

ARCH *Alert*

ARCH's Quarterly Newsletter on Disability and Law in Ontario.

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Editors' Note

By: Robert Lattanzio and Amanda Ward

Welcome to the December 3rd edition of our *ARCH Alert*. We are privileged to release this issue today, on the International Day of Persons with Disabilities.

This issue of the *ARCH Alert* celebrates the International Day of Persons with Disabilities, and aspires to give a voice to claimants of the Class Actions against the Huronia Regional Centre, Southwestern Regional Centre and the Rideau Regional Institutions. We felt that this is an appropriate day to reflect and commemorate the closing of the class actions, and to recognize and celebrate the strength of the residents and survivors from those institutions.

Included in this issue are articles written by former residents and claimants, a social worker, and an article written by a family member of a former resident of Huronia Regional Centre. These are powerful articles that we hope can help to shed light on what residents endured while living in these institutions.

We decided to focus this *ARCH Alert* issue in response to requests from former residents who wanted to voice what they experienced, but who did not have an opportunity yet to do so. While some articles in this issue may be heart-breaking for some, they are important stories that need to be told. As we move forward as a society, we cannot forget what happened to persons with disabilities in the past, lest anything similar happen again. We look forward to a future where all people are treated equally, with dignity and respect.

We hope you find this issue of the *ARCH Alert* informative and inspirational.



International Day of Persons with Disabilities

By Julia Munk, ARCH – Osgoode Hall Law School DLI Student

The International Day of Persons with Disabilities (IDPD) was first proclaimed by the United Nations General Assembly in 1992 with the purpose of promoting awareness and mobilizing support to increase the inclusion of persons with disabilities in society. Every year a different theme is selected in order to raise awareness and work towards change on the international, national and local levels of society.

The theme for this year's day is "Inclusion Matters: Access and Empowerment for All People of All Abilities." This theme emphasizes the fact that disability is a complex and ever-changing experience that can impact people in different ways at different times and

because disability is not a fixed identity, anyone can potentially experience barriers associated with it.

Previous themes have focused on similar but distinct issues, for example, in 2003 the theme was “A Voice of Our Own” and focused on breaking down stereotypes of people with disabilities that are perpetuated by mainstream media, such as the portrayal of people with disabilities as inspirational and the portrayal of disabilities as barriers that need to be overcome. One way that these stereotypes were addressed was by providing opportunities for people with disabilities to speak for themselves and tell their own stories. In 2004 the theme was “Nothing About Us Without Us.” This theme was designed to highlight the principle of active participation that has taken root in many disability rights organizations.

In 2008 the theme was “Dignity and Access to Justice for All.” There were many significant achievements celebrated that year, particularly the 60th anniversary of the Universal Declaration of Human Rights. In addition to celebrating this achievement, it was also acknowledged that legislation alone cannot ensure human rights for people with disabilities. National governments need to formulate effective policies and programs that can transform the principles of the declaration into practice.

Some advances for people with disabilities internationally culminated with the adoption of the United Nations Convention on the Rights of Persons with Disabilities in 2006 and the convening of the High Level Meeting on Disability and Development by the UN General Assembly on September 23rd, 2013. This meeting resulted in the adoption of an action-oriented document that provides policy guidance to put the international commitment for disability inclusive society into action by raising awareness, increasing accessibility and removing all types of barriers.

IDPD can be observed by people with disabilities and their allies in a number of different ways including taking action to include people with disabilities in practical and concrete ways and celebrating the contributions that people with disabilities have made in society. For example, this year the March of Dimes is cohosting an event with the Provincial Network on Developmental Services at Queen’s Park to celebrate IDPD. Many grassroots organizations and groups also hold events to reflect on past achievements and consider new and innovative ways to work toward addressing the issues faced by people with disabilities. In addition to this local event there are numerous events being held around the world, such as a student event in Bangladesh, a series of cultural events in Italy and an event aimed at raising awareness about the rights of refugees with disabilities in Norway. Regardless of the role that disability plays or may play in your life, IDPD provides a unique opportunity for people with disabilities and others to celebrate and recognize the advancement of disability rights.



ARCH Board Members Recognized for Outstanding Work in Disability Advocacy

ARCH wishes to congratulate Gary Malkowski, ARCH Board President, John Rae, ARCH Board member and Lorin MacDonald, former ARCH Board member for their receipt of the Association of Municipal Managers, Clerks and Treasurers of Ontario (AMCTO) AODA 10th Anniversary Champion Award. "This award recognizes outstanding individuals who demonstrate leadership in accessibility and disability issues, and commitment to the promotion and awareness of accessibility and inclusiveness in their community."

ARCH is thrilled that our board members have been recognized for the tireless and effective advocacy, and unwavering commitment to realizing a fully accessible and inclusive society. Congratulations Gary, John and Lorin!



Staffing update at ARCH

By Robert Lattanzio, Executive Director

ARCH has had many exciting personnel changes in the last several months. ARCH welcomes two new contract staff lawyers. Luke Reid has replaced Ivana Petricone on a contract basis, Ivana left ARCH in September and now works at IAVGO and the ACLCO. Mariam Shanouda has replaced Kerri Joffe who is currently on a maternity leave, returning to ARCH in May. Both Luke and Mariam are involved in every aspect of clinic work and are a great addition to the ARCH Team.

ARCH has also hired Yedida Zalik using new Financial Eligibility funding provided by Legal Aid Ontario (LAO). Yedida was the lawyer leading ARCH's Outreach Project which was developed to help ARCH identify new partnerships and projects to expand our services to communities in remote and rural areas of the Province. Yedida will continue the work of the Outreach Project and identify other gaps in legal services that can be addressed in the future. Yedida will focus on community development initiatives to all parts of the Province, lead and coordinate ARCH's public legal education projects as well as providing direct client services. She will foster partnerships with the private bar, other community legal clinics, disability organizations, universities, community colleges, and government and non-government agencies to reach our target communities and increase access to justice. Yedida will also assist with ARCH's social work and law student programs. Yedida begins working at ARCH during the first week of December.

ARCH has also hired Sue Hutton using Financial Eligibility funding provided by LAO. Sue is an experienced social worker and rights worker with expertise in working with rights education and group facilitation, specific to persons labelled with intellectual disabilities. She will support new and existing initiatives designed for the diverse communities of persons with intellectual disabilities. She will build on our existing work and reach new clients in more rural, remote and isolated areas either due to geography or the lack of supports available. Sue will also support our Respecting Rights initiative. Respecting Rights is a committee working together to help persons labeled with an intellectual disability know their rights and teach them how to take action if their rights are not respected. She will develop and deliver a workshop series on rights and decision-making across the Province, in person and via webcast. Sue will be working with us on a part-time basis for two years.

The staff and Board would like to sincerely thank Legal Aid Ontario for providing this new funding to ARCH. This funding has allowed us to enhance our staff team and to expand our services to our diverse communities of persons with disabilities.



A note regarding the following articles

By Amanda Ward – ARCH Alert Co-Editor

In the last issue of *ARCH Alert*, we invited claimants in the Huronia, Southwestern and Rideau Class Action, to submit their stories for this edition of *ARCH Alert*.

We understand this experience can be emotionally difficult to describe in writing, and people may not wish to go through that again after submitting their claims for the class action.

We have an article written by a support worker detailing her thoughts on the process and what happened to the people who lived in the institutions. We have four articles written by former residents of the institutions. The articles describe their thoughts on both the institutions, as well as the class action process. We also have an article that was submitted by a family member of a former resident of Huronia, and is her own account of what her brother went through, and what his family is doing with the settlement money that was awarded to him.

Please note, these stories may be upsetting to some readers. There is some graphic language. We have not substantially altered the articles out of respect for the authors. One drawback to the class action being settled is that none of the former residents were able to have their day in court and speak about the abuse they endured while living in these institutions. We hope that people will read these submissions, as it is important for people

to realize and understand what happened to the residents of these institutions. It is also important for the former residents to have their stories heard, read, and listened to.

However, we also recognize that these stories may trigger emotional responses in some readers, so please be aware of this.

We would like to offer our heartfelt thanks to John, Rick, Larry, Pierre, Kathy and Sue for their submissions. We hope that our readers feel the same way after reading their articles.

Finally, ARCH would like to acknowledge and offer our thanks to Pat Seth, Marie Slark, David McKillop, Mary Ellen Fox, and their litigation guardians for their bravery and strength in coming forward about the abuse they endured, and for starting the class action in the first place, without them none of this could have happened. Thank you Pat, Marie, David and Mary Ellen, we wish you all the best and hope you enjoy this issue of *ARCH Alert*.



A Social Worker's Perspective

By Sue Hutton, Community Living Toronto and ARCH Disability Law Centre

The voices of those who survived life in an institution are the voices that need to be heard as the class action settlement has come to a close. The bravery of Pat Seth and Marie Slark have allowed the avalanche of stories of hurt to come forward. Thank you to Pat and Marie for sharing your stories and your courage.

Still many more stories need to be witnessed and lives honoured.

I write this story as there are voices I wish could be a part of this honouring. There are thousands of people who endured life in Huronia and other institutions – and may they all be honoured.

I met many survivors, but there are three women in particular who came immediately to mind when the class actions were launched. All three had died prior to the law suit. These women taught me much of what I needed to know as a social worker supporting people living with intellectual disability – and this was the importance of purely simple compassionate listening.

When I first started out as a social worker in developmental services in 1992, I had no idea the pain and suffering the people I was supporting endured. I was a support worker, out in the community helping people live their lives the way they wanted to. It was my first week that my eyes were widened to the trauma of Ontario's legacy of institutions.

I worked supporting a caseload of people living in the community, and as I came to learn, three of them were resilient survivors, scarred by their time at Huronia. The three women were close friends, and they all shared their stories with me during one of my first shifts. It was one evening when I was getting to know everyone. Two of these women who were roommates had invited their friend to dinner at their home in their cooperative building. They had invited me to join in the meal.

I thought, being a nice new worker, I would contribute to the meal. I can't recall what they had on the menu, but mashed potatoes seemed a wonderful comfort food that would complement their meal beautifully. I had purchased organic potatoes and buttered them just right; creamy and perfect. I had no idea how much pain mashed potatoes could deliver, but once set on the table, the immediate trauma followed. It was the mashed potatoes that began to teach me exactly what the institutions had left with some survivors; a deep fear. One of the women had been choked to the point of not being able to breathe by an angry staff in Huronia. They had attempted to force so much mashed potatoes down this woman's throat aggressively, that she couldn't breathe and her throat and face was sore for a long time afterward. Upon seeing mashed potatoes on the table, she went into a panic, flooded with memories of the staff who had force fed them to her. These were deep scars and painful traumatic memories. I learned quickly, and am forever grateful to her for the teachings. I hope I can say I learned to support her with respect and compassion.

That night the stories of resilience and survivorship flowed. After we supported her in telling her story, the others began to share. One after the other, stories were shared and my eyes opened wide realizing the incredible resilience and the level of abuse that was endured. There were tears and Kleenex boxes went empty. I felt incredible privilege as a young social worker bearing witness and am forever grateful for those three women – all powerful survivors with senses of humour, radiant spirits of generosity and sharing. These three had come together through survival, as many others have. May all who survived be respectfully supported and wholly honoured to tell their stories in the way they need to. May everyone be listened to exactly as they need to be.



John's Story

It is with raw emotions as I write this article; as I guess it is for hundreds of others that were also sentenced to these horrible places (institutions) of debauchery and who were abused and violated. This article focuses on the hundreds of accounts of vicious abuse at institutions, such as Southwestern, Huronia and Rideau; a history the Ontario government would rather forget, the class action lawsuit that many years later, would follow, and what it took for this lawsuit to come to fruition. However the settlement, ultimately, once you know all the facts, was anything but fair. It was, as I see it, a disgrace. Hundreds of innocent lives were destroyed by a corrupt and archaic system, operated by the Ontario government.

These were institutions that during the 1960's up until approximately 2008 when they were closed, were charged with the care and protection of people with developmental disabilities, but in reality, these places were in fact hiding a secret, that was much darker and even sinister. These institutions were nothing more than breeding grounds for some of the more horrible and unimaginable abuse that many would never think possible. Staff acting like hoodlums beating up innocent people. Staff that sometimes resembled sociopaths, because they thought it was funny to see someone in pain as they beat them. Not only was this abuse consistent and widespread, it took place on a daily basis in these institutions where some would even die, maybe these were the lucky ones.

Many of the individuals in these places suffered untold pain and suffering, all at the hands of vicious bullies, who for the most part should have never worked with such a vulnerable population. Hundreds were beaten and abused and some of us, were even sexually violated; and if that were not enough, many also had their rights, their pride, dignity, and even their privacy was stripped from them. As a result of this horrendous abuse, some would remain damaged for the rest of their lives. Some of us would go to bed at night praying for god to take their life, as you never knew what the next day would bring; every day you lived with the fear of the uncertainty of what might happen. Such abuse consisted of residents being punched/kneed in the stomach and groin. Some would even have their heads banged against the wall. Other abuse consisted of teeth being pulled with little or no anesthetic. I myself was the victim of a most horrible sexual assault, when another resident in a violent way, raped and sodomized me, and staff did nothing. As a result of this most vile sexual assault, my life has also been ruined. I recall once when we were forced to stand in a straight line, holding pillows in each hand, and when you dropped one of these pillows, you received a punch in the stomach and were sent to bed. And this is only the short version, as there is much that yet remains untold. A few in fact also tried to run away, but when they were caught, it only made things much worse, for they were literally beaten. Now you need to ask yourself why. Why were we abused and why were these callous intellects permitted to get away with this abuse, that is in itself a criminal act. Was it because these places were run by the Ontario government, and we were seen as less than human, and the government simply chose to turn their backs? I guess the answer to that

will never be known. There is however, one other question that puzzles me: Why did the Ontario government, give us a fair settlement, as they like to think it was, but at the same time, never investigate these proven alleged cases of abuse? Is it because they know, they too are just as guilty and would also shoulder much of the blame?

Consequently, in 2010 because of this abuse, two individuals that were once residents in one of these horrid places came forward with shocking allegations of horrendous accounts of abuse, the horrible secrets that for many years until now remained hidden. This eventually led to a class action lawsuit. The law firm that would take up this suit was Koskie Minsky. What was strange, is what followed next. Hundreds of individuals all coming forward also claiming the same types of abusive experiences. In December of 2013 a settlement was reached. This settlement would see the Premier of Ontario apologizing to the many residents whom along with a cash settlement of only \$42,000, a maximum, any one person could claim, for all the abuse and pain they had endured. However not everyone would receive this amount, because in order to be eligible for this said amount, one would need to recall certain events and roughly when it happened. Sadly, some would only receive \$2,000, because again they could not recall certain events. And all of this again because of the untold abuse they suffered at the hands of these vicious bullies. And what is even more sad, is that we were denied the right to have our stories heard in court.

There are some individuals such as myself that think the apology and the settlement, did not go far enough to compensate the many that were abused and had their lives destroyed by a much corrupt and archaic system. This in my mind, is a very sad outcome. Hundreds that were so violently abused would be denied a true and meaningful settlement. This was like being abused again.

What is even more disturbing, is the fact that the ones responsible for these horrible acts of vile abuse, would never be brought to justice. These individuals have literally gotten away with "Crimes against humanity". As if they are being protected. In fact, there are ones that are said to have worked in these places that have decided to take to the web, claiming "This abuse never happened", and that basically, everyone who lived in these places, was happy. What is even more troublesome and confusing, is that even after many of these allegations of abuse were proven, the Ontario government still remains unresolved to do anything more. That could include launching an investigation into these horrible places and holding responsible the many that destroyed hundreds of lives. I ask you: What is fair, when the bullies that committed these many acts of vile abuse are walking free, while so many of us that suffered this abuse are walking around imprisoned in our bodies and minds that can't escape the horrible painful memories that won't let us go. It is as if we are still in these horrible places, institutionalized for life.

Nonetheless, this settlement still remains, a truly sad ending to what should have otherwise been more fair, giving back an ounce of dignity to so many people that were once abused and violated. As a result of this less than fair settlement, I have found myself wondering and often asking myself the same question: How can such injustice take place in a country

that not only claims, but will have one believe, it cares for its people, especially the less fortunate.

There is one final thought I wish to share, and no doubt, one which many of you may have a difficult time with: just maybe the fortunate ones are the ones that died, because their pain is gone, while in so many ways, our pain lives on. I know, this is not a very happy story, but neither was it meant to be. It was meant in short, to expose what really happened in these horrible places. The many incidences of atrocious acts of abuse that were never brought to justice. Since many were also denied the right to have their stories heard in court, I am now in the process of writing a book that will share our stories. If the government won't, then it is with the hope of writing this book, that it will hold the many that abused so many of us accountable for their unlawful actions. Sometimes, the court of public opinion can be just as powerful.

I do however remain very grateful to Koskie Minsky for bringing this lawsuit forward. A settlement that without their time and hard work, would have never seen the light of day.



Rick's Story

Hurononia was terrible – really terrible. I know it wasn't as bad for me, because I was blind. They were still mean to me, but not as mean as the others. I think they felt sorry for me. I grew up on the medical unit because I was blind. I learned how to walk there. I was also lucky because my family came to visit me – they would take me for drives when they came. I know lots of people whose families never came. We were kids too – so we needed to see our parents. I went there when I was 2 years old.

The things I didn't like were the things they did to my body – nobody needs that. They would give me enemas every day even when I didn't want to. It hurt. Then if I said no, they would give me a whipping on my bare bottom. They used to like to punish people.

One time they did that just because I didn't want to drink my milk. It was too cold for me – it was freezing cold. They took me away to the bathroom and hit my bare bottom so hard I couldn't sit down.

I think I had it much better than other people though. Now I live with a friend who I knew there – he was treated way worse than me. I was lucky I had family to visit me – no kid should have to go without seeing their family. The nice thing is, now I'm family to my friend who was there too. We have to stick together now. He's like my brother now.



Larry's Story

My Life in Prison – Huronia was like a prison to me.

Larry turned 65 recently and will retire from his janitorial work in the community next year. Larry works for Sunrise Janitorial and has a vibrant life in the community. Larry is an active member in his cooperative housing unit in downtown Toronto. He's vibrant and has bounced back with resilient gusto from his early years at Huronia. A regular volunteer with Word on the Street, his Coop community garden, and a singer with the Surrey Place Choir, Larry enjoys his life.

Larry finally received his settlement from the class action law suit and put it right in his savings account. Although the settlement is done, Larry still has many stories to tell about how he survived Huronia.

"I was taken away to Huronia when I was a young teenager. It was awful. They called it a hospital, but it was more like a prison to me. When I was a kid I was going to school at Beverly Street School in Toronto, and all of a sudden they took me away one day in a black car. A man came and picked me up and took me there. I was brave though, I wasn't scared. It was just me in the car. Me and the man in the black car.

He took me to Orillia – it was a big jail. We all had to sleep in a big huge room – all of us. Almost like a gymnasium. We had beds lined up all in a row. Then they brought really little kids in to our same room to sleep. We used to sleep with them to keep them warm, we felt sorry for them. They were only little, they were even smaller than we were.

They did terrible things to us. They put diapers on me even though I was a teenager. They said it was one of the rules. There were no washrooms to use, so they said I had to. It was because there were broken pipes. No bathrooms.

All the time they hit me with a fly swatter. They would pour cold buckets over my head as punishment. They made me take a brick – a big square brick and push it up and down the hall for hours and hours at a time. Day and night, back and forth, back and forth. The brick had a handle on it – and a cloth underneath it. My body hurt from doing that. Had to push the brick up and down the long hallways as punishment.

But if you spoke back, they punished you more. The guards made me wear pajamas when I spoke back. They'd hit me with a fly swatter too. It really hurt. I would run outside and rip the pajamas in half so I wouldn't have to wear them. I would hide in town when I could – I'd sneak out from doing the dishes and run away. I'd try and run away, but they found me. Sometimes I'd hide behind a big tree if I could find one.

When I finally was able to leave – to get away, they took all my money I had in a big envelope. They never gave it back – and that was stealing. It was money I had saved up my whole life. I'll never get it back.”



Pierre's Story

Pierre doesn't like to talk about his memories of Huronia for very long. He's been living in the community since getting out of Huronia in 1970, and likes to focus on his positive memories of being with his friends and community he's developed post-Huronia. Pierre lives with a roommate he knew in Huronia, and they live together like family now.

“I was in Huronia when I was young and I didn't like it there at all. It wasn't fair for us to have to go there as children – not fair at all. I was just 5 years old when I went there in 1961. I didn't like it there at all. It wasn't safe for anybody to be there. It used to stink. It stank everywhere. It stank like pee and poo and stuff like that. It even stank really bad where we had to go to sleep.

They used to pour cold water on me. It was freezing cold water that hurt my ears and my head. I got out of there in 1970. That's the good part of the story.”



Brent's Story

By Kathy Oakes - sister

Brent Andrew Becigneul – February 27, 1947 – June 22, 2015

Brent was born into a family in Toronto, whose Father was the CFO with a construction company, a homemaker mother and an older brother by 7 yrs. It was a difficult birth and as a result he had a developmental disability from birth, brain damage, non-verbal. Things were difficult at home as he grew, not advancing as other children do. It put a lot of strain on the home and family life. They looked to get him into a home, and finally found one in Lachute, Quebec with a woman who took these type of children. Along came his Sister and things changed a little in the home, more settled and back to normal. Brent remained in Quebec until the age of 8 and then came back to the city to be with his family, a total nightmare, disruption of life, strain on the parents etc. His Father was working for the General Contractor who built most of Huronia Regional Centre; and with a lot of hard work

and efforts they were finally able to get Brent admitted. Little did they know then, what would happen to this poor soul. Being non verbal, under size for his age he could be pushed around and manipulated very easily. There wasn't a month that went by without incident and they would have to run up there. We were as faithful as dogs, a family outing always constituted going ourselves or taking all the family once a month to Orillia for picnics on the grounds, or at Couchicing Park, and in poorer weather to the Chinese Restaurant on Mississauga St. We had a cottage at Stoney Lake and for 1 week each summer Brent would be brought there, the centre of attention!

What he endured was unbelievable, they pulled out all of his teeth, he suffered 2 fractured jaws – brought him to Toronto and wired them shut – my Mother went immediately to TGH where she found him handcuffed to prisoners from Kingston Pen, so they wouldn't lose him; Detached Retina/Cornea – TGH again, Hepatitis B – not sure how or where he contracted that, he was forced to wear shoes that never fit, too small, or too large tied with large bands to keep in place, making his walking very poor and feet not developed properly; the last straw was when we went to visit one day he had restraining marks on his hands/feet, black eye, 2 cauliflower ears, belt marks across the face and signs of sexual assault. If my Father could have, he would have killed someone on the spot. He called for the Director who would not respond and in the end spoke personally to Mathew Diamond, who at that time was the Minister of Health. Brent was moved immediately to a safe house down by the pool on the grounds until they could investigate. After that move his life and everything seemed to change. People were now paying attention to this boy and trying to protect him. They treat animals better than this. Brent was only one; there were thousands worse off!

My Father passed away in 1975 and Brent could never understand why the big 6' cigar smoking man with the large car never appeared again, now only my Mother and myself. I now became the advocate for him. Once they announced the closing of HRC I got onto the bandwagon to try and stop it, costing us thousands of dollars in lawyers fees, to no avail but we tried. I was very concerned as to where they would move him. He was not a good candidate for change, a robotic type person. He had worked in the laundry for years pushing the carts, clearing tables in the dining room at meal times, and then working in the shop putting together large screws/anchors for different companies – his pay was \$1.50/week never enough to buy a coke and candy bar at the same time. My Mother though religiously sent money every month for his tuck fund!

Now the hunt in 2007 was on to find a place. I went and visited many in Barrie with SCL and all were just as bad as HRC. I needed something better for him. Finally one day my prayer was answered and 29 Paddy Dunn Circle was shown to me, a fabulous house, a Palace and Brent moved in November 2008, into the Master Bedroom/Bath on his own, no other resident for 4 months with one on one supervision. Now instead of being someone's whipping boy he was now the King of the Castle, - a double bed, with sheets, pillows, blankets, blinds on the windows – he had none of these at HRC. I can't imagine what was going through his mind. A large van taking him on outings, bowling, dinners, mall, shopping, coming and visiting me; the life of Riley. In the spring other people started to move in, 3 more, but no more beatings, no more heavy drugs, no punishments; the

Guardian Angels had arrived. All the ladies that took care of Brent, love, respected and helped him in every way possible. He always had a smile on his face!

He would be taken to his appointments, he joined Program with SCL and on Sundays he was taken to St. Mary's Church, he had not been inside a church in his life. He enjoyed all of this. He attended bowling, swimming, was an Honourary member of The Legion, sold Poppies for them. He was vital in the community and all.

Very dear to his heart was attending Shadow Lake Camp in Mount Albert, which he did for 2 different weeks each summer. He always got a wonderful report card and was sad to leave. When the girls dropped him off he knew where he was, he would grab his bag and run away – no Good-byes; and upon pick up at the end of the week they would say he would have a tear in his eye and be silent upon the ride home.

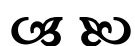
Once the Class Action Suit was initiated I jumped right in with both feet, to let them know what had happened, how he had been treated and see what I could do for this Person who had suffered so much. I attended each meeting, wrote letters, got Brent into the newspaper with his story several times and did anything I could to get the situation noticed. I attended the court cases, voted in favour of paying the Lawyers Koskie Minsky \$8.5M and waited to see what Brent would get. Once the settlement was made I took him to the Legislature at Queen's Park for the Apology from Kathleen Wynne. It was a long haul, and it didn't seem that we would get anything. All I wanted to do was take him to Disneyworld one more time. I took him and one of his Angels in 2012. A shining memory for me.

He had been diagnosed with Aorta Stenosis in 2011, I also knew that he was getting the onset of Alzheimer's very quickly and having difficulty in swallowing. I was hoping he would survive to see some of the money to use for his trip. However, this spring he took ill very quickly, could not swallow anything, causing choking. He was in RVH, where he was treated with kindness and dignity. Not a good way to go, very hard to watch, especially when he really didn't understand what was happening to him. However I know now that he is at peace and will never endure anymore pain or suffering.

Finally the settlement cheque came, so in honour of my great Brother, I have set up a Brent Becigneul Trust Fund for Shadow Lake Camp, so that 2 children; 1 boy, 1 girl will get to experience what he did! I hope that this can make an enjoyable difference in people's lives who have endured some of the same things that Brent did.

HRC was a prison and it should be torn down today to try and eliminate some of the pain and suffering for the residents left behind. They did not even honour the lives of people who passed away while in their care.

I don't have to deal with this pain anymore, just the fact that I lost my brother whom I advocated for, loved and cared for, I will never forget his smile!



Lessons Learned

By Dianne Wintermute, Staff Lawyer

This issue of ARCH Alert directs attention to the bravery and courage of former residents of the Huronia, Rideau and Southwestern institutions. Many former residents claimed compensation for the time they spent living in these institutions, where they experienced significant abuse, neglect and terrible living conditions. These people had to write about their painful and horrific memories in order to ask for compensation.

ARCH, along with other community legal clinics, organizations and volunteers helped people to write their claims. What we heard was that residents living in these institutions were hurt by the very people who were supposed to take care of them. We heard about mistreatment that amounts to torture. We heard that staff turned away when residents abused other residents. This led to a life lived in fear of what would happen next and when.

Former residents of the institutions relived their lonely, isolated and cruel experiences through the telling of their stories. Many people told us that talking about their experiences forced them back into the past. This caused additional harm and trauma to them.

We have also heard that the amount of compensation people received was insufficient. The pain and suffering people encountered day to day was so much more than any sum of money could fix. Many people were very unhappy with the small amount of money they received. They can never be repaid for the cruel situations they endured. Many people thought that a personal letter of recognition from the government should have been written, acknowledging that the Ontario Government allowed shocking things to happen to people who could not defend themselves.

We want to make sure that all claimants know that we applaud them for their bravery in showing society the truth of what happened behind the doors of these institutions. By doing so, you have made us look behind those doors and acknowledge your pain. It has made us want to make sure your experiences will never be repeated.

We also want to thank the lead plaintiffs in all three class actions for their bravery and courage in coming forward. Without you, there would have been no recognition of the grief former residents experienced. There would not have been an apology from Premier Wynne. There would not have been any monetary compensation, however small. Your strength has changed the lives of many.



Karen and Jazmine Talosig: A Deaf Child United With Her Mother

By Gary Malkowski, President, ARCH Board and Dianne Wintermute, Staff Lawyer

Karen Talosig is a registered nurse from the Philippines who came to Canada in 2007 under the then live-in caregiver program. Because she worked enough hours, she qualified for and received permanent residence status in 2010. Her status permitted her to sponsor her daughter, Jazmine, to join her in Canada. Jazmine is a dependent minor child. Jazmine's father died when she was a baby. However Jazmine was denied entry to Canada because she is Deaf. Citizenship and Immigration Canada, in a letter to Ms. Talosig, stated, "Your child ...is a person whose health condition might reasonably be expected to cause excessive demand on social services in Canada."

People with disabilities, including those who are Deaf, have been denied permanent resident status in Canada because they have been found to be medically inadmissible. Medical inadmissibility includes someone whose health condition or disability is "likely to cause excessive demands on health or social services".

The possibility that Deaf individuals might avail themselves of social services, such as those provided by the Canadian Hearing Society, should not automatically result in their receiving a medically inadmissible assessment.

Helen Whitfield, who hired Karen Talosig as a caregiver for her children, mobilized hundreds of supporters and managed to get national media coverage from the CBC, Vancouver Sun, Toronto Star, Montreal Gazette, Canadian Press, and other local newspapers. This sparked the debate on Jazmine's exclusion in the House of Commons in May and June 2015. The Canadian Association of the Deaf, Ontario Association of the Deaf, Toronto Association of the Deaf, Canadian Hearing Society, ARCH Disability Law Centre, the B.C. government, B.C. local school board and numerous other advocates and petitioners joined the protest by sending letters requesting Citizenship and Immigration Canada to reconsider the decision denying Jazmine's right to join her mother in Canada.

In its letter of support, ARCH Disability Law Centre noted that medical officers may lack specialized knowledge regarding the cost, availability, delivery, models and levels of social services required for the participation of persons with disabilities in education, employment and community life in all of the various geographical regions of Canada. In addition, we stated that social service issues are not the focus of doctors' education or training. Issues of availability, scarcity, cost and degree of public funding for social services are not within a doctor's knowledge or expertise.

ARCH was also concerned that medical officers may make life-defining recommendations on the basis of stereotypes and assumptions. Often the mere presence of certain disabilities and impairments make the applicant inadmissible. For example, the “General Statement of Admissibility” in the Medical Officer’s Handbook expressly stipulates that a person whose condition necessitates residence in “an integrated or co-operative housing project for the disabled”... “must be considered to represent an excessive demand on health (D4) or social services (D6, D7)”. Consequently, all medical officers are ordered to make an unfavorable recommendation based solely on where a person with a disability resides. ARCH wrote that a decision about medical inadmissibility does not consider any other circumstances or factors and could display stereotypical attitudes that affect the medical admissibility process. A lack of an individualized assessment deprives applicants with disabilities of dignity and respect, contrary to the values of equality and non-discrimination pursuant to the *Canadian Charter of Rights and Freedoms*.

As a result of the outcry of support for Karen and Jazmine, Canada Immigration and Citizenship reversed their decision and permitted Jazmine to join her mother in Canada.

Jazmine enrolled in the Burnaby public school system and attends the B.C. School for the Deaf with no additional costs to either the school district or the Province of B.C.

This story has a happy and successful ending. But we can’t help but wonder about countless other children with disabilities who are unable to enter Canada because their disability is “likely to cause excessive demands on health or social services”. Canada is, for the most part, a wealthy country with a history of supporting new immigrants. Canada provides a right to public education, universal healthcare and is required under federal, provincial and international human rights laws to provide the supports and services a person requires to accommodate their disability and be included as active participants in our society. We hope our new Government will stop discriminating against persons with disabilities wanting to immigrate to Canada.



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425 Bloor Street East, Suite 110
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