



Sept. 26, 2019

Honourable Todd Smith
Minister of Children, Community and Social Services
Hepburn Block
80 Grosvenor Street
6th Floor
Toronto, Ontario M7A 1E9

Dear Minister Smith:

Re: Social Assistance reforms – change in definition of disability

We are writing on behalf of the Durham Community Legal Clinic (DCLC), the sole provider of free community representation and legal advice to low-income residents of Durham Region. We are the only community legal clinic servicing the estimated 650,000 people in the Region, and this population is quickly growing.

This letter is on behalf of our clients and our supportive agencies, in response to the proposed changes on Nov. 22, 2018, to the definition of disability in order to become eligible for Ontario Disability Support Program (“ODSP”) benefits.¹ Our clinic has provided free services around ODSP to thousands of residents of Durham Region over the years, and we have received numerous phone calls from clients with concerns around the proposed changes.

The government’s announcement describes the recommended revision of the definition of the ODSP, without clear evidence of collaboration or cooperation with the stakeholders or constituents currently on the plan, and who would be seriously impacted by these proposed changes, especially if they are implemented without adequate lead time.

The current inclusive definition of disability recognizes that even “non-severe” disabilities can have a significant impact on employment, personal care and participation in the community. A more restrictive definition of disability, the welfare of these individuals will likely see their health conditions deteriorate further. It will force poor people into further poverty, and increase the costs of social services for those who cannot work due to their disability.

¹ Government of Ontario, “Reforming Social Assistance,” Nov. 22, 2018, available at: <https://news.ontario.ca/mcys/en/2018/11/reforming-social-assistance.html>

We fully encourage and support the creation of efficiencies and removal of waste in Ontario's ODSP program, which is currently estimated at \$5.6 billion a year.² We share the concern that the number of people receiving ODSP has been growing at about 3.5 per cent a year, even higher than Ontario's population growth. Our impression based on our clients is that this growth is higher still in Durham Region.

However, we urge caution in how any changes are implemented. We ask that they be rolled out slowly, in full cooperation with community agencies such as ours, so we can ensure minimal interruption of services and assistance to the vulnerable populations in our Region. As community agencies who receive funding from the government, we share the goal of ensuring that funding is used appropriately.

Our concern is that identified short-term savings may give rise to larger long-term problems, which will invariably cost our province more. Instead, for individuals who are excluded under this new definition of disability, or who see a reduction in the supports they receive, it is essential that community partners such as ours are able to fill these gaps.

In cutting red tape and ensuring accountability, it is still essential that individuals previously on ODSP, or who will receive less funding from ODSP, receive appropriate supports in the community. The services in our clinic include CPP and WSIB assistance, which might provide additional assistance that clients are eligible for but unaware of. What the clinic really offers however is broader connections to supports within the community.

The DCLC's Durham Access to Justice Hub is an inter-agency initiative out of our offices, with strategic cooperation with the Regional Municipality of Durham, Durham College, and many other partners. Part of the services we focus on at the Durham Access to Justice Hub include ensuring access to unemployment services, retraining, and other social services which would likely be of assistance to those experiencing ODSP cuts. Ensuring that our clients actually receive these services will require time and resources for education and outreach. Expediting this process will ensure that these people will fall through the cracks, and ensures the dignity of these residents will be upheld.

We look forward to working with you in cooperation through any reforms to ODSP that might proceed, with a better understanding of the role that DCLC and the Access to Justice Hub play in our community.

Yours very truly,

Omar Ha-Redeye
Executive Director

cc: MPP: Rod Phillips
Jennifer French

² Government of Ontario, "Expenditures Estimates for the Ministry of Community and Social Services," April 23, 2018, available at, <https://www.ontario.ca/page/expenditure-estimates-ministry-community-and-social-services-2018-19>.

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