

October Addendum  
**RAINET REPORT**

Submitted to:  
Human Resources Development/Canada Pension Plan Disability  
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**HRDC Program Administration Dysfunction and Discrimination**

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The administration of CPP Disability Benefits and Opportunities Fund for Persons with Disabilities (OF) appear as misrepresentation when indicators of dysfunction and improper discrimination are present.

The first indicator of dysfunction is denial, followed shortly thereafter by rhetoric that justifies or characterizes improper discrimination as the way things are done to get the rest of the system to work. Whatever is said, done, or not done, the actual fact of the matter lies in the result. If the result is contrary to law, including acts contrary to court interpretation, and appears opposite to what is allegedly represented, then dysfunction and improper discrimination are present.

Since August this year, the Opportunities Fund in British Columbia became dysfunctional because the only monitoring program available could not, or would not, be modified to accommodate special needs, and the OF budget had already been allocated, therefore no funding or accommodation for special needs is available.

The limits placed on funding, monitoring, and accommodation treat persons with disabilities differently. Some are allowed to benefit from the Opportunities Fund, and others are not. Misrepresentation and unfair discrimination are therefore present.

How can there be "opportunity" when administration acts or fails to act in an opportune time or way? Opportunity is foregone if it does not occur at a favourable or useful time to the applicant. When opportunity is redefined as subject to the administration of a budget, the result is systemic negation of actual opportunity for select disabled persons by treating some differently than others.

If the definition of a fund is a permanent stock of something ready to be drawn upon, a stock of money, especially one set aside for a purpose, then for a fund to be under-funded appears as a contradiction in terms, a misrepresentation.

Notwithstanding misrepresentation, the fact that some disabled persons are allowed to benefit and others forced to wait their turn in line, is nothing short of a lottery cum fund, and amounts to one of the most severe kinds of discrimination possible, government sanctioned differential treatment and punitive acts against disabled persons.

While budgets may arguably apply to the administration of a fund, to budget a fund per se, while representing something else, systemically sanction differential treatment, and thereby impose punitive measures upon persons already sick and suffering, leaves all who can comprehend this most unlikely scenario wondering what exactly tax dollars are purchasing.

The foregoing is not criticism of the part of programs that apparently work, but rather the part that dysfunctions and improperly discriminates. Contrary to the Canadian Charter of Rights and Freedoms it is a testament, objective evidence, of HRDC acts or failure to act properly within the law.

The RAINET group meetings and reports have been delivered. The message is clear. Material evidence of dysfunction and improper discrimination continue to grow. The administration of Disability Benefits and the complimentary Opportunities Fund continue to dysfunction and to improperly discriminate as long as persons with disabilities are prevented access and treated differently.

Evidence that the government can act to manage a remedy can only be known by the result, the actual experience of disabled persons, not bureaucratic rhetoric. Otherwise, government fails to act in a way congruent with law and thereby directly, or indirectly, sanctions dysfunctional administration. Who can apply the law?