

2016-2017 ANNUAL REPORT



February 7, 2017

*Submitted by:
Marion Overholt, Executive Director*

Marion Overholt **Executive Director**



2016 was a year of constant change and opportunity! In February 2016 we co-located LAW with Community Legal Aid at 443 Ouellette.



The move was a major undertaking and we are so grateful for the continuing support of Legal Aid Ontario and the University of Windsor. Without the phenomenal support of Laura Pratt and Michelle Pilutti we would still be in the planning stages. In January 2017 we will be opening a satellite office in Leamington to ensure our County residents have access to our services.

In February 2016 Anna Colombo joined our staff as the landlord tenant lawyer. In May 2016 Maria Salman joined us as the public benefits lawyer. Both lawyers are graduates of the University of Ottawa and participated in the student clinic there. In October 2016 Stella Blak retired as our receptionist after 40 long and wonderful years of service. We welcomed Sarah Whalen to the new Intake Worker position in December 2016.

In August 2016 Katie Baltzer was hired as our Indigenous Justice Coordinator. We are delighted to have Katie join our staff. The Indigenous Justice Coordinator position is one of five positions funded by LAO in the Southwest as part of the LAO Aboriginal Justice Strategy. We appreciate the support of the Aboriginal Steering Committee and participate in the Aboriginal Clinic Partnership.

Dave Cooke, Tanya Antoniw and Michelle Pilutti will be retiring from the Board of Directors. We appreciate their exceptional service and dedication to the work of LAW and wish them all the best.

Award of Merit

Shelley Gilbert received a victim service award from the Attorney General in June 2016 for her outstanding work in human trafficking.

Legal Aid Ontario



LAW remains an active participant in the Southwest Clinics Transformation Project. We participated in a pilot project with the Legal Health Check-up project. As a result we have modified our intake process to allow our students to assess their client's holistic needs for poverty law and social work services. Our clinic is part of a clinic partnership with the Windsor Bilingual, Chatham, Sarnia, St. Thomas and London clinics providing expanded

employment law services to our clients. We have updated our participation agreement in the ELK (Essex Lambton Kent) clinic partnership.

Academic Program



We had full enrollment of full time and part time law students for both academic terms in 2016. We expanded our working space to accommodate more students. Our MSW student program remains an attractive placement for the social work students.

Casework

LAW's downtown location is essential to our delivery of services to low income residents. 66% of our clients live in the core downtown area. During the first three quarters of 2016, we served over 4500 family members. During that same period we opened 435 files, provided 957 advice and services.

Housing and income maintenance (Ontario Works, Ontario Disability, Employment Insurance and Employment Standards) are our largest client needs. Human trafficking and non-status immigrant clients continue to receive Legal and Social Work services. The long term benefits obtained for our clients in 2016 amounted to over 7.7 million dollars.

Outreach Activities

Marion has started a second term of service on the Advisory Board to the Legal Aid Ontario Board of Directors. We remain active in the 672 Committee and the Human Services Justice Coordinating Committee. We continue to monitor the implementation of benefit and regulation changes for income security. We participated in the consultations with the Standing Committee on Finance and Economic Affairs and the Basic Income Project.

Windsor Lawyers Feed the Hungry

LAW continues to serve meals at the Downtown Mission two times each term.



LAW Staff

Executive Director	Marion Overholt
Coordinator of Social Work Programs	Shelley Gilbert
Staff Lawyer	Johanna Dennie
Staff Lawyer	Anna Colombo
Staff Lawyer	Maria Salman
Staff Social Worker	Marcel Trepanier
Human Trafficking Project Co-ordinator	Maureen Thrasher
Indigenous Justice Co-ordinator	Katie Baltzer
Service Coordinator	Laura Pratt
Intake Worker	Sarah Whelan
Support Staff	Catherine Farnham
Articling Student	Muhammad Zubair

LAW Board

President	Thomas Rolfe
Vice President	Dean Chris Watters
Treasurer	Michelle Pilutti
Secretary	Marion Overholt (Ex officio)

LAW Directors

Adam Wydryznski	Renae Hill
Hugo Vega	Dave Cooke
Kimberly Gordon	Tanya Antoniw
Robin Wright	
Ex officio: Johanna Dennie, Staff Lawyer	

Shelley Gilbert, BSW, RSW
Coordinator of Social Work Services



Criminal Injuries Compensation

Both law and social work students had the opportunity to work with and learn from victims of crimes of violence by assisting to make applications and representing individuals through the criminal injuries compensation process. This area of advocacy continues to see a rise in need and students are tasked with understanding both an individual's psychosocial needs as well as how this legislation impacts victims of crime.

Housing

Safe, affordable and adequate housing for low income people has become increasingly difficult due to a lower vacancy rate and higher shelter costs in Windsor/Essex. To address this need, I have conducted a number of public legal education sessions to newcomer serving groups ensuring families are aware of their rights and have options to address difficulties with housing. Additionally, we have seen an increase in the number of individuals seeking social housing and requiring assistance and support in making application to the Central Housing Registry.

I sit as a member on a number of committees including the Central Housing Registry Advisory Committee, Affordable Housing Rent Supplement Committee, the Glengarry Neighbourhood Strategy and the Housing Stakeholder for Refugees Committee addressing various program implementation policies and protocols. The purpose of our membership is to ensure the needs of low income and marginalized people are recognized and barriers for accessing and maintaining housing are minimized.

Anti-Human Trafficking - WEFIGHT

2016 brought opportunities to strengthen national and provincial partnerships fighting human trafficking in Canada. In collaboration with the Canadian Council for Refugees (CCR) and the School of Social Work at the University of Windsor, we developed and launched a National Assessment Tool providing both a preliminary screening and assessment tool to assist front line service providers and law enforcement to better identify and assist trafficked people. I conducted two national webinars, in partnership with the CCR, as to how an assessment tool can be useful in our work with clients and systemically as well as a "hands on" webinar assisting service providers across the country on how to use the tools.

In November 2016, I presented at the CCR National Forum on Trafficking in Persons in Montreal. As part of a panel, I discussed the exploitation spectrum and the use of a trauma informed practice approach when working with trafficked people. In addition, I facilitated a workshop in which participants discussed the applicability of a trauma informed approach and considered various legal and non-legal remedies for exploited people.

Ontario launched a Provincial Action Plan to combat human trafficking in 2016. This has provided opportunities for us and provincial partners to meet with MPPs, policy makers and Deputy Ministers of various Ministries to discuss and provide education as to the types of human trafficking and how particular regulations, programs and policies intersect to support or hamper the recovery of trafficked people. As part of this action plan, I was asked by the Ontario Provincial Police in Orillia to provide information and education regarding labour trafficking and our practice model in assisting survivors.

In January 2017, the staff and Director of the Provincial Anti-Human Trafficking Coordination Office met with our coalition and stakeholders to discuss the provincial strategy and to hear our community's thoughts on priorities and needed resources.

Johanna Dennie,
Staff Lawyer



LAW provides support in the areas of Immigration and Refugee law to migrants with precarious immigration status in the Windsor-Essex County area.

LAW assists clients with the submission of immigration applications in the following areas:

- Work Permits, Visitor Permits, and Restoration of Status
- Temporary Resident Permits
- Applications for Permanent Residence on Humanitarian and Compassionate Grounds
- Citizenship Applications
- Requests for Exemptions to Inadmissibility, such as criminal, medical, or financial
- Requests for Exemptions to Conditional Permanent Residence in cases of abuse or neglect
- Family Class Sponsorship (in complex cases requiring legal submissions)

Migrant Worker Population in Essex County

While 5000-6000 foreign workers arrive in Essex County each year, there is no federally or provincially funded program designed to enable these workers to navigate the immigration system in order to ensure their continued legality as temporary migrants. Their difficulty accessing information regarding immigration regulations is compounded by barriers such as language, locality and mobility. LAW, with the support of students, continues to respond by:

- Providing public legal education through information sessions to temporary foreign workers;
- Disseminating educational materials to inform workers of their obligations and rights under immigration law;
- Presenting legal information to community agencies and leaders that interact with workers;
- Meeting with employers to discuss fair recruitment practices and to provide information regarding the immigration issues faced by their workers;
- Submitting individual work permits on behalf of clients;
- Providing assessment and advice regarding other immigration options;
- Identifying legal needs and referring workers to other community clinics, non-profit organizations or government agencies and departments, i.e. Windsor Workers Education Centre, IAVGO Community Legal Clinic, Human Rights Legal Support Centre, Ministry of Labour, WSIB, and the Police.

Citizenship Waivers

Bill C-24, an Act to amend the Citizenship Act, became operational in August of 2015. It increased the residency requirement, and creates additional barriers for both teenagers and the elderly by extending language and knowledge requirements to these groups. Under the Act, those with learning disabilities and trauma continue to face barriers to citizenship due to an inability to fulfil the language and knowledge requirements.

As such, over the past year the clinic has continued to take on a number of cases in which clients will require waivers for language and knowledge components of their citizenship applications. Students assist clients to obtain medical opinions and put forth substantive legal reasons, based on medical evidence and client history, for an exemption due to disability. In addition to written legal submissions, students accompany clients requiring waivers to their citizenship hearing.

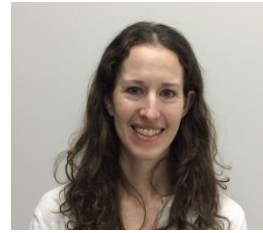
Inadmissibility

Temporary and permanent residents of Canada can be found "inadmissible" to Canada on several grounds, such as having been convicted of a crime, or for having a medical condition which is believed to cause an excessive demand on health or social services. The results of an inadmissibility finding can be severe, including refusal of applications, loss of status in Canada, and deportation. LAW assists clients who are facing admissibility proceedings by advocating with immigration officials to have the inadmissibility waived on humanitarian and compassionate grounds. LAW's advocacy on behalf of clients may include written submissions, or representation at an Admissibility Hearing before the Immigration Division of the Immigration and Refugee Board.

Temporary Resident Permits

A person who is inadmissible to Canada may request a Temporary Resident Permit to allow them to enter or remain in Canada despite their inadmissibility. Over the past year, LAW has assisted survivors of violence and human trafficking to obtain Temporary Resident Permits in order for them to remain in Canada and participate in the criminal justice process against their abusers. LAW has also assisted a number of these clients who wish to remain in Canada permanently to submit applications for permanent residence on humanitarian and compassionate grounds.

Anna Colombo
Staff Lawyer



I joined LAW on February 1, 2016. Prior to that I was Review Counsel at the University of Ottawa Community Legal Clinic for 6 years, where I also taught the Introductory Legal Aid Clinic Course and Landlord and Tenant Law. I am so happy to have joined LAW and become a part of the Windsor community.

The past year, in representing tenants facing eviction and in providing public legal education sessions to the community, I have become immersed in the issues tenants face in Windsor-Essex. As the vacancy rates in Windsor-Essex decrease, evictions appear to be pursued and enforced at a greater rate. We typically see eviction due to arrears of rent. Each week we often see multiple tenants with notices for eviction by the sheriff; drawing on our social work staff and students has been invaluable in providing fulsome assistance to these clients. This is in addition to the clients whom we represent at eviction hearings.

Identifying areas ripe for advocacy has also been a key component of the past year of working at LAW, including landlord licencing, unlawful evictions from City-licensed properties, and questioning practices in the distribution of funding through the Housing Stability Program. We anticipate an increase in recent refugees who will find their housing destabilized due to the end of their one year of government funding. I look forward to working towards these areas in the coming year.

I also supervise students representing clients in their applications to the Criminal Injuries Compensation Board. This continues to be a rewarding and successful area of practice for LAW and our students. Our clients' awards have consistently been in the \$10,000 - \$20,000 range.

Maria Salman
Staff Lawyer



Public Benefits Law

LAW provides support in public benefits law, including appeals to the Social Benefits Tribunal for Ontario Disability Support Program (ODSP) denials, medical reviews, Ontario Works matters, overpayments and reconsiderations.

Over the last year, we have seen an increase in a variety of specific issues.

Medical reviews continue to form a portion of our casework. These reviews are conducted by the Disability Adjudication Unit (DAU) to determine if an individual is still eligible for benefits as a person with a disability. Clients require our assistance after they have been denied for benefits by the DAU following a medical review. As such, we obtain and submit medical evidence that often successfully results in the DAU reversing their original decision to deny benefits. We also provide representation before the Social Benefits Tribunal.

We have also seen an increase in refugees being denied Ontario Works benefits because their spouse is not in the country to attend the intake appointment and to sign the application due to circumstances out of their control (i.e. the spouse has no travel documents to be able to leave the country of origin and enter Canada). In these cases, we work with our social work department to advocate on behalf of the clients to be granted Ontario Works benefits. We also assist the clients in filing internal reviews and appeals to the Social Benefits Tribunal, as well as providing representation before the Tribunal.

In 2016, we were actively engaged in raising human rights issues at the Social Benefits Tribunal relating to eligibility for special diet and incontinent supplies.

LAW has also agreed to participate in a proposed 'consent order' pilot project at the Social Benefits Tribunal. The project involves a process for making consent orders at disability appeals. The process is meant to apply where a Case Presenting Officer from the Ministry comes to believe, on the hearing day, that the appeal should be granted (because of new medical evidence or after hearing the testimony). If there was agreement between all parties, the Tribunal member would issue a consent order and the file would be closed.

Overall, LAW continues to see a steady demand for our services from individuals requiring our assistance in public benefits matters.

Employment Standards and Employment Insurance

This past year, LAW provided assistance to clients in employment standards and employment insurance issues. We have transferred employment standards work to the Community Legal Aid office to consolidate employment services.

Second Round of Class Action Settlements

Previously, there were major class action suits involving provincial institutions for people with intellectual disabilities. In 2014, LAW assisted former residents of these institutions to file claims for the settlement money. We worked in partnership with Community Living Essex County and Community Living Windsor. As a result of our clinic's hard work and assistance, we were awarded the 2014/15 Community Inclusion Award from Community Living Windsor.

In 2016, LAW assisted former residents and families for the second round of class action settlements. We reviewed the institutional files and assisted in completing the claim form under the partnership with Community Living Essex County and Community Living Windsor.

As the new staff lawyer, my experience with LAW has been invaluable. I hope to continue to work collaboratively with the LAW team and community partners to improve our service delivery to low income and vulnerable groups in the Windsor-Essex area.

Marcel Trepanier, BSW, RSW
Staff Social Worker



Casework and Supervision

The social work department remains an integral part of our interdisciplinary setting. Social work staff and social work students work closely with staff lawyers and law students in addressing the wellbeing of clients facing legal and other life challenges.

Social work focuses primarily on advocating on behalf of clients in areas such as provincial benefits, federal benefits, housing and obtaining health care. Our clients are often new Canadians who have difficulty speaking, reading and writing English and require assistance in applying for benefits or remaining eligible for benefits. Other clients may have literacy difficulties or suffer from poor mental or physical health. Many clients have had negative experiences in dealing with bureaucratic systems.

Social work services also provide short term counselling until such time as the client can be referred to another service provider for ongoing counselling. Social work often meets with clients when the client appears extremely unsettled or exhibiting suicidal ideation. Social work will conduct an assessment of the client's needs, develop a safety plan and engage appropriate community services.

An area of challenge is assisting clients in obtaining affordable safe housing. With the current low vacancy rate in Windsor and Essex County, affordable units are more difficult to locate especially for single individuals. There has been an increase in evictions. We work closely with community housing agencies.

Social work has again assisted in the completion of claims for a Schedule 1 Class Action Settlement. Many individuals who resided in the Schedule 1 institutions were neglected, abused and isolated from their families. We are working closely with Community Living Windsor and Community Living Essex County as many of the institutional residents are now clients of the two agencies.

Social work continues to offer field education placements for social work students. Students are provided with practical experience under the supervision of staff social workers. Students are involved in providing advocacy on behalf of clients, short term counselling and community development.

Maureen Thrasher, BSW, RSW
Anti-Human Trafficking Project Coordinator



Protocol Development

Protocols continue to be developed with key agencies. We have taken a close look at the populations we serve and have designed the protocols more specific to meeting the needs of our clients. We have had a positive response from our community partners we work with and as a result are able meet individuals needs in the most productive and sensitive way.

One of the key components of the protocols is the use of 3 key questions which were developed in the first year of the grant to alert staff when someone may be trafficked. The use of questions and subsequent protocols are successful, resulting in a substantial increase in referrals as well as inquires from agencies. We have also enlightened staff at those agencies on developing best practice through these relationships.

Education & Outreach

We continue to provide education to students in the area of law, social work, women's studies and youth services at both St. Clair College and the University of Windsor. We also train staff at agencies and were involved in a health fair and a sober living conference, at which we discussed our approach to working with clients from a harm reduction model. This approach is as a result of feedback from survivors and the models.

WEFiGHT works closely with our community partners to provide outreach to their clients who may be vulnerable or at risk of being trafficked. We are currently involved in outreach at House of Sophrosyne, Welcome Centre, Downtown Mission, Southwest Detention Centre and Withdrawal Management

Victim support

As a result of WEFiGHT's protocol development and ongoing education and outreach, we have had a substantial increase in the number of clients accessing our services. We continue to work closely with clients at their own pace, gaining their trust and allowing them to take the lead in their journey to better understand their individual needs.

We provide assistance with income support, food, clothing and shelter & long term housing. Additionally we may advocate for other services and support individuals

who are working with police and through the criminal court process. Counselling to address trauma is provided as well as referrals within LAW for legal information and potential representation regarding immigration issues.

Program Evaluation

As we come to the end of our 2nd year of the 3 year grant, we are currently involved in a program evaluation. The evaluator has sat with our community partners as well as clients and asked a series of questions to assess the effectiveness of our services. The evaluation will be wrapping up by March 2017, and we will be incorporating the results into the last year of the program. Below are some quotes from agencies and clients about our program thus far.

Agencies

"A single source of case management, communication and collaboration that never existed to this extent prior to the grant. The clients are the ones who benefit for sure."

"With the position we have seen an increase in client trust with the immediacy of response, the consistency, and going the extra with each client, respecting and acknowledging them as individuals."

"We now have a nice solid partnership based on mutual trust and respect."

Clients

"Everything is working better – the one stop shopping – I can reach out at any time."

"First time I heard someone talk about understanding trafficking behind closed doors....she could help and I believed her."

"Communication has gotten better because LAW ties it all together."

"I don't always have to tell my story and get upset. Other agencies get to know my history and I don't always have to relive it."



Katie Baltzer

Indigenous Justice Coordinator



Introduction

Katie was hired as the IJC in early August of 2016. Katie is a Windsor born Métis person who is very involved with the local Métis and broader Indigenous communities of Windsor. Katie has a combined Bachelor of Social Work and Women's Studies degree as well as a Master of Social Work degree, both from the University of Windsor. Katie is currently pursuing a part-time Bachelor of Arts in Indigenous Studies through distance education at Laurentian University. Katie is passionate about social justice and Indigenous rights and is thrilled that the IJC position allows her to be able to give back to her community.

Program Development

With strategic planning and guidance from the Indigenous Steering committee and support and idea sharing with other Southwestern legal clinics with IJC positions, we have been able to hit the ground running with LAW's newest program. The program was developed to facilitate access to justice for Indigenous community members through culturally respectful, appropriate, and accessible approaches. We have been meeting program goals by supporting clients, participating in community outreach and providing educational opportunities.

Client Support

Meeting clients where they are at is crucial for determining next steps and ensuring client needs are being met. We attend appointments with clients, aid clients in gathering necessary documentation, assist with applications, and make referrals. We also work with clients to eliminate barriers and advocate for client's access to programs and services.

We strive to integrate our services with other LAW services. We work alongside our social workers, lawyers and students to provide ongoing support for our Indigenous clients who are going through legal processes. We also integrate our services with other local legal clinics, specifically Community Legal Aid which is co-located with LAW. Sometimes when we meet with clients we discover potential legal concerns so we make sure to connect them with the appropriate legal clinic for assistance.

Community Outreach

Connecting and building trust with the community has been instrumental in the success of the program. Many of our clients are hearing about us from friends and through word of mouth. Networking with Indigenous agencies as well as mainstream agencies has been effective in raising awareness about the program. Specifically, a close working relationship between LAW and Can-Am Indian Friendship Centre has led to the development of a weekly satellite office at the Friendship Centre where community members are able to drop in and ask us any questions they may have.

LAW acted as the lead agency in organizing the 2016 Sisters in Spirit vigil, an annual event that raises awareness about Canada's Missing and Murdered Indigenous Women. The event was well received and we saw a wonderful turnout this year; some say it is the most they've ever seen attend the Windsor vigil. We have also had a presence at traditional teaching events, community powwows and sharing circles at Caldwell First Nation.

Education

Numerous educational opportunities have been provided to the University of Windsor community such as class talks on Indigenous Justice issues and class talks on Missing and Murdered Indigenous women. A cultural competency event held at the law school gave students the opportunity to learn about First Nations, Métis and Inuit culture and the importance of Gladue. Feedback about the event was very positive and we look forward to providing students with even more cultural competency events in the future. Over the next year we will work to organize educational opportunities for the community and justice sector including Public Legal Education presentations, cultural competency events, and a series of one-day conferences centering on Indigenous justice.

We will also be working closely with our local Indigenous community partners for launching the "I Am Affected" poster campaign. I Am Affected aims to raise awareness and educate the public about the intergenerational trauma effects of the residential school system.

We look forward to continuing to serve the community!