

## Challenging Justice Gaps: Building a Community Response to Legal Aid cuts SURVEY & PUBLIC FORUM

People who live in our community are negatively impacted by recent and threatened cuts and changes to publicly-funded legal services. We need your help to measure the financial, physical and emotional toll this is taking locally. We also need your feedback on how well existing services are working as well as ideas of how we can build a community-based justice ecosystem to respond to this looming crisis in access to justice.

People experiencing family relationship breakdown and loss of income can't get the legal help they need. Some people are being unnecessarily incarcerated because they can't get enough legal advice at bail hearings, resulting in even more severe overcrowding at the Quinte Detention Centre. Although so far, CALC has been spared a devastating funding cut we've been told to expect up to a 30% cut as of April 2020 – if this comes to pass, we may have to limit or reduce services.

Whether you are affected personally, or are a local lawyer or paralegal, work in the courts, a service provider, faith leader, or anyone else with information, we would like to hear from you. We are gathering information to share at an upcoming public forum November 26, co-hosted with the local Poverty Roundtable. Please help us by completing an [anonymous online survey](#) by **November 14**, and by sharing this survey link widely. (Please call us if you'd like a paper copy.)

We are not just concerned about the cuts - the Ministry of the Attorney

General has announced they want to modernize legal aid. *What does this mean?* Legal Aid (LAO) has said they want to move to more client-centred, responsive, and holistic services. Although this direction sounds promising (and is CALC's preferred approach), LAO has had to recently lay off staff designing legal help strategies for vulnerable clients and groups, including prisoners, that look at ensuring a more holistic approach. *What message does this send about how important these approaches really are?*

**"Poor people do not lead settled lives into which the law seldom intrudes. Poor people are always bumping into sharp legal things."**

Stephen Wexler

We want to have community conversations about justice that matter! Our informative and highly interactive forum on November 26 will be held at the Health Unit in Belleville at 179 North Park Street, Belleville from 9:30 am to 1:00 pm. Please join us for short pop-up presentations about the issues and impact from experts. We will all join rotating table discussions to brainstorm how we can take action for justice on the following concerns:

- domestic violence, victims of crime, sexual harassment
- family relationship breakdown, and child protection matters
- immigrants and refugees
- seniors

- poverty law (income security, housing, work, human rights, consumer & debt, education);
- people in conflict with the law, and people with mental health difficulties who are or have been incarcerated
- cuts to legal aid funding.

We also want to discuss how we can support more early intervention, prevention and holistic approaches including legal literacy and legal empowerment. We will be asking:

- How can CALC and LAO staff work more effectively with trusted intermediaries – local people and organizations who help people on a low income with problems?
- How can we strengthen our current partnerships with intermediaries and engage in new and diverse partnerships to support access to justice for vulnerable communities?

We look forward to working with you on a shared vision for sustaining access to legal and social justice locally. How can we support members of our most at-risk communities in the face of growing adversity? How can we increase our understanding of the importance of legal health as a social determinant of health – to improve individual and community well-being?

Interested in the forum? Please register [online](#) or contact CALC.

**Please register by November 12 if you need an ASL interpreter or FM device.**

## Do you need social housing? Changes to rules may affect you...

Recent changes to Social Housing rules may mean some people will no longer be able to get into rent-geared-to-income housing.

The Ontario government announced these changes September 23 under the *Housing Services Act* (HSA) regulations. HSA is the law dealing with social housing, which is often called geared-to-income housing.

If you have been evicted by the Landlord and Tenant Board from social housing in the past five years for drug trafficking, illegal production of cannabis, human trafficking, physical violence against another person, or threatening, intimidating, or harassing another

person, you can now be refused a spot in social housing.

**If you get an eviction notice for an alleged illegal act, there could be long-term consequences to your housing choices. You should contact CALC immediately for legal advice.**

In 2020 and 2021, there will be more changes. These include:

- how income from work or school affects how much your rent is (by July 2021)
- annual income reviews based on income tax returns (July 2020 or July 2021, depending on your housing provider)

- you must accept the first offer of housing (by January 2021)
- local rules can be made about assets that might prevent you from qualifying for housing (no date)

Find more information, visit the [government website](#). Lawyers concerned about the impact of this change explain why in [an article](#) by a sister clinic.

Follow CALC on social media for updates, check our semi-annual newsletter online, or visit the [housing law pages](#) on our website—look for the house icon on our home page!



## Provincial government decimates funding for victims of crime

Since 1971, victims of crime in Ontario could apply for compensation funding if they were injured as a result of a violent crime. **No longer.** As of September 30, 2019 survivors of violence cannot apply for financial help to the Criminal Injuries Compensation Board. The Board is being shut down and will only process applications received on or before September 30.

Last year alone, CALC staff helped victims of domestic violence and childhood sexual and physical abuse recover more than \$1.4 million dollars—largely for their pain and suffering. We've been doing this important work for more than 30 years.

Now only some limited expenses may be covered through the misleadingly-named “enhanced” Victim Quick Response Program+ (VQRP+). Only victims where

crimes have been reported, or charges are currently pending or underway in court, are eligible. Timelines are very short and vary by the type of expense.

It will be much harder to get funding for counselling and funeral expenses, and is less than prior to September 30. We understand, for example, you must show you can't afford counselling services or there are no free counselling services available to you elsewhere, first.

**You can no longer get compensation for: pain and suffering, income or wage loss, and support for dependants, including a child born of rape.**

How can this change be fair to victims of crime? Why hasn't there been an outcry about this injustice? Have we lost our compassion for people, largely women and girls based on the statistics, who have

survived crimes of violence? Has the vulnerable group that we help – victims of historic abuse and domestic violence – simply been forgotten in this change? Was it just an oversight? If you are wondering what you can do to help, consider:

- Contacting your [local provincial Member of Parliament](#) to ask that victims of crime receive fair compensation
- Contacting Attorney General, Hon. Doug Downey at [attorneygeneral@ontario.ca](mailto:attorneygeneral@ontario.ca), or call 416-326-2220 or 1-800-518-7901 to request an improved compensation system
- Coming to CALC's [November 26 Forum](#). How we can collectively better support survivors will be a discussion topic at our upcoming event. See the article on the front page.

## Stop changes to income security for the most vulnerable

Community groups across the province came together to launch a campaign to persuade the provincial government to reverse its planned cut to the Transition Child Benefit (TCB). The TCB provides basic necessities like food and clothing for children living in very vulnerable circumstances. The cut would have taken away \$230 per month per child. We are thrilled that the government just announced that the TCB will NOT be cancelled. We want to thank the government for listening to our concerns and continuing the TCB. For more information, please see the [Income Security Advocacy Centre's website](#).

In our [last newsletter](#), we raised our concerns about the proposed change to narrow the current definition of disability under the Ontario Disability Support



Program (ODSP). If this change goes ahead, **many disabled people will not qualify**, especially those with episodic or short term disabilities including multiple sclerosis, mental illness, and chronic pain. If you are a person with a disability who needs income support and who has not yet applied for ODSP, you should do so as soon as possible - **before the definition changes**.

One of our local Members of Provincial Parliament, the Honourable Todd Smith, is now the Minister of Community and Social Services. He is responsible for deciding whether any changes will be made to the definition. In June 2019, the Poverty Roundtable Hastings Prince Edward delivered letters to Minister Smith asking for the changes not to be made in the

interests of preventing and reducing poverty, and ensuring justice and fairness for the most vulnerable. We understand that the government and Minister Smith are reconsidering whether the definition of disability should be changed. We urge the government to keep the current ODSP definition of disability.

If you are concerned about keeping the current disability definition, please consider:

- 1) Contacting your [local MPP](#)
- 2) Contacting Minister Smith at [todd.smithco@pc.ola.org](mailto:todd.smithco@pc.ola.org) or calling 1-877-536-6248
- 3) Joining these campaigns: [Stop the Cuts](#) and [Defend Disability](#)

If you have applied for Ontario Disability benefits and are denied, call us for help.

## Helping people experiencing sexual harassment

Dealing with sexual harassment, particularly in the workplace, is a difficult issue for many people to navigate. People who are suffering harassment are encouraged to call CALC for confidential legal information and advice on their rights and remedies.

We are also offering legal information workshops on workplace sexual harassment to interested groups and organizations.



Collaborating with 20 other community legal clinics across Ontario, CALC received a federal grant to raise awareness of how workers and employers can best deal with sexual harassment at work.

Funded by the Department of Justice, and announced by the federal Minister of Justice David Lametti in July, this new access to justice project is slated to last five years.

Thanks to our sister clinic, Northumberland Community Legal Centre, who applied for funding on behalf of the multi-clinic partnership.

**Contact us for advice on sexual harassment in the workplace or to arrange a workshop. Check CALC's website early in 2020 for new legal rights resources on this issue.**

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 Sign up to get our newsletters by email! Email us at [calc@lao.on.ca](mailto:calc@lao.on.ca) or sign up on our website.



### Public Legal Education Sessions Available

If you would like a presentation to your group or organization on a specific legal topic, please call us!

**CALC**  
Community Advocacy & Legal Centre

## Your community legal clinic

### Our Annual Report and Annual General Meeting



Clinic staff are preparing an Annual Report of significant work we completed over the past year.

This report will be available at our Annual General

Meeting (AGM) on November 26 or [online](#) on our website after that date.

All are welcome to attend the clinic's AGM on Tuesday, November 26, from 1:00—2:00 pm after our special forum

“*Exposing Justice Gaps 2019*,” being held in the Douglas Room at the Hastings & Prince Edward Counties Health Unit, 179 North Park Street, Belleville (see front page for details about the forum).

If you need an ASL interpreter or FM device, please call Lynda **by November 12** at ext. 25, via TTY at 1-877-966-8714, or email [morganal@lao.on.ca](mailto:morganal@lao.on.ca).

If you are interested in running for election to our Board of Directors, please visit our [website](#) for some information about Board roles and responsibilities and contact Lynda, as noted above.

### Help with Family Law Forms



Community Legal Education Ontario (CLEO) has a site called “Family Law Guided Pathways” that helps people getting divorced or separated to complete their family law forms online with the guidance of an avatar. Visit their [website](#) to learn more.

### Show your support for our work and become a clinic member!



If you would like to support us by becoming a member, please contact Lynda, ext. 25, or visit our website at [www.communitylegalcentre.ca/about-the-clinic/become-a-clinic-member/](http://www.communitylegalcentre.ca/about-the-clinic/become-a-clinic-member/) to learn more and download a membership form. Memberships are free if you are living on a low income.

### Important notice for people who receive mailed copies of Bafflegab

Due to budget cuts, this is the last edition we are mailing out, unless there are special circumstances. To continue receiving Bafflegab, please send your email address to [calc@lao.on.ca](mailto:calc@lao.on.ca). If you don't have email or access to the internet or a computer, and still need a copy mailed to you, please call us or send a letter.



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Donations are greatly appreciated!

The information in this newsletter is not legal advice. If you have a legal problem in any of the areas of law mentioned in this newsletter, please contact the community legal clinic in your area. Go to [www.legalaid.on.ca](http://www.legalaid.on.ca) to find a clinic serving you.