



86 S. Cumberland St., Thunder Bay, ON P7B 2V3  
(807)344-2478 (T), (807)345-2842 (F)  
Toll Free: 1-888-373-3309

[www.kalc.ca](http://www.kalc.ca)



## Greetings from the President of the Board

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Kinna-aweya Legal Clinic is governed by a volunteer Aboriginal Board of Directors and funded mainly by Legal Aid Ontario. Board members are elected at our Area Community Meetings, which are held each year in our five main communities: Armstrong, Geraldton, Marathon, Nipigon, and Thunder Bay. Each area elects one member to the Board of Directors, except Thunder Bay, which has three members represented on the Board. Altogether, the Board members volunteer over 600 hours of time each year overseeing the work of Kinna-aweya Legal Clinic. The Board of Directors ensure that the legal clinic complies with their funding conditions while providing high quality legal services to low-income residents of the District of Thunder Bay. The Board provides direction to the management staff and oversees the activities of the clinic. I am pleased to have this opportunity to provide some update on activities that the Board has been involved in this past year. As the main concern at this time surrounds cuts to legal aid funding, I will provide some information on what we are doing to address this issue.

Due to government cuts to Legal Aid Ontario, we have been involved in the campaign to stop the cuts to legal aid funding. This has included meetings with members of local, provincial and federal government officials as well as organizations whose clients will be affected by cuts to legal services. Many rallies, marches and protests have been organized and the presence and support of community members, clients, partners and staff have had an impact on the government's decision. Although we don't know how this will affect Kinna-aweya in the future, we do know that our concerns are being heard and are now being taken into consideration for the future. At the beginning of this year, funding to Legal Aid Ontario was reduced by \$133 million dollars or 1/3 of the budget. This cut was reflected in the budget of 72 legal clinics throughout Ontario. The cuts to the budget at Kinna-aweya Legal Clinic was not as great as anticipated. Revision of the budget was required to prevent any cuts to staffing and client services. We continue to provide high quality services. However, the regional training budget has been cut entirely and community development and law reform services have been impacted immensely by the severe cuts. The Board is working on ways to lessen these impacts.

We have also been informed that there is a review of the legal clinic system being done by the Ministry of the Attorney General's office. This, along with already announced further cuts to Legal Aid Ontario's budget for next year will probably have a significant impact on the services Kinna-aweya provides in the following year. We will continue to work together to minimize the impact on client services.

On behalf of the Board, I would like to thank everyone, community members, staff and board members for your hard work and support of Kinna-aweya during these challenging times and ask that you continue to work to stop the cuts to legal aid.

Miigwech,

Alta Fenton, President



## ***Awenen Niin* Identification Program ("Who Am I?" in Ojibwe)**

Kinna-aweya Legal Clinic's *Awenen Niin* Identification Program assists vulnerable populations obtain identification through paying the upfront cost of birth certificate applications, assisting with form completion, providing ongoing case management, as well as providing a safe place to store identification in the *Awenen Niin* ID Bank.

Over 500 clients have accessed our program in the past year and we are constantly evolving to meet the needs of our clients. For example, many Indigenous clients have difficulty registering their children for Indian Status. If the child's father is not listed on their birth registration, INAC assumes the father is non-Indigenous when determining Indian Status eligibility. If a mother had to leave her community to give birth, the father is often omitted from the registration because he was simply not present to sign. This not only affects the status of the child, but that of their future children and grandchildren. We work with clients to complete Form 34 Applications to Add a Parent to a Birth Registration, allowing them to access a wide range of government programs and benefits that they are entitled to.

We have also been working closely with Dr. Kristin Burnett, Dr. Chris Sanders, and Dr. Kelly Skinner who are conducting an independent evaluation of the program. Our goal is to build a user profile of the program's clients in order to create educational and advocacy tools for local agencies and provincial service providers. For example, we have had over 200 clients complete intake questionnaires and have started hosting focus groups where clients can share their experiences. This has allowed us to create presentations and complete media interviews that are raising awareness about the need for more accessible services in Northern Ontario. If you would like to share an experience or learn more about the research project, please contact [csander2@lakeheadu.ca](mailto:csander2@lakeheadu.ca).

Our program also works to support agencies who want to provide similar ID services for their clients. As cost is often one of the biggest barriers to providing ID Services, we offer Memorandums of Understanding, whereby partner agencies assist clients obtain birth certificates and we reimburse the application fees. We also encourage organizations that have a mandate to assist homeless and marginally-housed individuals to apply for the Fee Waiver Program through the Office of the Registrar General. This program waives the fee for a birth certificate or a replacement birth certificate for eligible clients. As a participant in this program, we are happy to work with agencies who are interested in applying.

Kinna-aweya continues to participate in the ID Action Group, a committee of local service agencies that all work together to assist low-income and other marginalized individuals obtain ID. The ID Action Group is looking forward to hosting an Information Session and Networking Event on October 21<sup>st</sup> at NorWest Community Health Centre. The goal is to provide agencies with an update on the research project, as well as create community partnerships and align advocacy efforts. For more information about the *Awenen Niin* Identification Program, signing a Memorandum of Understanding, or applying for the Fee Waiver Program, please contact Fabienne at [spiessf@lao.on.ca](mailto:spiessf@lao.on.ca) or call 807-344-2478.





Pro Bono Students Canada placements students, Erin Chochla and Justis Danto-Clancy, volunteered with the program this past year. We look forward to hosting two new placements students in the fall. Pictured here are Justis, Fabienne, and Erin in front of the Awenen Niin ID Bank.

## Good Food Box

Kinna-aweya Legal Clinic is a host site for the Good Food Box program in Thunder Bay.



**Come on out and support your community by participating in Thunder Bay's Good Food Box Program**

The Good Food Box is a non-profit program for families and individuals who want to purchase quality, fresh, local produce at a lower price than shopping at grocery stores.

You can purchase a family box for \$25 or an individual box for \$15. Boxes are ordered and paid for by the first Thursday of each month. Food is available for pick up at the legal clinic on the third Tuesday of the month. This means food is accessible at a time when some have less money available for buying food.

There are many other host sites throughout the city, to make it easier for people to pick up their food. To find the host site closest to you, call (807)345-7819.



## Marathon Branch Office

It's has been a busy year here in the Marathon Branch Office. Every day there is still something new and challenging which makes the job very interesting.

We are starting to get more familiar and comfortable using the CIMS program. Every now and then we still find something that needs to be changed or adjusted. There is always something new to be learned in the program as we use it more and more.

We are also really enjoying our new office space. It is great location. There is a lot more room and more secure for safety concerns. It is so great to have our own kitchen area.

I participated in the Volunteer Income Tax Program again this year. This is a very essential program in our area. This program is designed to assist financially eligible people complete their tax returns in order for them to qualify or maintain their government funded benefits. These benefits include GST, Ontario Trillium Benefits and Canada Child Benefits. Our clients rely on these monthly benefits. We do workshops in each of the communities that I travel to and the bulk of the returns are completed for the end of April, but we still get a lot of clients coming in throughout the year when they realize their benefits have been suspended because they have not completed their income tax return for the year. I haven't done quite as many as last year, but have still done approximately 280 to date.

I continue to travel on a monthly basis to the different communities in the region, including Pic River Heron Bay, Pic Moberg, Pays Plat, Terrace Bay, Schreiber and Manitouwadge. This travel is also very essential, as most clients cannot afford to travel to Marathon to obtain our services.

I continue to do hearings for Ontario Disability Support Program denials, Canada Pension Plan Disability denials, Criminal Injuries Compensation Board and Landlord Tenant issues.

We also participate in any training that is available to us. The support staff travelled to Toronto again this year and the legal workers met in Thunder Bay and Sudbury this past year. Not sure if these training sessions will continue with the cuts to the system. We also participate in training sessions offered through webinars and in the Thunder Bay office.

I look forward to a challenging but great year!

Miigwech  
Miriam McCutcheon  
Community Legal Worker

Kinna-aweya Legal Clinic relies on donations to provide snacks and hygiene products to people in the community. We do not receive regular funding for this program and we are not a charitable organization, so the donations that we receive are extremely precious and very much appreciated.

Please consider making a financial donation if you are in a position to support this program. Unless otherwise requested, the names of donors are published in our annual report.

Chi Miigwech!



## Geraldton Branch Office

The Geraldton Branch office of the Kinna-Aweya Legal Clinic provides services to the Municipality of Greenstone which includes; Geraldton, Nakina, Longlac, Caramat, Jellicoe, Beardmore and to the surrounding first nation communities of Aroland, Long Lake #58 & Ginoogaming and Rocky Bay. The clinic has intake hours for legal matters from 9am-12pm Monday to Friday. The Geraldton branch office is staffed with one full-time Community Legal Worker and Legal Administrative Assistant. Though the branch office is small it sees constant traffic through its door for requests for services in a variety of areas of law.

One of the areas that the Geraldton Branch office is very fortunate to be able to provide assistance with is preparation of income tax returns for those with low incomes. The branch office is able to provide income tax services as they continue to take part in the Community Income Tax Program which is a partnership between the Canada Revenue Agency and community organizations which host tax preparation clinics and arrange for volunteers to prepare income tax and benefit returns for eligible individuals. The Geraldton branch office has been a volunteer with the CVITP for over 20+ years and completes an average of 200 returns yearly. Completion of income tax returns for clients is an essential service and ensures that benefits such as GST, Ontario Trillium and Child Tax will continue each year without interruption.



The Geraldton branch office also provides monthly Tenant Duty Counsel Services by telephone to the residents of Greenstone. Tenant duty counsel is an essential service where the Community Legal Worker provides assistance to tenants facing various issues relating to their tenancies. The main priority of the TDC is to help unrepresented tenants facing eviction on the day of their hearing.





Besides regular case work and advocacy, the Geraldton Community Legal Worker also sits on various committees. One of those committees is the Low Income Energy Network. The LIEN mission is; *to ensure universal access to adequate, affordable energy as a basic necessity, while minimizing the impacts on health and on the local and global environment of meeting the essential energy and conservation needs of all Ontarians. It promotes programs and policies which tackle the problems of energy poverty and homelessness, reduce Ontario's contribution to smog and climate change, and promote a healthy economy through the more efficient use of energy, a transition to renewable sources of energy, education, and consumer protection.* The Geraldton Community Legal Worker is the Northern Representative and attends annual conferences in Toronto. This year's Annual conference was held on May 14<sup>th</sup> and the theme was **Affordable Energy; Are we there yet?** Those in attendance learned about the current status of energy assistance programs in the province, the role we as individuals and community legal clinics can play in promoting and preserving current programs such as free energy conservation and efficiency retrofit programs that help lower electricity and gas bills and financial assistance programs that help pay for electricity and gas bills on an ongoing or emergency basis relating to the north including First Nations communities.

## Reconciliation Committee

by Cheyanne DeGagne

In 2018, Kinna-aweya Legal Clinic formed a reconciliation committee. The purpose of this committee is to provide guidance around Indigenous matters and to promote reconciliation initiatives and cultural incorporation within the clinic. Some of our accomplishments over the last year include installing a welcome sign on our front door in several Indigenous languages, holding membership on the City of Thunder Bay's Anti-racism and Respect Advisory Committee, creating an Indigenous library, and developing an Indigenous procurement policy.

While the clinic has always strived to be a responsive and welcoming place for Indigenous clients, the projects that we have implemented over the last year have been greatly welcomed and appreciated by our clients. One of our most well received initiatives was the creation of an Anishinabemowin (Ojibwe) language PowerPoint that plays in our waiting area. Many clients have expressed how much they have enjoyed being able to learn the language as they waited for appointments. Another popular initiative was the commissioning and displaying of a wampum belt. Often we see clients in the reception area admiring the wampum belt and sharing knowledge with one another. It has been very humbling to see how much these little changes really shape the experiences of our clients.



## The Two Row Wampum Belt

The Two Row Wampum belt is the record of the first treaty between Indigenous and non-Indigenous peoples. The Two Row Wampum belt embodies a commitment to friendship, peace, and living in parallel. The two purple rows of the wampum belt symbolizes two vessels on a river, travelling side by side never crossing over. This represents a commitment to share the land and resources in peace, while also allowing each other freedom over their own values, culture, and traditions.

Last year, Kinna-aweya Legal Clinic commissioned a wampum belt for our office and it now hangs in our reception area. The red background was chosen by former Board of Directors President Louis Brizard-ban to represent Indigenous peoples and to draw attention to the wampum belt. It is fitting that a legal clinic whose name means “everyone” now proudly displays a wampum belt that symbolizes inclusion and respect for all peoples. The wampum belt is the perfect representation of the work we are striving to do in our clinic.

Although we are open to everyone who financially qualifies for our services, the wampum belt reminds us to ensure our services continue to be responsive, culturally appropriate, and accessible for Indigenous peoples. It also teaches us to be forward thinking by not only working within systems to ensure our clients have the resources they need in the short term, but to break down barriers, confront colonialism, and work towards a better future for all of our clients.



## Lyrics for Doug Ford (to the tune of Hotline Bling by Drake) by Cameron Allan

You can call Doug on his cell phone  
If you need legal help  
Call Doug on his cell phone  
If you need legal help  
Cuz he can help you with that legal thing  
Because Doug knows everything  
Help you with that legal thing  
Because Doug knows everything

Ever since Doug cut the funding you  
Got an eviction for yourself now  
Living on the streets is not what you're about  
But with no legal help you're getting kicked out

You can call Doug on his cell phone  
If you need legal help  
Call Doug on his cell phone  
If you need legal help  
Cuz he can help you with that legal thing  
Because Doug knows everything  
Help you with that legal thing  
Because Doug knows everything

These days, all I do is  
Wonder if you're denying social assistance for someone else  
Wonder if you're preventing legal representation for someone else  
Ignoring things we warned you, and saying that it won't hurt nobody else,  
You don't care about our health  
These days, all I do is  
Wonder if you're denying social assistance for someone else  
Wonder if you're preventing legal representation for someone else  
You should care about our health  
Instead of your wealth  
We need somebody else

You can call Doug on his cell phone  
If you need legal help  
Call Doug on his cell phone  
If you need legal help  
Cuz he can help you with that legal thing  
Because Doug knows everything  
Help you with that legal thing  
Because Doug knows everything



## Changes to Social Assistance in Ontario

### Important ODSP/OW Update

The government of Ontario made an announcement in November 2018 about a new direction for social assistance and these proposed changes relate to OW and the ODSP program.

#### Changes to How Income Earned is Treated

**OW in November 2019:** The new OW earned income rules will begin on November 1, 2019, and will apply when someone has been receiving OW for at least one month instead of the current three months. OW recipients will be able to keep the first \$300 of net earned income each month without any impact on the amount of assistance they receive. After the net income is reduced by this \$300, 75% of the remaining amount is deducted from their OW assistance.

**ODSP in January 2020:** New ODSP earned income rules will begin on January 1, 2020, and will consider income on an annual rather than monthly basis (although it is not clear yet if income will still have to be reported on a monthly basis). ODSP recipients will be able to keep the first \$6,000 of net annual earned income without any impact on the amount of assistance they receive. When a recipient's net earnings are more than \$6,000 in a calendar year, 75% of net earnings will be deducted from their ODSP assistance. We do not know yet how the reporting or calculations will be done. It is not clear how the earnings of spouses/partners or dependent adults of ODSP recipients will be treated, or, how childcare/disability-related expenses will be treated.

The Transition Child Benefit (TCB) provides up to \$230 per child per month to parents on OW or ODSP who have children under 18 who are not eligible for or not yet receiving the Ontario Child Benefit (OCB)/Canada Child Benefit (CCB), or who receive partial OCB/CCB. TCB helps parents to pay for children's basic living expenses. The government recently announced that the TCB will end in November 2019.

Some overpayments will be recovered at 10%

If OW/ODSP takes the position that a recipient received benefits that they were not entitled to receive, an overpayment may be placed against a recipient's assistance. OW/ODSP can take action to recover the overpayment by making deductions from the recipient's assistance until the overpayment amount is paid off.

#### Other changes to OW and ODSP

We do not know yet when other announced changes will be implemented, including the following:

- change to the ODSP definition of disability.
- simplification of OW and ODSP rates.
- introduction of the health spending account for ODSP recipients.
- increased use of automation and technology.
- enhanced verification and information sharing, including use of third-party information to identify cases for review.
- streamlined immigration sponsorship debt collection

Source: <https://www.halco.org/wp-content/uploads/2019/07/ODSP-update-2019July-R.pdf>



## 2020 Rent Increase Guideline

Ontario's annual Rent Increase Guideline is based on the Ontario Consumer Price Index (CPI), which is a measure of inflation calculated monthly by Statistics Canada. This year, the rate of allowable rent increases for 2020 will be 2.2 per cent.

The guideline is the maximum amount that most landlords can increase a tenant's rent during the year without making an application to the Landlord and Tenant Board.

The 2020 guideline applies to rent increases between January 1 and December 31, 2020.

The guideline does not apply to:

- rental units first occupied for residential purposes after November 15, 2018
- vacant residential units
- social housing units
- nursing homes
- commercial property

There is no limit to how much a landlord can increase the rent each year for these units.



## Conservative Premier's Changes to Laws Remove Rent Control for Certain Units

With the recent election of a Conservative Premier of Ontario, Doug Ford, we are seeing the possibility of changes to the Residential Tenancies Act that could negatively affect tenants' rights. Some of these changes have already been put into place. An important example of this is the new rent control laws. Prior to November 15, 2018 there was a law in place that a landlord can only raise your rent by a specific amount per year (in 2019 it was 1.8%). However, on November 15, 2018 that law changed to state that if your unit was built or created after November 15, 2018 your landlord can raise the rent year to year however high they wish. This means that in one of these units your rent could be \$800.00 in December 2018 and then in December 2019 your rent can be raised to \$1,600.00 without consequence.

The government believes that this will encourage developers to build new rental units, thus providing more available housing for tenants. Unfortunately all this legislative change will do is create two classes of tenants in Ontario and provide landlords with an easy method of forcing low income tenants out of their units. This is a short sighted solution when the waitlist for social housing continues to grow while the majority of Ontario's social housing stock is in a state of disrepair.

A recent statistic provided by the Advocacy Centre for Tenants Ontario states that 21% of Ontario renters spent over 50% of their income on housing. We believe that rent regulation is meant to protect tenants and should not be used as an incentive for developers to build rental housing. Removing rent regulation will not solve our province's problem with lack of affordable rental housing, it will only off-load unaffordable rents onto tenants.

For more information visit the Advocacy Centre for Tenants Ontario website at [acto.org](http://acto.org).



## Kinna-aweya Legal Clinic becomes a Living Wage Champion

In February 2019, Kinna-aweya Legal Clinic became the first living wage employer in Thunder Bay and achieved a Living Wage Champion designation. There are three levels of living wage employers, with Champion being the highest attainable level. To receive a Champion designation, a business or organization must commit to pay all current and future employees at least the living wage regardless if the employee is part-time, full-time or on contract.

The living wage is not the same as minimum wage. While minimum wage is the lowest legal amount an employer can pay you, it does not always reflect the actual cost of living in a community. A living wage is the lowest hourly amount someone working 35 hours a week would need to provide a for a family of four. A living wage is calculated by community and takes in to account average rental prices, transportation costs, and food costs among many other measures.

As an advocate for people living in poverty, Kinna-aweya Legal Clinic wanted to be a leader for change within our community and to ensure that everyone has the opportunity to adequately support their family. While Kinna-aweya Legal Clinic can only set the wages within their own organization, they are hoping by becoming a living wage employer other businesses and organizations in Thunder Bay will be inspired to become living wage employers too. Through the living wage campaign, businesses and organizations can make measurable differences in our communities.

For more information on becoming a living wage employer please visit:  
<https://www.ontariolivingwage.ca/>

## Federal Election – October 21, 2019

The 2019 Canadian federal election is scheduled to take place on October 21, 2019. The Liberal Party of Canada will attempt to retain its majority government that it won in the 2015 federal election. The 2015 federal election resulted in a Liberal majority government headed by Justin Trudeau. The Conservatives became the Official Opposition (with Stephen Harper announcing his resignation as party leader) and the New Democrats (NDP) became the third party.



When you don't vote, you let others speak for you. Stand up and be counted, vote.



## Kinna-aweya Legal Clinic

Thunder Bay:  
86 S. Cumberland St.  
P7B 2V3



T: (807) 344-2478  
F: (807) 345-2842

Toll Free:  
1-888-373-3309

Geraldton:  
404 Main St., Unit A  
POT 1M0  
T: (807)854-1278  
F: (807)854-1542  
Toll Free:  
1-866-875-4952

Marathon:  
101 – 52 Peninsula Square  
POT 2E0  
T: (807)229-2290  
F: (807)229-0486  
Toll Free:  
1-866-389-1477

We're on the Web!

See us at:

[www.kalc.ca](http://www.kalc.ca)



## Board and Staff Members

- Kinna-aweya Legal Clinic has a permanent staff of seventeen people working throughout the District of Thunder Bay, with offices in Geraldton, Marathon, and Thunder Bay (main office).
- Legal Workers travel regularly throughout the district to many communities, such as Aroland, Armstrong, Beardmore, Ginoogaming, Biigtigong Nishnaabeg/Heron Bay, Long Lake #58, Pic Moberg, Manitouwadge, MacDiarmid, Nakina, Terrace Bay, Pays Plat, Whitesand, Nipigon, Rocky Bay, and Schreiber.

### 2018-2019 BOARD MEMBERS

Alta Fenton	President	Thunder Bay
Andrea O'Nabigon	Vice-President	Geraldton
Cindy Whittington	Treasurer	Thunder Bay
Jamie McGinnis	Secretary	Thunder Bay
Mary Day	Director	Armstrong
Michael Deschamps Sr.	Director	Marathon
Manon White	Director	Nipigon

### STAFF MEMBERS

#### **GERALDTON OFFICE:**

Chantal Walterson  
Pam Leblanc

Community Legal Worker/Licensed Paralegal  
Administrative Assistant

#### **MARATHON OFFICE:**

Miriam McCutcheon  
Julia Michano

Community Legal Worker  
Administrative Assistant

#### **THUNDER BAY OFFICE:**

Beth Ponka  
Sarah Colquhoun  
Claire Littleton  
Caycie Soke  
Larissa Speak  
Richard Atkinson  
Tracey Lasook  
Melanie MacKenzie  
Kim Facca  
Patricia Fenton  
Cindy Johnson  
Teri Hofer  
Cheyanne DeGagne  
Angie Lynch  
Fabienne Spiess  
Iris Johnson

Director of Administration  
Coordinator of Legal Services  
Staff Lawyer  
Staff Lawyer  
Staff Lawyer  
Licensed Paralegal  
Licensed Paralegal  
Licensed Paralegal  
Community Legal Worker  
Executive Secretary  
Assistant Director of Administration  
Bookkeeper/Administrative Assistant  
Operations Assistant  
Advocacy North Speakers' School & Peer Support Worker  
ID Services Coordinator  
Librarian

## Important Dates to Remember

### AREA COMMUNITY MEETINGS

<b>Armstrong:</b>	September 24	6 p.m.	Health Centre
<b>Marathon:</b>	September 16	6 p.m.	52 Peninsula Square
	*Michael Deschamps' term expires*		
<b>Thunder Bay:</b>	September 27	12 noon	86 S. Cumberland St.
	*Alta Fenton's term expires*		
<b>Nipigon:</b>	September 16	12 noon	Lake Helen Reserve
	*Manon White's term expires*		
<b>Geraldton:</b>	September 17	6 p.m.	404A Main Street

### ANNUAL GENERAL MEETING

Saturday, October 26, 2019                      9 a.m. – 4 p.m.  
Prince Arthur Waterfront Hotel – Bertrand Room