

2017-2018 ANNUAL REPORT



February 1, 2018

*Submitted by:
Marion Overholt, Executive Director*

Marion Overholt
Executive Director



2017 was an exciting year for LAW. We expanded our anti-human trafficking work and participated in some successful campaigns resulting in substantial benefits to our clients. We also opened a satellite office in Leamington which allowed us to increase our accessibility for clients.

In May 2017, Robyn Hodge joined our staff as Anti-Human Trafficking Coordinator. As a result of a successful application to the Ministry of Children and Youth Services we hired Gillian Golden as a youth worker for our anti-human trafficking program. In November we were advised our application for the Anti-Human Trafficking Initiative was successful and we will receive 3 years of funding for our program in addition to seven years of rent supplement funding through the federal government. Shelly Gilbert's leadership in this field is commendable and we are so grateful for her continuing dedication to this issue.

In July 2017, Claire Gatto joined our staff as our staff social worker. Arlene Dodge a former CLA articling student and LAW student joined our staff as public benefits lawyer in August 2017. In June 2017, Marcel Trepanier retired as our staff social worker after 11 long and wonderful years of service. Catherine Farnham, our support staff retired in January 2018 and we wish her a fruitful and enjoyable retirement. Michelle DeSantis joined our staff as support staff in January 2018.

Through LAO funding, we hired Anne Marie Garrick to conduct a consultation with our indigenous community, seeking their advice on how LAW and CLA can implement the Truth and Reconciliation Report Calls to Action. The resulting report was reviewed by the Board of Directors in November and a staff and student strategic planning day is scheduled for March 2018 to create an implementation plan.

Thom Rolfe and Renae Hill will be retiring from the Board of Directors. We appreciate their exceptional service and dedication to the work of LAW and we wish them all the best.

Legal Aid Ontario



LAW remains an active participant in the second stage of the Legal Health Check-up project. We have updated our participation agreement in the ELK (Essex Lambton Kent) clinic partnerships. LAW was an active participant in the campaign to retain legal aid services for refugee claimants. We participated in the consultation and lobbied our

local MPs and MPPs. In September LAO announced the receipt of new federal funding allowed them to continue these services.

Academic Program



We had full enrollment of full time and part time law students for both academic terms. Our MSW student program remains an attractive placement for the social work students. Our students are actively involved in our public education program and provided a number of workshops on landlord tenant rights. We hosted 14 community agencies at a workshop in November explaining recent changes to the Ontarioworks and Ontario Disability Support Program legislation.

Casework

Since the introduction of CIMS, our new client database, in May of 2017 we have opened 705 cases. Housing and income maintenance (Ontario Works, Ontario Disability) 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 2017 amounted to over 4.7 million dollars.

Outreach Activities

Marion is continuing her 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 Federal Reduction of Poverty strategy. We were recognized by the City of Windsor for our successfully adopted proposal which provides a fully funded psychological assessment for applicants to the Ontario Disability Support Program. In January 2018 we supported a landlord licensing proposal for residential tenancies and will be appearing before City Council.

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	Arlene Dodge
Staff Social Worker	Claire Gatto
Human Trafficking Project Co-ordinator	Robyn Hodge
Youth in Transition Worker	Gillian Golden
Indigenous Justice Co-ordinator	Katie Baltzer
Service Coordinator	Laura Pratt
Intake Worker	Sarah Whelan
Support Staff	Michelle DeSantis
Articling Student	Amanda Moyer

LAW Board

President	Thomas Rolfe
Vice President	Dean Chris Watters
Treasurer	Adam Wydryznski
Secretary	Marion Overholt (Ex officio)

LAW Directors

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Kimberly Gordon	Marion Fantetti
Robin Wright	Laura Stairs
Ex officio: Johanna Dennie, Staff Lawyer	



Shelley Gilbert, BSW, RSW
Coordinator of Social Work Services



Victims of Crimes of Violence

A significant amount of my work involves providing support to and advocacy on behalf of victims of various types of crimes of violence.

Support includes:

- Assistance and support to individuals applying for Criminal Injuries Compensation who have experienced physical or sexual violence as children or adults
- Support, advocacy and counselling to refugees/newcomers who have experienced trauma in their country of origin
- Support to internationally and domestically trafficked people
- Crisis intervention and counselling
- Assisting people to engage with other community agencies when required.

Advocacy includes:

- Assisting people to obtain their basic needs including financial assistance, housing, clothing, food
- Assisting people to understand and exercise their rights to basic entitlements

Student Supervision

In addition to direct service provision, I provide supervision and support to social work and law students and assist them to consider a trauma informed approach to the delivery of services.

Community Development

While considering a community capacity building approach, I am also a member of a number of community committees dedicated to the development and/or enhancement of programs and policies that meet the needs of our most vulnerable and marginalized members of our community.

These committees include:

- Violence Against Women Coordinating Committee – dedicated to identifying needs and trends affecting women and children
- Central Housing Advisory Committee – considering the social housing needs and access to social housing for low income individuals and families

- Canadian Council for Refugees Anti-Human Trafficking Committee – identifying needs, trends and best practices in the provision of services to internationally trafficked people as well as law and policy reform
- WEFIGHT Steering Committee – considering needs, trends and best practices necessary to support trafficked people in Windsor/Essex. This also allows me the opportunity to provide training to local, provincial and national partners including Ministry of the Attorney General and provincial law enforcement

I provide public legal education to consumers and agencies throughout Windsor/Essex as to the services of Legal Assistance of Windsor and in certain areas of law.

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.

As the vacancy rate in Windsor remained low in 2017, we continued to see a high need in the area of evictions. Landlords continued to seek to end tenancies, and the housing options for low-income tenants facing eviction were fewer as rents increased.

We continued to advise and represent a large number of tenants who were facing imminent eviction by the Sheriff, either challenging the eviction or working with our social workers to assist our clients plan for eviction. We assisted every tenant who came to us having received a notice for eviction from the Sheriff.

We have maintained our connection with the Multicultural Council, providing regular legal education presentations on tenant rights and responsibilities to newcomers to Canada. We also provided presentations on tenant rights and responsibilities at an Ontario Early Years Centre, and the New Canadians' Centre of Excellence.

We continued to represent clients at the Criminal Injuries Compensation Board and have had ongoing success in obtaining awards for pain and suffering and the cost of psychological therapy.

Arlene Dodge
Staff Lawyer



I joined LAW at the end of August 2017. Previously I had been a sole practitioner practicing in the area of Family Law.

Public Benefits Law

LAW provides legal advice in the area of 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. With respect to the ODSP, 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 and/or they are denied ODSP based upon their sometimes lack of medical information. We review the information in order to obtain and submit new medical evidence. Results are sometimes positive resulting in the reversal of decisions and our clients become eligible for ODSP. We ensure that our students are well prepared for representing our client before the Social Benefits Tribunal.

With respect to the Ontario Works benefit files, there are some clients that are refused benefits as their spouse is not in the country to attend the intake appointment or 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). We assist our clients in filing internal reviews and appeals to the Social Benefits Tribunal, as well as providing representation before the Tribunal.

Overall, LAW continues to advocate for the rights of those who are not able to represent themselves, based on many systemic barriers. LAW strives to provide access to justice for the residents of Windsor-Essex County.

Claire Gatto, MSW, RSW
Staff Social Worker



The intersection of providing both social work services and legal assistance to low income communities is a significant approach to working holistically with clients. The clinic is able to assist with both legal remedies and support the wellbeing of clients in this interdisciplinary setting.

Social Work services include crisis intervention, counselling, information and referrals, advocacy, and community development. The clinic is able to address the immediate issues that clients present as well as systemic issues through community development and advocacy. Social Work focuses mainly on advocacy with social assistance, accessing or obtaining housing, health-related needs, and other issues that may arise for clients. Many of our clients face barriers to accessing services due to mental health issues, poor physical health, language barriers, and learning disabilities.

The social work department meets with clients to assess their needs and capacities often at times of crisis, these assessments inform the intervention strategy that will be best suited for the client, as well as the advocacy path to take to meet the client's needs. 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.

Social Work undergraduate and graduate students from the University of Windsor undertake their field education placements at the clinic to learn about the interdisciplinary work of Legal Assistance of Windsor. The Social Work department provides support and supervision to students each term as well as over the summer months. Students have the opportunity to learn and engage in practice in wide-ranging issues related to the wellbeing of clients.

Robyn Hodge, MSW, RSW
Anti-Human Trafficking Project Coordinator



LAW's WEFiGHT Project Partnerships:

We have worked diligently to foster relationships with over 25 partner agencies. The WEFiGHT steering committee meets on a monthly basis, with the focus of identifying new trends within the community and building partnerships to best support those at risk and survivors of human trafficking.

A key focus over the past few months has been to revise and develop protocols with all agencies who attend the steering committee. Protocols are essential to ensure strong partnerships to best support survivors of trafficking and to build the capacity of our community to support Human Trafficking survivors.

Education and Outreach:

We continue to focus on outreach to those at risk and provide education and training to the community of Windsor and Essex County. Regular monthly in services are held at Withdrawal Management, The Windsor Youth Centre, and The House of Sophrosyne. Other recent education and training opportunities have taken place with The Regional Children's Centre, Maryvale, and Community Living Windsor. We have also had the opportunity to speak with students from St Clair College and the University of Windsor.

Provincially, we have provided training to Assistant Crown Attorney's who are part of the enhanced prosecution model in each jurisdiction in the province as well as to the Ontario Provincial Police. We are currently providing training to law enforcement trainees at the Ontario Police College.

Nationally, we presented and/or moderated several sessions at the Canadian Council for Refugees National Consultation in December 2017 and presented the screening/assessment tool to the eastern provinces.

Client Service:

We remain committed to providing direct service to survivors of human trafficking within Windsor and Essex County. An emphasis on identifying risk factors, building community supports, assessing safety concerns, and advocating on behalf of clients is a key focus. Currently, there are approximately 50 active clients who are receiving intensive case management supports.

We also wish to acknowledge the essential partnership with Victim Service of Windsor and Essex County who have helped support our survivors in crucial ways. Victim Services has funds that can assist with addiction treatment, tattoo removal, access to private counselling, housing start-up items, and dental care. These supports have been instrumental in the healing and stabilizing of our survivors.

Funding updates:

Lastly, we are thankful to the Ministry of Community and Social Services Anti-Human Trafficking Provincial Office for providing funding for the next 3 years through the Community Support Fund. This continued funding provides the opportunity to enhance the support and case management provided to survivors.

Ensuring trafficked people have safe, affordable housing has also been secured through additional funding provided by the Ministry. A specific protocol and funding has been established with Hiatus House to ensure women with significant safety needs are provided a bed. Additionally funding for rent supplements will assist trafficked people to obtain and maintain long term housing.



Gillian Golden
Youth In Transition Worker

Summary

The Youth In Transition worker – Anti-Human Trafficking position was created in May 2017 with a grant from the Ministry of Children and Youth Services (MCYS). Since May, I have provided direct service to 21 new clients of LAW, youth aged 13-24 years old, who are victims or at-risk of human trafficking.

I have conducted outreach with over 200 youth in the Windsor/Essex Community and held multiple presentations for local and provincial organizations and service providers who work with this vulnerable population.

Through this position, I've collaborated with fellow service providers to develop the Youth Exploitation Continuum. This tool is used by service providers and community partners to identify potential youth at risk and suggest interventions based on where a youth falls on the continuum. This proactive approach assists in the prevention of youth becoming victims of human trafficking.

Direct Service

Direct service for clients includes discussing safety concerns, creating and implementing a safety plan, finding emergency shelter or safe and affordable long-term housing as well as other basic and immediate needs. A large component of direct service is also connecting and advocating for youth with community agencies and resources based on the client need. Once a client finds stability the main focus shifts to goals, including education and training. I have been able to assist 6 clients with returning to high school or a similar educational program. A few clients have found employment through advocacy and community partners. I have also assisted in relocating 4 clients for safety concerns and assisting 3 clients to access treatment facilities to overcome addictions. My work also includes supporting clients in various court and police processes.

Outreach/Public Education

Since May 2017 I have conducted extensive outreach in the Windsor Essex community. This includes the Youth Advisory Committee at the Children's Aid Society, various group homes, treatment facilities, youth homeless shelters and drop-in centres.

I also have been providing in-service education and consults regarding LAW's anti human trafficking project, WEFIGHT.

Throughout 2017 a number of educational and awareness presentations for local service providers were completed. These presentations provided an understanding of what human trafficking is, and what it looks like in our community. The local agencies included; The Regional Children's Centre, Foster Parents of Windsor/Essex, Children's Aid Society staff, We Care for Youth Committee and Maryvale Adolescent and Family Services.