

LIAISON

LAW COMMISSION OF ONTARIO

Message from the Executive Director

My colleagues and I at the LCO have been fully immersed in our second mandate projects for over a year now. But we are also thinking much further down the road: we recently issued a Call for New Project Proposals.

You may already have received an email about this or seen it on our website or on the website of our friends who have posted a link for us. You may even have seen our ads in a couple of community papers in the northern part of the province.

The LCO's Call for New Project Proposals encourages submissions from individuals and organizations, including community groups, legal professionals, the judiciary, government and members of the public. We're open to proposals to review particular provisions in a statute or entire statutes or proposals that involve social justice issues. A quick review of our website is a good way to see the range of projects that we've undertaken to date.

Our new Project Selection Committee will review the proposals and recommend several to the LCO Board with the help of community experts. The Board, in turn, will make the final decision.



Have an idea about how the law could be improved? It's easy to submit a proposal. See the guidelines on our website or call us if you have questions. We look forward to hearing from you!

Patricia Hughes

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Connecting with York

York University President Mamdouh Shoukri met recently with students and staff during a visit to the LCO offices in Osgoode Hall Law School's new Ignat Kaneff Building. Also this summer, Executive Director Patricia Hughes spoke with Rhonda Lenton, York's vice-president academic and provost, about the LCO and York's shared commitment to multidisciplinary analysis and community engagement.



York University President and Vice-Chancellor, Dr. Mamdouh Shoukri visited LCO staff and student researchers over the summer.

From the Ivy League

Daniel Ambrosini joined the LCO as a research lawyer in August, bringing to his role two years as an award-winning postdoctoral fellow at Harvard Law School. Among other work, he will assist the LCO in advancing quantitative and qualitative methods in research and consultations.

NEW PROJECTS

Six projects are underway as part of the LCO's second mandate, including a newly launched project that aims to simplify the management of an estate when a person dies and the LCO's first government-proposed project.

The LCO is also pleased to announce:

- approval of a final report (for release later this fall) addressing the 122-year-old *Forestry Workers Lien for Wages Act*;
- release of the final report in the family law project, *Increasing Access to Family Justice through Comprehensive Entry Points and Inclusivity*, which was featured as part of a July episode of CBC Radio's Metro Morning; 🏠
- discussion papers due out later this fall on the class action and legal capacity, decision-making and guardianship projects.

OUR NEW LOOK

It's Liaison's fifth anniversary and we've had a makeover! Our design has changed, but we're still keeping you up to date on the LCO's activities. Let us know what you think at lawcommission@lco-cdo.org



See this?
Read more at www.lco-cdo.org



LCO report helps spark wage review

Strategy to support vulnerable workers attracting widespread attention


Ontario Minister of Labour Yasir Naqvi credited the LCO's report on vulnerable workers and precarious work as one of the inspirations for the government's minimum wage review, announced this July. The minimum wage advisory panel — recommended in the LCO's April report — was set up "to help ensure a process that is fair for workers, predictable for business and creates more opportunities for all Ontarians."

"This was the right report at the right time," says LCO Executive Director Patricia Hughes of the report's 47 proposed changes, which include a review of the \$10.25 minimum wage and a comprehensive provincial strategy to support vulnerable workers. "Workers' rights are a very hot topic. People see the societal impact and the need for change."

The LCO's findings and recommendations have attracted widespread attention from government, education, business and community organizations.

Hughes and LCO Board Chair, Bruce Elman, were invited to present the LCO's findings and recommendations at a May symposium on workers' rights hosted by the University of Windsor's Centre for Studies in Social Justice. In June, Hughes addressed the Ministry of Labour task group on vulnerable workers. The LCO's findings are also cited regularly by the Poverty and Employment Precarity in Southern Ontario Research Group (PEPSO), a community-university research group led by the United Way Toronto and McMaster University. Among many findings published in its February 2013 *It's More Than Poverty* report, PEPSO revealed that only 60% of GTA workers have stable, secure jobs.

"We're always mentioning the LCO report as another foundation resource that provides a legal and social framework for employment precarity," says United Way research director and PEPSO report author Michelynn Lafleche. "We're social science researchers, not lawyers, so this legal perspective is really important."

"One of the LCO's mandates is to stimulate discussion," agrees Hughes, "and we've definitely done that with this report. I hope to see the government continue to pick up on our recommendations." 

Forum asks, 'How do we achieve safe communities?'

The executive director of the Waterloo Region Crime Prevention Council says it will be an "all hands-on quest" at the LCO's community safety forum held at Oakham House on November 22. Chris Sadeler will be among the stakeholders participating in the one-day forum designed to explore how community safety promotion can be better integrated across government, agencies and community organizations.

"Safety was once provided house to house and neighbour to neighbour. We've developed formal services over time, but they haven't necessarily succeeded in fulfilling the promises they've made," says Sadeler, who also serves on the LCO's Community Advisory Council.

Approximately 50 stakeholders from across Ontario will participate in a series of break-out sessions toward a goal of helping the LCO identify an innovative research or policy development project.

Former OPP Commissioner Gwen Boniface, a member of the LCO Board, says the LCO is the right organization to take the lead on such an urgent issue. "Community safety impacts individuals and our ability to go about our daily lives."



Research Lawyer, Joanna Birenbaum, is project lead for the LCO's Forum on Integrated Approaches to Community Safety

LCO leads first government-proposed project


Project explores options for RDSP reform

It's a classic chicken-and-egg scenario: A person with a mental disability wants to open a Registered Disabilities Savings Plan (RDSP) to help save for the future, but they are restricted from doing so because their mental capacity is in doubt.

Since its establishment in 2008, the federal RDSP program has posed significant challenges for persons with disabilities who want to open and manage their own plans. That may soon change, though, thanks to the LCO's first government-proposed project.

"Parents can open an RDSP for a minor," explains LCO Research Lawyer Sarah Mason-Case, "but the *Income Tax Act* does not have a process for appointing representatives for adults. Adults have to have a guardian appointed for them and that process can be expensive, lengthy and it's likely to impact their quality of life."

The federal government has introduced temporary measures to address this issue. The LCO's RDSP project is exploring long-term alternatives for Ontarians.

Following preliminary research involving individuals and organizations across Canada, Mason-Case is preparing a discussion paper that includes a range of options for reform. The consultation phase in late 2013 will be followed by a final report in Spring 2014. 



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