



WEST COAST LEGAL EDUCATION & ACTION FUND

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March 24, 2010

Honourable Gordon Campbell
Premier of British Columbia
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Honourable Rich Coleman
Minister of Housing and Social
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Dear Premier Campbell and Minister Coleman,

I am writing to express West Coast LEAF's concern about recent cuts impacting British Columbians with disabilities. In particular, West Coast LEAF is deeply concerned about the elimination of funding for contraceptive devices for women with disabilities.

Prior to these most recent cuts, British Columbians had the equal right to make reproductive choices that best suited their circumstances, their values and their bodies. Unfortunately, the recent budget announcements have resulted in a restriction in this choice for women with disabilities who rely on disability assistance – some of BC's most vulnerable citizens. These cuts significantly limit their reproductive *options*, and while such choice is significant to all women it is particularly important for many women with disabilities. By way of example, some women are not able to take oral contraceptives for medical reasons, and women with cognitive disabilities or mental illnesses may require the long term security of a contraceptive device rather than having to remember to take a daily oral contraceptive.

West Coast LEAF is concerned that these cuts not only impact the fundamental reproductive rights and freedoms of women with disabilities, but may also increase financial, social and physical burdens on this already marginalized population by increasing unwanted pregnancies. Women with disabilities may face serious health consequences from pregnancy that are not faced by able bodied women. Statistics show that women in British Columbia have a greater

chance of living in poverty than men, that people with disabilities are more likely to live in poverty than able-bodied people, and that women with disabilities are one of the most economically and socially marginalized populations in the province. To decrease the ability of this particular population to control their own reproduction, and therefore to increase the probability of unwanted pregnancies, is to increase the chance that low income women with disabilities will be financially destitute.

These risks of unwanted pregnancy not only pose a grave individual cost, but simply do not make fiscal sense due to the additional strain they will place on our already over-stretched social and health services.

The government has an obligation to protect its most vulnerable citizens. By failing to adequately fund these services, the government is choosing to place immediate (and minimal) monetary savings over the rights, safety and dignity of vulnerable women and girls. In tough economic times, we must remember the long term benefits of reproductive choice.

But equally important to any economic or social consequences of these cuts, both constitutional and international human rights obligations protect women's reproductive rights and freedoms. The Convention on the Elimination of all forms of Discrimination Against Women (CEDAW), Article 16(1)(e), requires state parties, including Canada, to guarantee women the right "to decide freely and responsibly on the number and spacing of their children and to have access to the information, education and means to enable them to exercise these rights". The same right is specifically recognized for persons with disabilities in Article 23(1)(b) of the UN Convention on the Rights of Persons with Disabilities, which Canada ratified on March 11, 2010. Canadian courts have found that reproductive rights engage women's rights to life and security of the person, as well as to equality. These cuts have a disproportionate impact on women, who are losing the ability to make vitally important decisions about their bodies and their lives. Moreover, these cuts target *low income women with disabilities* and therefore engage serious equality concerns.

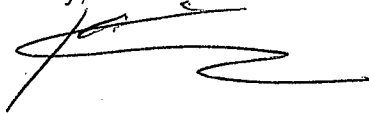
This cut to contraceptive devices is part of a larger package of cuts aimed at this Province's most vulnerable populations. West Coast LEAF is profoundly concerned that the cuts to medical care for people with disabilities, to dental and optical services for people on income assistance, to nutritional supplements and to shelter allowances (among others) are not only contrary to the social, physical and financial well being of British Columbians, but are also contrary to constitutional and international law.

Human rights obligations, writ large, are designed to protect the integrity of the individual, both physically and in terms of their inherent human dignity. The denial of this inexpensive service to our most vulnerable citizens is, in our opinion, an infringement of their human rights. Cutting funding for health needs

of those on disability income assistance will not address the economic crisis and in particular, cutting the reproductive choices of BC's most vulnerable will only increase the barriers and challenges of low income women with disabilities. **We urge you to reinstate funding for contraceptive devices for women with disabilities, as well as funding for other important recently withdrawn services for low income people and persons with disabilities.**

Thank you for considering our submission on this important issue facing your constituents. I look forward to hearing from you.

Sincerely,



Kasari Govender
Legal Director

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Development,
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