



Community Advocacy & Legal Centre

# 2017 Annual Report



CALC staff supporting the Justice for Injured Workers Bike Ride in May

## Board Chair's Report

2017 has been another very active year. Especially notable this year has been CALC's commitment to raising our awareness of Indigenous issues and implementing the recommendations of the Truth & Reconciliation Commission.

We started in January by meeting with representatives of Tyendinaga Mohawk Territory (TMT). From these meetings we have developed our practice of acknowledging the land on which we gather is situated upon traditional Mohawk and Chippewa territory. As a sign of respect, we now start every Board meeting, including the AGM, with the Acknowledgement of Land. Furthermore, in March we co-sponsored the film "The Grandfather of All Treaties" at the Belleville DocFest event. On National Indigenous Day all staff participated in activities on TMT and we closed our office to permit this. Our Indigenous summer student created a Tyendinaga Resource Guide. She recommended ways we can develop better relationships with Indigenous communities and work towards reconciliation. In 2018 we are moving forward on these ideas and seeking funding for a part-time Indigenous outreach worker. In August, the Outreach Coordinator at Tsi Tyónnheht Onkwawén:na (the Mohawk Language Circle), presented to us on the Mohawk perspective on settler history and the relationship between our nations to help us increase our cultural competency in serving Mohawk clients.

*(Continued on page 2)*

## Executive Director's Report

My responsibilities as Executive Director include ensuring we continually enhance our services in keeping with the strategic directions set for 2015 – 2020 by the clinic's Board. I am pleased to report that we have continued to serve new people, work with new partners, develop new legal expertise, experiment with new approaches, and undertake new research. In the pages that follow, the staff reports provide ample evidence of how we are carrying out this responsibility!

Notably this year we have expanded the scope of our legal services to seniors and for people with consumer

 Community Advocacy & Legal Centre	<b>Vision</b> Achieving social justice with dignity and influencing change
	<b>Mission:</b> To provide access to justice to people living on a low income
<b>Values</b> Justice is a right Client-centred & Holistic Accessible Respect Community Collaboration Innovative & Effective Early Intervention & Prevention	<b>New Strategic Directions 2015-2020</b> Serve New People Work with New Partners Develop New Legal Expertise Undertake New Approaches Conduct New Research

and debt problems. These collaborative efforts, made possible by working more closely with clinic colleagues in the Eastern Clinic Region Transformation

Project continue to reap significant rewards. We have also been able to reach out to more low-income workers whose employment situations are precarious, and experiment with having social work, nursing, and occupational therapy student placements at CALC, bringing a new multidisciplinary focus to our work. This

## Demand for legal services and client recoveries remain steady

Demand for individual legal services remains steady in 2017. Between October 2016 and September 2017 we dealt with over 5,300 requests for information, advice, and brief services. We recovered over \$2.9 million for clients.

## Board Chair's report (continued from page 1)

We continue to work on improving access to justice. A special focus was the 1.5 day Rural Justice Forum we organized in Gananoque. It was the first such forum held in Ontario, and it was very successful. Representatives from community legal clinics and Legal Aid from across Ontario, the Law Commission, and the Law Foundation of Ontario participated. A draft vision statement and service delivery principles based on equity for rural residents was generated as well as practical ideas for reaching people in rural areas.



For our ongoing local work on Justice & Health Partnership, CALC received the Gateway Community Health Centre Community Recognition Award in June. Our influence is spreading beyond Ontario; in October we presented to the faculties of medicine and law at the University Of Saskatchewan on the value of Justice & Health Partnerships during that province's Access to Justice week, and at their Libraries & Justice conference.

We will also be presenting on this work and on Ontario's model of legal clinics at an international legal empowerment leadership training course in December.

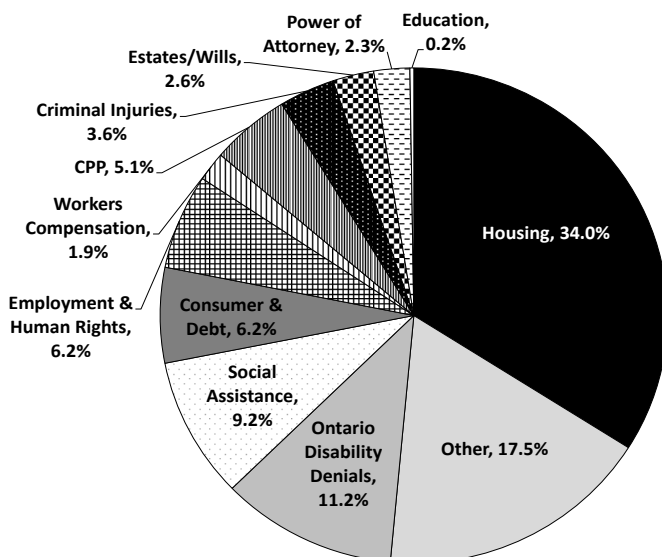
A new initiative this year is that CALC provides a commissioning and notarizing service. Our clients will be able to access this service for free but it is open to anyone; those with financial resources are asked to consider making a donation. We hope these donations will help fund an articling position when our special funding for a Rural Articling Fellowship from the Law Foundation of Ontario ends in 2019.

The Board continues to receive "client stories" through our monthly action reports and these stories continue to demonstrate the real value that the clinic brings to the people we serve. I am proud of the professionalism, excellence, and passion the staff and volunteers bring to their legal services and advocacy in the communities served by CALC. I especially would like to congratulate Sharon Powell who is a community legal worker and a licensed paralegal who has completed 15 years of service to CALC and our clients this year.

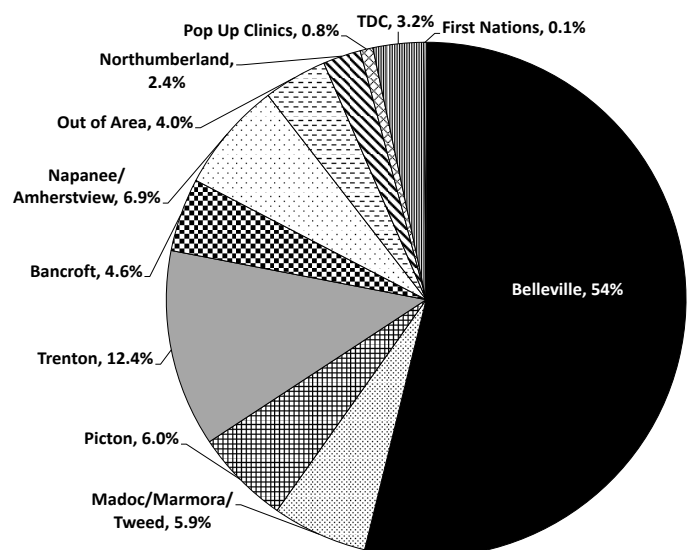
*Neil Burrell, Board Chairperson*

## 2017 Individual Client Service Statistics (Oct 2016 to Sep 2017)

**Total Advice, Brief Service & Referrals by Area of Law**



**Service (Advice, Brief Service, Referrals) by Area**



## Executive Director's report (continued from page 1)

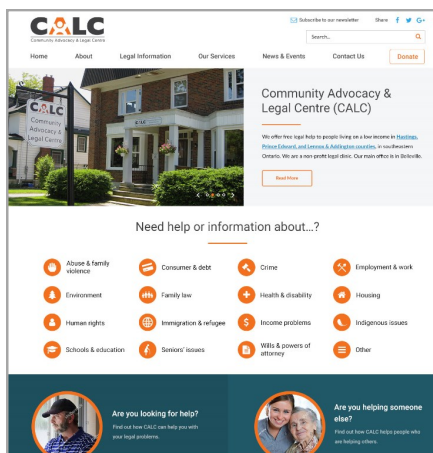
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helps us ensure that our legal services can also be proactive and preventative, rather than just reactive.

This year I would like to acknowledge the special funding support we have received from Legal Aid Ontario for the Transformation projects that we lead in the East (Justice & Health Partnerships, Consumer & Debt, Rural Justice, & Holistic Client-centred Legal Services), and from the Law Foundation of Ontario (LFO). At the behest of the LFO we recently held focus groups with community partners to assess the difference a special funding grant, that resulted in our landmark 2011 *Paths to Justice: Navigating with the Wandering Lost* report, has made to improving our services ([www.communitylegalcentre.ca/about/doc/PathsToJusticeFinalReport2011.pdf](http://www.communitylegalcentre.ca/about/doc/PathsToJusticeFinalReport2011.pdf)). We were pleased to learn the difference this new approach catalyzed by that report and to discuss new initiatives to improve services.

There were unwelcome pressures this year caused by a short-staffing crisis in a critical area of our work – our “intake services” – complicated by a disastrous launch of a new clinic system-wide statistics program that was supposed to ensure we could manage our legal work more efficiently but did exactly the opposite. Our intake staff are to be commended for their valiant efforts to ensure that callers to the clinic did not suffer and still experienced a seamless, compassionate and holistic approach to their inquiries.

What's ahead for 2018? Next spring we will launch an innovative new clinic website, which is the result of hundreds of hours of planning, drafting, consulting and editing. This too is a collaborative effort to improve our services by working with sister clinics – in this case the CLEO (Community Legal Education Ontario) and Community Legal Assistance Sarnia. We hope that our new website will



provide an easily customizable template for other general service legal clinics across the province to use.

We are also hosting a clinic/LAO conference in April 2018 focussed on improving regional access to justice. We hope to find funding to host a second Rural Justice Forum in the winter of 2018/19 involving more stakeholders to catalyze a significant increase in access to legal help in rural areas of Ontario, and highlight unmet needs such as environmental problems, and the civil legal needs of prisoners in correctional centres and prisons.

*Michele Leering, Executive Director/Lawyer*

## Students-At-Law report on articling experience

Articling at CALC has been both enriching and rewarding. The balance of independent work and strong mentorship has created an ideal environment for professional growth. All staff at the clinic have been extremely supportive and encouraging, and they have helped us as we develop our technical legal skills, represent our clients, practice case management, and conduct outreach in the community. We are encouraged to ask questions and involve ourselves in projects of interest within the clinic. Having three articling students has allowed us to tailor our experiences towards our interests, in addition to facilitating valuable peer support. We have learned the most from our clients themselves, the people living on low incomes in CALC's three counties; the importance of access to justice in rural and remote areas and the persistent challenges faced by this marginalized group of people are clear. We have been enriched through our interactions with our clients at both our Belleville office and our satellite offices throughout the clinic's catchment area and the result has been a tremendously rewarding articling experience. We are fortunate to have three articling students this year, thanks to funding from the Law Foundation of Ontario and Career Focus, Service Canada.

## Justice & Health Partnership

We had a successful year with our Justice & Health Partnership (JHP) project. This is an innovative collaboration between local healthcare providers and the clinic designed to prevent legal problems from escalating and adversely impacting health. We have been working closely with primary health organizations since 2016 to build legal awareness and literacy, increase access to legal services, and improve health outcomes.

In 2017 we added two family health teams to the project, bringing the total number of partners to eight: the Belleville Nurse Practitioner-Led Clinic, Belleville Queen's Family Health Team, Belleville & Quinte West Community Health Centre, Brighton & Quinte West Family Health Team, Gateway Community Health Centre, Napanee Area Community Health Centre, North Hastings Family Health Team, and the Prince Edward Family Health Team. We hope to eventually expand representation in the project to sole practitioners, mental health agencies and hospitals.

We continued to evaluate the project and will soon release a report on the second half of the pilot, covering July 2016 through April 2017. The number of referrals from healthcare providers continued to climb through this period, with 274 referrals received – nearly one per day! This represents more than a ten-fold increase from where we started. Over 50% of the clients referred by their healthcare provider had never contacted us for legal help before.

Through this project we specifically aimed to support rural clients who wish to access legal services. On-site clinics at partner locations have been instrumental in our outreach strategy, as they have helped reduce some of the barriers that rural clients face in accessing legal

services, including transportation, telephone and internet access. We found that one-quarter of the referrals we received came from on-site clinics in rural areas.

This year we launched the province-wide Health Justice Community of Practice (COP), which we co-chair with Rafeena Bacchus (Rexdale Community Legal Clinic) and Kristina Brousalis (Community Legal Education Ontario). The COP shares best practices in direct client service, evaluation, public legal education and outreach. It also tackles practical problem-solving for ethical issues and provides a space for systemic advocacy work. The COP meets every two months via teleconference. There are now over twenty five members in the COP representing more than fifteen initiatives from the Eastern region and GTA. We hope to expand representation over the next year, particularly in the North and Southwest.

We continued to collaborate with the Queen's University Faculty of Nursing to develop educational tools for healthcare providers. In the past year Nursing students have created materials related to advance care planning and Ontario Disability Support Program forms completion. We are currently hosting our fifth pair of students. In the winter we also hosted our first pair of Occupational Therapy students from the Queen's University School of Rehabilitation Therapy. They completed a project bridging occupational justice issues and clinic work, and completed a literature review on the topic of childhood abuse and disability. We anticipate hosting another pair of Occupational Therapy students in 2018. We have been extremely impressed with all of the students' work.

For more information on the JHP, please see our website ([www.communitylegalcentre.ca/jhp](http://www.communitylegalcentre.ca/jhp)).

## Volunteers—A great asset

Our volunteer program continues to thrive and we cannot do without our volunteers! Twenty-six people donated their time this year, which amounted to 3,100 hours of community service—700 more hours than last year. In addition, volunteer Board Members contributed 800 hours. Our volunteers include retired people, community members, college students, law students, graduates and placement students. Our volunteers help with a range of activities including Tenant Duty Counsel support, legal research, client interviewing, file work, outreach, clerical help, and special projects.

## Helping vulnerable workers in our community

We had a successful year helping workers who have lost their job, were injured at work or had a human rights complaint. As always, we provide advice and representation to clients, information to the public through our website, tip sheets and the LEARN LAW newspaper column published in local newspapers and we participate in law reform initiatives.

The Ontario government consulted with interested parties about its proposed reform of the Employment Standards Act and the Labour Relations Act. We participated by making a deputation to the Standing Committee on Finance and Economic Affairs in July. The provincial “15 and Fairness” campaign, Parkdale Community Legal Services and the Workers’ Action Centre prepared a written submission, which we supported in our deputation to the Committee.

If Bill 148, also called the Fair Workplaces, Better jobs Act, 2017, has gone to 2<sup>nd</sup> reading in parliament as of October 2017. If the Bill is approved in its current state, our clients will benefit from an increase to minimum wage to \$14 in January 2018 and \$15 in January 2019. Precarious workers will also benefit from improved job protections when they need personal emergency time off work. Many of our client workers tell us that their need to take time off for illness has contributed to their job loss, so this improvement directly affects the people we speak to regularly.

Our Twitter and Facebook pages have been regularly providing updates to our followers around the Fair Workplaces, Better Jobs changes. More information can be found at: <https://www.labour.gov.on.ca/english/about/workplace/>

Regionally we continue our collaboration with other East Region clinics in a project aimed at precarious workers. Community outreach to temporary foreign workers has been part of the work in our community.

Clinic staff continue to expand knowledge and legal practice by participating in a newly formed regional employment community of practice. Issues of wrongful dismissal, employment standards and human rights in employment are studied and discussed. The Eastern Region Workers Compensation Clinic Advocacy Group provides opportunities for training and helps us to keep up to date on new cases and policies affecting our WSIB practice.

In 2017, we were able to help workers obtain over \$220,000 through the resolution of Employment Standards, Human Rights, wrongful dismissal and Workplace Safety Insurance Board (WSIB) claims (1 159% increase from 2016 awards). Our level of service remained consistent with 2016 levels.

As we have noted in previous years our Workplace Safety and Insurance Board client matters are taking longer to resolve due to the implementation of stricter policies at the WSIB and a diminishing number of grants allowed at the Board level. This results in an increasing number of appeals sitting at the Workplace Safety and Insurance Appeals Tribunal (WSIAT) waiting to be heard and delay for our clients. However, one worker’s injury matter made its way to successful conclusion at the WSIAT this year, resulting in a life changing retroactive award of over \$160,000 for the client, and ongoing monthly income.

### From our clients:

“You guys are amazing. I felt like at last you made me have faith again.”

“Without your help I would not have made it this far.”

“Everything was handled professionally and with respect.”

“I felt [staff] went above and beyond to make me very comfortable.”

“I received courteous and excellent service by all.”

“[Staff] had done an excellent job.”

## Consumer and debt law services

In recent years we have increased our consumer and debt law services to help more clients. Our ability to expand this important work was greatly assisted when we were successful in our efforts to lead the Eastern Region Consumer and Debt Law Project, which began in 2016. This regional project temporarily shares the services of a part-time lawyer among five legal clinics.

The Consumer and Debt Law Project has continued in 2017. Funding from the project allows us to give direct service to clinic clients from Peterborough and Northumberland counties, case conference and share expertise with the Durham and Kingston clinics, and provide legal rights workshops in our partner clinic areas. The consumer and debt resources we have created have been shared with our partner clinics and highlighted at the annual East Region clinic spring training. We were joined at that training by the Public Interest Advocacy Centre (PIAC), which is a national non-profit organization that provides consumer focused legal and research services. We have connected with PIAC to improve our scope and understanding of consumer issues in Canada, as well as engage in law reform discussions.

We have created a virtual community of practice, which will improve our regional response to legal clinic client issues. This group meets regularly for training and conferencing, using electronic meeting software.

We continue to create resources that help us to do the daily work and increase our ability to provide advice and representation more efficiently, allowing us to help more clients. Our litigation files have all successfully been resolved before going to trial, by way of

negotiation or at the settlement conference stage. One of our most egregious cases, involving the sale of a furnace and air conditioning system, is waiting for the certification of a class action against the company, at which time our clients can join the class action.

Door-to-door sales of water softeners and other rental equipment create complex contract law issues. Disproportionately these issues appear to affect seniors, who have often signed contracts for the same product more than once. We hope that 2018 will see the implementation of changes to the law that will ban door-to-door sales of some of these frequently sold household appliances. However, we have already noted instances where unethical companies are thwarting the ban on door-to-door sales by setting up telephone appointments with vulnerable seniors and disabled people rather than going door-to-door.

Problems with the purchase of poor quality vehicles and towing issues also continue to be problems experienced by our clients. We helped develop Community Legal Education Ontario's "Steps to Justice" series involving motor vehicle problems. Steps to Justice offers accessible legal information and can be viewed at: <http://stepstojustice.ca>.

Our work this year culminates with a special public forum on consumer law issues to help build legal literacy and empower people being taken advantage of.

In the upcoming year we will be continuing our client work, improving education opportunities for clinic colleagues and working more on systemic and law reform issues.

### Recovered more than \$2.9 million for our clients!

This conservative estimate is based on the awards received in seven types of cases only, and does not include the future value of the awards, which is worth millions more. See individual articles for recoveries by area of law.

The majority of our requests for information, advice and brief services were about housing, followed by Ontario Disability denials, social assistance and employment matters. We took on 605 new client cases. Overall, over 1,113 people per month benefitted from our help. Project files are opened for outreach, legal education, community development, systemic advocacy and law reform initiatives, and special internal projects that focus on quality improvements or innovations, or collaborative work with legal clinic colleagues and Legal Aid Ontario. We worked on more than 100 projects!

## A roof over the head: Safe, secure, affordable housing

Every year we see the highest volume of client contacts to the clinic in the area of housing law. This year the trend continued with arrears of rent and maintenance and repairs issues making up the bulk of the reasons tenants contact us. Tenants who call or drop in to the clinic get immediate general advice about their issue with our tenant “hotline” service and receive a call back from a legal worker for specific advice. Most tenants will get a call or an appointment with a legal worker the next day.

Our community saw a drastic decline in vacancy rates for rental housing this year, shining the spotlight on the need for safe, secure, affordable housing, and making our goal of helping people maintain their home that much more relevant. We continue to participate in the Affordable Housing Group of the Poverty Roundtable and the Housing Working Group in Prince Edward/Lennox & Addington. Both groups focus on housing issues in the community with the goal of advocating and strategizing for improvements to the availability of affordable housing options.

As Duty Counsel at the Landlord and Tenant Board (LTB) we provided service to 281 tenants at 38 sittings of the board. Consistent with previous years, in about 60% of our cases at the LTB, affordability was the issue (arrears of rent). We continue to participate in a province-wide review of Duty Counsel services by the Advocacy Centre for Tenants, where a number of elements of our clinic’s duty counsel service, such as our use of technology and volunteers while at the LTB, have been recognized as innovative.

Our maintenance and repair “Guided Assistance” program continues. In these cases we prepare applications for tenants and give them information on how to represent themselves at the LTB. We also undertook a small test case project where we provided full representation to four tenants on maintenance and repairs applications. We wanted to assess whether full representation by clinic staff made a difference to the outcome for a specific type of case. Although we were successful in obtaining financial outcomes of more than \$11,000 for the tenants and getting orders for repairs to be completed, our intervention did not lead to

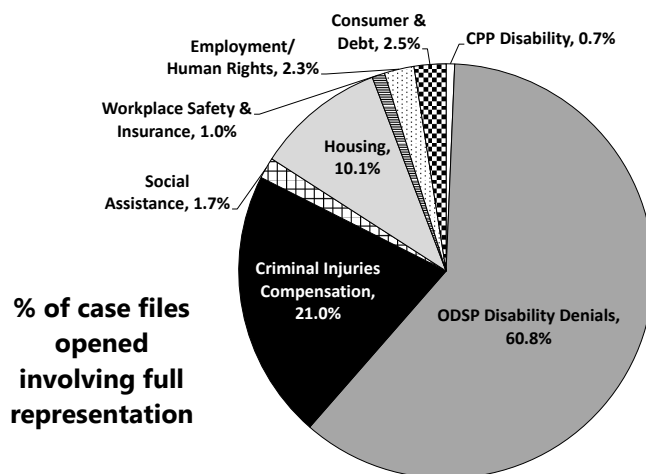
improvements in housing retention in three of the four cases. Despite getting some financial relief for the tenant and improving their living conditions, the tenants did not end up staying in the rental unit.

On a brighter note, this past year saw positive amendments to the *Residential Tenancies Act* with respect to landlords who bring a “landlord’s own use” application. Historically, these eviction applications have been difficult to defend and were often used in response

Success Rate (Full Representation)	100%
Average Award/Recovery	\$243
Total Reduced Rent Arrears/Other Awards by Tenant Duty Counsel	\$49,576

to a tenant’s request for repairs. The new amendments require a landlord to give a tenant one month’s rent as compensation and the landlord or landlord’s family member must live in the rental unit for 12 months after the tenant is evicted. We look forward to examining the impact these changes may have on tenants.

We continue to provide legal education sessions to service providers and client groups throughout our services areas, primarily by way of “Tenant School,” which we launched in 2013. This year we developed an easy to use, step-by-step guide to help tenants solve their maintenance and repair issues in the rental unit. We also developed a guide on how to solve tenant versus tenant issues.



## Legal literacy and reaching out to our community

This year, we continued our goal of increasing access to justice in our service area by helping community members learn about their rights and legal options. We helped connect our clients and service providers with plain language legal information through presentations, legal information materials, and our local and social media strategies.

We attended more than 55 events this year. This included presenting at community organizations throughout Hastings, Prince Edward and Lennox & Addington, such as the Canadian Mental Health Association, Abigail's Learning Centre, the Youth Job Connect Program, Victims Services and Loyalist College. Some of these presentations involved legal education geared toward community members, while others focussed on training service providers in recognizing legal issues and referring to us. We also distributed materials about CALC and Community Legal Education Ontario (CLEO) legal information to many organizations throughout the area, including local libraries, and we've participated in community fairs and Senior's services fairs. We distributed 1700 CALC pamphlets and 1600 business cards. We continue to publish our LEARN LAW columns, which help our readers to keep up to date with legal changes and important legal information. You can read them at [www.communitylegalcentre.ca/news/LEARNLAW.htm](http://www.communitylegalcentre.ca/news/LEARNLAW.htm).

We've spread the word about the very exciting new plain language legal information website from CLEO, [stepstojustice.ca](http://stepstojustice.ca). Our lawyers contributed to the housing, employment and consumer sections of this great resource. This website helps increase legal literacy and empowers clients by giving easy to understand answers to common legal questions.

We collaborated with several community agencies. We participated in brown bag service provider luncheons and sat on service co-ordination committees. We work closely with groups such as the Poverty Roundtable. We were excited to participate in the Poverty Roundtable Speaker's Bureau, which helps people with lived experience in poverty learn how to tell their stories and bring attention to issues of injustice. We provided an interactive workshop on self-advocacy to Speaker's

Bureau participants and appeared on a panel of local decision-makers to talk about making change in our community.

### SPOTLIGHT ON INDIGENOUS OUTREACH

In the spirit of the Truth and Reconciliation Commission's 94 *Calls to Action*, we have taken the opportunity this year to re-examine how we are doing our work and to reach out more effectively to our local Indigenous community members. We were fortunate to partner with Kagita Mikam and St. Lawrence College to hire an Indigenous Outreach Summer Student, who helped us to start this important process.

The *Calls to Action* call on all legal staff to be trained in "intercultural competency, conflict resolution, human rights, and anti-racism". We started this by closing our office in recognition of National Indigenous Day, when all staff participated in cultural events on the Tyendinaga Mohawk Territory. We were also fortunate to have a speaker from Tsi Tyónnheht Onkwawén:na (the Mohawk Language Circle) come to teach us about colonial history and issues faced by our local First Nations community members. We committed to annual cultural competency training for all staff.

Staff participated in the Tyendinaga Pow Wow and Mohawk Fair, and presented to community members at the First Nations Technical Institute (FNTI). We have set a goal to expand our capacity to give legal services to clients who live on the Territory. Our outreach has focussed on developing our relationships with local First Nations organizations. In October, we started a monthly legal advice clinic at locations on the Tyendinaga Mohawk Territory.

We commit ourselves to an ethic of transparency and consultation in doing this important work. We are working on a strategy to hire a dedicated Indigenous Justice worker here at CALC. When it comes to decolonizing Canadian legal practice, we recognise that we have a long way to go, and we are thankful for the community guidance we've been given this year in deciding our next steps.

## Justice for survivors of violent crime

We engage in local and provincial advocacy to end violence against women and children. We are actively involved with the Quinte Coordinating Committee Against Violence (QCCAV) - a group that promotes education, training and awareness about sexual and domestic violence. CALC co-sponsored our local "Take Back the Night" event with other agencies who also sit on the QCCAV. Take Back the Night marches are held world wide in an effort to end sexual violence and victim blaming against women.

We collaborate with other legal clinics to share information and resources to improve our efficiency, effectiveness and impact. The virtual study group for Ontario's clinic system staff, which we chair, received funding to continue to meet for another year. We will present two webinars on topics requested by this study group as part of the legal clinic system's yearly training in the Spring of 2018.

Our Co-Director of Legal Services, Deirdre McDade, co-chairs the Criminal Injuries Compensation Board (CICB) Practice Advisory Committee. The committee includes various stakeholders involved in victim services in Ontario. Its mandate is to work together to improve the accessibility, fairness and effectiveness of the CICB

process for victims. We are pleased to play a major role in this process.

Helping survivors of violent crime continues to be an important part of our legal work. We assist survivors to apply for compensation for pain and suffering and to pay for essential counselling and therapy to assist them with recovering from their injuries. All clients we represented in this past year received compensation.

Success Rate (Full representation)	100%
Total Awards	\$819,600
Average Award	\$9,200

We recovered a total of \$819,600, an increase of \$295,000 over last year. The increase is because 30 more claims went to hearing this year and the average award increased by \$300 from last year. We provided "guided assistance" to 19 clients so they could represent themselves on less complex CICB applications. We do not count their awards as part of our total of recoveries for clients. This year we benefited from the help of two university placements, a Master of Social Work student and a Bachelor of Social Work student, who both worked on CICB files.

### Our Newsletter

Our newsletter, produced in-house, was again sent out in the spring and fall and posted to our website.



This year we distributed more than 3,000 copies, of which 24% were sent by email.

### Improving legal literacy & increasing access to justice



Our website hits remain high. Individual visits (unique visitors) for the period of October 2016 to September 2017

were over 50,800 (up 10% from last year). The number of pages viewed also went up 10%, to 61,600 pages viewed, with our Legal Information section being most popular, receiving 34% of the views.

Our website is getting a makeover! Visit us in the spring of 2018 for a new, improved website.

### Reaching further with social media



As of October 30, we had 658 followers on Twitter, up 7%. Some of our followers include local newspapers and other community legal clinics. We sent over 430 tweets to our followers as of October 30 this year.



Our Facebook page has increased its number of "likes" to 452, up 25%.

Follow us to get the latest legal news and information as well as details about upcoming events.

## Creating justice in income security programs

Advocating for better income security is a big part of our work. To achieve this goal, we take on legal cases that will help improve income programs for people living in poverty.

For example, one of our clients receives Ontario Disability Support Program (ODSP) payments and lives in an assisted living facility because of his disabilities. As a result, he receives a reduced “boarder lodger” rate, (about \$280 less per month than rent) despite the fact that the facility charges him rent as a tenant. We have challenged to the amount of benefits he receives using human rights laws. We are arguing that paying the boarder lodger rate discriminates when people’s disabilities require they live in a supported living facility. We are hopeful that the Social Benefits Tribunal (SBT) will agree that this practice is discriminatory and must end. We thank the Income Security Advocacy Centre (ISAC) for assisting us with this case.

ISAC also assisted us when the local ODSP office refused to extend the time to allow our client to appeal an overpayment. Our client is a 64 year old disabled person who lives in a rural area and uses a wheelchair for mobility. She objected to the overpayment by mailing a letter to the Belleville ODSP office but it arrived five days late. Ministry staff refused to extend the time to accommodate the client’s disability. There was no office where she could drop off her request in her town. We applied for judicial review to the Divisional Court. The Ministry settled the application immediately and granted an extension of time. We are hopeful the ODSP office will now grant extensions of time to clients with disabilities.

Another injustice we have focused on is clients who have been denied ODSP medical travel allowances. The Ministry is refusing to pay the travel costs for attending peer support mental health programs arguing these programs are not “medical treatment.” We have filed a human rights challenge with the SBT arguing that this practice discriminates against people with mental health disabilities. We believe ODSP’s policy is wrong. Facilitated peer support services are widely accepted as a best practice in the treatment of mental health

disabilities. These services are also identified as a core component of mental health medical treatment by the Canadian Medical Association and Canadian Psychiatric Association. This discriminatory practice disproportionately impacts people in rural areas who cannot use public transportation to access mental health programs.

We continue to be active in provincial advocacy work as a member of the Steering Committee on Social Assistance, a provincial clinic network that provides a voice to the government on social assistance issues. Our focus this past year has been to improve the ODSP disability adjudication process and to enhance access to justice at the SBT. We are still involved in a pilot project to try to resolve medical review appeals early. Eighty-five percent of our cases settle before a hearing—a real success story. Other community legal clinics can now use this process. We offered a province-wide webinar to help clinic caseworkers understand the early resolution process.

We also continue to actively participate at our local Poverty Roundtable and its Steering Committee as a member of the Executive. The Roundtable is a collaboration of more than 400 members committed to seeing what they can do, or do differently, to respond to poverty within our local communities. The Roundtable works with people who are living (or have lived) in poverty to ensure their voices and experiences help shape the programs and services that matter to them. Creating Community is a three-year Roundtable project funded by the Ontario Trillium Foundation to change the way our communities think about, and respond to, poverty. Around 500 people participated in conversations on what poverty looks like – in Bancroft, Trenton, Belleville, Deseronto, Picton, Coe Hill, Tweed and Maynooth. This initiative gathered perspectives and experiences from youth, college students, seniors, individuals, people with disabilities, families and the precariously employed. Community profiles will be shared in the coming year to help us learn more about the experience of poverty and its impact on our communities and to identify actions our communities can take to end poverty.

## Securing stable income for people with disabilities

We had another busy year, helping disabled clients appeal Ontario Disability Support Program (ODSP) denials to the Social Benefits Tribunal (SBT).

We opened 367 files (which is 9% more than last year - 336 files) and closed 406 files (which is 8.6% down from last year - 444). On a provincial basis there were fewer ODSP application and SBT appeals.

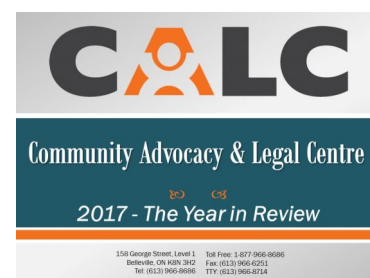
<b>Files Opened</b>	<b>367 (61% of all files opened)</b>
<b>Files Closed</b>	<b>406</b>
<b>Success Rate</b>	<b>90%</b>
<b>Hearings Attended</b>	<b>160</b>
<b>Average Retroactive Award</b>	<b>\$4,938</b>
<b>Total Retroactive Recoveries</b>	<b>\$1.6 million</b>

Over 90% of our cases were successful, with 55% of the cases settling before a hearing. We attended 160 SBT hearings throughout our large catchment area.

Our clients who were receiving Ontario Works (OW) benefits, prior to being deemed a person with a disability, will receive an estimated \$430 more per month to buy healthier food, pay their bills and improve their standard of living. Each of our clients living with disabilities received an estimated ODSP retroactive award of just under \$5,000.

In 2017 we recovered approximately \$1.6 million dollars in retroactive money owing to people with disabilities.

View our photos in our "Year in Review" slide show available at:  
[www.communitylegalcentre.ca/about/doc/AGM-2017-Year-in-Review.pdf](http://www.communitylegalcentre.ca/about/doc/AGM-2017-Year-in-Review.pdf).



## Trials and tribulations: New case management software

In May of 2017 all Ontario community legal clinics were launched into a legal case management system, called the Clinic Information Management System, known as "CIMS." As with any new system, our learning curve has been steep, and we have been challenged by the change. In five months we estimate staff have wasted over 300 hours of time, collectively, implementing the new system. We also had to hire additional staff, and have had to reassign workloads in order to have time for inputting information, learning and training.

This has occurred despite 10 years or more that CALC had consulted with Legal Aid Ontario, about what we would like to have in a new clinic information system. Although our experience has been that CIMS is not the best fit for our work, we are becoming more proficient working within the software.

Some of our usual statistical reports are no longer available due to the way CIMS works. As well, because we were using two different statistics systems in 2016, our usual reports were difficult to create and the accuracy of our statistics is suspect. However, we are hopeful that we will be soon be able to generate accurate reports that allow us to assess and report on our work in ways that was not available in our old system. For example, the new system will be able to sort our clients by postal code, helping us to better identify geographic issues. Our old system did not allow us this level of detailed analysis.

Thank you to our clients and community partners who have probably been asked to "hold on a minute, while I make the new system work!"

# Community Advocacy & Legal Centre



Community Advocacy & Legal Centre

158 George Street, Level 1  
Belleville, Ontario K8N 3H2

[www.communitylegalcentre.ca](http://www.communitylegalcentre.ca)

Phone: 613-966-8686  
Toll-Free: 1-877-966-8686  
TTY (for the Deaf): 613-966-8714  
Toll-Free TTY: 1-877-966-8714  
Fax: 613-966-6251  
Email: [calc@lao.on.ca](mailto:calc@lao.on.ca)

## 2016-2017 Board of Directors

<b>Chair</b>	Neil Burrell
<b>Treasurer</b>	Alison VanEykeren
<b>Secretary</b>	Peter Kerr
<b>Members</b>	Rick Helman Kathy Kennedy Jennifer Payton Virginia (Ginny) Pearsall Brenda Rallison Matt Ward

## Client services rated highly!

Client satisfaction is tracked through an evaluation form sent to each client as their case is closed. The clinic's performance continues to rank highly.

Of the clients returning the surveys, 100% would refer us to others and 92% said our help made a difference in their lives.

## Staff (2017 full-time, part-time and special project staff)

Deann Aubie	Denise Bird	Bianca Boyington	Amber Brant	Jessica Clement
Gina Cockburn	Matthew Cook	Kerry Cromarty	Nicki Diak	Marlee Fisher
Diane French	Carolyn Hamilton	Samantha Hayward	Nicholas Hill	Danielle Holbrough
Arif Hussain	Daniel Joy	Marieanne Langer	Michele Leering	Melissa MacRae
Liz Majic	Deirdre McDade	Conor McGarvey	Carrie McGeown	Lynda Morgan
Katie Oram	Sharon Powell	Brianna Robinson	Susan Simmons	Trisha Simpson
Keegan Soles	Lisa Turik	Kirsten Wight	Ingrid Wood	

### Queen's Externs (Law):

Rae Daddon	Tina Gougousvil
Elliot Herzig	Celina Hong
Zorian Maksymec	Melanie Maracle
Ilya Medovikov	Malvin Seto
Nelson Wan	Irene Wong

### Queen's Externs (Nursing):

Jeff Blasko	Meaghan Hart	Elyse Latimer
Sara Savelli		

### Queen's Externs (Occupational Therapy):

Andria Li	Victoria Zots
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## Special thanks to all our Volunteers!

Debra Cliff	Justin Hamilton	Esthel Issa
Chelsie McKee	Susan Simmons	

## Social Work Placement Students:

Morgan Dube, Masters of Social Work placement  
Tanya Montebello, Bachelor of Social Work placement

**Paralegal Placements Students:** Barbara Rintala, Brittany White, Andrea Wiarda, Maggi Lynch, and Amber MacNeil

Our work this year would not have been possible without support from the following funders:



Individual Private Donations