

2012 IMPACT REPORT
RAPPORT D'IMPACT 2012



Funded by





March, 2013

On behalf of the Board of Directors of South Ottawa Community Legal Services, I am pleased to send you our community legal clinic's annual Impact Report. We think it offers a good overview of how our legal clinic made a significant difference for the low-income residents of southern and eastern Ottawa.

It is a challenge trying to measure what "success" means in community legal work. For example, the outcomes of our clients' cases are an important factor in assessing our clinic's impact in the community, but that is only one piece of a bigger picture. Sometimes it is equally important to be seeking justice for vulnerable clients even if there is a limited chance of success.

In assessing our overall impact, we ask ourselves:

- Is the legal clinic making the right choices in the work we do?
- Are we making the right decisions in the ways we seek justice for our clients?
- Are we addressing the legal issues of Ottawa's low-income and vulnerable people?

These questions help us make decisions about how our legal clinic should assist its community. Our goal is to make an impact every day.

We hope this report offers you a sense of our work's impact in 2012.

A handwritten signature in black ink that reads "Agnes Davis". The signature is written in a cursive, flowing style.

Agnes Davis
President, Board of Directors

South Ottawa Community Legal Services

(new website: www.socls.org)

Our legal clinic provides services aimed at bringing justice to our community. We offer legal assistance for low-income residents of southern and eastern Ottawa, including:

- legal information and advice;
- representation before courts and tribunals;
- referrals to appropriate agencies;
- presentations to groups on legal issues;
- working closely with other community organizations; and
- “law reform” actions aimed at improving the lives of the people we serve.

We focus our work on legal issues in these areas:

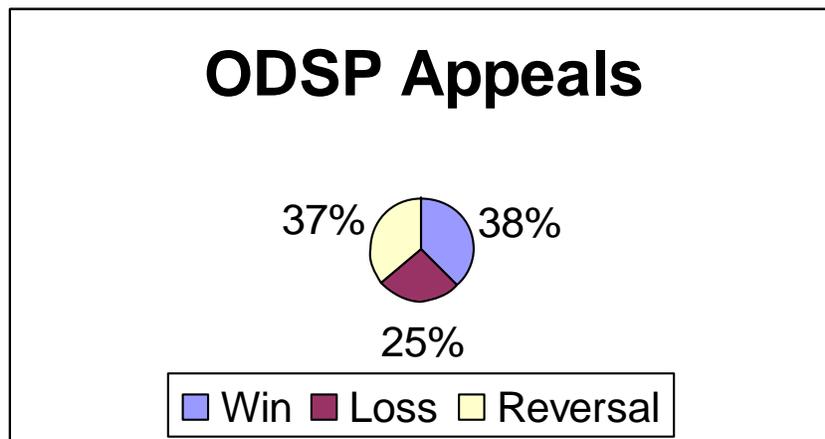
- Rental housing for tenants;
- Immigration and refugee law;
- Ontario Disability Support Program benefits;
- Ontario Works benefits;
- Workplace Safety and Insurance Board benefits for injured workers;
- Employment Insurance benefits;
- Canada Child Tax Benefits;
- Canada Pension Plan and Old Age Pension benefits.

This report offers a snapshot of how our community-based legal work made a difference to our clients and community in 2012:

- ✓ Obtaining more than \$975,000 in disability benefits for Ottawa’s low-income households: \$564,000 in lump-sum, retroactive payments, plus a further \$411,000 annually by increased monthly payments for families’ basic needs;
- ✓ More than \$32,000 in government benefits “overpayments” successfully appealed;
- ✓ 58 housing evictions avoided by our participation in the Ottawa legal clinics’ Tenant Duty Counsel Program;
- ✓ Collaborating on projects to improve Ottawa tenants’ rights;
- ✓ Helping newcomers to secure their futures in Canada; and
- ✓ Rolling out the new services of the “Connecting Ottawa” network (<http://connectingottawa.com>).

Appealing Government Decisions for People with Disabilities

We help people appeal decisions denying disability benefits from the Ontario Disability Support Program (ODSP) and the Canada Pension Plan (CPP). In 2012, **76%** of the ODSP appeals that we prepared for a tribunal hearing were successful. Our clients won their cases either by a tribunal decision or by a settlement before their appeal hearing took place. These figures do not include cases where our clients decided not to proceed with their appeals.



Winning disability appeals means our clients receive more money to live on than if they receive Ontario Works (social assistance) benefits. In 2012, our clients' successful appeals led them to receive **additional basic need payments of \$34,271 per month (or \$411,252 on an annualized basis)**, plus further funds for rent and utilities. On average, that is **\$360** more per month for food, clothing and other necessities for each household.

A successful appeal also means that our clients receive retroactive disability benefits to which they are legally entitled. In 2012, our successful clients received **\$564,697** in retroactive basic needs benefits. The average retroactive payment was **\$5,944** for each household. For disabled low-income clients, this payment is often their only way to pay off debts, buy household items or save for their family's future expenses.

Having easily accessible legal advice for disability appeals also creates opportunities to quickly correct erroneous decisions. In 2012, we resolved some cases in a few days, instead of the usual six to eight months, by bringing decisions with obvious mistakes to the attention of government decision makers.

Who in Our Community Needs ODSP Benefits?

Our clients come to us from every conceivable situation. Some were born here and have deep roots in Canada. Others came here more recently, hoping for a better life. Some clients had to stop working due to injury. Others struggle against the odds to keep working. Some clients have spent many years raising their children and have no work experience outside their homes. We see men and women, young adults, middle-aged people, and those in their sixties and seventies.

Some clients have been barely coping with mental health problems: panic attacks, major depression, or anxiety that locks them in their homes. Others have painful physical conditions that have dragged on for years. Most clients have several medical conditions – maybe they could have handled one set of symptoms, but the overall problems have overwhelmed them. Frequently, these problems do not show up on x-rays or medical tests, which is often why their applications for disability benefits were denied in the first place. However, the effects of their health problems show up in the stories they tell us about their lives.

All clients with ODSP appeals have one thing in common: their medical problems have limited their ability to work; they have ended up with very low incomes; and now have to depend on government benefits programs. Few of our clients expected to face these difficulties.

Appealing Social Benefits Overpayment Decisions

All our clients live far below the “poverty line.” Many of them have had to rely on social benefits for their basic needs. The complex rules governing these benefits lead to government decisions that some people have been “overpaid.” Those decisions require people to repay money already spent on necessities.

In 2012, our work on overpayment appeals resulted in overturning government decisions totalling over **\$32,000**. This amount of reduced debt means our clients have more money to afford monthly necessities for their families.

Challenging the Denial of Federal Income Support Programs

In 2012, our clients successfully appealed 4 denials of Employment Insurance benefits, 2 denials of Canada Pension Plan disability benefits, and 1 denial of Old Age Security benefits.

Secure Social Benefits Are Important Community Assets

When a person does not have a secure income, our entire community is affected. Rent and utilities might not be paid on time, so landlords and public utilities risk losing money. If rent remains unpaid, eviction from housing is a possibility, requiring a hearing of the Landlord and Tenant Board. If eviction occurs, then a person's possessions - furniture, dishes and clothing - can be lost if storage is unaffordable or if an emergency shelter becomes home. At worst, a person or family is forced into homelessness. The local economy loses when there is no money to purchase basic necessities. People turn to food banks. Sometimes medications can't be purchased. Medical appointments are missed if public transit is unaffordable. The overall effect is declining mental and physical health for people without secure incomes, which strains our health care system.

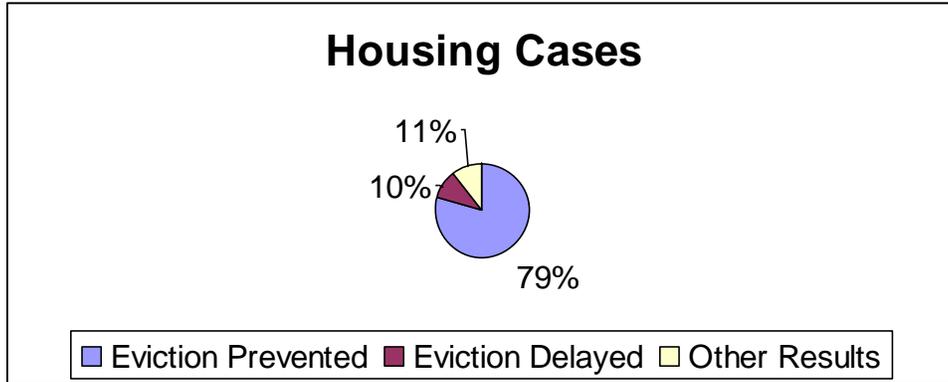
When people have access to secure incomes and social benefits, they can plan better and manage their financial responsibilities: rent and utilities can be paid, groceries and basic necessities purchased, debts repaid. Public transit becomes more accessible, allowing for better participation in social activities, including volunteer work. The economy grows; our entire community is improved.

Defending Against Evictions

We help low-income tenants defend against evictions from their housing. We also participate in the Ottawa legal clinics' "Tenant Duty Counsel" program, in which tenants can get legal advice on the day of their hearing at the Landlord and Tenant Board.

In 2012, our clinic assisted in resolving 58 eviction cases, keeping stable housing for adults and children and, for some families, avoiding potential homelessness. We also assisted 7 tenants to negotiate a later eviction date, which allowed them to better manage their affairs when required to move.

Our legal assistance also often leads to the settlement of housing disputes. Having easily accessible legal advice means there is an opportunity - sometimes the last one - for tenants to resolve serious housing problems.



Organizing Ottawa Tenants Conference



We assisted in organizing the 4th Annual Ottawa Tenants Conference, held at Ottawa’s City Hall. The 5th Annual Tenants Conference is planned for June 8, 2013.

Helping Newcomers to Canada Secure their Futures

Fundamental changes to Canada’s immigration and refugee laws came into effect in 2012, challenging our ability to help many clients. The changes include much shorter timelines for refugee claims and severely restricted access to “humanitarian and compassionate” applications for permanent residence.

As of July 2012, refugee claimants were barred from applying for humanitarian and compassionate (“H&C”) applications while their refugee claims were in process; and clients with failed refugee claims were further barred from applying for H&C consideration for a full year after a negative refugee decision. These changes allow the government to deport people quickly, even where they have a strong humanitarian and compassionate claim. To avoid this risk for our vulnerable clients, we prepared nine detailed H&C applications for refugee claimants before these changes were enacted.

While this new legislation was being discussed, our lawyers participated in advocacy campaigns to explain the harsh impacts of these changes to Members of Parliament. After the law came into effect, we also helped to organize two conferences and offered many public legal education workshops for Ottawa settlement agencies, community groups and other partner agencies.

In 2012, we also resolved cases with particularly complex issues. For example, we helped a teacher from El Salvador to obtain permanent resident status in Canada, after she had been persecuted for administering her school's anti-gang program but had been denied refugee status.

Our other cases included the resolution of very difficult circumstances for families:

- We helped four families with particularly complicated cases obtain permanent resident status;
- We reunited parents with children who had been left behind overseas in dangerous circumstances; and
- We reunited an Afghan woman and her son with their extended family in Canada after the woman had been stranded in Iran and Greece with no legal status.

Building on Success of the “Connecting Ottawa” Network



With previous funding from The Law Foundation of Ontario and Legal Aid Ontario, the work that began in 2010 to build the Connecting Ottawa network of agencies took off tremendously in 2012. Our goal has been to build stronger community agency links, in order to assist people who don't speak English or French or who have communication-related disabilities, to get improved access to local legal information, legal services and to connect better with our partner community agencies.

Connecting Ottawa completed its planning work in 2010 and 2011, with a network of over 40 partner agencies. In 2012, Connecting Ottawa rolled out its community-based services with funding from The Law Foundation of Ontario:

- ✓ A lawyer and a social worker are available to consult with front-line workers
- ✓ A pool of trained volunteer "facilitators" to support clients in following through with referrals to agencies.
- ✓ Public legal education (PLE) and other learning opportunities for service providers, including an annual Connecting Ottawa conference.
- ✓ Web site resources for network partner agency workers to obtain timely access to legal services (<http://connectingottawa.com>).

Feedback from our Clients

“The service was kind and cordial. The legal staff were very knowledgeable and efficient. Also they were excellent in presenting the situation to me in terms that I could understand and equate to.”

“The clinic welcomed me and the staff respected me and listened to my case.”

“Any time I needed to call for information service was always quick and friendly.”

“Very resourceful. Very informative. Very professional.”

“They went out of their way to help me without an appointment since it was an emergency.”