



# Annual Report 2018-2019

**JUSTICE. INCLUSION. EQUALITY.**







ARCH Disability Law Centre is a specialty legal clinic that practices exclusively in disability rights law. ARCH is dedicated to defending and advancing the equality rights, entitlements, fundamental freedoms and inclusion of persons with disabilities in Ontario.

ARCH represents persons with disabilities and disability rights organizations in precedent setting and systemic cases, and provides a range of direct legal services to persons with disabilities across Ontario.

ARCH also provides public legal education to disability communities and continuing legal education to the legal community. ARCH conducts community development projects that support its extensive law reform practice, involving a variety of initiatives related to advancing the rights of persons with disabilities.

**This Annual Report is available in multiple  
alternate and accessible Formats upon request.**

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Cover photo by Mariana Versiani, 2019



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## Greetings

As Confucius says, “may you live in interesting times.” And this year has certainly been an interesting and challenging year, with great successes and concern for an uncertain future, given the Legal Aid Ontario Modernization Project.

At the Board level, we held a very successful Board/Staff planning day last December. This was an opportunity for the Board to come together and do more in-depth discussions on a number of governance issues. As a result of these deliberations, we undertook a number of initiatives:

- 1) Firstly, these discussions have resulted in the adoption of a restructured, streamlined, committee structure, reducing our committee system from nine committees to five committees, without neglecting any area of governance. The realignment reduces scheduling issues, is less consumptive of staff time and absorbs a number of committees, which are only active periodically as issues arise.
- 2) Building on our strong involvement in the community and meaningful partnerships with many other disability organizations, we have also commenced a reevaluation process to assess how our community partners and membership can be more meaningfully engaged in informing ARCH’s work, as well as considering how we can, given our unique position as Canada’s only disability legal clinic, provide input on national disability issues.

We have also commenced a review of how ARCH can continue to build stronger relationships as an organization on issues faced by Indigenous persons with disabilities.

The Board continues to adopt or revise internal policies to make our governance more professional and thorough and the Board continues to monitor the implementation of our strategic plan.

I want to acknowledge the increasable talents and significant time commitment that Board members contribute on a voluntary basis, to assuring ARCH is a responsibly run organization and more over they contribute energy and enthusiasm, that powers our mission as a Board. Above and beyond simply governance, ARCH’S Board members provide diverse expertise that informs the management of ARCH’s

## Message from the Chair

operations.

I want to acknowledge and thank an outgoing Board member, Monica Ackermann, who has stewarded our finances, as Treasurer for 12 years, over two different periods. I can't express how much we will greatly miss Monica's calm and practiced leadership. She has been an integral member of the Board, and a pleasure to work with, a colleague and a friend.

Which brings me to the interesting part of the year.

ARCH's leadership and staff have shown their true character in how they have dealt with the ongoing uncertainty and the funding cuts to date. This is a reflection of our Executive Director, Robert Lattanzio's, strong leadership and the positive work environment he has fostered. We have managed this year's Provincial budget cuts due to the ongoing prudent financial management and operational efficiency established by our management team. Rob is to be commended for his tireless leadership of the staff in these complicated times and Rob's continued leadership of ARCH, in its unwavering service of justice for vulnerable members of the disability community. Our staff is to be commended for their productivity and maintaining their morale despite the difficult environment.

In the way of successes, the most significant and systemic this year was ARCH's leadership, along with our community partners, in making submissions to Parliament and Senate, which have resulted in significant amendments to improve the *Accessible Canada Act*, for persons with disabilities. I congratulate Rob and the staff on this historic accomplishment which will be an enduring improvement of the lives of persons with disabilities in their interaction with Federally regulated entities.

Lastly, I express thanks to all our volunteers, funders, donors and community partners and members, who make up our community. Specifically, acknowledgment is due to Legal Aid Ontario, our principle funder, who's mandate and resources make it possible for ARCH to continue to advance the rights of persons with disabilities in Ontario.

No matter how interesting times become, ARCH shall continue to persevere in the service of its mission.



Douglas Waxman  
Chairperson, ARCH Disability Law Centre





On behalf of the Board of Directors and Staff of ARCH Disability Law Centre, I am honoured to report to our membership highlights of ARCH's achievements for the period of September 1, 2018 to August 31, 2019.

The disability rights movement in Ontario and Canada achieved significant milestones this past year and I am proud of ARCH's meaningful and impactful contributions towards those achievements. The passing of the *Accessible Canada Act* is historic and ARCH worked closely with many disability rights groups and individuals across Ontario and Canada to successfully advocate for the strongest possible legislation. In response to community advocacy, Minister Qualtrough announced at an ARCH co-hosted event that Canada acceded to the Optional Protocol to the Convention on the Rights of Persons with Disabilities which provides our communities with additional avenues of recourse.

ARCH continues to be well positioned, and responsive to changing trends, to address an increasing caseload on a wide range of areas of law that most often are unaddressed elsewhere. We provide direct and critical legal services to some of our most marginalized and vulnerable communities of persons with disabilities across Ontario. We helped over 2,000 individuals with disabilities across Ontario on a wide range of complex legal issues. ARCH continues its systemic and precedent setting litigation including taking on discriminatory practices in health care, in primary, secondary and post-secondary education, advancing the law on legal capacity, and ensuring that transportation services are accessible. Beyond our work on the *Accessible Canada Act* and the Convention, we continue to work with local communities and provincial groups to advance policies and changes in law aimed at dismantling the systems that exclude and create barriers for our communities. ARCH launched a new fully accessible website, launched a new blog series, launched a rebranded series of public legal education materials covering a range of legal areas, and we continue to release our quarterly newsletter, and other writings on the state of the law related to people with disabilities in Ontario. Our programs within our communities are making real change, such as Respecting Rights which is now running 3 pilots in Ottawa, London and Toronto.

## Message from the Executive Director

All of ARCH's significant accomplishments over this past year would not be possible but for the unparalleled commitment, dedication, unwavering work ethic, creativity, and expertise that our staff team embodies. Over the course of this year, we said goodbye to Yedida Zalik and Luke Reid, who pursued other challenges, and I wish to thank them for their service to ARCH.

I wish to also thank the Board of Directors for their continued support in ensuring good governance of our organization. As volunteers, they continue to offer their time, skills and insight in matters that at times can be significantly challenging. In particular, our Chairperson Douglas Waxman continues to provide strong and dedicated leadership for the Board to conduct its work. Our outgoing Treasurer, and Board member, Monica Ackermann, has been a tireless leader on the Board. Her thoughtfulness, critical approach, and deep rooted understanding of the barriers facing our communities, will be a significant loss to our organization. I wish to thank Monica for all of her years of service to ARCH.

I wish to thank our funders without whom we would be unable to take on any of this important work. We sincerely thank our primary funder, Legal Aid Ontario, for their ongoing support. This past year, Legal Aid Ontario partly funded a new bilingual intake lawyer position at ARCH. We have hired bilingual lawyer Lila Refaie and her new role has already helped us reach communities that we had not prior. I again wish to reiterate the important role that Legal Aid Ontario has in ensuring that ARCH continues to service the most vulnerable members of our communities. Lastly, I wish to acknowledge and extend my gratitude to our other funders all listed in this report, our students, volunteers, donors, our membership and community partners, stakeholders, partners and supporters.



Robert Lattanzio  
Executive Director, ARCH Disability Law Centre



## Vision Statement

A society in which laws, policies and legal systems ensure full participation, inclusion, dignity, and equal rights without discrimination for persons with disabilities.



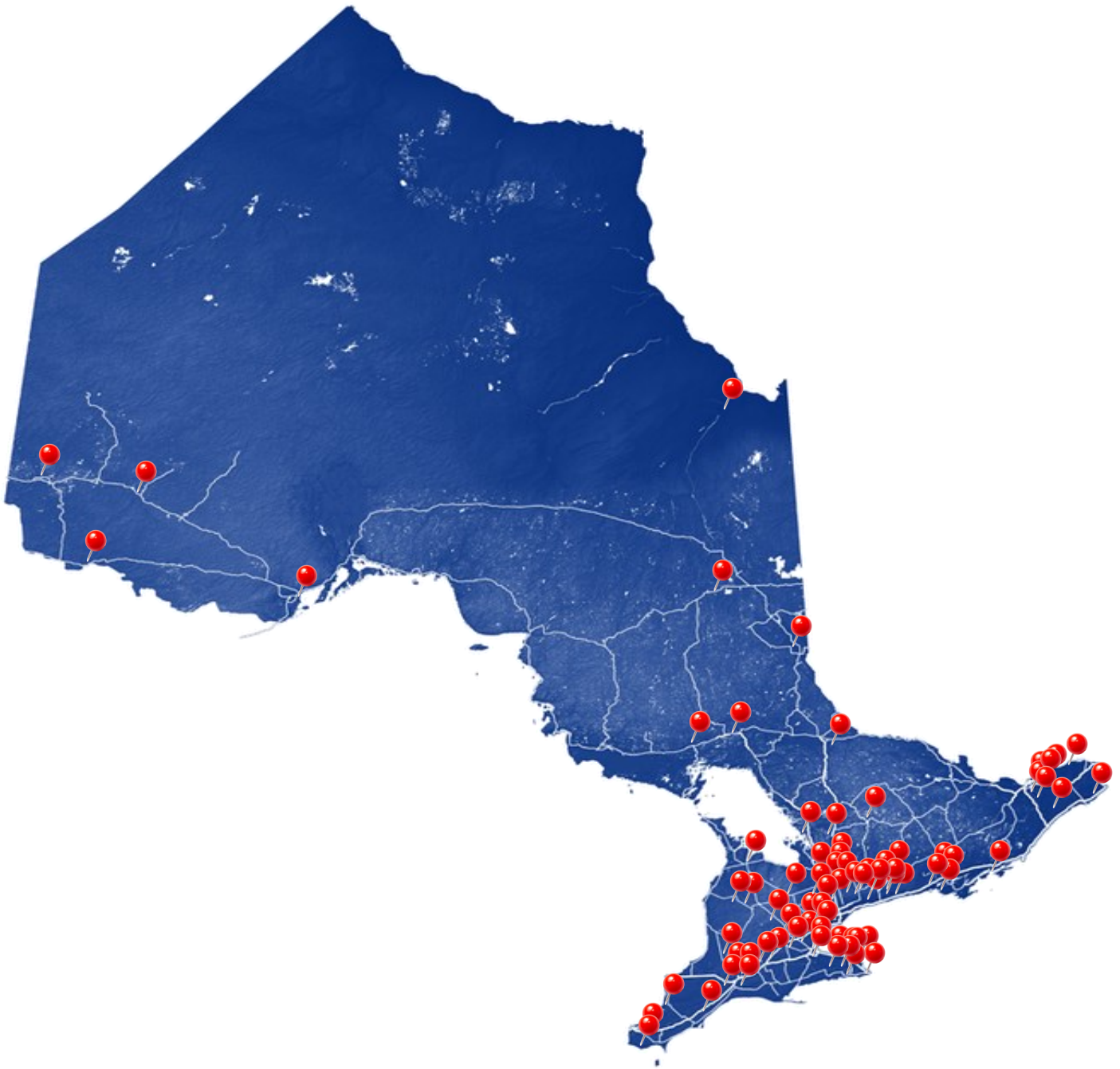
## Mission

ARCH Disability Law Centre, as a specialty legal clinic with a provincial mandate, undertakes to achieve this Vision by:

- Advocating for the rights of persons with disabilities, including the removal of systemic barriers;
- Promoting awareness and providing education on the rights of persons with disabilities;
- Addressing issues that have a particular impact on low income persons with disabilities;
- Ensuring that ARCH's work has Ontario-wide impact;
- Engaging in national disability rights work and influencing the realization of international disability rights norms in Canada and Ontario;
- Continuously developing and utilizing ARCH's expertise in local, provincial, national and international law as it affects persons with disabilities;
- Addressing the heightened disadvantage and discrimination faced by persons with disabilities, including as a result of other intersecting grounds of discrimination, including gender, race, age, language, place of origin, economic status, sexual orientation, and others.



# ARCH Services across Ontario





ARCH helped over **2,000** persons with disabilities across Ontario.

ARCH Blog published 12 articles and reached over **3,000** views.

ARCH launched a new **website** and reached almost **60,000** new users, tripling its page views.

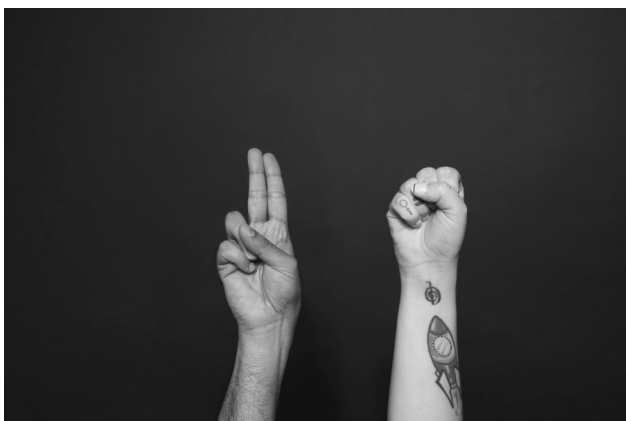




Respecting Rights presented workshops to almost **900** attendees across the province.

ARCH provided rights education to over **3,500** people across the province.

ARCH's publications reached more than **30,000** individuals provincially, nationally, and internationally.





# Breakdown of Cases

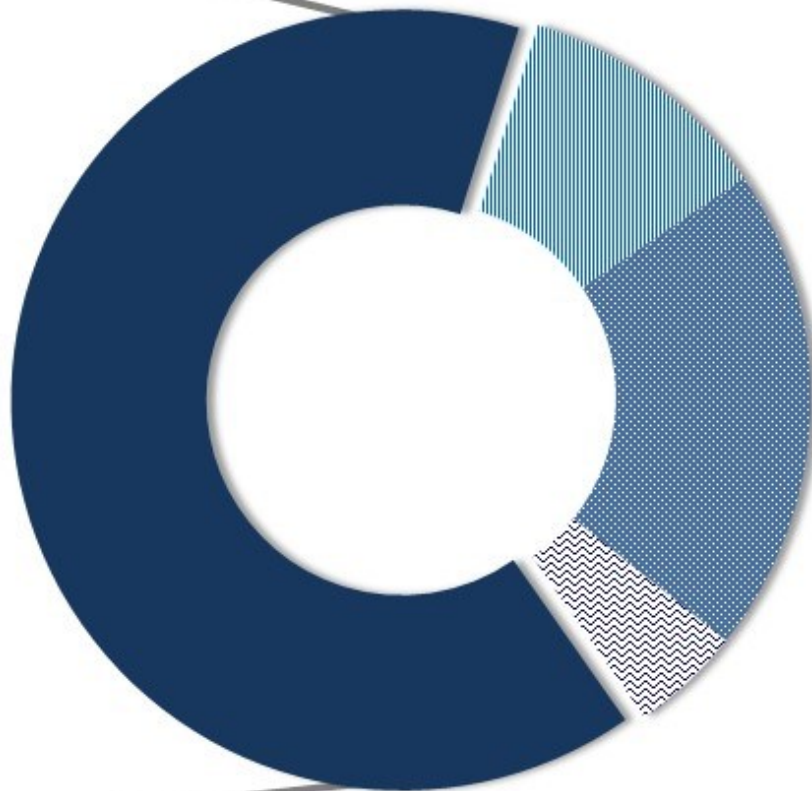
- Human Rights
- ◻ Accessibility Laws
- ⊗ Developmental Services
- Accommodation in the Workplace
- ▤ Human Rights in Post-Secondary Education
- ⊞ Education and Human Rights
- Decision-Making Rights
- ⊗ Attendant Services
- Accessible Transportation
- ◆ Other



# Providing Legal Services across Ontario

ARCH provides direct legal services to persons with disabilities across Ontario. During this reporting period, ARCH provided a range of legal services in over 2,000 matters, including the provision of summary legal advice, limited retainer cases, and test cases. ARCH opened over 500 cases assisting people with disabilities in Ontario. Advancing test cases is one important way for ARCH to pursue systemic change.

## ARCH Activities



- Cases
- ▤ Law Reform and Systemic Work
- ▣ Public Legal Education
- ⋈ Community Development

## Advocating for Change

Through law reform and test case litigation, ARCH advocates for a disability rights perspective to guide and inform the development of laws and policies, as well as representing individuals, disability rights organizations and interveners in cases that can affect a large number of persons with disabilities and promote systemic change.

### Providing Accessible Legal Services

A person with a disability filed an application at the Human Rights Tribunal of Ontario but had complex disability related barriers to communicating with lawyers and could not find a lawyer who would accommodate his disabilities. The person's disabilities meant that it took him a long time to understand written information, and that he found it very challenging to remember conversations. ARCH lawyers provided him with extensive legal advice about his human rights application, in a manner that appropriately accommodated him. The person wrote to ARCH:

"You are the only agency that has given me any help".

### Legal Capacity to Represent Oneself: A Disability Rights Perspective

#### *Traikos v. Pappone*

A person with a disability was allowed to have a support person to assist them to represent themselves in court. The court later found that the person did not have the required mental or legal capacity to represent themselves, and instead appointed the Public Guardian and Trustee to make decisions in the case for them. ARCH represented the Canadian Association for Community Living, Community Living Ontario and People First of Ontario as interveners. These organizations argued that courts must apply the test for legal capacity in accordance with disability rights principles reflected in Ontario law and the CRPD.



## **Insurance Companies and Benefit Deductions**

*Reilly v Ford Motor Company*

Mr. Reilly was granted Canada Pension Plan Disability Pension (CPP-D) benefits, which were not deducted from his short-term-disability. However, when he became eligible for long-term-disability, CPP-D was deducted from it. ARCH intervened in a coalition with ISAC and HALCO. The Human Rights Tribunal of Ontario ruled that insurance companies do not discriminate when they deduct benefits received from the CPP-D from long-term disability insurance payments.

## **Henson Trusts and Access to Social Programs**

*S.A. v. Metro Vancouver Housing Corporation, 2019 SCC 4*

The Supreme Court of Canada released a landmark decision, confirming that Henson Trusts should not be considered toward eligibility for social assistance and benefits conferring programs. This decision ensures that many persons with disabilities can continue to access vital social programs they rely on to maintain an equal and adequate standard of living notwithstanding whether they have Henson Trusts that they are beneficiaries of. ARCH represented the intervenor - Council of Canadians with Disabilities (CCD).

## **Appropriate Accommodations in School**

A student with a disability contacted ARCH because they were facing difficulties with their request for accommodations to the local school board. The accommodation needs included having a service animal when attending school. The student was not able to attend school without this accommodation. The student was unable to begin the school year due to this failure to accommodate. ARCH represented the student and negotiated with the school board for appropriate accommodations to be put in place. Following ARCH's involvement, the accommodation was granted. The student began attending school again, with their service animal.

## **Advocating for Accessible Transportation**

In 2016, Mr. R attempted to schedule a flight with Air Canada that he had taken a year before with no problem. Mr. R was advised that there were no accessible aircrafts flying that route that could accommodate his mobility device because the cargo doors of the aircrafts were too small. ARCH filed a complaint to the CTA on behalf of Mr. R. The CTA found that Air Canada denied equal access to the flight, and that a significant portion of its transborder network is inaccessible. The CTA ordered an oral hearing to determine whether Air Canada can accommodate Mr. R up to the point of undue hardship.

# Providing Accessible Rights Education

ARCH promotes awareness and education on disability rights, by offering presentations, workshops and seminars, as well as developing a wide range of resources and publications with its partners.

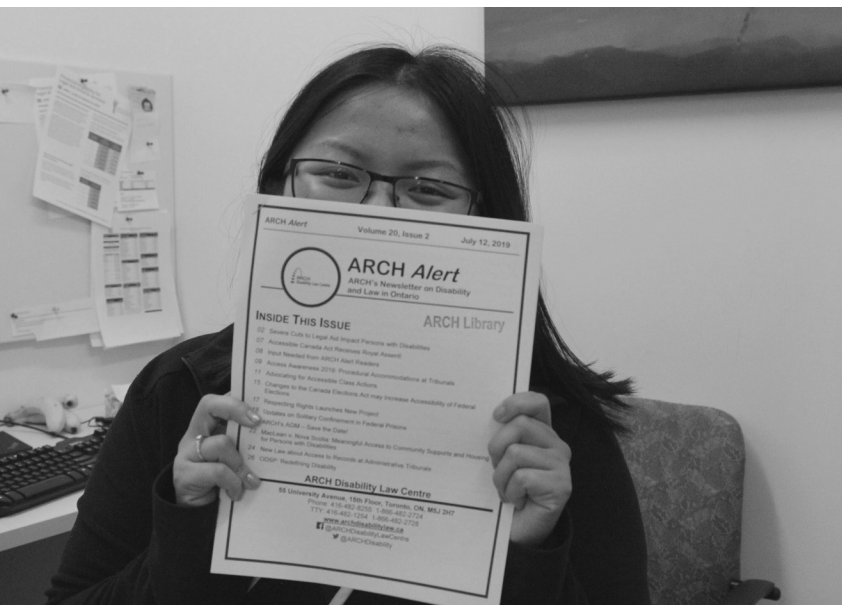
## ARCH Library

In its endeavour to make as much disability and legal information available to the public as possible, ARCH continuously adds and updates resources available in the ARCH Library. ARCH Library's online catalogue is available on our website. Items that are not available electronically can be accessed in the Resource Centre at 55 University, 15th floor. ARCH also provides computers with assistive technology for general use.



## ARCH Alert

ARCH *Alert* is ARCH's free quarterly newsletter. It provides timely information on legislation developments, significant court decisions, government consultations, community initiatives, and other disability-related legal issues. ARCH *Alert* has over 4,000 subscribers who receive the newsletter directly. It is also available on our website for anyone to access.



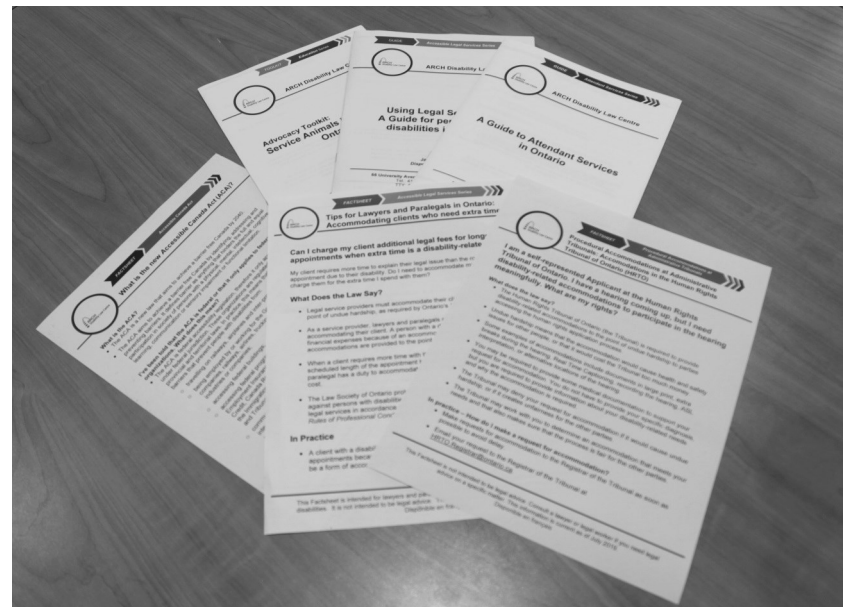


## Amplifying Communities' voice

ARCH's initiatives aim to advance disability rights and amplify communities' voices. ARCH informs the public of developments in law and our work in accessible formats including plain language. ARCH makes its submissions, policy discussion papers, reports, and articles available to the public on our website.

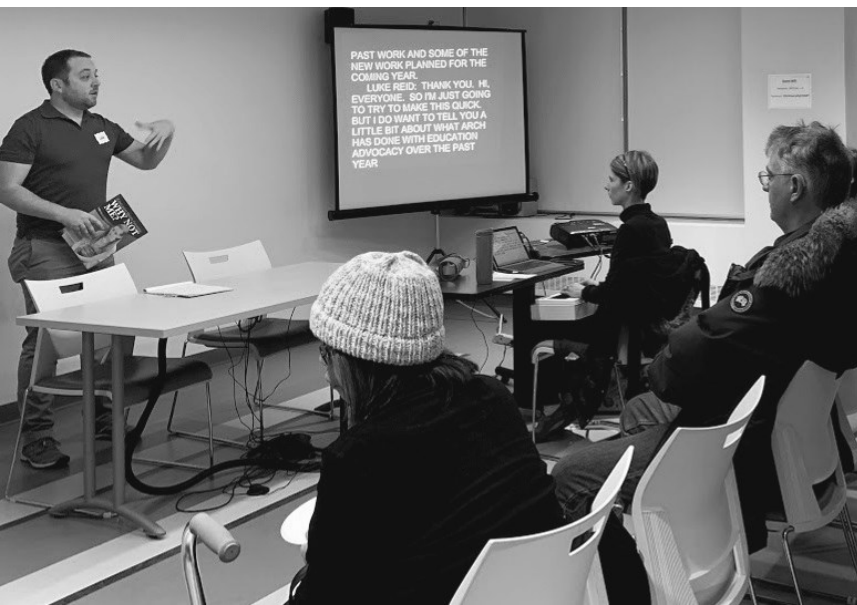
## Factsheets, Guides and Toolkits

ARCH frequently publishes concise learning and reference materials that are often developed with our partners in 3 distinct formats. Factsheets provide concise information on particular issues identified by the community. Guides provide more extensive information on a topic. Toolkits provide the necessary resources to support persons with disabilities to advocate for their rights. These resources are available at [www.archdisabilitylaw.ca/resources](http://www.archdisabilitylaw.ca/resources) and can also be provided in alternate formats.



## Workshops and Presentations

ARCH provided workshops to over 3,500 people across the province about a range of different subjects including education, attendant services, accessibility, transportation, legal capacity, human rights, employment, the Accessible Canada Act, the Convention on the Rights of Persons with Disabilities, and the disability rights movement.



# Working with our Communities

ARCH's work is always informed by our communities' needs. In order to understand those needs, ARCH continuously works with communities and other organizations to consider their concerns and pinpoint specific areas that require systemic change.

## Attendant Services Workshop + Legal Clinic

ARCH partnered with the Centre for Independent Living in Toronto - CILT to host an Attendant Services Workshop + Legal Clinic. ARCH and CILT presented on the Independent Living philosophy, the Home Care Bill of Rights and the Home Care and Community Services Act. Through this work, ARCH was able to better understand issues raised by the community and deliver direct legal services.



## Celebrating a historic moment in Canada's Deaf history

ARCH co-hosted an event led by the Ontario Association of the Deaf along with other partner organizations to celebrate our communities' role in getting American Sign Language, la Langue des signes Québécoise, and Indigenous Sign Language recognized in the Accessible Canada Act.



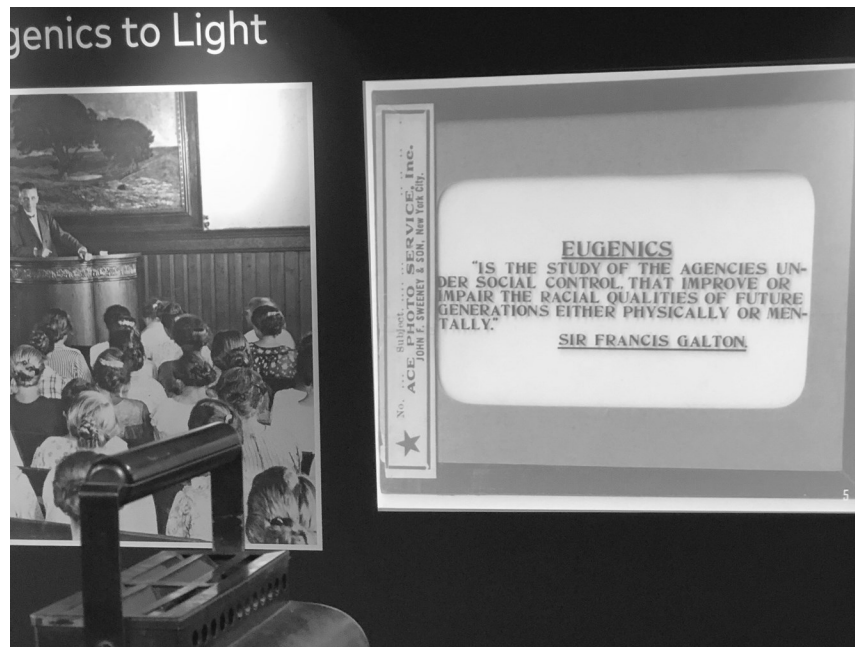


## Respecting Rights Flying to Freedom

Flying to Freedom was an event organized by institutional survivors and several organizations within the disability community, including People First of Ontario. ARCH and Respecting Rights commemorated with the community the 10 years since the closure of the last large government-run institutions for people labeled with an intellectual disability. Respecting Rights spoke on one of the panels -Journey from Institutionalization.

## Into the Light

Into the Light examines the histories and ongoing legacies of the eugenics movement in southern Ontario. This exhibition centres on the voices of members of Indigenous, disability and immigrant communities affected and who continue to work to prevent institutional brutality, oppose colonialism, reject ableism, and foster social justice. Respecting Rights member, Peter Park, is a co-curator of this exhibit, and ARCH contributed with "Eugenics in History - Laws & Policies" to the exhibit. This exhibition is still being featured at the Guelph Civic Museum.



## Do the Rights Thing

ARCH is a proud partner of Do the Rights Thing, a project by the DisAbled Women's Network (DAWN) Canada. This year ARCH and DAWN conducted research to better understand the needs of women, employers and service providers, and the labour movement with respect to inclusive, emancipatory, and intersectional rights-based frameworks. The research focused on women with disabilities and Deaf women and employers and service-providers interested in shaping a more inclusive workforce.





# Working with our Communities

- Continued

## Inclusive Investing

In partnership with the British Columbia Law Institute and the Canadian Centre for Elder Law, ARCH is collaborating in an extensive study to identify best practices for advancing supported decision-making in the financial services sector. This year focus groups were held to allow further understanding of what people know about supported decision making, how they use supported decision making to make investment decisions, and their experience working with investment advisors when trying to use supported decision making.



## Environmental Health Disabilities

ARCH and the Canadian Environmental Law Association (CELA) conducted consultations with our communities, research and prepared a report recently released on environmental health disability accommodation and the law.

## Enabling Change

ARCH participated in a project led by Centre for Equality Rights in Accommodation (CERA), Landlord's Self Help Centre (LSH) and East York East Toronto Family Resources Organization (EYET) to develop written education materials advancing AODA and human rights compliance in rental housing.



## Know your Rights

ARCH is collaborating with the CNIB Foundation to help members of Ontario's blind, partially sighted and Deafblind communities understand their rights. CNIB has developed legal information handbooks in 7 topical areas. ARCH also co-delivered training on Serving Clients with Disabilities & Advocating for an Accessible Ontario.

## Mental Health Profiling

Following several media requests regarding the practice of issuing armbands to certain patients in London hospitals, ARCH went to London and delivered rights education about human rights in Ontario, and the application process at the Human Rights Tribunal of Ontario. We organized the event with the assistance of local advocates and partners.



## Accommodation in the Workplace

ARCH is a partner on a project led by the Centre for Research on Workplace Disability Policy to develop an online resource focused on the duty to accommodate in the workplace.

## Health Justice Program

ARCH continues to be a partner in the Health Justice Program, a partnership of legal clinics and health service providers at St. Michael's Hospital, Family Health Team. Neighborhood Legal Services is the lead legal clinic on this project.

# Working with the Legal Community

ARCH is committed to engaging legal professionals in disability rights law. ARCH offers a free Case Consultation service for lawyers and paralegals across Ontario. ARCH also provides continuing legal education to lawyers, paralegals and law students in the form of publications, seminars, panels, webinars, internships and placements.

## Disability Law Intensive

ARCH continues its exciting partnership with Osgoode Hall Law School at York University to offer a program that is the first of its kind in Canada. Now in its seventh year, nine students were selected to participate in the 2019-20 Disability Law Intensive at ARCH. Students are placed at ARCH for the full academic year with a dual focus on direct client services and law reform.



## Internships and Student Placements

ARCH provides students from various universities an opportunity to gain experience in disability rights law. In particular, ARCH continues to provide placements to students from the University of Ottawa through the Student Proposed Internship program.

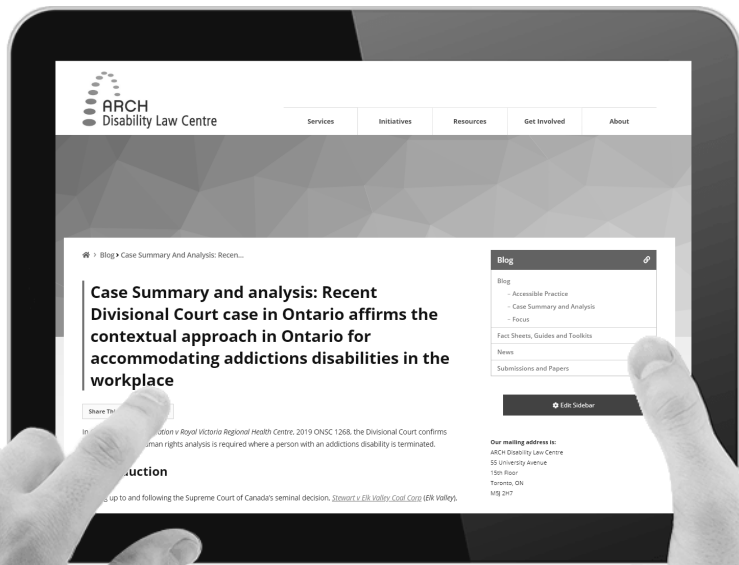


## Private Bar Referral Roster

ARCH maintains a private bar referral list for different areas of law that impact persons with disabilities. These referrals are made in areas that fall outside ARCH's scope of practice, as well as for those that may not qualify for legal aid.

## Association of Human Rights Lawyers

ARCH continues to host, organize and chair monthly meetings of the Association of Human Rights Lawyers. This network of lawyers, law students and legal workers monitors human rights legal developments in Ontario, nationally and internationally; coordinates law reform efforts; and provides case consultation and professional development opportunities for its members.



## The ARCH Blog

The ARCH Blog is geared towards members of the legal profession, with articles categorized under Accessible Practice, Case Summary and Analysis, and Focus, the blog explores issues related to disability rights, the legal profession and any matter that may fall in between.



**RIGHT TO LIFE**  
LIBERTY and SECURITY OF PERSON



**RESPECT FOR EVOLVING CAPACITIES OF CHILDREN WITH DISABILITIES AND THEIR RIGHT TO PRESERVE THEIR IDENTITIES**

**EQUALITY OF OPPORTUNITY**



**RESPECT FOR HOME and FAMILY**

**Access to Justice**

**FULL and EFFECTIVE**

**FREEDOM FROM TORTURE, CRUEL, INHUMANE OR DEGRADING PUNISHMENT**

# UN CONVENTION



**HIGHEST ATTAINABLE STANDARD OF HEALTH**  
*without Discrimination*

**INCLUSIVE EDUCATION**

**SUPPORTED DECISION MAKING**

**RESPECT FOR INDEPENDENCE AND INDIVIDUAL AUTONOMY**

# ON the RIGHTS

**LIVING INDEPENDENTLY AND BEING INCLUDED IN COMMUNITY**

open  
 accessible  
**inclusive**

**LABOUR MARKET AND WORK ENVIRONMENT**

**FREEDOM FROM exploitation, violence, AND ABUSE**







ARCH commissioned a graphic representation of the Convention on the Rights of Persons with Disabilities.







# Advancing the UN Convention on the Rights of Persons with Disabilities

ARCH continues its work in advancing the rights set out in the United Nations Convention on the Rights of Persons with Disabilities.

In April 2019, ARCH and other disability organizations met with UN Special Rapporteur on the Rights of Persons with Disabilities, Ms. Catalina Devandas Aguilar, at meetings hosted by the Canadian Human Rights Commission and the Canadian Association for Community Living. ARCH staff spoke about our work promoting the rights of persons with disabilities to make their own decisions and to ensure equal access to justice. These issues were highlighted in the Special Rapporteur's End of Mission Statement.

ARCH has participated extensively in the UN Committee on the Rights of Persons with Disabilities' second review of Canada. In May 2019, ARCH co-facilitated a meeting of a group of disability rights organizations to develop a plan to participate in the UN Committee's second review of Canada. ARCH co-led the development of a written submission by over 50 national, provincial and local Canadian disability organizations, providing information to the UN Committee about disability rights issues in Canada. In September 2019, ARCH was part of a delegation of Canadian disability organizations who met with the UN Committee and provided oral submissions for the first stage in the Committee's review of Canada, called the List of Issues Prior to Reporting.

ARCH was invited to speak at an Indigenous and Disability conference hosted by BCANDS to explore how the Convention can be used to address the issues faced by Indigenous persons with disabilities.

# Advocating for an Accessible Canada

ARCH worked extensively towards strengthening Bill C-81, by providing disability communities with the necessary legal analysis to advocate for a more accessible Canada.

In summer 2018, Bill C-81 – *An Act to ensure a barrier free Canada* was introduced in Parliament. ARCH immediately got to work analyzing the draft law, and produced an extensive report providing disability communities in Ontario and across Canada with a legal analysis of the draft law. As the Bill worked its way through the legislative process in Parliament, ARCH provided written submissions and oral testimony to the House of Commons and the Senate, outlining gaps in the Bill and making recommendations to strengthen it. ARCH provided public legal education about the Bill to many disability organizations and persons with disabilities, and published a series of short briefing notes to support persons with disabilities to advocate for improvements to the Bill. Together with the Council of Canadians with Disabilities and the AODA Alliance, ARCH coordinated 2 Open Letters to Parliament, calling for amendments to strengthen the Bill. Many of these amendments were ultimately included in the *Accessible Canada Act*. ARCH continues to monitor the impact of the *Accessible Canada Act*, and to advocate for the development of strong regulations and enforcement mechanisms to ensure that the Act will achieve its purpose of a barrier free Canada.







# International Day of Persons with Disabilities

December 3rd is the International Day of Persons with Disabilities. ARCH marks this date by raising awareness of current and relevant issues with our communities.

To celebrate this occasion in 2018, ARCH hosted a meet and greet to unveil a rebranding of our public education series, the launch of new public legal information materials, and the launch of our new website and online resources.

ARCH also co-hosted an event in Ottawa with Eviance o/a the Canadian Centre on Disability Studies centred on the theme of monitoring the UN Convention on the Rights of Persons with Disabilities.

Minister Qualtrough took the opportunity at our event to announce that Canada acceded to the Optional Protocol of the Convention on the Rights of Persons with Disabilities.

In addition to Minister Qualtrough, other speakers included Marie-Claude Landry, Chief Commissioner of the Canadian Human Rights Commission, Dr. Susan Hardie, Dr. Marcia Rioux, and ARCH. ARCH spoke about the Convention's interpretation by Canadian courts and tribunals.

ARCH was honoured and privileged to take part in an event hosted by Senator Marilou McPhedran, and to be introduced in the Senate by Senator McPhedran.

# National AccessAbility Week

Every year ARCH and the Law Society of Ontario co-host an Access Awareness event to mark National AccessAbility Week. The theme of this year's event was Procedural Accommodations at Administrative Tribunals.

Over 100 people attended the event and over 250 web-streamed it live. Panelists shared interesting and insightful comments and experiences about procedural accommodations that enhance access to justice for persons with disabilities at administrative tribunals.

Administrative tribunals are essential for persons with disabilities' access to justice because they provide legal processes for enforcing rights on a broad range of matters (human rights, tenancy, social assistance benefits, workers compensation, education, attendant services, some consent and capacity matters, access to health services, etc.).

Jessica DeMarinis, ARCH Staff Lawyer, moderated the panel discussion which included:

- Ena Chadha – Human Rights Lawyer and Educator, Chair of Human Rights Legal Support Centre Board of Directors
- Wade Poziomka – Human Rights Lawyer, Ross & McBride LLP
- Karen Andrews – Staff Lawyer, Advocacy Centre for Tenants Ontario (ACTO), Acting Director, Tenant Duty Counsel Program







# Respecting Rights

Respecting Rights is a project at ARCH that is led by self advocates labelled with intellectual disabilities. Since 2011, Respecting Rights has worked on accessible law reform projects and has provided accessible rights education to persons labelled with intellectual disabilities and their support networks across Ontario.

Respecting Rights launched a project called My Voice, My Choice, which provides a series of workshops to build the capacity of persons with intellectual disabilities to understand their legal rights and advocate for those rights to be respected. The workshops address issues such as service rights and human rights, how to make complaints within the developmental services sector, supported decision-making and advocacy strategies. Using videos, small discussion groups, role plays, art-based exercises, peer facilitation and peer support, the workshops are fully accessible to persons labelled with intellectual disabilities. Workshop participants have commented:

**“I can talk to staff about what I want. I want to choose my roommate.”**

**“I learned to talk more.”**

**“We have the right to speak about how we feel.”**

Respecting Rights is working with the Canadian Centre on Disability Studies Incorporated (CCDS) operating as Eviance to evaluate the impact of My Voice, My Choice.



# Inclusive Education

After the extensive research that culminated in the report titled 'If Inclusion Means Everyone, Why Not Me?', ARCH and our partners released a series of advocacy tools on human rights and education for parents, advocates, and students with disabilities in primary and secondary school.



You can go to [www.advocacyforinclusion.com](http://www.advocacyforinclusion.com) to learn more about advocating against some of the barriers to meaningful and inclusive education, like:

- Students with disabilities routinely denied access to school and/or classroom;
- Limited access to appropriate accommodations;
- High levels of conflict between educational staff and families, with limited recourse to dispute resolution mechanisms; and
- Limited data on disability-related barriers in the education system.

ARCH also released a new series of public legal education materials on education related matters including a general guide to education and human rights, an advocacy toolkit about being excluded from school, and an advocacy toolkit addressing service animals in school.



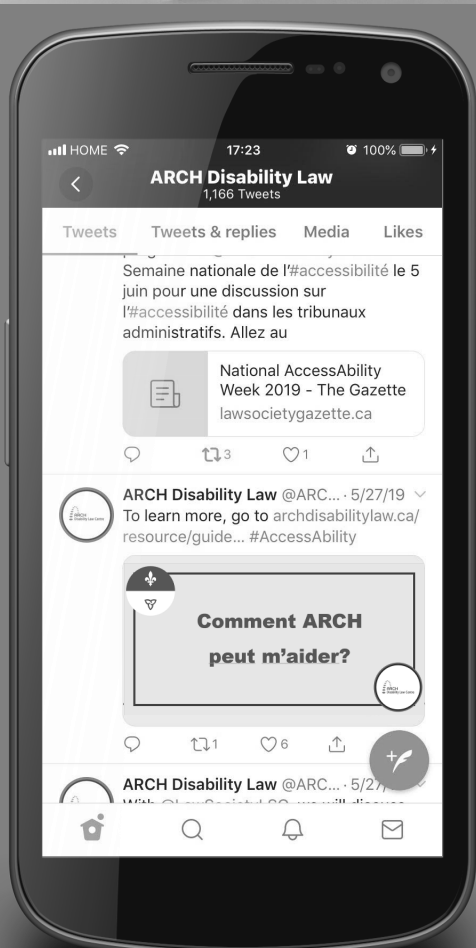
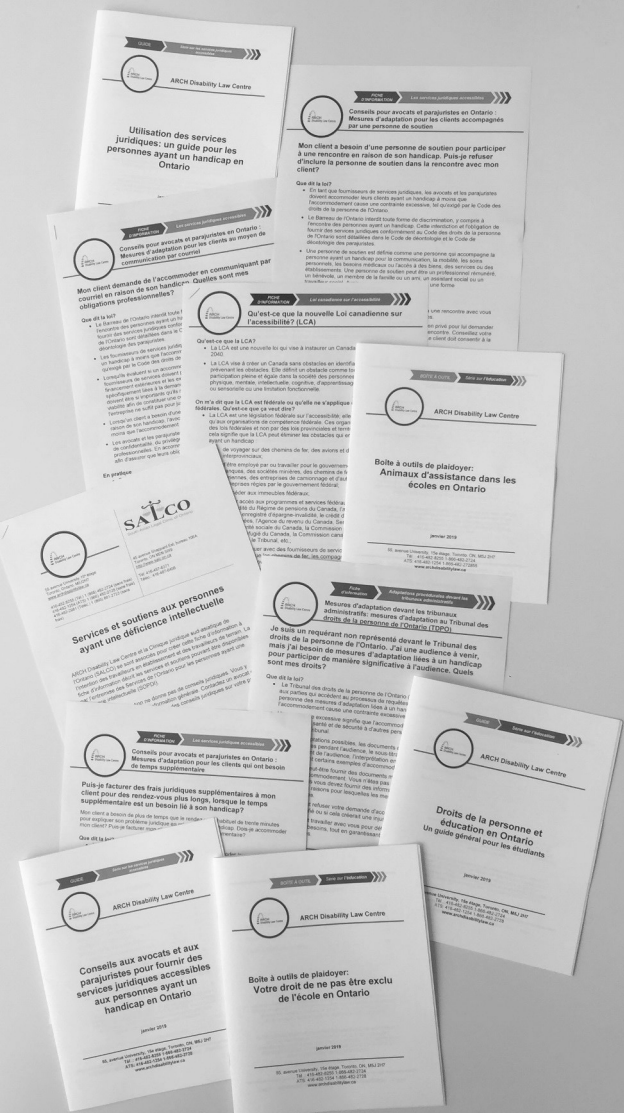
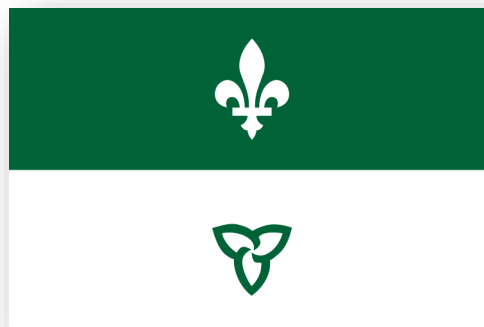


# French Language Services

Since April 1, 2019, ARCH has enhanced our services in French.

Since April 1 2019, ARCH has enhanced our services to francophone communities. Thank you to Legal Aid Ontario for providing ARCH with funding to expand its legal services to the francophone community in Ontario and hire a bilingual lawyer. As a result, ARCH delivered a workshop to French-speaking lawyers in June and is continuously working on developing public legal education materials in French. Furthermore, ARCH is now in a position to deliver summary advice and representation directly in French to francophone Ontarians with disabilities.

ARCH provides French translations of all our new rights education fact sheets, guides, and advocacy toolkits. ARCH also ensured that all materials, reports, and correspondence related to the Accessible Canada Act work that ARCH undertook was also available in French. This work included hosting a number of Town Hall meetings both in English and in French.

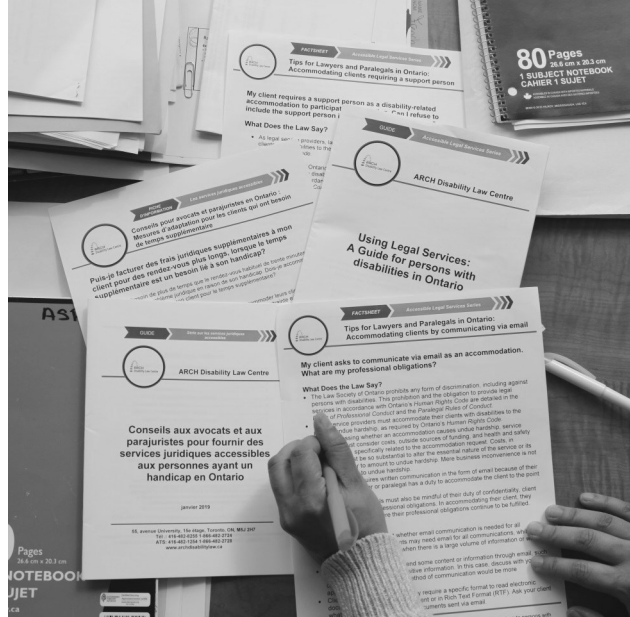


# Accessible Practices and Legal Services

This project raises awareness within the legal community about best practices in providing accessible legal services.

ARCH runs an Accessible Legal Services Program, which aims to educate the legal profession on providing accessible services to Ontarians with disabilities. Through this program, ARCH offers free case consults for lawyers and paralegals on how to provide accessible legal services and how to accommodate their clients. ARCH also shares best practices in providing accessible legal services and accommodating clients through workshops, presentations and webinars to the legal profession, as well as training to the judiciary and administrative tribunal adjudicators.

Earlier this year, ARCH released a guide for the legal community and a series of fact sheets outlining best practices in providing accessible legal services. We also released a separate guide for persons with disabilities on their right to accessible legal services when they are seeking or receiving legal services.



# ARCH in the Media

## **The Accessible Canada Act Passes**

June 21, 2019 - DAWN Press Release

## **LSO advisory group asks benchers to hold on SOP vote**

June 18, 2019 - Law Times, Anita Balakrishnan

## **Even with Success, Disability Advocates and Allies Face a Long Hard Road**

June 6, 2019 - North - Non-profit Quarterly, Keenan Wellar

## **Tribunal delays and privacy rules impacting clients with disabilities**

June 6, 2019 - Law Times, Anita Balakrishnan

## **Law Society of Ontario to host panel on accessibility**

June 4, 2019 - Law Times, Gabriel Olano

## **Federal Government passes Canada's first National Accessibility legislation**

May 30, 2019 - National Post, Michelle McQuigge

## **First national accessibility legislation gets unanimous support in House**

May 30, 2019 - CTV News, Michelle McQuigge

## **Canada's First Accessibility Bill could become law next month, Minister says**

May 23, 2019 - Globe and Mail, Michelle McQuigge

## **Podcast: How delays at the Human Rights Tribunal of Ontario are impacting people disabilities**

May 21, 2019 - AMI-Radio, Meagan Gillmore

## **"How will they eat?" Alarm raised over revamp of Ontario's welfare program for disabled**

May 11, 2019 - Toronto Star, Laurie Monsebraaten

## **Canada's pending accessibility law comes off as the Liberals just fulfilling an election promise**

February 7, 2019 - CBC Opinion, Gabrielle Peters



## **Lawyers say accessibility legislation needs timelines**

January 7, 2019 - Law Times, Dale Smith

## **Educating Grayson**

January 5, 2019 - Globe and Mail, Caroline Alphonso

## **Blind juror in Toronto impaired driving case was almost rejected**

December 27, 2018 - Toronto Star, Betsy Powell

## **Making complaints accessible and more recourse for Canadians with disabilities: International Day of Persons with Disabilities 2018**

December 7, 2018 - The Source

## **Advocates Urge Senate to improve national accessibility law**

December 3, 2018 - Toronto Star, Laurie Monsebraaten

## **Radio Interview - Safety and Stigma at LHSC**

November 16, 2018 - CBC London Morning, Julianne Hazelwood

## **Purple armband policy in hospital 'an affront to the patient's dignity,' advocates say**

November 16, 2018 - CBC News, Kate Dubinski

## **London hospital staff call on labour minister to step in on purple armband issue**

November 16, 2018 - CBC, Kate Dubinski



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# Financial Overview

2018-2019

## ARCH DISABILITY LAW CENTRE

### Statement of Financial Position

March 31, 2019

	LAO General Fund \$	LAO Legal Disbursements Fund \$	LAO Capital Fund \$	General Fund (note 4) \$	Break Open Ticket Fund \$	Total \$
<b>ASSETS</b>						
Current Assets						
Cash	37,490	5,564	-	430,206	71,196	544,456
Accounts receivable	-	-	-	-	5,828	5,828
HST recoverable	14,550	-	-	137	3,460	18,147
Prepaid expenses	16,939	-	-	-	-	16,939
	68,979	5,564	-	430,343	80,484	585,370
Capital assets (note 5)	-	-	16,892	-	-	16,892
<b>Total assets</b>	<b>68,979</b>	<b>5,564</b>	<b>16,892</b>	<b>430,343</b>	<b>80,484</b>	<b>602,262</b>
<b>LIABILITIES</b>						
Current Liabilities						
Accounts payable	36,179	-	-	777	2,900	39,856
Inter-fund payable (receivable)	(5,333)	-	-	1,854	3,479	-
	30,846	-	-	2,631	6,379	39,856
<b>FUNDS BALANCE</b>	<b>38,133</b>	<b>5,564</b>	<b>16,892</b>	<b>427,712</b>	<b>74,105</b>	<b>562,406</b>
Total liabilities and funds balance	68,979	5,564	16,892	430,343	80,484	602,262

## ARCH DISABILITY LAW CENTRE

### Statement of Operations and Funds Balance

Year ended March 31, 2019

	LAO General Fund \$	LAO Legal Disbursements Fund \$	LAO Capital Fund \$	General Fund (note 4) \$	Break Open Ticket Fund \$	Total \$
<b>Revenues</b>						
Legal Aid Ontario						
-direct receipts	1,478,059	23	-	-	-	1,478,082
-indirect receipts (note 3)	14,019	-	14,950	-	-	28,969
City of Toronto - Community Service						
Partnership Grant	-	-	-	32,995	-	32,995
Break Open Tickets	-	-	-	-	78,483	78,483
Other income	-	-	-	31,738	-	31,738
	1,492,078	23	14,950	64,733	78,483	1,650,267
<b>Expenses</b>						
Salaries and benefits	1,100,927	-	-	40,561	-	1,141,488
Accommodations	201,195	-	-	-	-	201,195
Supplies and services	68,908	-	-	46,186	107,185	222,279
Travel	26,812	-	-	-	-	26,812
Communications	8,013	-	-	209	-	8,222
Library	9,455	-	-	-	-	9,455
Professional dues	15,259	-	-	-	-	15,259
Equipment	8,012	-	-	-	-	8,012
Audit fees	6,860	-	-	-	-	6,860
Indirect payments (note 3)	14,019	-	-	-	-	14,019
Legal disbursements	-	3,346	-	-	-	3,346
Amortization	-	-	5,849	-	-	5,849
	1,459,460	3,346	5,849	86,956	107,185	1,662,796
Excess of revenues over expenses (expenses over revenues) for year	32,618	(3,323)	9,101	(22,223)	(28,702)	(12,529)
Return of funding to Legal Aid Ontario	(53,931)	-	-	-	-	(53,931)
Funds balance, beginning of year	59,446	8,887	7,791	449,935	102,807	628,866
<b>Funds balance, end of year</b>	<b>38,133</b>	<b>5,564</b>	<b>16,892</b>	<b>427,712</b>	<b>74,105</b>	<b>562,406</b>

# ARCH Financial Supporters

ARCH is grateful to the ongoing funding and support of Legal Aid Ontario (LAO). LAO is ARCH's primary funder and a critical partner in all our work.



The City of Toronto has once again provided ARCH with a Community Service Partnership Grant that supports our education, information and referral program.

ARCH is licensed by the Ontario Lottery Corporation to participate in the Break Open Ticket program. Receipts from this initiative support our disability accommodations, our website and our Resource Centre.

ARCH was granted funds through the Special Projects Initiative pursuant to the class action settlement of Dolmage v. Ontario.

ARCH also received funding from numerous organizations for project specific work.

**ARCH would like to thank the above funders for their support, and also thank members of the public for their ongoing support through their generous donations.**



# ARCH Board of Directors

2018-2019

Douglas Waxman	Chairperson
Wade Poziomka	1 <sup>st</sup> Vice-Chairperson
Bonnie Quesnel	2 <sup>nd</sup> Vice-Chairperson
Monica Ackermann	Treasurer
Sandy Gdyczynski	Secretary
Roxanne Mykitiuk	Director
Effie Prattas	Director
Emily Gillespie	Director
Jennifer Hiseler	Director
Laura Upans	Director
Sandi Bell	Director
Susan Docherty Skippen	Director
Yvonne Simpson	Director

# ARCH Staff

2018-2019

Roberto Lattanzio	Executive Director
Amanda Ward	Intake Coordinator and Rights Worker
Dianne Wintermute	Staff Lawyer
Doreen Way	Office Manager
Gabriel Reznick	Staff Lawyer
Hina Ghaus	Staff Lawyer
Jessica DeMarinis	Staff Lawyer
Kerri Joffe	Staff Lawyer
Lila Refaie	Bilingual Intake Lawyer and Student Programs Lead
Mariam Shanouda	Staff Lawyer
Mariana Versiani	Communications and Outreach Coordinator
Mary Hanson	Librarian
Rachel Weiner	Research Project Lawyer
Sue Hutton	Respecting Rights Coordinator
Theresa Sciberras	Operations, Program and Administrative Assistant
Yangtzee Tamang	Litigation Assistant

# **ARCH Community Partners**

**2018-2019**

Addictions and Mental Health Ontario  
Alliance for Equality of Blind Canadians  
ALS Society of Canada  
Arthritis Society  
Association for the Neurologically Disabled of Canada (A.N.D. Canada)  
Autism Ontario  
BALANCE for Blind Adults  
Bob Rumball Canadian Centre of Excellence for the Deaf  
Brampton Caledon Community Living  
British Columbia Aboriginal Network on Disability Society (BCANDS)  
Canadian Diabetes Association - GTA Regional Leadership Centre  
Canadian Cystic Fibrosis Association (Cystic Fibrosis Canada)  
Canadian Disability Alliance (CDA)  
Canadian Down Syndrome Society  
Canadian Hearing Society  
Canadian Mental Health Association - Ontario  
Canadian National Institute for the Blind (CNIB) - Ontario Division  
Citizens With Disabilities Ontario (CWDO)  
Coalition of Persons with Disabilities  
Communication Disabilities Access Canada (CDAC)  
Community Living Ontario  
Disability Resource Centre for IL  
Down Syndrome Association of Toronto (DSAT)  
Easter Seals Canada  
Easter Seals Ontario  
Epilepsy Ontario  
Epilepsy Toronto  
Extend-A-Family  
Family Alliance Ontario  
Frontier College



Guide Dog Users of Canada (GDUC)  
Hemophilia Ontario  
Houselink Community Homes  
Huntington Society of Canada  
Hydrocephalus Canada  
Independent Living Centre London & Area  
Integration Action for Inclusion  
Kidney Foundation - Ontario Branch  
Learning Disabilities Association of Halton  
March of Dimes Canada  
Margaret's Housing & Community Support Services  
Marsha Forest Centre  
Meta Centre  
Mood Disorders Association of Ontario  
Multiple Sclerosis Society of Canada  
Muscular Dystrophy Canada  
National Educational Association of Disabled Students (NEADS)  
National Network for Mental Health  
North York General Hospital Participants' Council  
Ontario Association of the Deaf  
Ontario Association of Patient Councils  
Ontario Coalition for Inclusive Education  
Ontario Federation for Cerebral Palsy  
PATH Employment Services  
People First of Ontario  
Persons United for Self Help in Northwestern Ontario  
Psychiatric Survivor Archives of Toronto  
REENA  
Rotary Cheshire Homes  
Schizophrenia Society of Ontario  
Sound Times Support Services  
Spinal Cord Injury Ontario  
Students for Barrier-Free Access  
Thalidomide Victims Association of Canada  
Toronto Association of the Deaf  
Tourette Canada

# Thank-you

ARCH is very appreciative of the support of legal clinics, the private bar, and the pro bono assistance of lawyers and law students. ARCH thanks the many volunteers who have given ongoing support and offered insight, expertise and information that has advanced our work.

Anne Borden	Autistics for Autistics
Anne Levesque	Council of Canadians with Disabilities
April D'Aubin	Council of Canadians with Disabilities
Courtney Mulqueen	MK Disability Lawyers
David Lepofsky	AODA Alliance
Donald Prong	Ontario Association of the Deaf
Emanuel Chasi	Respecting Rights
Ena Chadha	Human Rights Lawyer and Educator, Chair of Human Rights Legal Support Centre Board of Directors
Evadne Kelly	Guest Curator, Guelph Civic Museum
Gaye Jackson	Bookkeeper
Jennifer Stone	Health Justice Program, Neighborhood Legal Services
Karen Andrews	Advocacy Centre for Tenants Ontario, Acting Director, Tenant Duty Counsel Program
Heather Walkus	National Coalition of People who use Guide and Service Dogs in Canada
John Rae	Alliance for Equality of Blind Canadians
Josée Boulanger	Disability Advocacy Network of Eastern Ontario (DANEO)

Kathleen Cooper	Canadian Environmental Law Association
Krystal Nausbaum	Respecting Rights
Marisa Fortune-Hall	Co-operative of Specialty Legal Clinics of Ontario
Melanie Benard	Disability Rights Lawyer
Melissa Way	Communications Assistant
Michael Macrae	Volunteer Lawyer
Neil Belanger	The British Columbia Aboriginal Network on Disability Society
Paul Cochrane	Respecting Rights
Peter Park	Respecting Rights
René Guitard	Réseau Francophone and la Clinique juridique francophone de l'Est d'Ottawa
Roxanne Mykitiuk	Osgoode Hall Law School
Ruby Dhand	Associate Professor of Law, Thompson Rivers University
Rupa Karyampudi	MK Disability Lawyers
Shineeca McLeod	Respecting Rights
Steven Estey	National Coordinator, Council of Canadians with Disabilities
Susan Hardie	Eviance
Tammy Law	Tammy Law Barristers and Solicitors
Tracy Odell	Citizens with Disabilities Ontario
Wade Poziomka	Human Rights Lawyer, Ross & McBride LLP
Wendy Porch	Centre for Independent Living in Toronto
Yvonne Peters	National Coalition of People who use Guide and Service Dogs in Canada



# Thank-you

ARCH gratefully acknowledges the contributions from our partners and supporters.

Alliance for Equality of Blind Canadians (AEBC)	Council of Canadians with Disabilities (CCD)
AODA Alliance	DisAbled Women's Network Canada (DAWN-RAFH)
Brampton-Caledon Community Living	Eviance
British Columbia Law Institute	Guelph Civic Museum
British Columbia Aboriginal Network on Disability Society (BCANDS)	Inclusive Education Canada
Brock University	Independent Living Canada (ILC)
Brockville and District Association for Community Living	Law Society of Ontario, Equity Initiatives Department
Canadian Association of Community Living (CACL)	National Coalition of People who use Guide and Service Dogs in Canada
Canadian Association of the Deaf (CAD)	National Network for Mental Health (NNMH)
Canadian Centre for Elder Law	Neeson & Associates, Cour Reporting and Captioning Inc.
Canadian Council on Rehabilitation and Work (CCRW)	Ontario Association of the Deaf
Canadian National Institute for the Blind (CNIB)	Osgoode Hall Law School, York University
Communication Disabilities Access Canada (CDAC)	People First of Canada
Centre for Equality Rights in Accommodation (CERA)	People First of Ontario
Community Services Grants Program	Ryerson University
Community Living Ontario	Tlingit Sovereign Nation
Confédération des organismes de personnes handicapées du Québec (COPHAN)	University of Ottawa
	University of Toronto
	Western University

# Thank-you

ARCH gratefully acknowledges the contributions of the following students.

Cameron MacInnis	Disability Law Intensive Student
Christopher McGoey	Disability Law Intensive Student
Cynthia Larue	Disability Law Intensive Student
Elaine Yu	Disability Law Intensive Student
Emily Goetz	Disability Law Intensive Student
Emily Prosser	Disability Law Intensive Student
Emma Vleming	Disability Law Intensive Student
Emmanuel Abitbol	Disability Law Intensive Student
Fatema Lotia	Disability Law Intensive Student
Ilinca Stefan	Disability Law Intensive Student
Jeffrey Adams	Disability Law Intensive Student
Jennifer Lee	Disability Law Intensive Student
Jerico Espinas	Disability Law Intensive Student
Jessica Scifo	Student Fellowship program, University of Ottawa
Kiara Warren	LAWS Program student
Laura Moore	Disability Law Intensive Student
Madison Randall	Disability Law Intensive Student
Meaghan Coker	Student Proposed Internship, University of Ottawa
Michael McNeely	Disability Law Intensive Student
Oliver Backman	Disability Law Intensive Student
Ryan Bowes	Disability Law Intensive Student
Sarah Crittenden	Disability Law Intensive Student
Tyler Lin	Disability Law Intensive Student
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