



Response to the Ontario Human Rights Commission's Human Rights and Mental Health Consultation

April 2011

The Learning Disabilities Association of Ontario (LDAO) is the provincial association representing the interests of persons with learning disabilities throughout Ontario. Originally founded in 1963 to assist parents of children with learning disabilities to obtain access to special education services, the LDAO has expanded its mandate to include adolescents and adults who have learning disabilities.

The Learning Disabilities Association of Ontario is pleased to respond to the OHRC's Human Rights and Mental Health Research and Policy Consultation Paper.

People with learning disabilities (LDs), of all ages, represent the largest disability group in Ontario. Learning disabilities influence all areas of a person's life, including education, transitions to postsecondary education, sustainable employment, poverty and social assistance, mental health, contact with the justice system and corrections. This is despite the fact that with early identification and diagnosis, the proper accommodations in education and training, and support for individuals and families, people with learning disabilities can become among the most creative, and productive members of society.

There is a strong correlation between LDs and mental health disabilities. The results of LDA Canada's applied research study, **Putting a Canadian Face on Learning Disabilities (PACFOLD), 2007** reported that:

- 14.7% of parents of children with LDs said that their child had been diagnosed with emotional, psychological or nervous difficulties, while parents of children without disabilities reported only 1% of such diagnoses.
- Persons with LDs were more than twice as likely to report high levels of distress, depression, anxiety disorders, suicidal thoughts, visits to a mental health professional and poorer overall mental health compared to persons without disabilities.

The Canadian Council for Learning 2009 report, **A Barrier to Learning: Mental Health Disorders among Canadian Youth**, stated that "co-occurrence rates between learning disability and depression are very high. Depression and anxiety are often a response to the learning disability, especially among girls."

Policies and procedures that disadvantage individuals with learning disabilities and mental health disabilities

Lack of coordination of services within and across government ministries is a huge problem for individuals with LDs and co-occurring mental health disabilities in Ontario. Both disabilities affect the individual's ability to understand and navigate government systems, even more so when the disabilities are combined. 'System navigators' to help guide families through the various government 'systems' would be very useful. Awareness of the impact of both mental health disabilities and learning disabilities needs to be integrated into a wide network of sectors, including primary health care, education, the workplace and the justice system.

Adults who have both learning disabilities and mental health disabilities are disadvantaged in the **Ontario Disability Support Program (ODSP)**. First of all, the Ontario Disability Support Program (ODSP) does not pay for assessment by a psychologist to determine eligibility for income support, and psychologists are in the best position to assess the impacts of learning disabilities in conjunction with mental health disabilities. These impacts are not just cumulative, but compounded.

The change from Vocational Rehabilitation Services (VRS) to the ODSP Employment Supports program in 1998 disadvantaged individuals with mental health and learning disabilities, who had been able to work with a VRS counsellor to figure out what supports they needed. Since that time clients have had to contact agencies and decide on what agency to use, at a time when they may be confused about what they need and may find it difficult to approach agencies.

With the new system of funding for ODSP Employment Supports, implemented in 2006, agencies are only paid for service once a client has obtained employment, and there is no differentiation for what is required to get them ready for employment. Therefore there is no incentive for agencies to provide psychological assessments in order to plan for appropriate employment, even though such assessments can give valuable information. There is also a disincentive for agencies to take on clients with complex needs and barriers to employment. Very often such clients have a combination of mental health and learning disabilities. The new funding model has resulted in less access and less success for clients with mental health and learning disabilities.

Adults and youth with mental health and learning disabilities are disproportionately involved with the criminal justice system. There are insufficient opportunities for mental health assessments and treatment at all stages, whether individuals are before the courts, in remand, on probation or parole, or while incarcerated.

Thank you for the opportunity to provide our input.