



2022-2023 ANNUAL REPORT



March 7, 2023

*Submitted by:
Marion Overholt, Executive Director*

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Report of the Executive Director

Marion Overholt



I am so pleased to take this time to reflect on the accomplishments and challenges that we experienced in 2022. Most importantly, it was wonderful to be able to welcome our students back to the office after a two-year hiatus! The restoration of in-person learning opportunities, and direct in-person clinic service allowed us to diversify and deepen our work. Our clinic made some significant progress as we addressed the continuing impacts of the pandemic.

Firstly, we launched the Gender Based Violence and Sexual Assault Project. Amanda Pierce and Claire Allsop were hired as our staff social worker and staff lawyer to assist survivors of gender based violence and sexual assault by providing in-person, ongoing legal and social work support within and outside of the legal system. The project is part of the nine-clinic Our Way Forward initiative funded by the Department of Justice. Our community partners have been so supportive and we know the project will change the experience of survivors within the justice system.

Secondly, the City of Windsor finally passed the Residential Landlord Licensing By-Law in April 2022 and it is being implemented now. We hope this pilot project for Wards 1 and 2 will demonstrate the effectiveness of licensing to prevent the constant problem of substandard, unsafe housing for tenants. We will continue to monitor the implementation and enforcement of the by-law.

Thirdly, WeFight transformed itself into WECEN, Windsor Essex Counter Exploitation Network, recognizing the multitude of exploitative practices that our vulnerable populations are subject to. Shelly Gilbert and the human trafficking team continue to be national leaders in the development of best practices to address labour trafficking, forced marriage, and trafficking in the sex trade industry. Shelley's work was recognized with an Excellence in Victim Service Award. The award recognizes her unwavering support and commitment to victims in the provision of direct client services, community organizing, and public education work. We are so proud of Shelley!

And now for some of the challenges:

LAW has been working to recover our mission and work following the COVID pandemic. Assessing community needs, changing tribunal practices, and varied practices of in-person and remote work will require adaptability, courage, and patience. As a staff we have embarked on a journey to adopt a trauma-informed practice for our office operations which is time-consuming, engaging, and transformative work. We are active participants in the ACLCO and acknowledge that staff burnout, training, and compensation funding are issues that all clinics are grappling with. We consistently leverage every opportunity available to make sure Legal Aid Ontario understands the importance of adequate financial and human resources support which are required to sustain a vibrant and cohesive clinic system.

For LAW, with our unique mandate of providing learning opportunities for law and social work students, it is always gratifying to share their journey into this world of community services and the return of students to our physical office has been most welcome!

Staff Changes

In 2022 we were delighted to bring Kristen Jeavons back on board as our Indigenous Justice Coordinator. Kristen is applying her usual enthusiasm and dedication to her individual and systemic advocacy. We also welcomed Robyn Hodge back to our Migrant Worker Group project. The project has been expanded and we are delighted to have Nicole Guthrie providing legal support to migrant workers in the Migrant Worker Program.

Board Changes

Marion Fantetti is leaving the Board after a stellar term of board membership. Her insight into our engagement in community services will be deeply missed. The Board has done an amazing job in overseeing the work of the clinic throughout this time and their guidance and support is much appreciated. Rielly McLaren has provided exceptional leadership and support as our Board Chair and has been an active participant in our trauma-informed project. Dean Bahdi's continuing support and advocacy with the University administration has been greatly appreciated.

In conclusion, I want to express my heartfelt appreciation to the staff, students, and board of LAW who have innovated, adapted, and persevered through this challenging time. In April of 2023, I will be celebrating my fortieth year of practice. I have spent 35 of those years at this clinic and it is with much gratitude that I acknowledge the wealth of learning and support I have received from our clients, community, students, staff, and board members.

LAW Staff

Executive Director

Marion Overholt

Coordinator of Social Work

Shelley Gilbert

Staff Social Worker

Jennifer Cline

Immigration Staff Lawyer

David Cote

Social Benefits Staff Lawyer

Laura Stairs

Housing Staff Lawyer

Tori-Lee Jenkins

Indigenous Justice Coordinator

Kristen Jeavons

Anti-Human Trafficking Project Coordinator

Bianca Colaluca

Anti-Human Trafficking Project Outreach Worker

Robyn Hodge

Youth in Transition Worker

Gillian Golden

Housing Support Worker

Yannin Mezo Ramirez

Migrant Worker Outreach Worker

Claudia Membreno

Migrant Worker Outreach Worker

Amanda Panambi Morales Vidales

Gender-Based Violence & Sexual Assault Lawyer

Claire Allsop

Gender-Based Violence & Sexual Assault Social Worker

Amanda Pierce

Sexual Harassment in the Workplace Lawyer

Karly Lyons

Articling Student

David Pitawanakwat

Service Coordinator

Jade Wallace

Intake Worker

Sarah Whalen

Support Staff

Kelly Demers

LAW Board

President

Rielly McLaren

Vice President

Dean Reem Bahdi

Treasurer

Dan Stronks

Secretary

Marion Overholt (*Ex officio*)

Directors

Emilia Coto

Marion Fantetti

Adrian Guta

Joan Simpson

Adam Wydrzynski

Zakieh Zarabi

Jillian Rogin (*Ex officio, on leave*)

Coordinator of Social Work Services **Shelley Gilbert**



I provide direct advocacy and support to individuals experiencing trauma, including the provision of crisis intervention, advocacy, system navigation, and psychosocial supports. I am also responsible for supporting and supervising staff and students in various programs including the Windsor Essex Counter Exploitation Network (WECEN, the anti-human trafficking program), Migrant Worker Groups, the Gender Based Violence and Sexual Assault Project, and the staff social worker.

The current focus of my systemic advocacy includes being one of three co-chairs of the Violence Against Women Coordinating Committee (VAWCC) advocating for collaborative and seamless service delivery and policy protections for women experiencing violence in Windsor/Essex. Resulting from the murder of three women in the last two years, a large focus of my work was the creation of a community-wide “femicide workshop” with the purpose of establishing clear collaboration protocols and determining high risk indicators recognized by the community. We continue to identify the action plan resulting from the workshop including training, advocacy, the identification of a community-wide risk assessment, and the implementation of effective high risk tables to minimize gaps in services.

In addition to advocating with our local VAWCC, I sit on the national committee and regional committees of the Alliance for Gender Justice in Migration and the Canadian Council for Refugees. All of these advocate at various levels of government for protections of women and gender diverse people and seek to influence legislation, policy, and programs to better support those experiencing exploitation.

I provide direct supports to survivors and consider implications resulting from systemic and legal barriers to protection and prevention of trafficking. I partner with provincial and national partners, including co-chairing the Canadian Council for Refugees Anti-Trafficking Committee (CCR ATC) to advocate for systemic change and/or policy and legislative reforms to address these issues. On National Anti-Human Trafficking Day (February 22), WECEN, in partnership with Hiatus House and the House of Sophrosyne hosted a symposium of over 200 people from 57 different agencies. The theme of collaboration was highlighted and awareness was provided by staff and community partners, as well as by people with lived experience. The day-long symposium provided an opportunity to enhance the capacity of our community to respond to trafficking. On February 23, at the request of Public Safety Canada, I presented at a symposium focusing specifically on labour trafficking in Canada with criminal justice partners.

In collaboration with the Canadian Council for Refugees, the Sisters of St. Joseph, and other partners across Canada, we developed the Open Work Permit Campaign (openworknow.ca) advocating for the abolishment of closed work permits. Having achieved the required signatures, the committee will be hosting a press conference and our request will be tabled in the House of Commons by MP Jenny Kwan, Vancouver.

Staff Social Worker

Jennifer Cline



This year has continued to challenge us to adapt our social work practice to the ever-evolving needs of our clients, community, and students. Social work intakes have continued to increase via word of mouth and community referrals. My work continues to be all-encompassing: advocating for and supporting individuals with mental health, addiction, physical health, and housing challenges and income insecurity to name a few.

A need for safe, affordable housing continues to be a high-priority need of many clients and community members. I am an active member on the By-Names List facilitated through the City of Windsor which focuses on matching people experiencing homelessness with agencies providing support.

I am also an active member at the Situation Table offering support and assistance to agencies working with high-risk individuals and families as needed. I continue to work with the Treatment and Recovery Working Group and Elder Abuse Prevention Network, and have developed a close relationship with community partners to coordinate services as necessary and to minimize gaps and delays in service provision.

Over the last year I have become active in Legal Aid Ontario committee work. I am currently one of the South-West OPICCO representatives on the executive committee. I am currently the chair of the Social Work Community of Practice through the clinic system working to strengthen our role and provide a place for clinic social workers to network. I am also on the Community Health Justice Committee which focuses on bridging the gap between legal and health care within the community.

An exciting project I am working on is developing webinars in partnership with the three legal clinics in our community to host monthly webinars to community partners about how to break down individual legal issues and advocate for clients.

We continue to have BSW and MSW social work students supporting the work and learning about their profession under our supervision. Our students provide supportive counselling, assistance with completing applications, and advocacy to support residential tenancies and minimize income insecurity. They have also completed the By-Name List training and trauma informed-practice training, and attend other relevant training as available. I also provide consultation and supervision to law students as needed regarding barriers clients may be experiencing in accessing supports and legal remedies.

Immigration Staff Lawyer **David Cote**



The past year has allowed the immigration program to become much more involved with the migrant worker community in Windsor-Essex. We continued to provide regular legal assistance to the migrant worker community through direct legal services as well as with regular public legal education sessions on various issues.

One area in which we saw success was providing legal representation for Open Work Permits for vulnerable workers/Temporary Foreign Workers (TFW) who are experiencing abuse in the workplace. These permits have allowed individuals to find alternative work despite the limitations set on closed work permits under the TFW program.

LAW has been active in social movements to end closed work permits as well as to ensure that everyone has access to permanent residence upon arrival in Canada. Such an approach to labour migration will not only ensure the viability of Canada's labour market, but will prevent many of the abuses which are linked to the closed work permit system. We are actively campaigning for a regularization program for undocumented individuals and families.

We have continued to assist our community with other immigration applications. We were able to assist at least 5 families reunite with their children in Canada through the family sponsorship program after delays caused by COVID-19. We also resolved a number of longstanding refugee claims with a special focus on gender based violence.

This year we will continue to assist our migrant worker community while providing support for asylum claimants who have been relocated to the Windsor area from the Roxham Rd. border crossing. We have been active in the three hotels which were set up on our area and will continue to work closely with community service providers and Legal Aid Ontario to ensure legal representation and education for this vulnerable group.

Social Benefits Staff Lawyer **Laura Stairs**



We represent clients with appeals to the Social Benefits Tribunal (SBT) including Ontario Disability Support Program (ODSP) and Ontario Works (OW) denials, cancellations, suspensions, and overpayments.

Social Benefits Tribunal

Our social benefits practice was very active during the 2022-2023 year as we went through the backlog of cases that arose due to administrative and technical issues at the Social Benefits Tribunal over the past few years. The Social Benefits Tribunal continued to offer Zoom and telephone hearings. We provided our clients with additional support to access the resources needed to successfully participate in their virtual hearings.

There are still some cases in the backlog facing long wait times for hearings, but for new appeals, hearings are being held within 7-9 months of the appeal being filed.

Transformation of our Social Assistance System

The provincial government has undertaken some changes to our social assistance programs this year, including raising ODSP rates by 5% and increasing the amount a disabled recipient can earn from employment without deductions from their monthly benefits. However, many of the changes announced by the government in 2021 have been stalled, with little to no communication about if the changes are coming or when. I've detailed concerns about the proposed changes in my last two reports, so this delay is welcome. We hope the government use this time to reflect on the needs of recipients and the communities to ensure any policy changes implemented are done with those needs at the centre.

We continue to advocate for a raise to the rates, especially the OW rates which have not been increased since 2018.

Federal Benefits

We continue to deal with the fallout of the disorganized COVID-19 relief benefits offered by the federal government. Clients are dealing with overpayments from OW and ODSP, as well as overpayments with the federal government if they were ineligible for these benefits. We have taken several cases to the Social Benefits Tribunal for issues with OW and ODSP, as well as requesting reconsiderations through Service Canada and making appeals to the Social Security Tribunal, when needed.

Housing Staff Lawyer **Tori-Lee Jenkins**



I have been in the role of LAW's Housing Law staff lawyer since August 2021. Previously, I worked as a sole practitioner with a focus on criminal defence. I also worked in two of the largest criminal defence firms in Canada. I greatly enjoy my time at Legal Assistance of Windsor and look forward to continuing my work on housing case files, and advocacy and policy reform projects.

Housing files and the landscape of housing law has been deeply affected by COVID-19. The Landlord and Tenant Board (LTB) has held all of their hearings by video and/or telephone. This has posed significant barriers to members of our community as the province's "digital-first" strategy assumes that everyone has access to reliable internet or phone, understands how to use videoconferencing technology, and has the ability to find a quiet place to participate in their hearing.

The backlogs in scheduling continue to be an issue. The LTB is seeking feedback from stakeholders in relation to evening and weekend hearings to deal with this issue. LAW, along with other community legal clinics in Ontario, has opposed this move and has sent numerous suggestions to the LTB with the help of the Advocacy Centre for Tenants Ontario (ACTO). As clinicians, we continue to rely on each other for support and advocacy for our clients and communities.

Municipalities have an important role to play in providing secure, safe, and accessible housing. This past year, LAW consulted with the City of Windsor in furtherance of the passing of a Residential Rental Licensing By-Law. After significant work by our Executive Director and housing team, we are thrilled with the passing of the by-law pilot project in Wards 1 and 2. We will continue to monitor the progress of this pilot and keep in contact with the City. Our community was also selected by ACTO to participate in a municipal election campaign project that involved sending a housing pledge to all prospective members of City Council. The response was very positive and we will also be implementing an accountability check for those who adopted our pledge.

We continue to work in collaborative partnerships with the goal of increasing access to legal protections for our clients and the broader Windsor-Essex community. In the midst of the housing crisis, it is the spirit of our clients and the support from our colleagues that continue to propel us forward.

Indigenous Justice Coordinator **Kristen Jeavons**



This role is dedicated to supporting and advocating for the Indigenous community in various areas of law and broader systemic social issues through an Indigenous-led and decolonizing lens.

We are a self-identifying agency and offer our Indigenous Justice supports to Indigenous clients and community in the Windsor-Essex catchment area. Indigenous Justice, led by the Indigenous Justice Coordinator (IJC), provides support and advocacy for Indigenous clients who are experiencing legal problems in all areas of law practiced at LAW. The IJC can also provide supportive services in other areas of law, such as family law, child protection, and criminal matters.

As well, the IJC may help in the unique areas of Indigenous-related matters including: Secure Certificate of Indian Status applications, Métis Citizenship applications, Jordan's Principle applications, and Native housing advocacy supports. The IJC also coordinates recommendations and referrals in a culturally-appropriate and meaningful way to ensure clients are well-supported in community by other trusted intermediaries.

In October 2022, the IJC chaired the Sisters in Spirit Organizing Committee of Windsor-Essex in collaboration with our Indigenous community partners and ally-agencies to put on the annual Sisters in Spirit Vigil at Dieppe Gardens in downtown Windsor. This space is created to honour the lives of missing and murdered Indigenous women, girls, and gender diverse people (MMIWG2S+). The Vigil promotes healing and support for grieving families who have been tragically touched by the loss of a loved one to violence. We hope to raise awareness and encourage advocacy as we continue to challenge the harmful statistics that remain prevalent today concerning our Indigenous communities.

In addition to client file engagement, the IJC is also dedicated to advancing the building of Indigenous community capacity and outreach to address the various harmful social injustices many Indigenous Peoples endure such as: housing and homelessness disparity and over-involvement in the criminal justice system (CJS) as a result of colonial-driven practices and institutionalization. The IJC also assists in the preliminary organizing and potential development of an Indigenous Person's Court in Windsor with an emphasis on *Gladue* principles, Indigenous Legal Orders, and restorative justice approaches as a paramount form of alternative resolve for criminal matters. The IJC's many community initiatives aim to alleviate violent and othering forms of marginalization for our Indigenous community and clients.

Anti-Human Trafficking Team **Bianca Colaluca, Gillian Golden, Robyn Hodge, Yannin Ramirez**

WECEN (Windsor Essex Counter Exploitation Network) provides direct services to survivors of domestic and international exploitation. This includes labour exploitation, sex trafficking, and forced marriage. Direct services include: advocacy, translation and interpretation, support when dealing with law enforcement or judicial systems, referral to appropriate counsel including immigration lawyers, orientation to local social services, skills development, and counselling to support individuals facing challenges due to trauma.



Outreach & Advocacy

Our work requires people with a strong vision and belief in our community's ability to work together to take action to eliminate the exploitation of people. This work is only made possible through our strong collaborative partnerships with community, chairing the WECEN Steering Committee, and partnering with national organizations.

LAW/WECEN has supported over 25 victims of human trafficking this last year to obtain and maintain safe, affordable housing through our rent subsidy program. WECEN also supported many other LAW/WECEN clients to obtain housing through the central housing registry and private market housing.

WECEN facilitates a peer support group for survivors of exploitation. Peer support provides non-clinical emotional support to survivors experiencing emotional distress with the goal of being able to improve their mental health and restore healthy social connections. Peer support helps people develop problem-solving skills, decision making skills, and improve resiliency to stressful situations.

WECEN staff have provided outreach and education to more than 30 different service providers across the country in the last year. We have provided intensive case management and direct service to more than 154 people identified as a victims and/or survivors of human trafficking/exploitation in our community and continue to see these numbers rise on an annual basis.

Staff continue to provide in-service to participants/attendees at more than five different agencies/organizations on a monthly basis. We also provide exploitation/human trafficking-specific training including engagement/intervention strategies and best practices to a number of others both locally and provincially including Southwest Detention, Hiatus House, House of Sophrosyne, and Withdrawal Management services. We continue to regularly train at the Ontario Police College and with crown attorneys across the province on how to best work with victims/survivors.

Migrant Worker Team

**Robyn Hodge,
Claudia Membreno,
Amanda Panambi
Morales Vidales**



Since August 2022, LAW has provided the community with enhanced migrant worker-specific supports, through the Migrant

Worker Project. In partnership with KAIROS and then TeamWork Windsor-Essex, the focus of this project has been to provide direct service and support to migrant workers and undocumented people within the rural communities of Windsor and Essex. Through a trauma-informed community practice framework the program strives to build the capacity of the migrant worker community through leadership opportunities within different migrant worker communities.

Through a collaborative service provision style of legal and social work services, individuals have received assistance in several areas including but not limited to: immigration pathways, basic and emergency needs assistance, and assistance navigating systemic barriers in housing and health.

The services of a lawyer providing legal education, information and representation on matters such as Temporary Residence Permits and Open Work Permits for vulnerable workers has ensured a number of workers obtain and/or maintain status.

The provision of social work services has ensured a number of individuals and families have received emergency and crisis support, ongoing supportive counseling addressing trauma, anxiety, and fear, and referrals to services such as LAW's general practice, Legal Aid Ontario, schools to ensure education of migrant worker children, and healthcare providers.

This program continues to seek the direction of both migrant workers and undocumented people from various communities to help guide the educational events and workshops held in the community. It is through encouraging their voice and identifying what information and areas of concern they deem important that we seek to build the capacity of the community.

Migrant Worker Group

The ongoing Migrant Worker Group provides the Spanish-speaking community capacity-building activities and support to migrant workers, their families, and undocumented people. The group provides English classes, cultural events, and information sessions, as well as individual support as needed. Between 30 and 40 people attend this group each week and also lead sessions including art classes and dancing. The activists within the group determine the type of information sessions they feel are important and support each other. The goal of the group is to enhance the social capital and community capacity of the migrant worker community and to recognize the specific strengths and skills migrant workers bring to our community. Individuals are also able to meet with LAW's Immigration Staff Lawyer and/or the Coordinator of Social Work Services for support regarding their individual needs and situations.

Gender-Based Violence and Sexual Assault Team

This year saw the launch of the new Supporting Survivors of Gender Based Violence and Sexual Assault Project. Funded for four years by Justice Canada's Victims Fund and Justice Partnership and Innovation Program, this project employs joint legal and social work services for anyone in Windsor-Essex that has experienced some form of intimate partner violence or sexual assault.



Lawyer Claire (Clairice) Allsop, and Social Worker Amanda Pierce have been working in collaboration to provide trauma-informed services to survivors. In a joint intake session, each client is invited to participate in a collaborative risk assessment and safety planning process, which serves as the foundation for the legal information and advice they receive. Clients are able to receive independent legal advice regarding issues of family law, child protection, housing and tenancy issues, financial abuse, and other civil areas that may arise from their experiences of victimization. Clients who are victim witnesses in a criminal case against their offender are able to access independent legal representation through the process, as Claire advocates within the system to have the clients' interests considered throughout. Clients are also able to utilize case management, supportive counselling, and crisis management services from Amanda.

In November, the project had its public launch. Held via Zoom, the launch was well-received by the community and the media, and has led to increased referrals. The majority of referrals come from the Windsor Police Victim Services Unit. We have also received referrals from Victim-Services Windsor-Essex, the Windsor-Essex Children's Aid Society, Family Services Windsor-Essex, Hiatus House, WECEN, and internally through LAW, as well as through self-referrals from individuals who have learned of the project through a Google search. Since meeting our first client in May of 2022, we have provided service to 61 individuals.

Building strong community connections is vital to enhancing the reach of the project. We have provided education sessions to Windsor Police Services, the Windsor-Essex Children's Aid Society Leamington Branch, as well as Probation and Parole. We plan to continue this outreach in the next fiscal year, offering further sessions to service providers on what services we provide and how to make referrals, as well as offering public legal education to community members on their rights and responsibilities related to intimate partner violence and sexual assault. Amanda is now an active member of the Windsor-Essex Violence Against Women Coordinating Committee (VAWCC), the Windsor Police's Multi-Sectoral Victim Service Grant Committee, and the Windsor Essex Counter Exploitation Network (WECEN) Committee.

As part of our commitment to increasing the capacity of our community to support survivors, we are hosting Pam Cross of Luke's Place to provide a continuing professional development session on providing trauma-informed family law services for survivors of intimate partner violence. We are also hosting Allison Preyde of ANOVA for a discussion around the complexities of consent and sexual harm for local service providers.