

Marion Overholt **Executive Director**



COVID changed our practices and our personal lives and we know it will continue to have long term impacts on our clients for years to come, not only from a health perspective, but as well in housing, income support and employment issues

The challenge for our clinic was to rapidly convert our in-person clinic community services and clinical teaching program to remote services. We adapted, we innovated and paused some services and opened new ones. We created a CERB response team and brought Sarah Voegeli on board to help clients navigate the confusing and contradictory landscape of CERB benefits and CRA review. Thanks to United Way funding we were able to supply phones and data to clients who needed them to participate in their court and tribunal proceedings. We expanded our migrant worker program, offering programs for men and women to help sustain them thorough the unique challenges that they faced in their precarious housing and employment circumstances. New funding from a Federal Government grant will help us sustain that initiative. Rapid changes in our advocacy work in housing and social assistance present considerable challenges to ensure that our clients have not only access to, but meaningful adjudicative processes to determine their rights and obligations. We joined the inter-clinic initiative and offer services to survivors of sexual harassment in the workplace. Our systemic advocacy work continues as we reach out to government and Tribunal Ontario to address the move to Digital First Advocacy. We will continue our work with the Southwest Detention Center to help formerly incarcerated people access support services.

We participated in the hearings on the Legal Aid Services Act, and are working with the ACLCO to negotiate new memorandums of understanding with LAO. Now more than ever, stable funding will be critical to allow us to build and reinforce our services to the community. COVID has highlighted the crisis in affordable housing and we are hopeful the spring will produce opportunities for City Council to act by building a family shelter and implementing residential landlord licensing.

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.

In 2020 we welcomed David Cote, Esther Oniyo and Suabayreen Mustafa. David is our new immigration lawyer, replacing Johanna Dennie who is now working for the Refugee Office in Hamilton. Johanna worked for LAW for 5 years and helped us build up our immigration practice and serve our vulnerable immigration clientele. David brings 15 year of experience of working in immigration law both in Canada and in South Africa and we are delighted to have him join our team. Esther is a new support staff helping with our client services and her kind and helpful disposition is so needed in these times. Suabayreen is our new Human Trafficking Project Coordinator, and we appreciate her willingness to jump in and learn the practice. She is filling in for Robyn Hodge's maternity leave. Laura Pratt will be retiring at the end of February and we are pleased to welcome Michelle Pilutti into that role. Laura's dedication, innovation and steadfast work greatly enhanced LAW's ability to expand and stabilize

services. Michelle brings a wealth of experience in her work with the law school and as a long term board member of LAW and we look forward to working with her.

Hugo Vega is stepping down from his role as Board Chair. We are so indebted to Hugo for his unshakable dedication to LAW. He has led the Board through uncertain financial times. He has also been a tremendous advocate for LAW in the community and sought opportunities to expand the reach and involvement of the Clinic into a myriad of issues.

Dean Chris Waters will be stepping down at the end of March 2021. Throughout his term Chris has championed the Clinics within the law school, the University and world of LAO. His support has been unwavering and we are immensely grateful for his commitment to our work. We have been unexceptionally fortunate to have a Dean who understands the importance of experiential learning and community service to marginalized peoples.

I realize in writing this that I have used challenge too many times. But it was a challenging year. I am so indebted to the staff, students and Board for facing these challenges head on and persevering, united in their commitment to work with and for our clients so that one day they can do more than survive, but rather thrive in our community.

2020-2021

LAW STAFF

Executive Director	Marion Overholt
Co-ordinator of Social Work Programs	Shelley Gilbert
Staff Lawyer	Johanna Dennie/David Cote
Staff Lawyer	Anna Colombo
Staff Lawyer	Laura Stairs
Staff Social Worker	Jennifer Cline
Human Trafficking Project Co-ordinator	Robyn Hodge/Suabayreen Mahfuza
Youth In Transition Worker	Gillian Golden
Yannin Ramirez	Housing Support Worker (HT)
Kelly Stack	County Outreach Worker (HT)
Claudia Membreno	Outreach Worker-Migrant Worker Program
Amanda Morales	Outreach Worker-Migrant Worker Program
Indigenous Justice Co-ordinator	Sharon George
Service Co-ordinator	Laura Pratt
Intake worker	Sarah Whalen
Support Staff	Kelly Demers
Support Staff	Esther Oniyo
Articling Student	Kristen Jeavons

LAW BOARD

President	Hugo Vega
Vice President	Dean Chris Waters
Treasurer	Dan Stronks
Secretary	Marion Overholt (Ex officio)

LAW DIRECTORS

Marion Fantetti	Adrian Guta
Rielly McLaren	Hughie Carpenter
Michelle Pilutti	Naomi Williams
Emilia Coto	

Shelley Gilbert
Coordinator of Social Work Services



SUMMARY

I provide direct advocacy and support to individuals experiencing trauma or have barriers preventing access to services or entitlements in the community. Advocacy, system navigation and psychosocial supports are dependent on the individual's strengths and needs.

I am also responsible for supporting and supervising staff and students in various programs including WEFIGHT (anti-human trafficking program), Migrant Worker and Migrant Worker Women Community Kitchen & Gender Based Violence Groups, the Sexual Harassment in the Work Place Program and the staff social worker.

I am one of 3 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. I sit on various ad hoc/working groups to advise and support housing initiatives and housing program policy as required.

WEFIGHT

WEFIGHT supports internationally and domestically trafficked people experiencing various types of abuse/exploitation including sex trafficking, labour trafficking and marriage trafficking. I provide direct supports to survivors and consider systemic implications resulting from system 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. In 2020, the CCR ATC hosted a media conference for members of the press and public to raise awareness of the lack of temporary protections for trafficked people and to call on government to adopt specific recommendations to remedy this lack of protection. In addition, we met with policy makers at IRCC to discuss barriers and gaps in program and policy contributing to the vulnerabilities and exploitation of labour trafficking survivors.

All staff of WEFIGHT provide public education and service provider training, including at the police college and with partners across the province.

Migrant Worker Groups

The experiences of exploited migrant workers, in relation to recruiter fraud, work place conditions and abuse, inadequate and unsafe housing as well as the prevalence of work place sexual violence toward migrant women, contributed to an expansion of LAW services to migrant workers through a United Way Windsor Essex Federal Emergency Response grant. Two groups were developed with migrant workers through which people with work authorization and undocumented workers are able to discuss issues and needs, get information about resources and establish community. These workers provided valuable input for the brief I completed to the federal government regarding federal housing standards for migrant workers.

The community kitchen group provides a safe space for women to come together, share their cooking expertise and discuss gender based violence and resources. Women are able to share their experiences, but also their capacity for healing from violence in a safe way. They also learn about what constitutes sexual violence in Canada and resources in our community.

Although both groups are working through Zoom meetings due to COVID-19, we look forward to in-person meetings when safe to do so. As a member of the Canadian Council for Refugees Migrant Worker Committee, we intend to support these local workers to connect with, and advocate for, systemic change with other migrant workers across the province and country.

Suabayreen Mahfuza, MSW, RSW
Anti-Human Trafficking Project Coordinator

The past year has been unusually challenging for us, our clients and the whole community in general. Despite the unforeseeable challenges, WEFiGHT and the team have continued to best support those at risk and the survivors of human trafficking in our community. Our service structure and work dynamic have efficiently adopted the current COVID health protocols to ensure the safety and well-being of our clients and the staff members. There has been an upsurge in intake and referral volume. Similarly, the demand for basic need assistance among our clients has increased due to the pandemic and its effect on their economic and social life. To cope with changing needs, we have established potential inter and intradisciplinary collaboration. With the help of our existing community partners, we have continued to support our clientele with available resources. Essentially, client interaction and service delivery have been executed following the proper health codes.

We have proliferated our alliance with community partners and provided outreach to their clients who may be vulnerable or at risk of being trafficked. We have worked diligently to foster relationships with over 25 partner agencies. Through the electronic and virtual medium, we continued to meet with the WEFiGHT steering committee on a monthly basis. With the focus of identifying new trends within the community and building partnerships, we continued to best support those at risk and survivors of human trafficking in current times. A key emphasis over the past few months has been to revise and develop protocols with all agencies that 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.

We embraced a teamwork spirit and worked side by side. The hard work of our staff members, students and other community partners together made it possible to embrace the new normal and keep serving our clients efficiently during this unprecedented time of crisis.

Outreach & Advocacy

Using various electronic mediums such as Zoom, Google Teams and other virtual platforms, we continued with our commitment to providing outreach, advocacy and education services throughout the year. We strive to build the capacity of our service partners and the wider community to help identify and support those at risk of human trafficking.

Essential Partnerships

We want to acknowledge the essential partnership with Victim Services of Windsor and Essex Country. The WVAP program has provided instrumental supports to survivors of human trafficking. Some of the supports include funds for basic needs, cell phones, residential treatment and funds for private counselling.

Funding Updates

The Ministry of Community and Social Services Anti-Human Trafficking Provincial Office provided funding for the past 3 years (2017-2020). MCSS continues funding for the WEFiGHT program for 2020-2024.

Gillian Golden
Youth In Transition Worker



Summary

The Youth in Transition worker – Anti-Human Trafficking position was created in May 2017. My work is committed to providing direct service to survivors of human trafficking youth aged 13-24 years old, within Windsor and Essex County. I focus on the unique needs of each client, with emphasis on identifying risk factors, building community supports, assessing safety concerns, and advocating on behalf of clients. I currently have more than 25 active clients who are receiving intensive case management supports and in just under four years I have provided direct service to more than 80 new clients of LAW/WEFiGHT.

Outreach/Public Education

This past year we entered a virtual world due to COVID-19 restrictions - outreach and public education has changed. I have adapted most presentations to be able to present virtually to continue reaching service providers and youth in Windsor/Essex. I continue to conduct extensive outreach to youth in the community. In just under four years I have been able to provide outreach and education to over 600 youth. Presentations for community partners and youth serving agencies provides training as to the elements of human trafficking, indicates their potential role, how partners address human trafficking in our community and best practices when working with victims. I focus on collaborative intervention strategies and protocol development to ensure a seamless referral process.

Yannin Ramirez
Housing Support Worker



Summary

The Housing Support Worker position was created in late 2019 through funding from the Provincial Anti-Trafficking Coordination Office (PATCO).

The Housing Support Worker's main roles include assisting trafficked people to obtain and maintain housing, providing housing supports based on the needs of survivors and assessing clients strengths/needs in order to advocate for adequate and affordable housing. Obtaining and maintaining housing can be extremely difficult for some of our survivors after experiencing severe trauma. To support them in re-stabilizing, I advocate for a client's housing rights, negotiate the tenancy of units and provide life skill training in order to successfully assist survivors to maintain housing and regain independence.

In my role, it is crucial to build connections with landlords and stay connected with clients to ensure a good relationship between the two is established and maintained. To do this, I make it a point to have more frequent phone visits with those who may need more support and help them to navigate their new role as tenants. It is crucial to work collaboratively with the LAW/WEFiGHT team in the development and implementation of appropriate support plans for clients in order to help them define their goals and develop personal plans toward these goals.

It is also important to encourage the development of life skills for independent living and assist survivors to access resources needed to increase their quality of life. By offering housing support on an ongoing basis, we can assist our clients to be successful in their tenancy and support them to continue their process in healing from trauma.

Kelly Stack
County Anti-Trafficking Outreach
Sexual Harassment in the Workplace



Working out of the Leamington Outreach Office and looking back over the last year, I can definitely say it has been an experience like no other.

I saw a number of needs of the clients we were serving in the Leamington area including a need for food, clothing, baby and child necessities. I was able to set up an emergency food pantry as well as a community closet that could be accessed by those in need until they could access a more sustainable source. The large majority of those who reached out were migrant workers, both documented and undocumented. As word spread that help was available at “The White House” the community was in the midst of the pandemic.

During the months following a lot of work was done from home via WhatsApp, text messages, phone calls and emails. Once the initial lockdown was lifted, I was able to facilitate with the Unemployed Help Centre, local churches, and various community members to help those in need. This included getting food baskets delivered weekly to those unable to pick up themselves and ensured new moms and those expecting had the essential necessities.

I continue to help clients with basic needs as well as assisting new clients to connect with community services or our main office to access supports. I have made many wonderful connections within the community, all of which strive to help our most vulnerable populations.

Sexual Harassment in the Work Place Program

In May of 2020, this new program was introduced. I have been fortunate enough to be asked to be a part of the Sexual Harassment in the Workplace program offered through LAW. This program is one being offered across the province by 20 legal clinics and agencies assisting anyone who has experienced sexual harassment in the work place. We continue to build this program and have provided public legal education to various service providers.

Although Covid-19 has made things much more difficult in my first year with Legal Assistance of Windsor, my commitment to helping and serving the community has grown and I believe those we have helped have seen a benefit.

Amanda Morales
Claudia Membreno
Migrant Worker Women Group
Migrant Worker Group

Summary-Migrant Worker Women Group

With the support from the Emergency Response Fund and the United Way Windsor/Essex we were able to establish a support group for Migrant Worker Women.

For the past 7 months, we have been working with the migrant women with the objective of generating community capacity. One of our main engagement activities is to cook and share Mexican recipes the migrant women create and share with the group. Along with these activities, we bring different topics and talks on various issues migrant worker women face. Some of the topics cover immigration issues, gender perspective, violence, mental health, general knowledge of Canadian culture, English classes and health awareness.

During this time, we have also worked on an individual basis with women to address personal concerns and needs by providing counselling, information and referrals. In addition, we have worked on promoting our services and our meetings and have delivered flyers to individuals and community businesses offering services to the migrant worker community.

Summary-Migrant Worker Group

With the support from the Emergency Response Fund and the United Way Windsor/Essex we were able to establish a support group for Migrant Workers.

Since LAW began offering this program, we have provided support to individuals on an individual basis including information, counselling and referrals to workers needing assistance. These referrals are often related to health, workplace safety and COVID-19. In addition, we have been holding group sessions via Zoom that address topics most important to workers such as those related to immigration, health prevention and English classes. We continue to promote this group and, along with the women's group, promote various cultural activities.

Jennifer Cline
Staff Social Worker



I have been settling into my role over the last year and have made numerous new community contacts and partnerships. This year has definitely been a challenge adapting to social work practice during a pandemic and meeting with our clients and students remotely. I have been able to adapt and adjust my social work practice to meet the needs of our clients through supporting them via phone and advocating for supports to address mental health, addiction, housing and income insecurity.

A need for safe, affordable housing has been a high priority need of many clients. I have become 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. Through this committee, I have been able to match and access rent supplements for 7 of my clients who were experiencing homelessness. Housing Information Services and I work closely to continue to support these individuals to ensure their tenancy is maintained and to help resolve any issues as they arise. In addition, we partner with various community agencies such as CMHA and the House of Sophrosyne to help support individuals as needed.

Through the By-Names list, I was able to attend a 2 day virtual conference to end homelessness in our community and I remain actively involved with the local working group. I am an active member at the 'Situation Table' offering support and assistance to agencies working with "high risk" individuals and families as needed. I continue working with the Treatment and Recovery working group and have developed a close relationship with the Community University Partnership as well as the Housing Information Service's Water World program to coordinate services as necessary to ensure documents are exchanged appropriately to minimize gaps and delays in service provision.

We successfully received a grant through the United Way Emergency Response Fund to provide an "Access to Technology Phone Program." This program ends March 31st 2021. The purpose of the program is to connect individuals with a cell phone and data/ phone plans to provide access to essential services including court matters, support services, crisis programs and medical professionals. To date we have been able to support 66 individuals through this program.

Despite being virtual, we continue to have BSW and MSW social work students supporting the work and learning about their profession under our supervision. Our students have been supporting clients through supportive counselling, assistance with completing applications, advocating to support housing tenancies and income insecurity. They have also completed the By-Name List training, trauma informed practice training and attend 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.

Sharon George
Indigenous Justice Coordinator



The Indigenous Justice Coordinator continues assisting individuals and families with issues from housing, ODSP/OW, identification replacement, Indigenous status, mental health, counselling, and more; sometimes for our families it takes someone to listen to their stories of pain, loss, and having to stay home in this COVID time.

The Coordinator organized the annual Sister's In Spirit Event in October of 2020. The Coordinator organized this event in partnership with other local Indigenous agencies. This was an on-line event on Facebook, we had over 1000 people across Ontario and some in the U.S. log on. As well the Coordinator has attended several on-line webinars, which have been helpful educational tools for the community.

During the pandemic, satellite offices (Caldwell First Nation, Aboriginal Child Resource Centre and Ska:nah Learning Centre) remained on hold; although the work continues with all of the Indigenous and community agencies with referrals and on-going communications. Once things open up for direct service, we will be visiting more agencies to arrange for satellite spaces.

Our focus is to continue recruitment of clientele, as well as identifying and advocating for the issues and concerns with the Indigenous community in Windsor, Chatham-Kent areas. We hope to continue building community partnerships and collaborating events. In the meantime, the Coordinator will continue to work remotely.

David Cote
Staff Lawyer



Immigration & Refugee Law

I took over the position as staff lawyer in LAW's immigration clinic from Johanna Dennie in January 2021. Prior to working with LAW, I practiced as a sole practitioner in Windsor and Toronto with a special focus on LGBTQ refugee claims and immigration detention cases. I spent a year providing immigration legal services with the HIV and AIDS Legal Clinic Ontario (HALCO) in 2019. My previous experience includes ten years with the non-governmental organization Lawyers for Human Rights in South Africa where I headed the Strategic Litigation Program and was involved in cases relating to refugee rights, immigration detention, international criminal justice, land and housing rights and prison reform. I am excited to bring my experience back home to Windsor and working with the community.

LAW's immigration program continues to provide summary advice and representation in immigration and refugee law to members of the community. These cases include refugee claims and appeals, family sponsorship applications, humanitarian and compassionate applications for permanent residence and judicial review applications in the Federal Court. Of particular importance has been our support of the migrant workers program and ensuring immigration status for people in precarious work. COVID-19 has obviously presented particular challenges for people in the immigration system and we have adapted our services as government has adopted new policies at border crossings and in different program areas.

I am looking forward to engaging with the community on these important issues and continuing to present public legal education programs through the law faculty and local organizations.

Laura Stairs
Staff Lawyer



We represent clients making appeals to the Social Benefits Tribunal (“SBT”) including Ontario Disability Support Program (“ODSP”) and Ontario Works (“OW”) denials, cancellations, suspensions and overpayments. We assist our clients in filing internal reviews and appeals to the SBT, as well as providing representation before the SBT.

Social Benefits Tribunal

The COVID-19 pandemic did not shut down the SBT as hearings were shifted almost immediately from in person to telephone hearings. This caused several issues for our clients in accessing a fair hearing including: technical issues, challenges with assessing credibility over the phone, lack of a private and confidential space, noise and background interruptions, among many others.

Despite the shift to telephone hearings, we continued to experience substantial delays in having appeals heard. The SBT is severely understaffed and there are not enough members available to hear appeals at the SBT. To date, not a single ODSP disability appeal filed by LAW in 2020 has been assigned a hearing date. Additionally, many old appeals continue to be adjourned because there is no member available at the assigned time. We have files in our office of appeals made back in 2017/18 where clients are still waiting for hearings. These delays prejudice our clients in many ways, but most notably, they are going years without receiving the benefits to which they are entitled.

Tribunals Ontario announced a “digital first” model in 2020, largely in response to the COVID-19 pandemic but also part of a larger modernization strategy. We continue to monitor the implementation of this model at the SBT and advocate to ensure the needs of our clients are paramount in all decisions being made.

CERB

The new federal benefits created additional challenges for our clients in receipt of social assistance and federal pensions. The confusion around eligibility for CERB led many individuals to apply for and receive the benefit, only to later realize they need to pay the money back. We assisted clients in understanding how CERB was treated by OW and ODSP, reporting the income to caseworkers and negotiating the removal of OW and ODSP overpayments where clients later realized they were not entitled to the benefit and had to repay the entire amount to CRA. These challenges are ongoing as we monitor how the federal government treats individuals who mistakenly received the benefit and many groups across the country advocate for amnesty for low-income individuals now indebted to CRA.

Anna Colombo
Staff Lawyer



Housing

Our housing files were deeply affected by COVID-19. The Landlord and Tenant Board (LTB) stopped nearly all eviction hearings from March until the end of July, 2020. Only where there were allegations about health and safety did hearings proceed, and then evictions could only happen with the approval of the Superior Court of Justice. This led to fewer tenants seeking representation.

LTB hearings and evictions started again in August, 2020. These are now happening by video and/or telephone. This is a barrier for so many in our community as it requires, at a minimum, access to reliable phone or internet, proficiency with the technology, and a safe and quiet place to call into the hearing. At worst, being able to provide testimony, conduct cross-examination, and communicate with the adjudicator are significantly impaired by the limits of the technology, especially when compounded with barriers to communicating effectively such as a language barrier, or challenges with mental health.

Evictions were again on pause beginning January 14, 2021 until February 9, 2021, and it remains to be seen whether this will be extended.

These pauses in evictions have prevented tenants from being evicted in the middle of a pandemic and helped to keep everyone safe. Many of our clients still have not had their eviction matters heard and the stability of their housing remains precarious when having a home means more than ever.

As the LTB has moved to this remote format, the Tenant Duty Counsel program has also been impacted. Multiple hearing blocks for Windsor matters will be scheduled at the same time, requiring lawyers to move quickly through multiple online hearing rooms to connect with tenants. Remote hearings are also not set up to provide advice and requires the parties to disconnect from the hearing, obtain advice, and connect back into the hearing. We continue to advocate with respect to this.

This summer we were fortunate to benefit from the Social Justice Fellowship through the University of Windsor Faculty of Law and complete the "Data Through the Dockets" project. With the dedicated work of a law student, we conducted an analysis of which buildings in Windsor saw the highest rates of eviction applications. This evidence allows us to engage in more systemic advocacy and develop targeted outreach to tenants.

Criminal Injuries Compensation Board

CICB hearings continued to be scheduled and held as the final applications filed by our office are processed. Given the COVID-19 pandemic, there are no hearings that are being held in person – rather, they are either written hearings or electronic hearings held over the phone. Our clients continue to have excellent outcomes, regularly obtaining awards of more than the maximum of \$5,000 where there have been separate crimes of violence with distinct physical and/or psychological injuries. The CICB also continues to provide lump sum amounts for the cost of future therapy to applicants to allow them to pay for a psychologist or other counselling services. We expect these files to be completed by December 31, 2021.