



Administrative Offices
Bureau administratifs
535 Sutherland Ave.,
Welland, ON
L3B 5A4
Tel: 905-735-0081
Fax: 905-735-2256
E-Mail:
communityliving@
cl-wellandpelham.ca

Children's Services
Les services des enfants
c/o ACW Child Care – Woodlawn
300 Woodlawn Road
Welland, ON
L3C 7L3
Tel: 905-735-2211
Fax: 905-735-2276

Employment Services
Service d'embauche
c/o Seaway Mall, Suite GG4
800 Niagara Street
Welland, ON
L3C 5Z4
Tel: 905-732-1023
Fax: 905-732-0528

Family Support Services
**Service de support
de famille**
535 Sutherland Ave.,
Welland, ON
L3B 5A4
Tel: 905-735-0185
Fax: 905-735-9431

Residential Services
Service résidentiels
535 Sutherland Ave.,
Welland, ON
L3B 5A4
Tel: 905-735-9019
Fax: 905-735-9431

Volunteer Services
Service volontaires
535 Sutherland Ave.,
Welland, ON
L3B 5A4
Tel: 905-735-0081
Fax: 905-735-9431

**Community Access
Supports**
**Accès Communautaire
Soutien**
535 Sutherland Ave.,
Welland, ON
L3B 5A4
Tel: 905-735-0081
Fax: 905-735-9431

Website
Site de web
www.cl-wellandpelham.ca

May 10, 2018

Law Commission of Ontario

Class Actions: Objectives, Experiences & Reforms Project

2032 Ignat Kaneff Building, Osgoode Hall Law School, York University
4700 Keele Street, Toronto, ON, M3J 1P3

Enclosed please find my feedback comments related to class action lawsuits. I attempted to send them electronically but found the email address which you provided not functional.

Yours truly,

Juli Goldhawk

Policies & Procedures Consultant

OUR MISSION: ADVOCATE FOR, PROMOTE AND FACILITATE THE FULL PARTICIPATION, INCLUSION AND CITIZENSHIP OF PEOPLE WHO HAVE AN INTELLECTUAL DISABILITY

NOTRE MISSION: L'AVOCAT POUR, FAVORISENT ET FACILITENT LA PLEINE PARTICIPATION, L'INCLUSION ET CITOYENNETÉ DES PERSONNES QUI ONT UN DISABILITY INTELLECTUEL



Share Your Feedback

Re: Class Actions: Objectives, Experiences and Reforms

I have been involved in preparing claims for members in two class actions in the last few years, and expect to be involved in some that are pending. Both suits were against the Government of Ontario relating to treatment of individuals who lived in institutions housing people who have developmental disabilities.

For some individuals, who are unable to communicate what happened to them in these institutions, I requested and reviewed all their personal records, and completed claims from this information. Information was sent out to people as to how to obtain these records so this was very helpful and appreciated.

Others, who were able to remember and talk about what happened, were assisted to complete their claim forms in their own words.

The information that was sent out to possible class members and explanation of the process and possible outcomes was clear and helpful. I found the claim forms to be clear in their instructions and not difficult to complete, once all the information had been gathered. Ample time was allowed to opt out, which no one did, and later, to submit claims.

For these particular class actions, some of the class members remember this as a very traumatic time in their lives and did not want to revisit or talk about what happened to them. The people who were most vulnerable, and therefore the most likely to have suffered the worst mistreatment, were unable to understand the process or tell what had happened to them. So these two groups of people, who likely deserved the largest compensation amounts, received only the lowest basic amount available, because no particulars could be given. I don't know what the remedy to this problem might be, but it definitely is a flaw in the fairness of determining compensation amounts.

In the suit which included Huronia Regional Centre, not all the available funds were distributed so there was follow up in determining what to do with the rest of the money. I feel that it should have been allowable for people who did not get their claims in in time, to apply for some of these funds, and also the excess could have been distributed equitably among the known claimants.

Once claims had been submitted there seemed to be little information about how long people might have to wait to receive their money. Periodic updates would have been appreciated, though when I did submit questions, by phone or email, for the most part I did get helpful responses. And there was basic information on the law firm's website. People who were part of these suits who did not have someone helping them may have had difficulty in knowing how things were progressing. To those who were aware that they would be receiving funds, but did not really understand the complexity of the process, it seemed like a very long wait.

For the people that I was involved in helping, most had no prior expectations, so they were not anxious about the length of time they had to wait and were very pleased to receive any amount of extra money,