares the rate that individuals and families require accessibility supports in the home to the rate that these are incorporated. Data on this are from PALS and relate to persons with disabilities only.

Although **homelessness** is an area of priority concern, there are serious data gaps. There is no reliable national data source on homelessness, and so the number of homeless cannot be known with accuracy (HRSDC, n.d.). In the future, efforts must be made to address this challenge. “Snapshot” data are collected on the homeless who are in a shelter on the day of the Census, which can be disaggregated by sex, age and marital status. In addition, the Department of Human Resources and Skills Development Canada manages the Homelessness Individual and Family Information System (HIFIS), which is used to collect similar data regularly and which can currently be disaggregated by sex and age only (HRSDC, 2008). However, not all shelters in Canada are connected to the HIFIS system and so data cannot be considered “national.” The data choice on homelessness is therefore limited to that sub-population of the homeless that use shelters on the exact day that the Census of Canada takes its “snapshot,” or the partial count of the sub-population of the homeless that use shelters over a fixed period. (The latter may show duplicate uses by the same person/family.)

Finally, the indicator for **discrimination in housing** is expressed through two measures: the first is the rate of discrimination experienced in housing from the General Social Surveys, as discussed earlier. The second is the rate of complaints filed with human rights commissions and tribunals. These data could be used to document the incidence of complaints received related to housing.

⁴² See the Census-based housing indicators and data from Canada Mortgage and Housing Corporation (2006).

⁴³ Since data on “typical rental costs” are not available for on-reserve populations, these populations are not included in Canadian Mortgage and Housing Corporation data on core housing need.

⁴⁴ It should be noted that not all households spending 50% or more of incomes on housing are necessarily experiencing housing affordability problems. This is particularly true of households with high incomes.



JUSTICE AND SAFETY

| Indicator | Measure |
|--|--|
| Equal treatment in the administration of justice | Rate of custodial remand |
| | Rate of guilty verdicts (controlled for types of offences) |
| | Rate of sentencing |
| | Representation rates of prisoners |
| | Differential rates in probation |
| | Rate of deaths in custody |
| Family violence | Rate of spousal and intimate partnership violence |
| | Incidence of use of emergency shelters |
| Hate crimes | Rate of self-reported hate crimes |
| | Incidence of hate crimes |
| Incidence of violent crimes | Rate of assault, sexual offences and robbery |
| | Homicide rate |
| Vulnerability to crime | Rate of perceived vulnerability to crime |
| Discrimination in the justice system | Rate of discrimination experienced in policing and the courts |
| | Rate of complaints filed with human rights commissions and tribunals |

Human rights apply to all individuals in a country, including all those who have been detained, arrested, charged, convicted and imprisoned. In addition, international law sets standards on how individuals must be treated in the administration of justice. Finally, international law also guarantees the right to life and the security of the person (International Covenant on Civil and Political Rights articles 6, 7, 8, 9, 10, 11, 14, 15 and 16).

Our interactions with the justice system and our sense of personal safety are profoundly interconnected. Persons who feel that they have been treated in a discriminatory manner by police, for example, may have, in addition to other recourses, recourse to a complaint of discrimination. Equality of treatment in the administration of the justice system is reflected through all aspects of the experience of persons who come into contact with the criminal justice system.

The first indicator is **equal treatment in the administration of justice**. Several reports and cases in the area of criminal law and the administration of justice, demonstrate that perceptions of unjust treatment in the criminal justice system are documented by reported experience and findings of fact.⁴⁵ Of particular significance is the influential 1995 study entitled “Systemic

⁴⁵ Most of the key reports originate in Ontario and Quebec. An excellent list can be viewed at Appendix A of the Ontario Human Rights Commission's 2003 report on racial profiling, “Paying the Price” (2003) and on the website of the [African Canadian Legal Clinic](#). See also, Quebec Human Rights and Youth Commission, 2010.



Racism in the Ontario Criminal Justice System,” which showed the disproportionate impact of several aspects of the justice system on persons who are members of racialized groups.

The power of the State to arrest, detain and punish is a closely scrutinized one, and one that is subject to many restrictions under Canadian constitutional law, criminal law and international human rights law. International and national law require equal treatment, without discrimination, for those who come in contact with the justice system. Differential treatment at various points of contact with the justice system for members of protected groups may indicate inequalities. There are six measures for this indicator, from custodial remand (detention prior to sentencing) to the experience during incarceration, through to parole.

The first measure is the rate of custodial remand. Remand refers to the period when a person is held in custody awaiting a further court appearance. While rates of crime and sentenced custody have been generally decreasing, the use of custodial remand has been increasing steadily, progressively comprising a larger share of the incarcerated population.

The second measure is the rate of guilty verdicts (controlled for types of offences).

Third is the rate of sentencing, which looks at the types of sentences that offenders receive based on the range of sentencing options. In Canada, the sentencing options available to the adult courts fall into five main categories: imprisonment, conditional sentences, probation, fines or “other” types of sanctions (Statistics Canada, 2005).⁴⁶ The measure looks at rates for protected group members as compared to sentencing of all offenders or other appropriate comparator groups.

The next measure is representation rates of prisoners, comparing the representation of particular groups in the prison population compared to the general population.⁴⁷ It is well known that certain groups, notably Aboriginal persons and persons of African-Canadian origin, are over-represented in the federal offender population in Canada. The percentage of federal offenders who are Aboriginal persons, for example, is about four times higher than the percentage of the Aboriginal population (Public Safety Canada, 2009, p. 57; Statistics Canada, 2001).

Differential rates in probation reflect the proportion of sentences served before parole among prisoners.

Finally, the rate of deaths in custody provides the rates of death that occur while in prison.

Family violence includes all forms of domestic violence (spousal and intimate partner violence) as well as other forms of violence in the family (between other family members).⁴⁸ The measure chosen here focuses on spousal and intimate partner violence. These issues are well-documented human rights problems in Canada, as elsewhere in the world.

Differentiation in the incidence of this form of violence between protected groups and the total population may indicate inequalities or gaps in Canadian policies to prevent such violence or to

⁴⁶ Conditional sentencing was introduced in 1996 for adults, as an alternative to incarceration in cases where a sentence of imprisonment of less than two years would be appropriate. Conditional sentences are served in the community under supervision and often include a number of conditions restricting the movement and activities of the offender.

⁴⁷ It should be noted that “race and colour,” “national and ethnic origin” and “religion” are not collected in Statistics Canada’s correctional surveys or key indicator reports.

⁴⁸ The broader category of family violence includes not only spousal abuse, but also violence between siblings, ritual violence and abuse against children, elders, men and women.



address the needs of particular communities. Similarly, differential rates of accessing emergency shelters may show structural inequalities or policy gaps.

Although women are still the principal victims of family violence and intimate partner violence,⁴⁹ it should be noted that men are also victims. Intimate partner violence can occur during any point of a relationship, including dating.

Measures for this indicator are rate of spousal and intimate partnership violence, and incidence of use of emergency shelters. The latter measure is based on data from the Census, but can be disaggregated only by sex, age and marital status, and reflects a Census day “snapshot.” (Difficulties with this data set were discussed earlier under the “Housing” dimension.)

The third indicator is **hate crimes**. Canadian criminal law recognizes the aggravating factor of hate based on race, sex, sexual orientation or other grounds. Statistics show that almost two thirds of reported hate crimes are motivated by ethnic and racial factors, while a quarter are motivated by the victim’s gender. These are issues that require ongoing scrutiny and so the Framework captures two measures related to this issue. The first measure examines the rate of self-reported hate crimes: those crimes that the victim reports as being motivated by hate. The second looks at the incidence of hate crimes, where police identify the victim’s membership in a protected group as a motivating factor for the crime (data collected through the Incident-based Uniform Crime Reporting Survey). The motivating factor variables are as follows: by race and ethnicity including Aboriginal identity; by religion; by sexual orientation; by language; by mental or physical disability; by gender; by other (professional or political beliefs); and by unknown factors.

The fourth indicator is **incidence of violent crimes**. Security of the person is an internationally and nationally recognized fundamental right. There are two measures for this indicator. The first measure is the rate of assault, sexual offences and robbery as defined in the General Social Survey – Victimization. The second measure is the rate of homicide. Data on this are available annually from the Homicide Survey.

The rate of perceived **vulnerability to crime** may assist in understanding perceived inequalities or gaps in policing. Data on perceptions of vulnerability to crime are also gathered by the General Social Survey – Victimization.

Finally, the indicator on **discrimination in the justice system** is based on the experience of discrimination in dealing with police, the courts and in the corrections system. It contains two measures. The first measure is the rate of discrimination experienced in policing and the courts reported by members of protected groups, data collected by the General Social Survey – Victimization. The second measure is the rate of complaints filed with human rights commissions and tribunals. These data could be used to document the incidence of complaints received relating to the justice system.

⁴⁹ Justice Canada reports that violence experienced by women tends to be more severe—and more often repeated—than the violence directed at men. For example, compared to men, women are six times more likely to report being sexually assaulted and five times more likely to require medical attention as a result of an assault (Department of Justice, 2001).



POLITICAL ENGAGEMENT AND SOCIAL INCLUSION

| Indicator | Measure |
|--|--|
| Political engagement | Voter participation rate Candidature rate Election rate |
| Social inclusion | Degree of sense of belonging (to Canada, to one's province, to one's local community) Rate of volunteerism Rate of civic engagement (membership in civic groups) |
| Discrimination in accessing selected services and in leisure | Rate of discrimination experienced in accessing selected services and in leisure Rate of complaints filed with human rights commissions and tribunals |

The International Covenant on Civil and Political Rights provides that individuals should be free to vote and to participate in public life without discrimination of any kind (article 25).

Engagement and social inclusion reflect political and civic involvement, and social cohesion, and have direct implications for economic well-being (Putnam, 2000). Different rates of engagement and inclusion may identify inequalities, and also point to differences among individuals and groups regarding their perceived and actual levels of social belonging in our society. This in turn has direct implications for equality and for efforts to eradicate discrimination (Eliadis, 2006).

The indicators for engagement and social inclusion are: political engagement, social inclusion, and the experience of discrimination.

Political engagement is measured through the voter participation rate, the candidature rate and the election rate (reflecting only federal elections for this phase of the Framework). The candidature and election rates are currently only disaggregated by sex, but have been included because of the longstanding imbalance between men and women in the distribution and exercise of political power in Canada. This imbalance has been described as a “significant gender gap in Canadian society” (Brodie and Chandler 1991, p. 48) and continues today: according to the Inter-Parliamentary Union, Canada ranks 50th among the world’s countries in terms of women’s representation in the national legislature (IPU, 2010).⁵⁰ While caution is necessary when interpreting these statistics, it is an area that requires attention.

⁵⁰ Canada does better in relation to Senate figures, but since these are appointments and not elected positions, and since many countries do not have an upper house, this is not integrated into the collation (IPU, 2010).



The proposed measures for the **social inclusion** indicator are expressed through data drawn from the General Social Survey (degree of sense of belonging to Canada, to one's province and to one's local community), rates of volunteerism, and the broader rate of civic engagement (in unions and political parties, sports/recreational organizations, cultural groups, religious groups, school groups, service clubs and others).

Finally, the indicator of **discrimination in accessing selected services and in leisure** is measured by the rate of discrimination experienced in situations such as seeking services from stores, banks or restaurants, using various modes of transportation and participating in sports or within a sports organization. Data on this can be drawn from the General Social Survey – Victimization. In addition, data on the degree to which persons with disabilities report being restricted in engaging in these pursuits due to disability can be drawn from PALS. As with other dimensions, data on the rate of complaints filed with human rights commissions and tribunals could be used to document the incidence of complaints received concerning access to select service areas.

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Summaries of Key Surveys

ABORIGINAL CHILDREN'S SURVEY (*VERSION FRANÇAISE*)

The Aboriginal Children's Survey is a national survey of First Nations, Inuit and Métis children under the age of 6 that collected information on their development and well-being. The survey was developed by Statistics Canada and Aboriginal advisors from across the country, and was conducted in partnership with Human Resources and Skills Development Canada.

This is a post-censal survey and was conducted for the first time in 2006. The plan is to repeat it every five years to monitor changes over time and to measure issues of emerging interest. The survey is currently conducted off reserve only.

The target population comprises children under the age of 6 in the 10 provinces and 3 territories who are North American Indian, Métis or Inuit, and/or members of an Indian Band or First Nation, and/or who have Aboriginal ancestry.

The sample of approximately 17,000 children was chosen from respondents to the 2006 Census of Population who reported a positive answer to either: the Aboriginal identity in Question 18, Band/First Nation membership in Question 20, registered Indian status in Question 21 or reported Aboriginal ancestry in Question 17.

ABORIGINAL PEOPLES SURVEY (*VERSION FRANÇAISE*)

The Aboriginal Peoples Survey provides data on the social and economic conditions of Aboriginal people in Canada. In 2006, information was collected on First Nations, Inuit and Métis people aged 6 years or older. The survey was developed by Statistics Canada in partnership with national Aboriginal organizations, and federal and provincial/territorial governments.

The target population comprises persons living in private dwellings in the 10 provinces and 3 territories who are North American Indian, Métis or Inuit, and/or who are a Treaty Indian or a Registered Indian as defined by the *Indian Act* of Canada, and/or who are members of an Indian Band or First Nation, and/or who have Aboriginal ancestry.

Information is collected about Aboriginal peoples living off reserve in urban, rural and remote locations in the provinces. All Aboriginal people in the territories are included.

The Aboriginal Peoples Survey is a post-censal survey. A sample of approximately 60,000 people was selected from the 2006 Census.

ADULT CORRECTIONAL SERVICES SURVEY (*VERSION FRANÇAISE*)

The Adult Correctional Services Survey collects annual data on the delivery of adult correctional services from both the provincial/territorial and federal correctional systems.

The survey describes the services provided by the government agencies responsible for adult correctional services in each of the provincial, territorial and federal sectors.

This survey is a census with a cross-sectional design and a longitudinal follow-up.



ADULT CRIMINAL COURT SURVEY (VERSION FRANÇAISE)

The objective of the Adult Criminal Court Survey is to develop and maintain a national database of statistical information on appearances, charges and cases in adult criminal courts.

The survey is intended to be a census of federal statute charges completed in adult criminal courts. It includes persons aged 18 years or older at the time of the offence, companies, as well as youths who have been transferred to adult criminal court.

This survey is a census with a cross-sectional design.

ADULT LITERACY AND LIFE SKILLS SURVEY (VERSION FRANÇAISE)

The Adult Literacy and Life Skills Survey was a large-scale co-operative effort undertaken in 2003 by governments, national statistics agencies, research institutions and multi-lateral agencies. This study builds on the International Adult Literacy Survey, the world's first internationally comparative survey of adult skills undertaken in three rounds of data collection between 1994 and 1998. The [International Adult Literacy Survey \(Canada\)](#) is the Canadian component of the Adult Literacy and Life Skills Survey.

BIRTH DATABASE – VITAL STATISTICS (VERSION FRANÇAISE)

This is an administrative survey that collects demographic information annually from all provincial and territorial vital statistics registries on all live births in Canada. The central Vital Statistics Registry in each province and territory provides data from birth registrations to Statistics Canada.

The actual (survey) population of the database is births to Canadian resident women and non-resident women in Canada, and births to Canadian resident women in some American states.

CANADA SURVEY OF GIVING, VOLUNTEERING AND PARTICIPATING (VERSION FRANÇAISE)

The purpose of the Canada Survey of Giving, Volunteering and Participating is to collect data regarding unpaid volunteer activities, charitable giving and participation. It is the result of a partnership of federal government departments and voluntary sector organizations that includes Imagine Canada, Canadian Heritage, Health Canada, Human Resources and Social Development Canada, the Public Health Agency of Canada, Statistics Canada and Volunteer Canada. Since 1997 it has been conducted every three years.

The target population for the 10 provinces was all persons aged 15 years or older, excluding full-time residents of institutions. Households without telephones were excluded (which represented less than 2% of the target population).

For the 3 territories, the survey was administered to a sub-sample of dwellings in the Labour Force Survey.

This is a sample survey with a cross-sectional design.



CANADIAN ATTITUDES TOWARDS DISABILITY ISSUES: 2004 BENCHMARK SURVEY, ENVIRONICS RESEARCH GROUP LIMITED

The Office for Disability Issues, Human Resources and Social Development Canada commissioned a national study of public awareness and attitudes towards persons with disabilities in Canada. The study, which was carried out by Environics Research, was conducted in two parts: (a) a national quantitative public opinion survey and (b) in-depth focus groups with selected groups of Canadians in four locations.

The quantitative research consisted of telephone interviews with a representative sample of 1,800 Canadians (aged 18 years or older). It included a large sample of persons with disabilities. The sample was stratified across the 10 provinces and 3 territories. The margin of sampling error for the full sample was plus or minus 2.3% (at the 95% confidence level).

The table contains data from the quantitative study only.

The 8 areas of life that were asked about (for persons with disabilities) were as follows:

- Maintaining stable employment
- Achieving financial security
- Getting a good education
- Having access to reliable transportation
- Having opportunities for recreation
- Getting good health care
- Raising a family
- Having a social life

CANADIAN COMMUNITY HEALTH SURVEY (VERSION FRANÇAISE)

The primary objective of the Canadian Community Health Survey is to gather health-related data at the sub-provincial levels of geography (health region or combined health regions). It provides cross-sectional estimates of health determinants, health status and health system utilization across Canada.

In 2007, major changes were made to the survey design with the goal of improving its effectiveness and flexibility. Data collection now occurs every year, rather than every two years.

The target population is persons aged 12 years or older who are living in private dwellings in the 10 provinces and the 3 territories. Persons living on Indian Reserves or Crown lands, residents of institutions, full-time members of the Canadian Armed Forces and residents of certain remote regions are excluded from this survey. It covers 98% of the Canadian population aged 12 or older.

This is a sample survey with a cross-sectional design.



CANADIAN ELECTION STUDY

The main objective of the Canadian Election Study is to explain what makes people decide to vote (or not to vote), what makes them vote for a given party or candidate, and why parties gain or lose ground from one election to another.

The 2008 Canadian Election Study was administered to nearly 4,500 eligible voters and conducted during the second half of the election campaign. 3,689 of these respondents completed a post-election survey as well. 1,238 respondents who had participated in the 2004–2006 panel study were also interviewed after the election. All of the interviews were conducted by telephone.

The study was also conducted for the 1984, 1988, 1993, 1997, 2000, 2004 and 2006 federal elections.

CANADIAN VITAL STATISTICS PROGRAM (*VERSION FRANÇAISE*)

Statistics Canada's Canadian Vital Statistics Program obtains information on births, deaths, stillbirths and marriages that take place in Canada from the provincial and territorial vital statistics registrars. The program also receives personal information on divorces from the federal Department of Justice's Central Registry of Divorce Proceedings.

CENSUS OF POPULATION (*VERSION FRANÇAISE*)

Census information is collected every five years and is designed to provide information about people and housing units in Canada by their demographic, social and economic characteristics.

The Census enumerates the entire Canadian population, which consists of Canadian citizens (by birth and by naturalization), landed immigrants and non-permanent residents and their families living with them in Canada. Non-permanent residents are persons who hold a work or student permit, or who claim refugee status. The Census also counts Canadian citizens and landed immigrants who are temporarily outside the country on Census day.

CORRECTIONAL AND CONDITIONAL RELEASE STATISTICAL OVERVIEW (*VERSION FRANÇAISE*)

The Correctional and Conditional Release Statistical Overview provides a statistical overview of corrections and conditional release within a context of trends in crime and criminal justice. The 2009 version is the 12th issue of the Correctional and Conditional Release Statistical Overview. This document is released by Public Safety Canada and is based on information provided by a number of sources, including the Correctional Service of Canada (see below).



CORRECTIONS KEY INDICATOR REPORT FOR ADULTS AND YOUNG OFFENDERS (VERSION FRANÇAISE)

The primary focus of the Corrections Key Indicator Report for Adults and Young Offenders is on one aspect of correctional caseload data, namely, average counts.

This survey describes the monthly average counts of adults and youths in custody under the responsibility of provincial/territorial and federal correctional services, as well as the month-end counts of offenders under the responsibility of provincial/territorial probation services.

This survey is a census with a cross-sectional design.

DEATH DATABASE – VITAL STATISTICS (VERSION FRANÇAISE)

This is an administrative survey that collects demographic and medical (cause of death) information annually from all provincial and territorial vital statistics registries on all deaths in Canada. The central Vital Statistics Registry in each province and territory provides data from death registrations to Statistics Canada.

The actual (survey) population of the database is deaths of Canadian residents and non-residents in Canada, and deaths of Canadians in some American states.

EMPLOYMENT EQUITY ACT ANNUAL REPORTS (VERSION FRANÇAISE)

The *Employment Equity Act* applies to federally regulated employers with 100 or more employees. Employers are required to develop and implement employment equity plans and programs, and to report annually to the Labour Program of Human Resources and Skills Development Canada on their progress in achieving a representative workforce. Federal public sector employers submit their reports to the Minister of the Public Service Human Resources Management Agency of Canada.

The *Employment Equity Act* Annual Report describes the employment situation of the four designated groups (women, Aboriginal peoples, persons with disabilities and members of visible minorities) and the progress that employers made towards achieving employment equity.

EMPLOYMENT INSURANCE COVERAGE SURVEY (VERSION FRANÇAISE)

The main purpose of the Employment Insurance Coverage Survey is to study the coverage of the employment insurance plan. It also covers access to maternity and parental benefits.

The target population for this survey is composed of unemployed individuals as defined by the Labour Force Survey (see below) and other individuals who, given their recent status in the labour market, could potentially be eligible for employment insurance. This population includes working mothers of infants less than one year old. The survey is administered to a sub-sample of individuals in the Labour Force Survey.

It is a sample survey with a cross-sectional design.



EMPLOYMENT INSURANCE STATISTICS – MONTHLY (VERSION FRANÇAISE)

This survey is conducted to release the official statistics that report on the operation of the Employment Insurance Program and to provide complementary labour market statistics.

The number of beneficiaries represents a count of persons who qualified for unemployment insurance benefits during the Labour Force Survey reference week. Data are extracted from administrative files received by Statistics Canada from Human Resources and Skills Development Canada.

This survey is a census with a cross-sectional design.

EQUALITY, SECURITY AND COMMUNITY SURVEY

The Equality, Security and Community Survey is a national survey that asked questions about party identification and electoral behaviour, trust in institutions and other persons, and links to family, neighbourhood and secondary associations. The University of British Columbia was responsible for the design of the survey and it was conducted by the Institute for Social Research at York University. Financial support for the survey came from Heritage Canada, the University of British Columbia and the Social Sciences and Humanities Research Council.

Wave 1 of the survey was conducted in 2000 and 2001. The largest component of the study was a national probability sample, stratified by province and comprising 4,101 respondents. There was also a “metropolitan over-sample” from Montréal, Toronto and Vancouver and drawn disproportionately from census tracts with a high proportion of “visible minority” residents. This component comprised 1,051 respondents.

Wave 2 was conducted in 2002 and 2003. This wave employed essentially the same sampling frame as the first one and contained re-interviews with roughly half the Wave 1 sample.

ETHNIC DIVERSITY SURVEY (VERSION FRANÇAISE)

The Ethnic Diversity Survey was developed by Statistics Canada, in partnership with the Department of Canadian Heritage, to provide information on the ethnic and cultural backgrounds of people in Canada, and how these backgrounds relate to their lives in Canada today.

The EDS was a post-censal survey, which was conducted between April and August 2002. The Census provided the frame to select the survey’s sample.

About 42,500 people aged 15 years or older living in private households were interviewed by telephone in the 10 provinces. The target population did not include persons living in collective dwellings, persons living on Indian Reserves, persons of Aboriginal origins living off reserve, or persons living in Northern and remote areas. Canada’s Aboriginal Peoples were not included in the target population, as information on this population was collected through the 2001 Aboriginal Peoples Survey.

Currently there are no plans to repeat this survey.



GENERAL SOCIAL SURVEY, SOCIAL NETWORKS (VERSION FRANÇAISE)

The primary objectives of the General Social Survey are:

- to gather data on social trends in order to monitor changes in the living conditions and well-being of Canadians over time; and,
- to provide immediate information on specific policy issues of current or emerging interest.

The first General Social Survey cycle on social engagement (2003 Cycle 17, Social Engagement) collected data on dimensions of social engagement, including social participation, civic participation, trust and reciprocity.

The purpose of Cycle 22 (2008, Social Networks) was to collect data on social networks, and social and civic participation. Information was also collected on major changes in respondents' lives, and the resources they used and needed during these transitions.

The target population was non-institutionalized persons 15 years or older, living in the 10 provinces. As the interviews were conducted by telephone, persons without telephones could not be interviewed. However, persons in households without telephones represent less than 0.9 % of the target population (Residential Telephone Services Survey [RTSS], December 2007). Interviews were not conducted by cellular telephone, so persons with only cellular telephone service were also excluded. This group made up 6.4% of the population (RTSS, December 2007).

This was a sample survey with a cross-sectional design. The sample size was 25,000 persons.

GENERAL SOCIAL SURVEY – VICTIMIZATION (VERSION FRANÇAISE)

In 2009, the fifth General Social Survey on victimization was conducted. Previous cycles were carried out in 1988, 1993, 1999 and 2004. This survey asked Canadians about their experiences of being a victim of crime, their fear and perceptions of crime, and the criminal justice system. It also asks questions about violence by a spouse or common-law partner.

The target population included all non-institutionalized persons (that is, individuals living in households) aged 15 years or older living in the 10 provinces (See GSS Cycle 22 entry above re: exclusions).

This was a sample survey with a cross-sectional design. The sample size was 25,000 persons.

GENERAL SOCIAL SURVEY, FAMILIES (VERSION FRANÇAISE)

This survey monitored changes in Canadian families. It was also collected in 1990, 1995 and 2000. It collected information on conjugal and parental history, family origins, children's home-leaving and fertility intentions, as well as work history and other socio-demographic characteristics.



HEALTH INDICATORS (*VERSION FRANÇAISE*)

This publication, produced jointly by Statistics Canada and the Canadian Institute for Health Information, is a compilation of over 80 indicators measuring the health of the Canadian population, health status and non-medical determinants of health, health system performance, and community and health system characteristics.

THE HOMELESS INDIVIDUALS AND FAMILIES INFORMATION SYSTEM (HIFIS)

The Homeless Individuals and Families Information System (HIFIS) initiative has taken a lead role in establishing a community-driven national information system for shelter service providers. The system helps facilities with operational and planning activities, while also serving as a source of comparable data on the characteristics of the homeless population across Canada.

THE HOMICIDE SURVEY (*VERSION FRANÇAISE*)

This survey collects detailed data on homicide in Canada. The survey has collected police-reported data on the characteristics of all murder incidents, victims and accused persons since 1961, and all homicides (including murder, manslaughter and infanticide) since 1974.

INTERNATIONAL ADULT LITERACY SKILLS SURVEY (CANADA) (*VERSION FRANÇAISE*)

The International Adult Literacy Skills Survey is a seven-country initiative first conducted in the fall of 1994. Its goal was to create comparable literacy profiles across national, linguistic and cultural boundaries. The survey also offers the world's only source of comparative data on participation in adult education and training. The survey was undertaken in three rounds of data collection between 1994 and 1998.

LABOUR FORCE SURVEY (*VERSION FRANÇAISE*)

The Labour Force Survey is conducted monthly by Statistics Canada.

Its target population is the civilian, non-institutionalized population aged 15 years or older. It is conducted nationwide, in both the provinces and the territories. Excluded from the survey's coverage are: persons living on reserves and other Aboriginal settlements in the provinces, full-time members of the Canadian Armed Forces and the institutionalized population. These groups together represent an exclusion of less than 2% of the population aged 15 or older. The sample size is approximately 54,000 households.

The main objective of the Labour Force Survey is to divide the working-age population into three mutually exclusive groups—the employed, the unemployed and those not in the labour force. It publishes monthly indicators such as the unemployment rate, the employment rate and the participation rate.



LONGITUDINAL ADMINISTRATIVE DATABANK (VERSION FRANÇAISE)

The Longitudinal Administrative Databank is a longitudinal sample of tax filers for the years 1982 to 2007, and is made up of a wide variety of income and demographic variables. The statistics are derived primarily from the annual tax file provided by the Canada Revenue Agency.

LONGITUDINAL SURVEY OF IMMIGRANTS TO CANADA (VERSION FRANÇAISE)

The Longitudinal Survey of Immigrants to Canada conducted jointly by Statistics Canada and Citizenship and Immigration Canada, is a comprehensive survey designed to study the process by which new immigrants adapt to Canadian society over time and to provide information on the factors that can facilitate or hinder this adjustment.

The target population for the survey consists of immigrants who meet all of the following criteria:

- arrived in Canada between October 1, 2000 and September 30, 2001;
- were aged 15 years or older at the time of landing; and,
- landed from abroad and applied through a Canadian Mission abroad.

Individuals who applied and landed from within Canada are excluded from the survey. Refugees claiming asylum from within Canada are also excluded from the scope of the survey.

This was a sample survey with a longitudinal design. The respondents were interviewed at three separate stages after their arrival in Canada: six months, two years and four years. The sampling frame was an administrative database of all landed immigrants to Canada provided by Citizenship and Immigration Canada.

This survey is currently inactive.

NATIONAL GRADUATE SURVEY (VERSION FRANÇAISE)

This survey collected information on the educational and work experiences of people who graduated from a post-secondary institution in 2005. The data are used to study the relationship between education and labour market experiences of recent graduates. This survey was conducted under the authority of the *Statistics Act*.

NATIONAL LONGITUDINAL SURVEY ON CHILDREN AND YOUTH (VERSION FRANÇAISE)

The National Longitudinal Survey on Children and Youth (NLSCY) is a long-term study of Canadian children that follows their development and well-being from birth to early adulthood. It collects information on factors influencing a child's social, emotional and behavioural development, and monitors the impact of these factors on the child's development over time.



The target population comprises the non-institutionalized civilian population (aged 0 to 11 at the time of their selection) in Canada's 10 provinces. The survey excludes children living on Indian reserves or Crown lands, residents of institutions, full-time members of the Canadian Armed Forces, and residents of some remote regions. The NLSCY is a longitudinal survey consisting of several longitudinal and cross-sectional samples. The interviews take place every two years. The initial sample for Cycle 7 was comprised of 37,655 children and youths aged from 0 to 9 and 12 to 23 year-olds, respectively.

NATIONAL POPULATION HEALTH SURVEY – HOUSEHOLD COMPONENT (VERSION FRANÇAISE)

The National Population Health Survey was designed to collect information on the health of the Canadian population and related socio-demographic information.

The Household component started in 1994/1995 and is conducted every two years. The first three cycles were both cross-sectional and longitudinal. Beginning in Cycle 4 (2000/2001) the survey became strictly longitudinal.

The NPHS longitudinal sample includes 17,276 persons from all ages in 1994/1995. These same persons will be interviewed every two years.

The target population includes household residents in the 10 provinces in 1994/1995 excluding persons living on Indian Reserves and Crown Lands, residents of health institutions, full-time members of the Canadian Armed Forces Bases and some remote areas in Ontario and Quebec.

PARTICIPATION AND ACTIVITY LIMITATION SURVEY (VERSION FRANÇAISE)

The 2006 Participation and Activity Limitation Survey (PALS) is a post-censal survey that collected information about Canadian adults and children whose everyday activities may be limited because of a health-related condition or problem. It was conducted by Statistics Canada and is funded by Human Resources and Social Development Canada. The survey used the 2006 Census as a sampling frame to identify its population. The population covered included persons residing in private and some collective households. Persons living in institutions and on First Nations reserves were excluded from the survey. The sample consisted of approximately 8,500 children (0 to 14) and 39,000 adults (15 years or older).

PENSION PLANS IN CANADA SURVEY (VERSION FRANÇAISE)

This survey is an annual census of employer-sponsored pension plans and collects information on terms, conditions and membership.

The target population is all Registered Pension Plans in Canada. The survey frame is drawn from information on plans registered with federal and provincial government pension authorities and, for plans not subject to their legislation, from the Canada Revenue Agency.

This survey is a census with a cross-sectional design.



PILOT SURVEY OF HATE CRIME (*VERSION FRANÇAISE*)

The Canadian Centre for Justice Statistics, in collaboration with 12 major police forces across the country, conducted a pilot survey on hate crime in Canada. It was a non-representative pilot survey, which collected data on hate crimes reported to police in 2001 and 2002.

PROGRAMME FOR INTERNATIONAL SCHOOL ASSESSMENT (*VERSION FRANÇAISE*)

The Programme for International Student Assessment is an internationally standardized assessment that was jointly developed by participating economies and administered to 15-year-olds in schools.

So far, four assessments have been carried out in 2000, 2003, 2006 and 2009.

Tests are typically administered to between 4,500 and 10,000 students in each country.

SURVEY OF FINANCIAL SECURITY (*VERSION FRANÇAISE*)

The Survey of Financial Security provides a comprehensive picture of the net worth of Canadians. Information was collected on the value of all major financial and non-financial assets and on the money owing on mortgages, vehicles, credit cards, student loans and other debts. The value of these assets less the debts is referred to as net worth.

SURVEY OF LABOUR AND INCOME DYNAMICS (*VERSION FRANÇAISE*)

The Survey of Labour and Income Dynamics is an important source for understanding the economic well-being of Canadian families, households and individuals. Introduced in 1993, the Survey of Labour and Income Dynamics provides an added dimension to traditional surveys on labour market activity and income: the changes experienced by individuals and families through time. Added to the longitudinal aspect are the “traditional” cross-sectional data: the primary source for income data and providing additional content to data collected by the Labour Force Survey. The target population is all individuals in Canada, excluding residents of the Yukon, the Northwest Territories and Nunavut, residents of institutions and persons living on Indian reserves. Overall, these exclusions amount to less than 3% of the population.

SLID is a sample survey with a cross-sectional design and a longitudinal follow-up. The samples are selected from the monthly Labour Force Survey. The sample is composed of two panels of respondents. Each panel consists of two Labour Force Survey rotation groups and includes roughly 15,000 households. A panel is surveyed for a period of six consecutive years and a new panel introduced every three years, so two panels always overlap.



TRANSITION HOME SURVEY (*VERSION FRANÇAISE*)

The objective of the Transition Home Survey is to collect data on residential services for abused women and their children during the previous 12 months, as well as to provide a one-day snapshot of the clientele being served on a specific date. The Transition Home Survey is a census of all residential agencies providing services to battered women and their children across Canada. It is distributed across Canada to all transition homes, second stage housing facilities, safe home networks, women's emergency Centres, general emergency shelters, family resource centres and other residential agencies serving women victims of family violence.

This biennial survey is a census with a cross-sectional design and a longitudinal follow-up.

UNIFORM CRIME REPORTING SURVEY (*VERSION FRANÇAISE*)

The Canadian Centre for Justice Statistics in co-operation with the policing community collects police-reported crime statistics through the Uniform Crime Reporting Survey. This annual survey was designed to measure the incidence of crime in Canadian society and its characteristics.

Uniform Crime Reporting Survey data reflect reported crime that has been substantiated by police. Information collected by the survey includes the number of criminal incidents, the clearance status of those incidents and persons-charged information. The Uniform Crime Reporting Survey produces a continuous historical record of crime and traffic statistics reported by every police agency in Canada since 1962. In 1988 a new version of the survey was created and is referred to as **the "incident-based" survey**, in which microdata on characteristics of incidents, victims and accused are captured.

This survey is a census with a cross-sectional design.

VICTIM SERVICES SURVEY (*VERSION FRANÇAISE*)

The objective of this survey is to collect information on victim service agencies that delivered services directly to primary or secondary victims of crime during the 12-month reference period, as well as to provide a one-day snapshot of clientele served on a specific date. The survey was developed in 2002 and 2003 to respond to a lack of information on services for victims of crime and the clients who use them. The survey was held for the second time in 2008.

Victim service agencies were included in the survey, if they provided direct services to primary or secondary victims of crime and were funded by a ministry responsible for justice matters, or if the equivalent of their program in another jurisdiction received funding from a ministry responsible for justice matters. The survey did not cover shelters for abused women and their children.



VITAL SIGNS (VERSION FRANÇAISE)

Vital Signs is an annual community check-up conducted by community foundations across Canada that measures the vitality of cities, identifies significant trends and assigns grades in at least 10 areas critical to quality of life.

It is coordinated nationally by the [Community Foundations of Canada \(Version française\)](#).

WORKPLACE AND EMPLOYEE SURVEY (VERSION FRANÇAISE)

The Workplace and Employee Survey is designed to explore a broad range of issues relating to employers and their employees.

The target population for the employer component is defined as all business locations operating in Canada that have paid employees in March, with the following exceptions:

- employers in Yukon, Nunavut and Northwest Territories; and
- employers operating in crop production and animal production; fishing, hunting and trapping; private households, religious organizations and public administration.

The target population for the employee component is all employees working or on paid leave in March in the selected workplaces who receive a Canada Revenue Agency T-4 Supplementary form.

YOUTH COURT SURVEY (VERSION FRANÇAISE)

The objective of the Youth Court Survey is to produce a national database of statistical information on charges, cases and persons involving accused who are aged 12–17 years (up to the 18th birthday) at the time of the offence.

The survey is intended to be a census of federal statute charges completed in youth courts.

This survey is a census with a cross-sectional design.

YOUTH IN TRANSITION SURVEY (VERSION FRANÇAISE)

The Youth in Transition Survey is a longitudinal survey undertaken jointly by Statistics Canada and Human Resources and Skills Development Canada. This survey is designed to examine the major transitions in the lives of youth, particularly between education, training and work.

The Youth in Transition Survey is designed to examine the patterns of, and influences on, major transitions in young people's lives, particularly with respect to education, training and work. Human Resources and Skills Development Canada and Statistics Canada have been developing the Youth in Transition Survey in consultation with provincial and territorial ministries and departments of labour and education. Content includes measurement of major transitions in young people's lives including virtually all formal educational experiences and most labour market experiences, achievement, aspirations and expectations, and employment experiences. The implementation plan encompasses a longitudinal survey of each of two cohorts, ages 15 and 18–20, to be surveyed every two years.



Summaries of Other Sources of Data

CANADA MORTGAGE AND HOUSING CORPORATION

Canada Mortgage and Housing Corporation is Canada's national housing agency. Its objectives include the provision of housing policy and programs, and housing research.

Canada Mortgage and Housing Corporation uses Census data to analyze housing adequacy, suitability, affordability and core housing need.

CANADIAN COUNCIL ON LEARNING

The Canadian Council on Learning is an independent, non-profit corporation that promotes and supports research to improve all aspects of learning.

CANADIAN COUNCIL ON SOCIAL DEVELOPMENT

The Canadian Council on Social Development is a non-profit social policy and research organization focusing on issues such as poverty, social inclusion, disability, cultural diversity, child well-being, employment and housing.

Its publications include "[The Progress of Canada's Children and Youth](#)" (*Version française*) and statistics on welfare incomes.

CHILDCARE RESOURCE AND RESEARCH UNIT (UNIVERSITY OF TORONTO)

The Childcare Resource and Research Unit is a policy and research-oriented facility that focuses on early childhood education and care, and family policy in Canada and internationally.

CORRECTIONAL SERVICE OF CANADA

The Correctional Service of Canada is the federal government agency responsible for administering sentences of a term of two years or more, as imposed by the courts. They are also responsible for managing institutions of various security levels and supervising offenders under conditional release in the community. The Correctional Service of Canada provides administrative information to Public Safety Canada that forms part of the [Correctional and Conditional Release Statistical Overview](#) (see "Summary of Key Surveys" above).

DEPARTMENT OF JUSTICE CANADA

The federal Department of Justice works to ensure that Canada's justice system is fair, accessible and efficient. The Department helps the federal government to develop policy and draft reform laws as needed.



HEALTH CANADA

Health Canada is the federal department responsible for helping Canadians maintain and improve their health. One of its mandates is to reduce the incidence of disease and conditions among Canadians. It publishes surveillance reports and research on these topics.

HUMAN RIGHTS COMMISSIONS

Human rights commissions in all jurisdictions in Canada collect and report on administrative data about complaints filed under each provincial, territorial or federal law (except for British Columbia and Ontario, where there is a direct access system).

INTER-PARLIAMENTARY UNION

The Inter-Parliamentary Union is the international organization of Parliaments. Over a hundred-fifty national parliaments are members of the Inter-Parliamentary Union.

The Inter-Parliamentary Union supports the efforts of the United Nations, whose objectives it shares, and works in close co-operation with it. Its publications include an annual report on the progress made and setbacks encountered by women in parliament.

NATIONAL COUNCIL OF WELFARE

The National Council of Welfare is an arm's length advisory body to the Minister of Human Resources and Social Development on matters of concern to low-income Canadians. It publishes annual reports on welfare incomes and poverty profiles.

OFFICE FOR DISABILITY ISSUES (*VERSION FRANÇAISE*)

The Office for Disability Issues is the focal point within the Government of Canada for key partners working to promote the full participation of Canadians in all aspects of society and community life. The Office for Disability Issues is part of Human Resources and Skills Development Canada.

OFFICE OF THE CORRECTIONAL INVESTIGATOR

The Correctional Investigator is mandated as an Ombudsman for federal offenders. The primary function of the Office is to investigate and bring resolution to individual offender complaints. It also has a responsibility to review and make recommendations on the Correctional Service's policies and procedures associated with the areas of individual complaints to ensure that systemic areas of concern are identified and appropriately addressed.



PUBLIC HEALTH AGENCY OF CANADA

The Public Health Agency of Canada is the main agency responsible for public health in Canada. The agency works in close collaboration with all levels of government (provincial, territorial and municipal) and reports to the Minister of Health.

STATISTICS CANADA

Statistics Canada is Canada's central statistical agency. Under the *Statistics Act*, this agency is required to “collect, compile, analyze, abstract and publish statistical information relating to the commercial, industrial, financial, social, economic and general activities and conditions of the people of Canada.”

Statistics Canada has two main objectives:

- to provide statistical information and analysis about Canada's economic and social structure; and
- promote sound statistical standards and practices.

In addition to the Census, Statistics Canada administers about 350 surveys on virtually all aspects of Canadian life.

STATUS OF WOMEN CANADA

Status of Women Canada is a federal government organization that promotes the full participation of women in the economic, social and democratic life of Canada.

UNITED NATIONS DEVELOPMENT PROGRAMME

The United Nations Development Programme is the United Nations' global development network, advocating for change and connecting countries to knowledge, experience and resources to help people build a better life.

UNITED NATIONS HUMAN DEVELOPMENT REPORT

The United Nations **Human Development Report** is published by the United Nations Development Programme on an annual basis and includes human development indicator statistics.



Census Definitions⁵²

Aboriginal ancestry

Refers to those persons who reported at least one Aboriginal ancestry (North American Indian, Métis or Inuit) to the ethnic origin question. “Ethnic origin” refers to the ethnic or cultural origins of the respondent’s ancestors.

“Aboriginal ancestry” was referred to as “Aboriginal origin” prior to the 2006 Census. The content of the variable remains unchanged in 2006 compared with previous censuses.

Aboriginal Identity

Refers to those persons who reported identifying with at least one Aboriginal group, i.e. North American Indian, Métis or Inuit, and/or those who reported being a Treaty Indian or a Registered Indian as defined by the *Indian Act* of Canada and/or who were members of an Indian Band or First Nation.

In 1991 and previous censuses, the Aboriginal population was defined using the ethnic origin question (ancestry). The 1996 Census included a question on the individual’s perception of his or her Aboriginal identity.

The question used in the 2001 and 2006 Censuses is the same as the one used in 1996.

Aboriginal Origin

The term “Aboriginal origin” is discontinued for the 2006 Census. Please refer to the term “Aboriginal ancestry.”

Age

Refers to the age at last birthday. This variable is derived from date of birth.

Attendance at school

Refers to the attendance and the type of school attended during the nine-month period between September 2005 and May 16, 2006. An individual’s attendance could be either full-time or part-time (day or evening), even if the individual dropped out after registration.

Remarks: The question is asked of population aged 15 years or older, excluding institutional residents and employees.

⁵² Unless otherwise indicated, definitions are based on the [2006 Census Dictionary](#) (Statistics Canada, 2010).



Average income of households

Average income of families (census/economic) or persons aged 15 years or older not in families or households refers to the weighted mean total income of families (census/economic), persons 15 years or older not in families, or households in 2005.

Average income of individuals

Average income of individuals refers to the dollar amount obtained by adding up the total income of all individuals aged 15 years or older who reported income for 2005 and dividing this sum by the number of individuals with income.

Bedrooms

Refers to all rooms designed and furnished as bedrooms and used mainly for sleeping purposes, even though the use may be occasional (e.g. spare bedroom).

Census family status

Refers to the classification of the population according to whether or not the persons are members of a census family.

Family persons refer to household members who belong to a census family.

They, in turn, are classified as follows:

Spouses refer to persons of opposite sex who are legally married to each other and living in the same dwelling.

Common-law partners are two persons of opposite sex or of the same sex who are not legally married to each other, but live together as a couple in the same dwelling.

Lone parent refers to a mother or a father, with no spouse or common-law present, living in a dwelling with one or more children.

Children refer to blood, step- or adopted sons and daughters (regardless of age or marital status) who are living in the same dwelling as their parent(s), as well as grandchildren in households where there are no parents present.

Persons not in census families refer to household members who do not belong to a census family. A person living alone is always a non-family person.

Common-law status

Refers to two people of the opposite sex or the same sex who live together as a couple, but who are not legally married to each other. These persons can be of opposite sex or of the same sex.



Condition of dwelling

Refers to whether, in the judgement of the respondent, the dwelling requires any repairs (excluding desirable remodelling or additions).

It is reported for occupied private dwellings and the responses are:

- No, only regular maintenance is needed.
- Yes, minor repairs are needed.
- Yes, major repairs are needed.

Degree in Medicine, Dentistry, Veterinary Medicine or Optometry

Refers to the possession of a degree in medicine, dentistry, veterinary medicine or optometry, regardless of whether the individual is active in the associate profession(s) and regardless of whether or not other non-university qualifications are held.

Disability

Refers to difficulties with daily activities and the reduction in the amount or kind of activities due to physical or mental conditions or health problems.

Remarks: The PALS will be the primary source for disability data in 2006, since it provides a better identification of the population, and more detailed information on its characteristics.

For the purpose of PALS, persons with disabilities are those whose everyday activities may be limited because of a health-related condition or problem.

Earnings or employment income

Refers to total income received by persons aged 15 years or older during the 2005 calendar year as wages and salaries, net income from a non-farm unincorporated business and/or professional practice, and/or net farm self-employment income.

Economic family

Refers to a group of two or more persons who live in the same dwelling and are related to each other by blood, marriage, common-law or adoption. A couple may be of opposite or the same sex. For 2006, foster children are included.

Employed

Persons who, during the week (Sunday to Saturday) prior to Census Day (May 16, 2006):

- did any work at all for pay or in self-employment or without pay in a family farm, business or professional practice; or,
- were absent from their job or business, with or without pay, for the entire week because of a vacation, an illness, a labour dispute at their place of work, or any other reasons.



Ethnic origin

Refers to the ethnic or cultural group(s) to which the respondent's ancestors belong.

Highest certificate, diploma or degree

Information indicating the person's most advanced certificate, diploma or degree.

Highest level of schooling

Refers to the highest grade or year of elementary or secondary school attended, or to the highest year of university or other non-university education completed (Statistics Canada, 2003a).

Immigrant population

Refers to people who are, or have been, landed immigrants in Canada. A landed immigrant is a person who has been granted the right to live in Canada permanently by immigrant authorities.

Incidence of low income

The incidence of low income is the proportion or percentage of economic families or unattached individuals in a given classification below the low income cut-offs.

It is reported for economic families and unattached individuals aged 15 years or older in private households.

Remarks: Incidence of low income can also be derived for census families, non-family persons and the population in private households (Statistics Canada, 2003a).

Legal marital status

Refers to the legal conjugal status of a person.

The various statuses are defined as follows:

Never legally married (single) are persons who have never married (including all persons less than 15 years of age) and persons whose marriage has been annulled and who have not remarried.

Legally married (and not separated) are persons whose husband or wife is living, unless the couple is separated or a divorce has been obtained.

Separated, but still legally married are persons currently married, but who are no longer living with their spouse (for any reason other than illness or work) and have not obtained a divorce.

Divorced are persons who have obtained a legal divorce and who have not remarried.

Widowed are persons who have lost their spouse through death and who have not remarried.



Low Income Cut-offs

Measures of low income known as low income cut-offs were first introduced in Canada in 1968 based on 1961 Census income data and 1959 family expenditure patterns. At that time, expenditure patterns indicated that Canadian families spent about 50% of their total income on food, shelter and clothing. It was arbitrarily estimated that families spending 70% or more of their income (20 percentage points more than the average) on these basic necessities would be in “straitened” circumstances. With this assumption, low income cut-offs were set for five different sizes of families.

Statistics Canada has clearly and consistently emphasized that the low income cut-offs are not measures of poverty. Rather, low income cut-offs reflect a methodology that identifies those who are substantially worse-off than average. These measures have enabled Statistics Canada to report important trends, such as the changing composition of those below the low income cut-offs over time.

Low income measure

The low income measure is defined as half of the median family income in the population, where family incomes have been adjusted using an equivalence scale (Statistics Canada, 2003a).

Major field of study

Refers to the predominant discipline or area of learning or training of a person’s highest post-secondary certificate, diploma or degree.

Marital status (see “Legal marital status”)

Median income of individuals

The median income of a specified group of income recipients is that dollar amount which divides their income size distribution ranked by size of income, into two halves, i.e. the incomes of the first half of individuals are below the median, while those of the second half are above the median.

Member of an Indian Band or First Nation

Refers to those persons who reported being a member of an Indian Band or a First Nation of Canada.

Non-immigrant population

Refers to people who are Canadian citizens by birth.



Not in the labour force

Refers to persons who, in the week (Sunday to Saturday) prior to Census Day (May 16, 2006), were neither employed nor unemployed. It includes students, homemakers, retired workers, seasonal workers in an “off” season who were not looking for work, and persons who could not work because of a long-term illness or disability.

Occupation

Refers to the kind of work persons were doing during the reference week, as determined by their kind of work and the description of the main activities in their job.

The 2006 occupation data are classified according to the National Occupational Classification for Statistics (NOC-S, 2006).

Other shelters and lodging and rooming with assistance services

Establishments for residents who need shelter or assistance, including shelters for women, community- or privately run transition houses, and halfway houses for ex-inmates or persons on conditional release (Statistics Canada, 2003a).

Owner’s major payments

Refers to the total average monthly payments made by owner households to secure shelter.

Remarks: Owner’s major payments include payments for electricity, oil, gas, coal, wood or other fuels, water and other municipal services, monthly mortgage payments, property taxes (municipal and school) and, for 1991, 1996, 2001 and 2006, condominium fees.

These data are not available for Band housing on Indian reserves, since this variable does not apply to this type of dwelling.

Registered or Treaty Indian

Refers to those persons who reported they were registered under the *Indian Act* of Canada. Treaty Indians are persons who are registered under the *Indian Act* and can prove descent from a band that signed a treaty.

Religion

Refers to specific religious denominations, groups or bodies, as well as to sects, cults or other religiously defined communities or systems of beliefs.

Respondents were instructed to report a specific denomination or group, even if they were not practising members of their group (Statistics Canada, 2003a).



School attendance

Refers to either full-time or part-time (day or evening) attendance at school, college or university during the nine-month period between September 2000 and May 15, 2001.

Remarks: The question is asked of population aged 15 years or older.

Sex

Refers to the gender of the respondent.

Shelters for persons lacking a fixed address

Establishments for persons lacking a fixed address, including accommodation centres for persons lacking a fixed address, shelters for persons who are homeless, and shelters for street youth or youth in crisis (Statistics Canada, 2003a).

Unattached individuals

Refers to household members who are not members of an economic family. Persons living alone are included in this category.

Unemployed

Persons who during the week (Sunday to Saturday) prior to Census day (May 16, 2006) were without paid work or without self-employment work and were available for work and either:

- had actively looked for paid work in the past four weeks;
- were on temporary lay-off and expected to return to their job; or,
- had definite arrangements to start a new job in four weeks or less.

Visible minorities

Refers to the visible minority group to which the respondent belongs. The *Employment Equity Act* defines visible minorities as “persons, other than Aboriginal peoples, who are non-Caucasian in race or non-white in colour.”

The response categories are Chinese, South Asian, Black, Filipino, Latin American, Southeast Asian, Arab, West Asian, Japanese, Korean, Visible minority, Multiple visible minority, All others.

Wages and salaries

Refers to gross wages and salaries before deductions for such items as income tax, pensions and Employment Insurance (Statistics Canada, 2003a).



Part II: Framework for Documenting Equality Rights

Introduction to the Framework

The Framework for Documenting Equality Rights is a tool for documenting equality rights in Canada with regard to recognized human rights related dimensions and protected grounds listed in federal, provincial and territorial human rights legislation. At the same time, the Framework can also serve to help identify and address policy-relevant data gaps related to equality rights issues in Canada.

The Framework uses seven dimensions (economic well-being, education, employment, health, housing, justice and safety, and political engagement and social inclusion) in order to document how members of protected groups fare with regard to their rights to equality. For each dimension, indicators were chosen because of their ability to reflect an aspect of equality rights, which are then quantified through statistical measures that draw on data primarily available from Statistics Canada. This data can be disaggregated by human rights grounds such as Aboriginal identity, age, disability, ethnic origin, family status, marital status, national origin, race, religion, sex and sexual orientation.

The dimensions were chosen based on an extensive literature review and on consultations with the provincial and territorial human rights commissions, federal and provincial government representatives, non-governmental organizations and experts in the various fields. The selection of the indicators, measures and data sources was validated with experts from Statistics Canada and other government agencies with expertise in the subject matter. The validation process looked at fit, availability and cost.

The Framework is a tool that may be of interest to a wide range of organizations or individuals, such as governmental departments, academics, think tanks, research centres and community groups who wish to document and research issues related to equality rights at the national level or in a smaller geographical area. The tool is flexible enough to allow research focused on one dimension only or several with regard to one or several protected groups.



DIMENSION 1: ECONOMIC WELL-BEING

| Indicator (rationale for selection) | Specific data sought | Grounds for which data are available ¹ (\$ = will cost) |
|---|---|---|
| <p>1.1 Income inequality (total income) Looking at the share of income that those in the top and bottom quintiles possess provides a measure of the degree of income inequality that exists in a society. Differentials in the shares of income that attach to members of a protected group, to the extent that they are over- or under-represented, may be indicative of the degree that they experience inequalities in income. Examining these differentials when controlling for whether an individual's degree was earned inside or outside Canada may provide further indication of potential inequalities in the acceptance of foreign credentials, when examined alongside other indicators of this set out in the Employment dimension.</p> | <p>Share of income of members of protected groups in top and bottom quintiles (20%) of income as compared to the share held by the population as a whole and/or appropriate comparator group(s) in those quintiles</p> | <p>SEX AGE DISABILITY ABORIGINAL IDENTITY RACE AND COLOUR Visible minority NATIONAL/ETHNIC ORIGIN Immigrant status Defined group \$ MARITAL STATUS \$ FAMILY STATUS \$ RELIGION \$ SEXUAL ORIENTATION (marital status) \$²</p> |
| | <p>Share of income of members of protected groups with tertiary degrees earned inside or outside of Canada in top and bottom quintiles (20%) of income as compared to the share held by the population as a whole and/or appropriate comparator group(s) in those quintiles and with degrees earned inside or outside Canada</p> | <p>SEX AGE DISABILITY ABORIGINAL IDENTITY RACE AND COLOUR Visible minority NATIONAL/ETHNIC ORIGIN Immigrant status Defined group MARITAL STATUS \$ FAMILY STATUS \$ RELIGION \$ SEXUAL ORIENTATION (marital status) \$³</p> |

¹ It should be noted that, where possible and appropriate, data will be disaggregated by sex for every ground.

² Data on all the grounds noted are available every five years from the Census, except religion, which are available from the Census every 10 years only. While the table shows that data are available on sexual orientation, technically this is not the case: Census data relate to persons reporting as living in a same-sex relationship and tests show that there is no reliable link between that data set and identification as a gay or lesbian person. In addition, small counts may mean they are not reportable. Data on disability is also available every five years from the Participation and Activity Limitation Survey. Data on sex, age, disability, Aboriginal identity (off reserve, self-reported Aboriginal ancestry), race and colour (visible minority), national/ethnic origin (immigrant status and defined group) and marital status are also available annually from the Survey of Labour and Income Dynamics; note that data on race and colour (visible minority) are derived. All data are available at the STC Federal Research Data Centre.

³ Data on all the grounds noted are available every five years from the Census, except religion, which are available from the Census every 10 years only. While the table shows that data are available on sexual orientation, technically this is not the case: Census data relate to persons reporting as living in a same-sex relationship and tests show that there is no reliable link between that data set and identification as a gay or lesbian person. In addition, small counts may mean they are not reportable. Data on disability is also available every five years from the Participation and Activity Limitation Survey. Data on sex, age, disability, Aboriginal identity (off reserve, self-reported Aboriginal ancestry), race and colour (visible minority), national/ethnic origin (immigrant status and defined group) and marital status are also available annually from the Survey of Labour and Income Dynamics; note that data on race and colour (visible minority) are derived. All data are available at the STC Federal Research Data Centre.



| | | |
|---|---|--|
| <p>1.2 Low income Examining differential rates of low income, and in particular persistent low income, for members of protected groups and contrasting it with those of the general population or other appropriate comparator groups will serve to measure the depth of economic inequality that exists in Canada, if any, for those groups. Examining data on rates at which individuals receive government transfer payments may provide additional indications on the degree of poverty experienced by protected groups in Canada.</p> | <p>Low income measure (LIM) for members of protected groups as compared to the population as a whole and/or appropriate comparator group(s)</p> | <p>SEX AGE DISABILITY \$ ABORIGINAL IDENTITY RACE AND COLOUR Visible minority NATIONAL/ETHNIC ORIGIN Immigrant status Defined group MARITAL STATUS FAMILY STATUS \$ RELIGION \$ SEXUAL ORIENTATION (marital status) \$⁴</p> |
| | <p>Low income gap ratio of members of protected groups as compared to population as a whole and/or appropriate comparator group(s)</p> | <p>SEX AGE DISABILITY \$ ABORIGINAL IDENTITY RACE AND COLOUR Visible minority NATIONAL/ETHNIC ORIGIN Immigrant status Defined group MARITAL STATUS FAMILY STATUS \$ RELIGION \$ SEXUAL ORIENTATION (marital status) \$⁵</p> |
| | <p>Persistent low income rate of members of protected groups as compared to the population as a whole and/or appropriate comparator group(s)</p> | <p>SEX AGE \$ ABORIGINAL IDENTITY (off reserve, self-reported Aboriginal ancestry) \$ DISABILITY \$ RACE AND COLOUR \$ Visible minority MARITAL STATUS \$⁶</p> |

⁴ Data on all the grounds noted are available every five years from the Census, except religion, which are available from the Census every 10 years only. While the table shows that data are available on sexual orientation, technically this is not the case: Census data relate to persons reporting as living in a same-sex relationship and tests show that there is no reliable link between that data set and identification as a gay or lesbian person. In addition, small counts may mean they are not reportable. Data on sex, age, Aboriginal identity (off reserve, self-reported Aboriginal ancestry), disability, race and colour (visible minority), and marital status are also available annually from the Survey of Labour and Income Dynamics; note that data on race and colour (visible minority) are derived. All data are available at the STC Federal Research Data Centre.

⁵ Data on all the grounds noted are available every five years from the Census, except religion, which are available from the Census every 10 years only. While the table shows that data are available on sexual orientation, technically this is not the case: Census data relate to persons reporting as living in a same-sex relationship and tests show that there is no reliable link between that data set and identification as a gay or lesbian person. In addition, small counts may mean they are not reportable. Data on sex, age, Aboriginal identity (off reserve, self-reported Aboriginal ancestry), disability, race and colour (visible minority), and marital status are also available annually from the Survey of Labour and Income Dynamics; note that data on race and colour (visible minority) are derived. All data are available at the STC Federal Research Data Centre.

⁶ Data on all grounds noted are available annually from the Survey of Labour and Income Dynamics. Note that data on race and colour (visible minority) are derived. All data are available at the STC Federal Research Data Centre.



| | | |
|--|--|---|
| | Rate of receipt of government transfer payments that are the main source of income of members of protected groups as compared to the population as a whole and/or appropriate comparator group(s) | SEX \$ AGE \$ DISABILITY \$ MARITAL STATUS \$ FAMILY STATUS \$ ⁷ |
| | Rate of receipt of government transfer payments during a given reporting period of members of protected groups as compared to the population as a whole and/or appropriate comparator group(s) | SEX \$ AGE DISABILITY \$ MARITAL STATUS \$ FAMILY STATUS \$ ⁸ |
| 1.3 Median income (individual and family) Looking at income levels can provide information on the human rights situation of persons who are protected by human rights legislation in Canada. Most generically, an assessment of median individual and family income of members of protected groups and their comparison against all Canadians or other appropriate comparator groups, may demonstrate whether there are systemic patterns of inequality that arise in the sharing of income in Canada. | Median individual and family income ⁹ of members of protected groups as compared to the population as a whole and/or appropriate comparator group(s) | SEX AGE DISABILITY by AGE and SEX ABORIGINAL IDENTITY RACE AND COLOUR Visible minority NATIONAL/ETHNIC ORIGIN Immigrant status Defined group MARITAL STATUS FAMILY STATUS \$ RELIGION \$ SEXUAL ORIENTATION (marital status) \$ ¹⁰ |

⁷ Data on all grounds noted are available annually from the Longitudinal Administrative Data.

⁸ As above.

⁹ Note that two measures are possible: family income and adjusted family income. The second “adjusts” median income to take account of family size and the relative economies that these may bring to the family.

¹⁰ Data on all the grounds noted are available every five years from the Census, except religion, which are available from the Census every 10 years only. While the table shows that data are available on sexual orientation, technically this is not the case: Census data relate to persons reporting as living in a same-sex relationship and tests show that there is no reliable link between that data set and identification as a gay or lesbian person. In addition, small counts may mean they are not reportable. Data on disability by age and sex is also available every five years from the Participation and Activity Limitation Survey. Data on sex, age, disability, Aboriginal identity (off reserve, self-reported Aboriginal ancestry), race and colour (visible minority), national/ethnic origin (immigrant status and defined group) and family status are also available annually from the Survey of Labour and Income Dynamics; note that data on race and colour (visible minority) are derived. All data are available at the STC Federal Research Data Centre.



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| | <p>Median individual and family income of members of protected groups with tertiary degree earned inside or outside of Canada in top and bottom quintiles (20%) compared to the population as a whole and/or appropriate comparator group(s) who earned equivalent degrees in Canada</p> | <p>SEX \$ AGE \$ DISABILITY \$ ABORIGINAL IDENTITY \$ RACE AND COLOUR \$ Visible minority Defined group NATIONAL/ETHNIC ORIGIN \$ Immigrant status Defined group MARITAL STATUS \$ FAMILY STATUS \$ RELIGION \$ SEXUAL ORIENTATION (marital status) \$¹¹</p> |
| <p>1.4 Wealth Looking at the net worth (wealth) of family units (unattached individuals and economic families) may provide another way in which to examine potential economic inequalities that exist in Canada. Differentials between the median wealth enjoyed by family units in which the major income earner is in a protected group and others may demonstrate whether there are systemic patterns of inequality that arise in the sharing of wealth Canada. Differentials as to the share of wealth that such groups enjoy in the top and bottom quintiles provide a further measure of the degree of economic polarization that exists in a society.</p> | <p>Median net worth of family units (unattached individuals and economic families) defined as being from protected groups¹² as compared to the median net worth of family units in the population as a whole and/or appropriate comparator group(s)</p> | <p>SEX AGE DISABILITY (activity limitation) \$ NATIONAL/ETHNIC ORIGIN \$ Country of birth Year of arrival MARITAL STATUS FAMILY STATUS (with children)¹³</p> |
| | <p>Share of wealth of protected group family units in top and bottom quintiles (20%) of wealth as compared to the share held by the population as a whole and/or appropriate comparator group(s) in those quintiles</p> | <p>SEX AGE DISABILITY (activity limitation) \$ NATIONAL/ETHNIC ORIGIN \$ Country of birth Year of arrival MARITAL STATUS FAMILY STATUS (with children)¹⁴</p> |

¹¹ Data on all the grounds noted are available every five years from the Census, except religion, which are available from the Census every 10 years only. While the table shows that data are available on sexual orientation, technically this is not the case: Census data relate to persons reporting as living in a same-sex relationship and tests show that there is no reliable link between that data set and identification as a gay or lesbian person. In addition, small counts may mean they are not reportable. Note as well that this data will be inferred based on age of Census respondent and highest degree attained. All data are available at the STC Federal Research Data Centre.

¹² As the subsequent footnote makes clear, it is the characteristic of the major income earner that will define whether the family unit is considered as being from a protected group.

¹³ All data are available from the Survey of Financial Security, a survey that may not be repeated. Note that data on wealth are collected using Statistics Canada's concept of "family unit," that is, "unattached individuals" (a person living either alone or with others to whom he or she is unrelated, such as roommates or a lodger) and "economic families" (two or more individuals who live in the same dwelling and are related to each other by blood, marriage, common law or adoption), rather than the individual. It is the characteristics of the major income earner in the family unit that attaches to the data. All data are available at the STC Federal Research Data Centre.

¹⁴ As above.



DIMENSION 2: EDUCATION

| Indicator (rationale for selection) | Specific data sought | Grounds for which data are available (\$ = will cost) |
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| <p>2.1 Access to educational supports</p> <p>Some Canadians may require support to take full advantage of educational opportunities available to them. Children and youth with disabilities, for example, may require educational supports to have effective learning opportunities. Those wishing to attend post-secondary education may require government financial assistance to do so. Measuring the degree to which such supports are available may help us better understand whether everyone in Canada has the same chance to pursue educational opportunities and therefore enjoy the economic and social advantages that doing so can bring.</p> | <p>Rate of access to educational supports (physical modification, assistive services and devices, etc.) considered necessary for learning as reported by all children and adults with disabilities who attend primary, secondary and post-secondary schools</p> | <p>DISABILITY BY TYPE</p> <p>Mental</p> <p>Physical</p> <p>DISABILITY BY SEX¹⁵</p> |
| | <p>Rate of usage of government educational loans reported by members of protected groups who graduated from tertiary education as compared to the general population of graduates and/or appropriate comparator group(s)</p> | <p>SEX \$</p> <p>AGE \$</p> <p>DISABILITY \$</p> <p>ABORIGINAL IDENTITY \$</p> <p>RACE AND COLOUR \$</p> <p>Defined group</p> <p>NATIONAL/ETHNIC ORIGIN \$</p> <p>Immigrant status</p> <p>Defined group</p> <p>MARITAL STATUS \$</p> <p>FAMILY STATUS \$¹⁶</p> |
| <p>2.2 Educational attainment (population age 25–64)</p> <p>It is generally accepted that level of educational attainment correlates with earnings potential and life satisfaction. Data on educational attainment will strengthen any conclusions that may come from analyzing statistics on enrolment and drop-out rates.</p> | <p>Graduation rate (secondary certificates, BAs, MAs, PhDs) of members of protected groups as compared to the educational attainment of the population as a whole and/or appropriate comparator group(s)</p> | <p>SEX \$</p> <p>AGE \$</p> <p>DISABILITY \$</p> <p>ABORIGINAL IDENTITY</p> <p>RACE AND COLOUR \$</p> <p>Visible minority</p> <p>Defined group</p> <p>NATIONAL/ETHNIC ORIGIN \$</p> <p>Immigrant status</p> <p>Defined group</p> <p>MARITAL STATUS \$</p> <p>FAMILY STATUS \$</p> <p>RELIGION \$</p> <p>SEXUAL ORIENTATION (marital status) \$¹⁷</p> |

¹⁵ Data on the grounds noted are available every five years from the Participation and Activity Limitation Survey. Note that data from the survey allows distinctions between “mental” and “physical” disability only with regard to individuals attending specialized schools and so is limited. All data are available at the STC Federal Research Data Centre.

¹⁶ Data on the grounds noted available very five years from the National Graduate Survey. All data are available at the STC Federal Research Data Centre.

¹⁷ Data on all the grounds noted are available every five years from the Census, with the exception of disability, which are available every five years from the Participation and Activity Limitation Survey, and religion, which are available from the Census every 10 years only. Note that data collected are for children aged 15 years or older. While the table shows that data are available on sexual orientation, technically this is not the case: Census data relate to persons reporting as living in a same-sex relationship and tests show that there is no reliable link between that data set and identification as a gay or lesbian person. In addition, small counts may mean they are not reportable. Finally, data on marital status are available annually free of charge from the Labour Force Survey. All data are available at the STC Federal Research Data Centre.



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| <p>2.3 Enrolment rates (secondary and tertiary institutions)</p> <p>Education is an indicator for both human development and social inclusion, and therefore of equality. Given high rates of enrolment in primary schools, statistics for secondary and tertiary are more indicative in the Canadian context. Differentials in enrolment associated with members of protected groups may be indicative of inequalities or gaps in educational policies or practices. When linked or correlated to other factors—employment and income, for example—they may also point to broader structural inequalities in Canada.</p> | <p>High school enrolment rate of members of protected groups of appropriate age cohort enrolled in secondary education institutions as compared to appropriate cohort population as a whole and/or appropriate comparator group(s)</p> | <p>SEX AGE DISABILITY \$ ABORIGINAL IDENTITY \$ RACE AND COLOUR \$ Visible minority Defined group NATIONAL/ETHNIC ORIGIN \$ Immigrant status Defined group MARITAL STATUS \$ FAMILY STATUS \$ RELIGION \$ SEXUAL ORIENTATION (marital status) \$</p> |
| | <p>Post-secondary enrolment rate of members of protected groups of appropriate age cohort enrolled post-secondary education institutions as compared to appropriate cohort population as a whole and/or appropriate comparator group(s)</p> | <p>SEX AGE DISABILITY \$ ABORIGINAL IDENTITY \$ RACE AND COLOUR \$ VISIBLE MINORITY DEFINED GROUP NATIONAL/ETHNIC ORIGIN \$ Immigrant status DEFINED GROUP MARITAL STATUS \$ FAMILY STATUS \$ RELIGION \$ SEXUAL ORIENTATION (marital status) \$¹⁸</p> |

¹⁸ Data on all the grounds noted are available every five years from the Census, with the exception of disability, which are available every five years from the Participation and Activity Limitation Survey, and religion, which are available from the Census every 10 years only. Note that data collected are for children aged 15 years or older. While the table shows that data are available on sexual orientation, technically this is not the case: Census data relate to persons reporting as living in a same-sex relationship and tests show that there is no reliable link between that data set and identification as a gay or lesbian person. In addition, small counts may mean they are not reportable. All data are available at the STC Federal Research Data Centre. Finally, data on sex are also available annually free of charge from the UN Human Development Report.



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| <p>2.4 Drop-out rates</p> <p>Differentials in drop-out rates of members of protected groups may be indicative of inequalities or gaps in educational policies or practices. When linked or correlated to other factors—employment and income, for example—they may also point to broader structural inequalities in Canada.</p> | <p>Drop-out rate of students in secondary schools who are members of protected groups as compared to drop-out rates of all secondary students and/or appropriate comparator group(s)</p> | <p>SEX \$</p> <p>AGE \$</p> <p>DISABILITY \$</p> <p>ABORIGINAL IDENTITY</p> <p>RACE AND COLOUR \$</p> <p>Visible minority</p> <p>Defined group</p> <p>NATIONAL/ETHNIC ORIGIN \$</p> <p>Immigrant status</p> <p>Defined group</p> <p>MARITAL STATUS \$</p> <p>FAMILY STATUS \$</p> <p>RELIGION \$</p> <p>SEXUAL ORIENTATION (marital status) \$¹⁹</p> |
| | <p>Drop-out rate due to disability of students with disabilities in secondary or post-secondary schools as compared drop-out rates of all secondary or post-secondary students and/or appropriate comparator group(s)</p> | <p>DISABILITY</p> <p>Type of disability</p> <p>Mental</p> <p>Physical</p> <p>DISABILITY BY SEX²⁰</p> |
| <p>2.5 Literacy levels</p> <p>One purpose of education is to ensure that students have the literacy skills necessary to succeed in life. Differential rates of literacy may show whether all students have been equally prepared to do so.</p> | <p>Adult literacy levels (ranked as Level 3²¹ or above) of members of protected groups as compared to the population as a whole and/or appropriate comparator group(s)</p> | <p>SEX</p> <p>AGE</p> <p>ABORIGINAL IDENTITY²²</p> |

¹⁹ Data on all the grounds noted are available every five years from the Census, with the exception of disability, which are available every five years from the Participation and Activity Limitation Survey, and religion, which are available from the Census every 10 years only. Note that data collected are for children aged 15 years or older. While the table shows that data are available on sexual orientation, technically this is not the case: Census data relate to persons reporting as living in a same-sex relationship and tests show that there is no reliable link between that data set and identification as a gay or lesbian person. In addition, small counts may mean they are not reportable. Finally, data on marital status are available annually free of charge from the Labour Force Survey. All data are available at the STC Federal Research Data Centre.

²⁰ Data on the grounds noted are available every five years from the Participation and Activity Limitation Survey. Note that distinctions between “mental” and “physical” disability can only be made with regard to individuals attending specialized schools. All data are available at the STC Federal Research Data Centre.

²¹ “Level 3 literacy proficiency is generally considered as the ‘desired’ threshold of competence for being able to cope with the increasing skill demands of today’s knowledge-based economy.” *Education Indicators in Canada*, Report of the Pan-Canadian Education Indicators Programme 2007, at page 103.

²² All data are available from the International Adult Literacy and Skills Survey (IALSS); data on Aboriginal identity is limited to urban Aboriginals in Saskatchewan and Manitoba and Aboriginal residents of the territories. Data must be requested from educationstats@statcan.gc.ca but is free of charge. Data on literacy (reading, maths and science) are also available every three years from the Programme for International Student Assessment (PISA), but these are limited to the age-15 student population cohort and can be disaggregated by sex, national/ethnic origin (immigrant status) and low income status only. Data on adult literacy (reading) is also available from the Adult Literacy and Life Skills Survey and can be disaggregated by sex, age, marital status, immigrant status and country of origin. However, this survey is “occasional” and therefore may not be repeated.



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| <p>2.6 Discrimination in education</p> <p>Measuring the rate at which individuals in protected groups perceive to have experienced discrimination in education, as well as the rate of complaints concerning education filed with human rights bodies, will help us determine the level of potential inequality that exists in this area. Measuring the rate at which such complaints are settled and/or referred for decision can help support any potential conclusions drawn.</p> | <p>Rate of discrimination experienced in education reported by members of protected groups as contrasted with the population as a whole and/or appropriate comparator group(s)</p> | <p>SEX AGE ABORIGINAL IDENTITY (off reserve) \$ NATIONAL/ETHNIC ORIGIN Immigrant status Defined group \$ RELIGION \$²³</p> |
| | <p>Rate of complaints filed with human rights commissions and tribunals relating to education across Canada</p> | <p>ALL GROUNDS²⁴</p> |

DIMENSION 3: EMPLOYMENT

| Indicator (rationale for selection) | Specific data sought | Grounds for which data are available (\$ = will cost) |
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| <p>3.1 Access to income support</p> <p>Differential rates of access to Employment Insurance benefits associated with members of protected groups may be an indication of inequalities in accessing quality employment experience opportunities.</p> | <p>Rate of access to Employment Insurance (EI) benefits of members of protected groups as compared to the population as a whole and/or appropriate comparator group(s)</p> | <p>SEX AGE²⁵</p> |
| | <p>Rate of access to maternity and parental benefits (EI and Quebec Parental Insurance Plan) of members of protected groups who had or adopted a child in the last five years as compared to all similarly situated workers and/or appropriate comparator group(s)</p> | <p>SEX AGE NATIONAL/ETHNIC ORIGIN \$ Country of birth Year of arrival in Canada²⁶</p> |

²³ Data on all grounds noted are available from the General Social Survey (GSS) (Cycles 13, 18 and 23, Victimization). The GSS is an “occasional” survey that has tended to repeat survey themes, in this case victimization, every five years. Note that the data on Aboriginal identity referred to here are collected using the Statistics Canada definition of “Aboriginal identity,” that is, self-reported Aboriginal ancestry. All data are available at the STC Federal Research Data Centre.

²⁴ Data on the grounds noted are available annually from human rights commissions in Canada. Note that these data will have to be collected by the CHRC and that there will be difficulties associated with ensuring the compatibility of data between jurisdictions.

²⁵ Data on all grounds noted are available annually from the EI programme.

²⁶ Data on all grounds noted are available annually from the Employment Insurance Coverage Survey. Data on national/ethnic origin is limited, as indicated, and available at a cost only.

²⁷ Data on all the grounds noted are available every five years from the Census, with the exception of disability, which are available every five years from the Participation and Activity Limitation Survey, and religion, which are available from the Census every 10 years only. While the table shows that data are available on sexual orientation, technically this is not the case: Census data relate to persons reporting as living in a same-sex relationship and tests show that there is no reliable link between that data set and identification as a gay or lesbian person. In addition, small counts may mean they are not reportable. Finally, data on sex, age, Aboriginal identity (off reserve, self-reported Aboriginal ancestry), disability, national/ethnic origin (immigrant status, defined group), marital status, and race and colour (visible minority) are available annually from the Survey of Labour and Income Dynamics at a cost; note that data on race and colour (visible minority) are derived. All data are available at the STC Federal Research Data Centre.

²⁸ Data on all the grounds noted are available every five years from the Census, with the exception of disability, which are available every five years from the Participation and Activity Limitation Survey, and Religion, which are available from the Census every 10 years only. While the table shows that data are available on sexual orientation, technically this is not the case: Census data relate to persons reporting as living in a same-sex



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| <p>3.2 Attachment to the labour force</p> <p>Over- or under-representation of protected group members among the employed, unemployed and chronically unemployed may provide collaborative evidence of possible inequality in employment opportunity, as well as the persistence of that discrimination.</p> | <p>Employment rate of members of protected groups, disaggregated by sex as appropriate, as compared to the population as a whole and/or appropriate comparator group(s)</p> | <p>SEX AGE DISABILITY ABORIGINAL IDENTITY RACE AND COLOUR Visible minority Defined group NATIONAL/ETHNIC ORIGIN Immigrant status Defined group MARITAL STATUS FAMILY STATUS RELIGION SEXUAL ORIENTATION (marital status) \$²⁷</p> |
| | <p>Unemployment rate of members of protected groups, disaggregated by sex as appropriate, as compared to the population as a whole and/or appropriate comparator group(s)</p> | <p>SEX AGE DISABILITY ABORIGINAL IDENTITY RACE AND COLOUR Visible minority Defined group NATIONAL/ETHNIC ORIGIN Immigrant status Defined group MARITAL STATUS FAMILY STATUS RELIGION SEXUAL ORIENTATION (marital status) \$²⁸</p> |
| | <p>Chronic unemployment rate of members of protected groups, disaggregated by sex as appropriate, as compared to the population as a whole and/or appropriate comparator group(s)</p> | <p>SEX AGE DISABILITY \$ DISABILITY, by AGE and SEX \$ ABORIGINAL IDENTITY (off reserve) RACE AND COLOUR \$ Visible minority NATIONAL/ETHNIC ORIGIN \$ Immigrant status Defined group MARITAL STATUS \$ FAMILY STATUS \$²⁹</p> |

relationship and tests show that there is no reliable link between that data set and identification as a gay or lesbian person. In addition, small counts may mean they are not reportable. Finally, data on sex, age, Aboriginal identity (off reserve, self-reported Aboriginal ancestry), disability, national/ethnic origin (immigrant status, defined group), marital status, and race and colour (visible minority) are available annually from the Survey of Labour and Income Dynamics at a cost; note that data on race and colour (visible minority) are derived. All data are available at the STC Federal Research Data Centre.

²⁹ All data, except data on disability by age and sex and on family status, are available annually from the Survey of Labour and Income Dynamics (SLID), but at a cost; note that data on race and colour (visible minority) are derived. Data on sex, age, marital status and family status are available annually from the Labour Force Survey, and that relating to sex and age are free. However, these data are derived differently than those from SLID and so are not directly comparable. Data on disability by age and sex are available every five years from Participation and Activity Limitation Survey. All data are available at the STC Federal Research Data Centre.



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| | <p>Precarious employment rate of members of protected groups, disaggregated by sex as appropriate, as compared to the population as a whole and/or appropriate comparator group(s)</p> | <p>SEX \$ AGE \$ DISABILITY DISABILITY by AGE and SEX \$ ABORIGINAL IDENTITY (off reserve)³⁰ RACE AND COLOUR \$ Visible minority NATIONAL/ETHNIC ORIGIN \$ Immigrant status Defined group MARITAL STATUS \$ FAMILY STATUS \$³¹</p> |
| | <p>Visible under-employment rate of members of protected groups, disaggregated by sex as appropriate, as compared to the population as a whole and/or appropriate comparator group(s)</p> | <p>SEX \$ AGE \$ DISABILITY DISABILITY by AGE and SEX \$ ABORIGINAL IDENTITY (off reserve)³² RACE AND COLOUR \$ Visible minority NATIONAL/ETHNIC ORIGIN \$ Immigrant status Defined group MARITAL STATUS \$ FAMILY STATUS \$³³</p> |

³⁰ Note that data on Aboriginal peoples is collected in accordance with two different census definitions. Data on “Aboriginal identity” refer to individuals who identify themselves as “Aboriginal” and/or who are objectively definable as an Aboriginal person. Some surveys, however, collect data in accordance with the census definition of “Aboriginal origin.” These data merely refer to survey respondents who indicated that they have Aboriginal ancestry. The data referred to here are of this second type.

³¹ Data on all grounds noted, except data on disability by age and sex and on family status, are available annually from the Survey of Labour and Income Dynamics, but at a cost; note that data on race and colour (visible minority) are derived. Data on disability and disability by age and sex are available every five years from the Participation and Activity Limitations Survey. Data on sex, age, marital status and family status are available annually from the Labour Force Survey at a cost. All data are available at the STC Federal Research Data Centre.

³² Note that data on Aboriginal peoples is collected in accordance with two different census definitions. Data on “Aboriginal identity” refer to individuals who identify themselves as “Aboriginal” and/or who are objectively definable as an Aboriginal person. Some surveys, however, collect data in accordance with the census definition of “Aboriginal origin.” These data merely refer to survey respondents who indicated that they have Aboriginal ancestry. The data referred to here are of this second type.

³³ Data on all grounds noted, except data on disability by age and sex and on family status, are available annually from the Survey of Labour and Income Dynamics, but at a cost; note that data on race/colour (visible minorities) are derived. Data on disability and disability by age and sex are available every five years from the Participation and Activity Limitations Survey. Data on sex, age, marital status and family status are available annually from the Labour Force Survey at a cost. All data are available at the STC Federal Research Data Centre.



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| <p>3.3 Employment equity (federal only)</p> <p>Measures of under-representation of protected group members in employment, as well as the rates at which they are hired and promoted, may provide a marker of the degree of possible discrimination these groups face in employment generally, as well as within specific sectors and job categories.</p> | <p>Rate of representation, hiring and promotions of defined employment equity groups in the federal government and federally regulated businesses and, where available, provincial and municipal governments and provincially regulated businesses</p> | <p>SEX DISABILITY ABORIGINAL IDENTITY RACE AND COLOUR Visible minority³⁴</p> |
| <p>3.4 Recognition of foreign qualifications</p> <p>Foreign-trained individuals may find themselves facing barriers to finding any employment or employment in their area of expertise due to non-recognition of foreign credentials and/or the requirement to have Canadian work experience. Data on this will document the extent and the persistence of these problems.</p> | <p>“Match” rate³⁵ of members of protected groups as between those with credentials earned inside and outside Canada</p> | <p>SEX AGE DISABILITY ABORIGINAL IDENTITY RACE AND COLOUR Visible minority Defined group NATIONAL/ETHNIC ORIGIN Immigrant status Defined group MARITAL STATUS FAMILY STATUS RELIGION SEXUAL ORIENTATION (marital status) \$³⁶</p> |
| | <p>Under-employment rate per tertiary degrees earned inside/outside of Canada (non-management jobs) of members of protected groups as compared to the population as a whole and/or appropriate comparator group(s)</p> | <p>SEX \$ AGE \$ MARITAL STATUS \$ FAMILY STATUS \$³⁷</p> |

³⁴ Data on all the grounds noted are available annually from the Employment Equity Division, CHRC; however, these relate to the federally regulated sector only.

³⁵ Statistics Canada looks at whether individuals work in their area of specialization (for selected occupations). The degree to which they do is termed “match rates” so, for example, if 100% of individuals trained as doctors are actually working as doctors, there is a match rate of 100%.

³⁶ Data on all the grounds noted are available every five years from the Census, with the exception of disability, which are available every five years from the Participation and Activity Limitation Survey, and religion, which are available from the Census every 10 years only. While the table shows that data are available on sexual orientation, technically this is not the case: Census data relate to persons reporting as living in a same-sex relationship and tests show that there is no reliable link between that data set and identification as a gay or lesbian person. In addition, small counts may mean they are not reportable. Finally, data on sex, age, Aboriginal identity (off reserve), disability, national/ethnic origin (immigrant status, defined group), marital status, and race and colour (visible minority) are available annually from the Survey of Labour and Income Dynamics at a cost; note that data on race and colour (visible minority) are derived. All data are available at the STC Federal Research Data Centre.

³⁷ All data available annually from the Labour Force Survey at a cost. All data are available at the STC Federal Research Data Centre.



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| <p>3.5 Quality of work</p> <p>Not all those employed have the same quality of work experience. Unionized employment has long been associated to the quality of the work experience and may correlate to access to employment benefits. Differential rates at which members of protected groups are in unionized positions and/or enjoy employment benefits may provide additional collaborative evidence of possible inequality in employment opportunity. It will also demonstrate the degree to which individuals have equal access to income security programs meant to help modify the negative economic impact associated with certain life contingencies.</p> | <p>Unionization rate of members of protected groups as compared to the population as a whole and/or appropriate comparator group(s)</p> | <p>SEX \$</p> <p>AGE \$</p> <p>DISABILITY by AGE and SEX \$</p> <p>ABORIGINAL IDENTITY (off reserve) \$</p> <p>RACE AND COLOUR \$</p> <p> Visible minority</p> <p>NATIONAL/ETHNIC ORIGIN \$</p> <p> Immigrant status</p> <p> Defined group</p> <p>MARITAL STATUS \$</p> <p>FAMILY STATUS \$³⁸</p> |
| | <p>Access rate to employer-sponsored maternity and parental benefits of members of protected groups who had or adopted a child in the last five years as compared to all similarly situated workers and/or appropriate comparator group(s)</p> | <p>SEX \$</p> <p>AGE \$</p> <p>ABORIGINAL IDENTITY</p> <p>RACE AND COLOUR \$</p> <p> Visible minority</p> <p>NATIONAL/ETHNIC ORIGIN \$</p> <p> Immigrant status</p> <p> Defined group</p> <p>MARITAL STATUS \$</p> <p>FAMILY STATUS \$³⁹</p> |
| | <p>Access rate to employer-sponsored retirement benefits for members of protected groups as opposed to the population as a whole and/or appropriate comparator group(s)</p> | <p>SEX</p> <p>AGE</p> <p>DISABILITY \$</p> <p>ABORIGINAL IDENTITY (off reserve, self-reported Aboriginal ancestry) \$</p> <p>RACE AND COLOUR \$</p> <p> Visible minorities</p> <p>NATIONAL/ETHNIC ORIGIN \$</p> <p> Immigrant status</p> <p> Defined group</p> <p>MARITAL STATUS \$</p> <p>FAMILY STATUS⁴⁰</p> |

³⁸ Data on all grounds noted, except family status, are available annually from the Survey of Labour and Income Dynamics; note that data on race and colour (visible minority) are derived. Data on sex, age, marital status and family status are available annually from the Labour Force Survey at a cost. Data on disability are available every five years from the Participation and Activity Limitation Survey. All data are available at the STC Federal Research Data Centre.

³⁹ Data on all grounds noted are available every five years from the General Social Survey (GSS) (Cycle 20, Family Transitions). The GSS is an "occasional" survey that has tended to repeat survey themes, in this case families, every five years. Note that data on Aboriginal identity referred to here are collected based on the Statistics Canada definition of "Aboriginal origin," that is, self-reported Aboriginal ancestry. All data are available at the STC Federal Research Data Centre.

⁴⁰ Data on all grounds noted, except family status, are available annually from the Survey of Labour and Income Dynamics, but at a cost; note that data on race and colour (visible minority) are derived. Data on sex, age and family status are available annually from STC, "Longitudinal Administrative Databank." All data are available at the STC Federal Research Data Centre. In addition, data on sex are available annually from STC, "Pension Plans in Canada Survey."



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| | Access rate to employer-sponsored long-term disability benefits for members of protected groups as opposed to the population as a whole and/or appropriate comparator group(s) | SEX AGE DISABILITY \$ ABORIGINAL IDENTITY (off reserve, self-reported Aboriginal ancestry) \$ RACE AND COLOUR \$ Visible minorities NATIONAL/ETHNIC ORIGIN \$ Immigrant status Defined group MARITAL STATUS \$ ⁴¹ |
| 3.6 Discrimination, including harassment, in employment Measuring the rate at which members of protected groups perceive to have experienced discrimination in employment, as well as the rate of complaints concerning employment filed with human rights bodies, may help us determine the level of potential inequality that exists in employment opportunities. Measuring the rate at which such complaints are settled and/or referred for decision may help support any potential conclusions drawn. | Rate of discrimination experienced in employment reported by members of protected groups as contrasted with the population as a whole and/or an appropriate comparator group(s) | SEX AGE DISABILITY ⁴² ABORIGINAL IDENTITY (off reserve) \$ NATIONAL/ETHNIC ORIGIN Immigrant status Defined group \$ RELIGION \$ ⁴³ |
| | Rate of complaints filed with human rights bodies and tribunals relating to employment across Canada | ALL GROUNDS ⁴⁴ |

⁴¹ Data on all grounds noted are available annually from the Survey of Labour and Income Dynamics, but at a cost; note that data on race and colour (visible minority) are derived. All data are available at the STC Federal Research Data Centre.

⁴² Data are available every five years from the Participation and Activity Limitation Survey; note that the data can be refined to identify the context of the discrimination, e.g., in hiring, in job accommodation, etc. All data are available at the STC Federal Research Data Centre.

⁴³ Data on all grounds noted are available from the General Social Survey (GSS) (Cycles 13, 18 and 23, Victimization). The GSS is an "occasional" survey that has tended to repeat survey themes, in this case victimization, every five years. Note that the data on Aboriginal identity referred to here are collected based on the Statistics Canada definition of "Aboriginal identity," that is, self-reported Aboriginal ancestry. All data are available at the STC Federal Research Data Centre.

⁴⁴ Data on the grounds noted are available annually from human rights commissions in Canada. Note that these data will have to be collected by the CHRC and that there will be difficulties associated with ensuring the compatibility of data between jurisdictions.



DIMENSION 4: HEALTH

| Indicator (rationale for selection) | Specific data sought | Grounds for which data are available (\$ = will cost) |
|---|--|--|
| <p>4.1 Access to health services</p> <p>Access to health care is a pillar of the <i>Canadian Health Act</i> and a core international human right. Differential rates of perceived difficulties in access may indicate inequalities or gaps in the Canadian health care system.</p> | <p>Self-reported rate of difficulty in obtaining routine and ongoing health services by members of protected groups compared to the population as a whole and/or appropriate comparator group(s)</p> | <p>SEX \$</p> <p>AGE \$</p> <p>DISABILITY \$</p> <p>ABORIGINAL IDENTITY by age and sex (child) \$</p> <p>RACE AND COLOUR \$</p> <p> Defined group</p> <p>NATIONAL/ETHNIC ORIGIN \$</p> <p> Immigrant status</p> <p>MARITAL STATUS \$</p> <p>FAMILY STATUS \$</p> <p>SEXUAL ORIENTATION \$⁴⁵</p> |
| <p>4.2 Child and maternal health</p> <p>Perinatal mortality rates and weight for gestational age are coming to be seen as better indicators of child and maternal health than infant mortality and low birth weight rates, even if they are less widely used. Differential rates associated with members of protected groups may indicate inequalities or gaps in the Canadian health care system.</p> | <p>Perinatal mortality rate (per 1,000 live births) of children born to members of protected groups as compared to the perinatal mortality rate of the population as a whole and/or appropriate comparator group(s)</p> | <p>SEX (child)</p> <p>AGE (mother) \$⁴⁶</p> <p>DISABILITY (mother) \$</p> <p>ABORIGINAL IDENTITY (child) \$</p> <p>NATIONAL/ETHNIC ORIGIN \$</p> <p> Immigrant status (mother)</p> <p>MARITAL STATUS (mother) \$</p> <p>OTHER (low income status) \$⁴⁷</p> |
| | <p>Rate of small for gestational age (SGA) births of children born to members of protected groups as compared to the SGA birth rates of the population as a whole and/or appropriate comparator group(s)</p> | <p>SEX (child)</p> <p>AGE (mother)</p> <p>DISABILITY (mother) \$</p> <p>ABORIGINAL IDENTITY (child) \$</p> <p>NATIONAL/ETHNIC ORIGIN \$</p> <p> Immigrant status (mother)</p> <p>MARITAL STATUS (mother)</p> <p>OTHER (low income status) \$⁴⁸</p> |

⁴⁵ Data on all grounds noted are available annually at a cost from the Canadian Community Health Survey (CCHS) and Reports; data on Aboriginal identity from this survey are for off-reserve Aboriginals only and are collected based on self-reported Aboriginal ancestry. All data are available at the STC Federal Research Data Centre. In addition, data on Aboriginal identity are available every five years from the STC, Aboriginal Peoples Survey.

⁴⁶ For well-known physiological reasons, there are risk factors associated with age. While tracking data on this factor alone would not be meaningful, disaggregating other data by it should be considered to determine if there are variances that might relate to an individual's membership in a protected group.

⁴⁷ Data related to all grounds noted are available annually from STC, Canadian Vital Statistics. With the exception of data on sex, all data could be retrieved only through a special study, which would be expensive. Note that data related to Aboriginal identity and national/ethnic origin (immigrant status) are gathered only in some regions. Information on low income can be established only by reference to the general economic situation of the geographic region in which the births occur.

⁴⁸ As above, except that, in addition to data on sex (child), data on age (mother) and marital status (mother) can also be obtained without cost.



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| <p>4.3 Health-limiting conditions</p> <p>The rate at which health conditions affect the population is widely used as a measure of health. Differential rates at which certain health conditions are associated with members of protected groups may indicate inequalities or gaps in the Canadian health care system.</p> | <p>Prevalence of HIV/AIDS among members of protected groups as compared to the population as a whole and/or appropriate comparator group(s)</p> | <p>SEX AGE ABORIGINAL IDENTITY NATIONAL/ETHNIC ORIGIN \$ Defined group⁴⁹</p> |
| | <p>Obesity rate (BMI) of members of protected groups as compared to the rate of the population as a whole and/or appropriate comparator group(s)</p> | <p>SEX \$ AGE \$ DISABILITY \$ ABORIGINAL IDENTITY by age and sex (child) \$ RACE AND COLOUR \$ Defined group NATIONAL/ETHNIC ORIGIN \$ Immigrant status Marital status \$ Family status \$ SEXUAL ORIENTATION \$⁵⁰</p> |
| | <p>Incidence of type 2 diabetes of members of protected groups as compared to the rate in the population as a whole and/or appropriate comparator group(s)</p> | <p>SEX \$ AGE \$ DISABILITY \$ ABORIGINAL IDENTITY by age and sex (child) \$ RACE AND COLOUR \$ Defined group NATIONAL/ETHNIC ORIGIN \$ Immigrant status Marital status \$ Family status \$ SEXUAL ORIENTATION \$⁵¹</p> |

⁴⁹ Data related to all grounds noted are available annually from the Public Health Agency of Canada; data on Aboriginal origin also are available every five years from the STC, Aboriginal Peoples Survey. Note that data on ethnic origin are not universally reported and that "Aboriginal" is included as a sub-category of "ethnic origin," but can be broken out.

⁵⁰ Data on all grounds noted are available annually from Canadian Community Health Survey and Health Reports; data on Aboriginal identity from this survey are for off-reserve Aboriginals only and are collected based on self-reported Aboriginal ancestry. In addition, data on Aboriginal identity are available every five years from the STC, Aboriginal Peoples Survey. All data are available at the STC Federal Research Data Centre.

⁵¹ As above.



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| <p>4.4 Life expectancy Life expectancy is widely used as a measure of health in the population. Differential rates associated with members of protected groups may indicate inequalities or gaps in the Canadian health care system.</p> | <p>Life expectancy at birth of members of protected groups as compared to the life expectancy of the population as a whole and/or appropriate comparator group(s)</p> | <p>SEX DISABILITY \$ ABORIGINAL IDENTITY \$ RACE AND COLOUR \$ Visible minority NATIONAL/ETHNIC ORIGIN \$ Immigrant status Defined group MARITAL STATUS \$⁵²</p> |
| <p>4.5 Mental health Mental health issues are increasingly seen as an important indicator of health. The Health Indicators Project lists suicide rates and prevalence of disorders as potential indicators of mental health. Differential rates associated with members of protected groups may indicate inequalities or gaps in the Canadian health care system.</p> | <p>Self-reported mental health rate as expressed by members of protected groups, disaggregated by sex as appropriate, as compared to the mental health rate of the population as a whole and/or appropriate comparator group(s)</p> | <p>SEX \$ AGE \$ DISABILITY \$ ABORIGINAL IDENTITY by age and sex (child) \$ RACE AND COLOUR \$ Defined group NATIONAL/ETHNIC ORIGIN \$ Immigrant status Marital status \$ Family status \$ SEXUAL ORIENTATION \$⁵³</p> |
| | <p>Rate of diagnosed mood disorders of members of protected groups, disaggregated by sex as appropriate, as compared to rates for the population as a whole and/or appropriate comparator group(s)</p> | <p>SEX \$ AGE \$ DISABILITY \$ ABORIGINAL IDENTITY by age and sex (child) \$ RACE AND COLOUR \$ Defined group NATIONAL/ETHNIC ORIGIN \$ Immigrant status Marital status \$ Family status \$ SEXUAL ORIENTATION \$⁵⁴</p> |
| | <p>Suicide rate of members of protected groups, disaggregated by sex as appropriate, as compared to the suicide rate of the population as a whole and/or appropriate comparator group(s)</p> | <p>AGE SEX ABORIGINAL IDENTITY (some regions only) \$ NATIONAL/ETHNIC ORIGIN (some regions only) \$ MARITAL STATUS⁵⁵</p> |

⁵² Data related to all grounds noted are available annually from the STC, Canadian Vital Statistics. With the exception of data on sex, all data could be retrieved only through a special study, which would be expensive.

⁵³ Data on all grounds noted are available annually from the Canadian Community Health Survey and Health Reports; data on Aboriginal identity from this survey are for off-reserve Aboriginals only and are collected based on self-reported Aboriginal ancestry. In addition, data on Aboriginal identity are available every five years from the STC, Aboriginal Peoples Survey. All data are available at the STC Federal Research Data Centre.

⁵⁴ As above.

⁵⁵ Data related to all grounds noted are available annually from the STC, Birth and Death Data Bases.



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| <p>4.6 Discrimination in health services</p> <p>Measuring the rate at which individuals in protected groups perceive to have experienced discrimination in health services, as well as the rate of complaints concerning health services filed with human rights bodies, will help us determine the level of potential inequality that exists in the delivery of health care. Measuring the rate at which such complaints are settled and/or referred for decision may help support any potential conclusions drawn.</p> | <p>Rate of discrimination experienced in health services reported by members of protected groups as compared to the population as a whole and/or appropriate comparator group(s)</p> | <p>SEX AGE ABORIGINAL IDENTITY (off reserve) \$ [DISABILITY]⁵⁶ NATIONAL/ETHNIC ORIGIN Immigrant status Defined group \$ RELIGION \$⁵⁷</p> |
| | <p>Rate of complaints filed with human rights bodies and tribunals relating to health services across Canada</p> | <p>ALL GROUNDS⁵⁸</p> |

⁵⁶ Data on this may be available from the Participation and Activity Limitation Survey, which is repeated every five years, to the extent that, in response to the question, "Why did you not get these [health care] services?" (see question DD6), individual respondents identified "discrimination" as the reason under "Another Reason." In other words, "discrimination" is not a specified choice available. For this reason it is not yet clear whether data is available on this ground.

⁵⁷ Data on all grounds noted are available from the General Social Survey (GSS) (Cycles 13 and 23, Victimization), an "occasional" survey that has tended to be repeated every five years. Note that the data on Aboriginal identity referred to here are collected based on the Statistics Canada definition of "Aboriginal identity," that is, self-reported Aboriginal ancestry. All data are available at the STC Federal Research Data Centre.

⁵⁸ Data on the grounds noted are available annually from human rights commissions in Canada. Note that these data will have to be collected by the CHRC and that there will be difficulties associated with ensuring the compatibility of data between jurisdictions.



DIMENSION 5: HOUSING

| Indicator (rationale for selection) | Specific data sought | Grounds for which data are available (\$ = will cost) |
|---|---|--|
| <p>5.1 Quality and affordability of housing Individuals may be forced to live in unsuitable or inadequate housing, usually because they cannot afford otherwise, but also because there are no better alternatives available. Those individuals are said to be living in “core housing need.” While the standard used most universally for affordability is 30% of before-tax income on housing, and this is what is used in calculating core housing need, those who spend more than 50% can be seen to be in even more desperate situation, always with the proviso that some well-off individuals can comfortably bear this financial burden. Differential rates for these markers—living in core housing need and paying more than 50% of income for shelter—associated with members of protected groups would tend to point to their overall disadvantage in obtaining acceptable shelter.</p> | <p>Rate of living in core housing need experienced by members of protected groups as compared to the population as a whole and/or appropriate comparator group(s)</p> | <p>SEX AGE (senior and non-senior households only) DISABILITY \$ ABORIGINAL IDENTITY (off reserve) RACE AND COLOUR Visible minority \$ NATIONAL/ETHNIC ORIGIN Immigrant status Defined group \$ MARITAL STATUS \$ FAMILY STATUS \$ RELIGION \$ SEXUAL ORIENTATION (marital status) \$⁵⁹</p> |
| | <p>Rate of households spending more than 50% of income on housing (before tax income) of members of protected groups—generally and in CMAs—as compared to the population as a whole and/or appropriate comparator group(s)</p> | <p>SEX AGE DISABILITY \$ ABORIGINAL IDENTITY (off reserve) RACE AND COLOUR Visible minority \$ NATIONAL/ETHNIC ORIGIN Immigrant status Defined group \$ MARITAL STATUS \$ FAMILY STATUS \$ RELIGION \$ SEXUAL ORIENTATION (marital status) \$⁶⁰</p> |

⁵⁹ Data on all the grounds noted are available every five years from the Census, except religion, which are available from the Census every 10 years only. While the table shows that data are available on sexual orientation, technically this is not the case: Census data relate to persons reporting as living in a same-sex relationship and tests show that there is no reliable link between that data set and identification as a gay or lesbian person. In addition, small counts may mean they are not reportable. All data are available at the STC Federal Research Data Centre.

⁶⁰ Data on all the grounds noted are available every five years from the Census, except religion, which are available from the Census every 10 years only. While the table shows that data are available on sexual orientation, technically this is not the case: Census data relate to persons reporting as living in a same-sex relationship and tests show that there is no reliable link between that data set and identification as a gay or lesbian person. In addition, small counts may mean they are not reportable. All data are available at the STC Federal Research Data Centre.



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| <p>5.2 Accessible housing</p> <p>Persons with disabilities may require modification to their homes and/or assistive living support to reduce barriers and increase independence within the home environment. Measuring whether these individuals and the families of children with disabilities have access to these supports will help demonstrate the degree to which these individuals can be said to experience equality in housing.</p> | <p>Rate of required accessibility features in the homes of persons with disabilities and the families of children with disabilities compared to the rate of the homes of persons with disabilities and the families of children with disabilities where the required accessibility features are incorporated</p> | <p>DISABILITY</p> <p>Mental</p> <p>Physical</p> <p>DISABILITY, by sex and age⁶¹</p> |
| <p>5.3 Homelessness</p> <p>Equality of access to adequate housing or accommodation is widely accepted as an important human rights marker. Clearly, individuals who have no access to personal housing are at the extreme “disadvantaged” end of the continuum. Rate of use of shelters associated with members of protected groups would tend to point to their overall disadvantage in society.</p> | <p>Rate of use of shelters⁶² of members of protected groups, disaggregated by sex as appropriate, as compared to the population as a whole and/or appropriate comparator group(s)</p> | <p>SEX</p> <p>AGE</p> <p>MARITAL STATUS ⁶³</p> |
| <p>5.4 Discrimination in housing</p> <p>Measuring the rate at which members of protected groups perceive to have experienced discrimination in housing, as well as the rate of complaints concerning housing filed with human rights bodies, may help us determine the level of potential inequality that exists in this housing area. Measuring the rate at which such complaints are settled and/or referred for decision can help support any potential conclusions drawn.</p> | <p>Rate of discrimination experienced in housing reported by members of protected groups as compared to the population as a whole and/or appropriate comparator group(s)</p> | <p>SEX</p> <p>AGE</p> <p>ABORIGINAL IDENTITY (off reserve) \$</p> <p>NATIONAL/ETHNIC ORIGIN</p> <p>Immigrant status</p> <p>Defined group \$</p> <p>RELIGION ⁶⁴</p> |
| | <p>Rate of complaints filed with human rights commissions and tribunals relating to housing across Canada</p> | <p>ALL GROUNDS⁶⁵</p> |

⁶¹ Data on all grounds noted are available every five years from the Participation and Activity Limitation Survey. All data are available at the STC Federal Research Data Centre.

⁶² There is unanimity that there is as yet no good, reliable, repeatable data source on homelessness. “Snapshot” data is collected on those using shelters as a result of homelessness by the Census, which can be disaggregated by sex, age and marital status. In addition, the Department of Human Resources and Skills Development manages the Homelessness Individuals and Families Information System (HIFIS), which is used to collect similar data on an ongoing basis and which can be disaggregated by sex and age currently. Plans are in place to include features that would allow further disaggregation by marital status and family status. The HIFIS does record the type of shelter, so to the extent that it is designated as a shelter for Aboriginals, there would be the possibility of counts on that ground. In addition, the system records reason for non-admittance, which might give further data on need. To further complicate the picture, not all shelters in Canada are connected to the HIFIS system. At present there is about 60% coverage.

⁶³ Data on all the grounds noted are available every five years from the Census. All data are available at the STC Federal Research Data Centre.

⁶⁴ Data on all grounds noted are available from the General Social Survey (GSS) (Cycles 13 and 23, Victimization), an “occasional” survey that has tended to be repeated every five years. Note that the data on Aboriginal Identity referred to here are collected based on the Statistics Canada definition of “Aboriginal identity,” that is, self-reported Aboriginal ancestry. All data are available at the STC Federal Research Data Centre.

⁶⁵ Data on the grounds noted are available annually from human rights commissions in Canada. Note that these data will have to be collected by the CHRC and that there will be difficulties associated with ensuring the compatibility of data between jurisdictions.



DIMENSION 6: JUSTICE AND SAFETY

| Indicator (rationale for selection) | Specific data sought | Grounds for which data are available (\$ = will cost) |
|---|---|---|
| <p>6.1 Equal treatment in the administration of justice</p> <p>International and national law require equal treatment, without discrimination, for those who come in contact with the justice system. Differential rates for various points of contact associated with members of protected groups may be indicative of inequalities or gaps in the Canadian justice system.</p> | <p>Rate of custodial remand for adults awaiting trial for members of protected groups as compared to all charged individuals and/or appropriate comparator group(s)</p> | <p>SEX AGE (median age by province) \$ ABORIGINAL IDENTITY, by sex⁶⁶</p> |
| | <p>Rate of guilty verdicts (controlled for types of offences) of members of protected groups as compared to all charged individuals and/or appropriate comparator group(s), controlled for offences</p> | <p>SEX \$ AGE \$⁶⁷</p> |
| | <p>Rate of sentencing (sentenced custody, probation, fines, conditional sentence, other) of members of protected groups as compared to sentencing of all offenders and/or appropriate comparator group(s)</p> | <p>SEX AGE ABORIGINAL IDENTITY⁶⁸</p> |
| | <p>Representation rates of prisoners of members of protected groups within correctional facilities as compared to their representation in the general population</p> | <p>SEX AGE⁶⁹ DISABILITY (mental health diagnosis) ABORIGINAL IDENTITY, by sex RACE AND COLOUR Defined group NATIONAL/ETHNIC ORIGIN Defined group RELIGION⁷⁰</p> |
| | <p>Differential rates in probation (proportion of sentence served before parole) between prisoners who are members of protected groups as compared to all prisoners and/or appropriate comparator group(s)</p> | <p>SEX AGE ABORIGINAL IDENTITY⁷¹</p> |

⁶⁶ Data on all grounds noted are available annually from the STC, Canadian Centre for Justice Statistics. The data available on Aboriginal identity disaggregates Aboriginal data by sex for “admission to custody” and “sentenced custody” only.

⁶⁷ Data is collected annually for both the general prison population (the Adult Criminal Court Survey) and young offenders (the Youth Court Survey). With regard to the former, data are available for 95% of the population but excludes data from the superior courts of Quebec, Ontario, Manitoba and Saskatchewan and the municipal courts of Quebec.

⁶⁸ Data potentially available annually from the STC, Canadian Centre for Justice Statistics from a micro data project it is running, but which now only captures data from approximately half of correctional facilities. This will increase over time as correctional facilities enhance their informatics systems.

⁶⁹ The data available on age are presented differently than are other data—by “admissions” as opposed to % of prison population.

⁷⁰ Data on all grounds noted are available annually from the Correctional and Conditional Release Statistical Overview prepared by the Public Safety Canada Portfolio Corrections Statistics Committee, based on data supplied by Correctional Services Canada. Note that data on Aboriginal identity, disability (mental health diagnosis), race and religion are self-disclosed by those incarcerated and may not be accurate.

⁷¹ Data potentially available annually from the STC, Canadian Centre for Justice Statistics from a micro data project it is running, but which now only captures data from approximately half of correctional facilities. This will increase over time as correctional facilities enhance their informatics systems.



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| | Rate of deaths in custody of prisoners who are members of protected groups as compared to all prisoners and/or appropriate comparator group(s) | SEX AGE ABORIGINAL IDENTITY ⁷² |
| 6.2 Family violence Domestic violence and intimate partnership violence are well-documented human rights problems both here in Canada and elsewhere in the world. Differentiation in the incidence of these forms of violence between protected groups and the population as a whole may be indicative of inequalities or gaps in Canadian policies to prevent it. Similarly, differential rates of accessing emergency shelters may be indicative of structural inequalities or policy gaps. | Rate of spousal and intimate partnership violence generally and against females who are members of protected groups | SEX AGE ABORIGINAL IDENTITY MARITAL STATUS SEXUAL ORIENTATION ⁷³ |
| 6.3 Hate crimes A more refined measure of justice and safety may be found by examining the degree to which those victimized believe that they were targeted because of their identification with a protected group, as well as the official counts of hate crimes, where police identify the victim's membership in a protected group as a motivating factor for the crime. | Rate of self-reported hate crimes (as reported by victims) of members of protected groups as compared to the population as a whole of victims and/or appropriate comparator group(s) | SEX AGE \$ DISABILITY \$ ABORIGINAL IDENTITY (off reserve) RACE AND COLOUR Visible minority ETHNIC ORIGIN Immigrant status MARITAL STATUS FAMILY STATUS \$ RELIGION SEXUAL ORIENTATION ⁷⁵ |
| | Incidence of hate crimes (as identified by police) where victims are members of protected groups | SEX DISABILITY ABORIGINAL IDENTITY (off reserve) RACE ETHNIC ORIGIN RELIGION SEXUAL ORIENTATION ⁷⁶ |

⁷² As above.

⁷³ Data on all grounds noted are available from the General Social Survey (GSS) (Cycles 13, 18 and 23, Victimization). The GSS is an "occasional" survey that has tended to repeat survey themes, in this case victimization, every five years. Note that data on Aboriginal identity are based on self-reported Aboriginal ancestry. All data, except data on the incidence of spousal violence, are available at the STC Research Data Centre.

⁷⁴ Data on all grounds noted are available every two years from the Transition Home Survey. Note that the data uses a count of "all individuals who report using emergency shelters on reserve" as a proxy for "Aboriginal identity."

⁷⁵ Data on all grounds noted are available from the General Social Survey (GSS) (Cycles 13, 18 and 23, Victimization). The GSS is an "occasional" survey that has tended to repeat survey themes, in this case victimization, every five years. Note that data on Aboriginal identity are based on self-reported Aboriginal ancestry. All data are available at the STC Federal Research Data Centre.

⁷⁶ Data on all grounds noted are available from the Uniform Crime Reporting Survey. Note that not all police forces report data to the Uniform Crime Reporting Survey.



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| <p>6.4 Incidence of violent crimes</p> <p>Security of the person is a fundamental internationally and nationally recognized right. In Canada, there is also recognition of the particularly heinous nature of crime that is motivated by hate based on race, sex, sexual orientation or other grounds. Differential rates of perceptions by victims that a crime was so motivated may be indicative of the degree of xenophobia that exists in Canada; police confirmation that they consider a crime a hate crime will add weight to that conclusion. Differential rates of victimization of protected groups in the incidence of violent crimes and homicide may tell us something about inequalities of life opportunities.</p> | <p>Rate of assault, sexual offences and robbery where victim is a member of a protected group as compared to all victims of violent crime and/or appropriate comparator group(s)</p> | <p>SEX AGE ABORIGINAL IDENTITY (off reserve) \$ NATIONAL/ETHNIC ORIGIN Immigrant status Defined group \$ RELIGION \$⁷⁷</p> |
| | <p>Homicide rate where victim is a member of a protected group as compared to all victims of homicides and/or appropriate comparator group(s)</p> | <p>SEX AGE ABORIGINAL IDENTITY MARITAL STATUS⁷⁸</p> |
| <p>6.5 Vulnerability to crime</p> <p>Differential rates in perceived vulnerability to crime may assist in understanding perceived inequalities or gaps in policing.</p> | <p>Rate of perceived vulnerability to crime of members of protected groups as compared to the population as a whole and/or appropriate comparator group(s)</p> | <p>SEX AGE ABORIGINAL IDENTITY (off reserve) \$ NATIONAL/ETHNIC ORIGIN Immigrant status Defined group \$ RELIGION \$⁷⁹</p> |
| <p>6.6 Discrimination in the justice system</p> <p>Measuring the rate at which members of protected groups perceive to have experienced discrimination in the justice system, as well as the rate of complaints concerning justice filed with human rights bodies, will help us determine the level of potential inequality that exists in this area. Measuring the rate at which such complaints are settled and/or referred for decision can help support any potential conclusions drawn.</p> | <p>Rate of discrimination experienced in policing and the courts reported by members of protected groups as contrasted with the general population and/or appropriate comparator group(s)</p> | <p>SEX AGE ABORIGINAL IDENTITY (off reserve) \$ NATIONAL/ETHNIC ORIGIN Immigrant status Defined group \$ RELIGION \$⁸⁰</p> |
| | <p>Rate of complaints filed with human rights commissions and tribunals relating to the justice system across Canada</p> | <p>ALL GROUNDS⁸¹</p> |

⁷⁷ Data on all grounds noted are available from the General Social Survey (GSS) (Cycles 13, 18 and 23, Victimization). The GSS is an “occasional” survey that has tended to repeat survey themes, in this case victimization, every five years. Note that data on Aboriginal identity are based on self-reported Aboriginal ancestry. All data are available at the STC Federal Research Data Centre.

⁷⁸ Data on all grounds noted are available annually from the Homicide Survey. With reference to data on Aboriginal identity, note that the origin of the victim is unknown in about 50% of homicide cases.

⁷⁹ Data on all grounds noted are available from the General Social Survey (GSS) (Cycles 13, 18 and 23, Victimization). The GSS is an “occasional” survey that has tended to repeat survey themes, in this case victimization, every five years. Note that data on Aboriginal identity are based on self-reported Aboriginal ancestry. All data are available at the STC Federal Research Data Centre.

⁸⁰ As above.

⁸¹ Data on the grounds noted are available annually from human rights commissions in Canada. Note that these data will have to be collected by the CHRC and that there will be difficulties associated with ensuring the compatibility of data between jurisdictions.



DIMENSION 7: POLITICAL ENGAGEMENT AND SOCIAL INCLUSION

| Indicator (rationale for selection) | Specific data sought | Grounds for which data are available (\$ = will cost) |
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| 7.1 Political engagement Differential voting rates for members of protected groups as contrasted with the general population and/or appropriate comparator groups may be indicative of the degree to which protected group members feel disenfranchised or excluded from the political process. Differential rates at which members of protected groups run for office may be indicative of the degree to which group members feel themselves to be an integral part of the society in which they live. The rate of their election may indicate the degree to which this notion of inclusion is in fact the case, or point to structural problems that serve to limit political opportunities. | Voter participation rate (in last federal/provincial and municipal elections) of eligible members of protected groups as compared to the population as a whole and/or appropriate comparator group(s) | SEX AGE ABORIGINAL IDENTITY (off reserve) \$ NATIONAL/ETHNIC ORIGIN Immigrant status Defined group \$ RELIGION \$ ⁸² |
| | Candidature rate (for office in last federal/provincial and municipal elections) of eligible members of protected groups as compared to the population as a whole and/or appropriate comparator group(s) | SEX ⁸³ |
| | Election rate (for federal/provincial and municipal elections in last election) of members of protected groups as compared to the population as a whole and/or appropriate comparator group(s) | SEX ⁸⁴ |
| 7.2 Social inclusion The degree to which members of protected groups feel a sense of belonging to their community and country may be indicative of whether they feel integrated and accepted into society. Rates of participation in civic groups and of volunteering may be indicative of their integration and acceptance into society. | Degree of sense of belonging (to Canada, to one's province, to one's local community) of members of protected groups as compared to the population as a whole and/or an appropriate sub-section of that population | AGE SEX DISABILITY \$ ABORIGINAL IDENTITY (off-reserve) \$ NATIONAL/ETHNIC ORIGIN Immigrant status Defined group \$ MARITAL STATUS \$ RELIGION \$ ⁸⁵ |

⁸² Data on all grounds noted are available from the General Social Survey (GSS) (Cycle 17, Social Inclusion and Cycle 22, Social Networks). The GSS is an "occasional" survey that has tended to repeat survey themes, in this case social engagement, every five years. Note that data on Aboriginal identity are based on self-reported Aboriginal ancestry. All data are available at the STC Federal Research Data Centre.

⁸³ Data on all grounds noted are available annually from Status of Women Canada, the UN Human Development Report and the Inter-Parliamentary Union.

⁸⁴ Data on all grounds noted are available annually from Status of Women Canada, the UN Human Development Report and the Inter-Parliamentary Union.

⁸⁵ Data on all grounds noted are available from the General Social Survey (GSS) (Cycles 13, 18 and 23, Victimization). The GSS is an "occasional" survey that has tended to repeat survey themes, in this case victimization, every five years. Note that data on Aboriginal identity referred to here are collected using Statistics Canada's definition of "Aboriginal origin," that is, self-reported Aboriginal ancestry. All data are available at the STC Federal Research Data Centre.



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|--|---|---|
| | <p>Rate of volunteerism of members of protected groups as compared to the population as a whole and/or an appropriate sub-section of that population</p> | <p>AGE SEX DISABILITY \$ ABORIGINAL IDENTITY (off-reserve) \$ NATIONAL/ETHNIC ORIGIN Immigrant status Defined group \$ MARITAL STATUS \$ RELIGION \$⁸⁶</p> |
| | <p>Rate of civic engagement (membership in civic groups) of members of protected groups as compared to the population as a whole and/or an appropriate sub-section of that population</p> | <p>AGE SEX DISABILITY \$ ABORIGINAL IDENTITY (off-reserve) \$ NATIONAL/ETHNIC ORIGIN Immigrant status Defined group \$ MARITAL STATUS \$ RELIGION \$⁸⁷</p> |
| <p>7.3 Discrimination in accessing selected services and in leisure Measuring the rate at which members of protected groups perceive to have experienced discrimination in accessing selected services and in leisure, as well as the rate of complaints relating to accessing selected services filed with human rights bodies, may help us determine the level of potential inequality that exists in this social inclusion area.</p> | <p>Rate of discrimination experienced in accessing selected services and in leisure (stores, banks, restaurants, modes of transportation, sports and sports organizations) reported by members of protected groups as contrasted with the population as a whole and/or appropriate comparator group(s)</p> | <p>SEX AGE DISABILITY ABORIGINAL IDENTITY (off reserve) \$ NATIONAL/ETHNIC ORIGIN Immigrant status Defined group \$ RELIGION \$⁸⁹</p> |
| | <p>Rate of complaints filed with human rights commissions and tribunals relating to accessing selected services across Canada</p> | <p>ALL GROUNDS⁹⁰</p> |

⁸⁶ As above.

⁸⁷ As above.

⁸⁸ Data are available every five years from Participation and Activity Limitation Survey; note that the data is limited to discrimination “in a store, bank or restaurant” or, depending on the write-in, “other (specify).” All data are available at the STC Federal Research Data Centre.

⁸⁹ Data on all grounds noted are available from the General Social Survey (GSS) (Cycles 13 and 23, Victimization), an “occasional” survey that has tended to be repeated every five years. Note that data on Aboriginal identity are based on self-reported Aboriginal ancestry. All data are available at the STC Federal Research Data Centre.

⁹⁰ Data on the grounds noted are available annually from human rights commissions in Canada. Note that these data will have to be collected by the CHRC and that there will be difficulties associated with ensuring the compatibility of data between jurisdictions.



Part III: How to Use the Framework for Documenting Equality Rights

The Framework for Documenting Equality Rights is a tool that allows the user to document the equality rights of members of protected groups by way of several socioeconomic dimensions.

For each socioeconomic dimension, the Framework identifies indicators that are chosen for their ability to reflect one or more aspects of equality rights. These aspects are then quantified through statistical measures that draw on data primarily from Statistics Canada.

In order to provide information about equality between and among groups within a population, the data allow for disaggregation by variables that correspond to human rights grounds, including:

- Aboriginal identity
- age
- disability
- ethnic origin
- family status
- marital status
- national origin
- race
- religion
- sex
- sexual orientation

The number of human rights grounds that can be disaggregated depends on the underlying data source, which, in some cases, limits the type of information available.

The Framework can be used to develop research on a specific or several indicators, and can focus either on a specific or on several protected groups.

A large portion of the data proposed in the Framework is available at the Statistics Canada Federal Research Data Centre (FRDC) and at the Research Data Centres (RDCs). The FRDC gives federal employees access to selected detailed micro-data collected by Statistics Canada. RDCs provide researchers with access, in a secure university setting, to microdata from population and household surveys. In order to have access at the FRDC and/or RDCs, researchers must have first developed a detailed research proposal.

For more information on the type of access, the cost, application process and guidelines, what to include in a proposal, and contact information, please visit <http://www.statcan.gc.ca/rdc-cdr/index-eng.htm>.

Customized data from administrative files, including data available at the FRDC and RDCs, can also be ordered through Statistics Canada. Customized tables permit users to obtain personalized data and profiles, and comprise custom tabulations and semi-custom tabulations.



Custom tables provide flexibility, making it possible to accommodate large, complex and tailored requests. For more information on Statistics Canada customized services, please visit <http://www.statcan.gc.ca/reference/custom-personnalisés-eng.htm>.

Statistics Canada also offers free data on various topics. As well, data can be found in CANSIM, Statistics Canada's key socioeconomic database. The CANSIM database can be found at http://cansim2.statcan.gc.ca/cgi-win/cnsmcgi.exe?Lang=Eng&Dir_Rep=CII/&RegTkt=&C2Sub=&CNSM-Fi=CII/CII_1-eng.htm

Additional information can be found on Statistics Canada's website at <http://www.statcan.gc.ca/start-debut-eng.html>.



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