

Volume 1, Issue 2  
June 2009

# ISAC UPDATE

## Did you know?

- The province recently announced a consultation process on its Long-Term Affordable Housing Strategy. Check the 'Stable and Affordable' campaign website for information, including how you can participate: [stableandaffordable.com](http://stableandaffordable.com)
- ISAC is a founding member of the 25 in 5 Network for Poverty Reduction. Get updates on the fight for poverty reduction on the 25 in 5 website: [www.25in5.ca](http://www.25in5.ca).
- You can subscribe to ISAC's email list to get updates on these and other issues. Just go to the sign-up page at [www.cleonet.ca/email\\_bulletin\\_subscription](http://www.cleonet.ca/email_bulletin_subscription)

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## June 23 Forum: "Time For a Bold Review of Social Assistance"

Ontario's social assistance system is broken.

It's based on outdated ideas and negative stereotypes that punish and exclude people at a time when they most need assistance and support.

It's poorly aligned with other government programs and services, so people are denied access to critical options and opportunities.

And it's a hangover from a time not so long ago when blaming people for their poverty was the norm.

In an unprecedented step toward changing that norm,

the provincial government made a commitment last December to reduce poverty in Ontario and recently passed legislation to that effect (see story on page 3).

So why do we still have a social assistance system that, as Premier McGuinty has said, "stomps people into the ground"?

It's time to transform social assistance.

That's the message ISAC will bring to its *Time for a Bold Review* Forum being held June 23 in Toronto.

Four insightful and powerful panellists will talk about the

importance of a key poverty reduction commitment – to review Ontario Works and the Ontario Disability Support Program – giving real-life examples of how these programs simply don't match up to the principles behind poverty reduction.

Crystal Chin is currently a recipient of ODSP and is active with the Ann Johnston Health Station and the ODSP Action Coalition.

A long-time community activist, Angela Robertson is also Executive Director of Sistering—A Woman's Place and the recipient of

*(Continued on page 4)*

## Final Arguments Being Heard in Special Diet Case

ISAC and the Clinic Resource Office have been co-counselling with case-workers from legal clinics around the province on *Ball v. Ontario*, the lead Special Diet case before the Human Rights Tribunal.

Closing arguments started June 16 with the submissions on behalf of the legal clinic clients, and continue June 17, 23, 24 and 26.

For those who have been following this case, the closing arguments will provide an overview of the

facts before the Tribunal in this case and the legal argument that is being made.

The Tribunal hearings are open to the public and are held in Toronto at 655 Bay Street, 14th Floor, starting at 10 am each day.

Cindy Wilkey (ISAC) and Lesli Bisgould (CRO) presented for the clinic complainants on June 16. Other parties are presenting on the following days.

The government has already conceded that the

conditions of two of the lead complainants (lupus and MS) deserved to be on the special diet schedule and changed the special diet regulations in January.

We are hopeful that our evidence will convince the Tribunal that the schedule requires systemic changes that go beyond the claims of the lead complainants.

But whatever the result, the lead case decision will give important guidance for the resolution of the other 100+ complainants.



***“Premier Dalton McGuinty knows there’s a problem. Last Friday he admitted [the current social assistance system’s] punitive rules ‘stomp’ people into the ground, saying: ‘I’m not sure that serves anybody’s interests’”***

Toronto Star editorial,  
March 24, 2009



## Low-Income Energy Takes a LEAP at OEB

In November 2009, results of some of the hard work of the Low-Income Energy Network will come to light.

That’s when the new Low-income Energy Affordability Program, or LEAP, will come into effect through the Ontario Energy Board.

The Low-Income Energy Network (LIEN), of which ISAC is a founding and active member, has long lobbied government, the

Ontario Energy Board (OEB), and other stakeholders to take action on energy poverty.

LIEN won an important ruling at Divisional Court in 2007 that said the OEB has the jurisdiction to take affordability into account when setting rates.

After the decision, the OEB conducted consultations on the issue, and announced LEAP earlier this year.

LEAP will have three components.

First, it will target about \$5 million annually in emergency assistance to low-income households. Unlike other programs, these funds will be available year-round on a consistent basis across the province. Electricity and gas utilities will work with social service agencies to distribute the funds.

Second, it will give low-income energy consumers more flexibility with respect to terms of service rules like bill payment and disconnection notice periods.

And third, it will target conservation and demand-management programs specifically to low-income households, who often have difficulty accessing these kinds of supports to bring energy costs down.

What LEAP won’t do, however, is establish a permanent energy rate targeted to low-income consumers — which LIEN has consistently recommended. Work on this front will continue.

With energy costs on the rise and low-income people finding it harder to meet their monthly bills, the new LEAP program can’t come soon enough.

More information about LIEN’s work on LEAP and other energy poverty issues is available online at [www.lowincomeenergy.ca](http://www.lowincomeenergy.ca).

## ODSP Disability Reviews Begin

If you are receiving ODSP, you may soon receive a notice that your disability status is being reviewed.

Reviews of disability status are a regular part of the ODSP program, but they have not been done for several years. Staff in the Disability Adjudication Unit (DAU) of the Ministry of Community and Social Services have been focused on clearing the backlog of new ODSP applications.

Now that the backlog is largely under control, staff are once again looking at disability status reviews. But there is a problem with the way these reviews are being done.

Staff are sending complete Disability Determination Packages (DDPs) to people receiving ODSP, which means they have to go through the entire determination process again.

ISAC is working with the

Steering Committee on Social Assistance to convince the DAU that this is the wrong process to use.

The issue is not whether people on ODSP have a disability, which was determined through the original DDP process, but whether they have seen any improvement in their disability status that would make them ineligible for ODSP.

Steering Committee members have met with staff at the DAU to suggest a process that identifies improvement in disability status and prevents people from having to go through the entire unwieldy DDP process.

For now the process is unchanged — but discussions with the Ministry continue. If you get a notice that your status is being reviewed, contact your local legal clinic for help. To find your local legal clinic, go to [www.legalaid.on.ca/en/locate/default.asp](http://www.legalaid.on.ca/en/locate/default.asp).

## Poverty Reduction Legislation: Bill 152 Gets Unanimous Support in the Legislature

History was made on May 6 as the Ontario legislature voted unanimously to pass Bill 152: The Poverty Reduction Act.

All-party support for poverty reduction will be a powerful tool for ongoing activism and advocacy to hold this and future governments accountable on reducing poverty for Ontarians.

The government's original version of the legislation was made significantly better at Committee, as a result of presentations made by more than two dozen

community activists over two days of public hearings held in April.

ISAC worked with partners in the 25 in 5 Network for Poverty Reduction to craft recommendations that groups could use to prepare for their presentations at the hearings. And 25 in 5 was represented at the hearings by ISAC staff.

The legislation isn't perfect and other important amendments should have been made.

But, among other crucial

aspects, the legislation requires Ontario to set a new poverty reduction target and plan of action at least every five years, and to consult regularly on progress with low-income people, groups at increased risk of poverty, and other stakeholders.

More information, including links to the legislation and a list of changes made as a result of community activism are on ISAC's website at [www.incomesecurity.org/campaigns/Bill152.htm](http://www.incomesecurity.org/campaigns/Bill152.htm).

## OCB up to \$92 but OW and ODSP Take a Hit

The provincial government's 2009-10 budget included several commitments to support poverty reduction in Ontario. But for people receiving social assistance, the results are mixed.

The good news is: As of July, the maximum Ontario Child Benefit that families can be eligible for will increase from \$50 per month to \$92 per month, per child.

The bad news is: Families receiving OW and ODSP will see the Basic Needs portion of their cheques reduced again, as part of the rate restructuring process begun in 2008.

This is part of government's efforts to restructure child benefits in Ontario. The idea is to move direct finan-

cial supports out of social assistance and into the OCB — which goes to all low-income families regardless of whether they are working or receiving OW or ODSP benefits.

It's an important change, as it means that parents with low-incomes won't lose this support for their children when they move from social assistance to a job, or vice versa.

But there are at least two problems with the way this major change is being implemented.

First, while it appears that all families on assistance will be better off on a monthly basis as a result of the changes, some will be much better off than others.

Second, the government hasn't lived up to its commitment to make sure that all families on assistance benefit by at least \$50 per month per child at full OCB implementation.

When the OCB, rate restructuring, and the loss of the Back-to-School and Winter Clothing allowances are all factored in, some families will benefit by as little as \$2 per month. Single parents with older children will benefit the least.

ISAC is producing a fact sheet with more information on these changes, including a monthly "before and after" income chart. The fact sheet is at [www.incomesecurity.org/documents/OCBRR2009](http://www.incomesecurity.org/documents/OCBRR2009).



***“[All party support for Bill 152] suggests there is widespread agreement among the politicians that it is no longer acceptable – either morally or economically – to leave more than a million Ontarians in poverty.... But it is just a beginning.”***

Toronto Star editorial,  
May 7, 2009





## Income Security Advocacy Centre

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Toll Free: 1-866-245-4072  
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**ISAC's Vision:** To work with the community to advocate for and seek legal remedies to address systemic issues and improve income security for people in Ontario.

ISAC was established in 2001 by the Ontario Social Safety Network and the Steering Committee on Social Assistance, a provincial inter-clinic network, and funded by Legal Aid Ontario to serve low income Ontarians by conducting test case and appellate litigation relating to provincial and federal income security programs. These programs include Ontario Works (OW), the Ontario Disability Support Program (ODSP), Employment Insurance (EI), and the Canada Pension Plan (CPP).

ISAC's legal work takes place in the broader context of law reform, public legal education and community development.

In our litigation, law reform and community development activities, we work closely with community legal clinics across Ontario, grass-roots anti-poverty and social justice organizations, private bar lawyers, academics and researchers, and individual activists.

## A Bold Review: What You Can Do

*(Continued from page 1)*

the 2009 YWCA award for social change.

Marion Overholt is a staff lawyer at Windsor Legal Assistance, an activist in her community, and a leader on Ontario Works issues in the clinic system.

And Judy Rebick is a well-known activist, educator, writer and speaker, and the founder of [rabble.ca](http://rabble.ca).

People who depend on OW and ODSP know that the system is broken.

It can't be fixed simply by tinkering with a few bad rules here and there.

Instead, the government

must be bold - making the Social Assistance Review broad enough to create a system that really makes a difference in people's lives.

So what can you do? Come to the Forum on June 23! But if you can't...

1) Send a letter or email to Madeleine Meilleur, the Minister of Community and Social Services, who is responsible for both OW and ODSP.

Tell her you want the Social Assistance Review to be bold and broad.

People who rely on OW and

ODSP live in poverty and need a system based on dignity, decency and opportunity.



Tell her a new system must be created that actively supports the government's goal of poverty reduction for all Ontarians.

If the province is truly committed to poverty reduction, it must transform Ontario's social assistance programs.

2) Send a copy to Premier Dalton McGuinty and to Deb Matthews, the Minister responsible for poverty reduction.

3) Send a copy to your own

MPP. The more that MPPs hear about this issue, the more government will be pressured to move.

Street and email addresses for the Premier, Ministers, and all MPPs are available at [www.ontla.on.ca](http://www.ontla.on.ca) - just click on Members (MPPs). Or you can call 416-325-7500. TTY users can call 416-325-9426.

4) Watch for the June 23 launch of ISAC's Social Assistance Review website at [www.sareview.ca](http://www.sareview.ca).

ISAC's Forum runs from 9am to 12pm at the Kottler Institute, 569 Spadina Ave. in Toronto.

Hope to see you June 23!