

# HALCO

HIV & AIDS Legal Clinic Ontario

# news

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# HALCO 2011 Annual General Meeting

Our 2011 Annual General Meeting was held on September 8, 2011, with more than 40 people in attendance. It was a dynamic meeting with lots of news, information, and the election of five people to our nine-member volunteer Board of Directors (see **HALCO Board of Directors** on page 3 for more information about our Board).

A highlight of the meeting was the launch of our new **logo** and **website**. Although our “old” logos and “old” website had served us well for many years, we are delighted with the new versions. Our new website enables us to more effectively share information with people who are living with or concerned about HIV in Ontario, as it includes many new features, information, links and more, including improved accessibility.

HALCO Executive Director **Ryan Peck** presented our **Annual Report 2010-2011** and our **Strategic Plan 2011-2014** (both can be found on our website at: [www.halco.org/about](http://www.halco.org/about) ). Please take a moment to have a look as each includes information about our work, our people, our funding and more.

The highlight of the evening was the presentation of our **2011 Kreppner Awards**. With eloquence and heartfelt sincerity, HALCO Board Member **Robert Watkin** presented the awards to **Pauline Murphy** and **Dr. David Wong**.

**Pauline Murphy** is a nurse who has been providing extraordinarily compassionate care and advocacy for people living with HIV by going the extra mile for many years. She received our “unsung hero” **Kreppner Award**. **Dr. David Wong** is a hepatologist whose dedication to providing and improving care and treatment for people living with HIV or people co-infected with HIV and Hepatitis C is exemplary. He received our Kreppner Award for outstanding accomplishment in the public domain.

The awards honour the late **James Kreppner** by recognizing unparalleled achievement in advocating on behalf of or bettering the lives of people living with HIV or co-infected with HIV and Hepatitis C. James was an original member of the Board of Directors of HALCO and continued serving until his passing in 2009. Everyone was moved by the presentation, but especially by the presence of James’ long-time partner **Antonia Swann**, who received an inaugural **Kreppner Award** in 2010. For more about James, please see our **HALCO news Fall 2009** ([www.halco.org/our-services/our-publications](http://www.halco.org/our-services/our-publications)) and our **Annual Report 2010-2011** ([www.halco.org/about](http://www.halco.org/about)).

## HALCO Board of Directors

HALCO relies on its skilled and dedicated volunteer Board members to oversee our governance.

We recently welcomed three new members to our Board of Directors:

- **Eric Cashmore**,
- **Frederique Chabot**, and
- **Eric Mykhalovskiy**.

They joined our Board members:

- **Mark Blans** (Vice-Chair)
- **Michael Capp** (Secretary/ Treasurer)
- **Peter Gross**
- **Gary Logie**
- **Martha Mackinnon** (Chair), and
- **Robert Watkin**.

We sincerely thank our former Board member **Anne Marie DiCenso** for her innumerable contributions during her six years on our Board - we miss her already!

For more information about our Board and Board Committees, please contact us or visit the **Get Involved** section of our website:

[www.halco.org/get-involved](http://www.halco.org/get-involved)

## HALCO Staff

**Jennifer Goodfellow** joined us in July 2011 as our articling student for the 2011/2012 year. Jennifer has very quickly become an invaluable member of our staff team. Her professionalism, skills and commitment to service are exemplary (and we enjoy her sense of humour). Welcome Jennifer!

**Our staff are** (in alphabetical order):

- **Renée Lang**, Staff Lawyer
- **Rick Lobodzinski**, Administrative Assistant
- **Jill McNall**, Community Legal Worker
- **Bill Merryweather**, Director of Administration
- **John Nelson**, Staff Lawyer
- **John Norquay**, Staff Lawyer
- **Ryan Peck**, Executive Director/ Lawyer
- **Amy Wah**, Staff Lawyer, and
- **Kevin Wong**, Staff Lawyer

# HALCO Fundraising News

## HALCO Third Annual Fundraising Bowl-a-thon!

We are pleased to announce our **Third Annual Fundraising Bowl-a-thon** on Saturday, November 19, 2011, at 8:00 pm at Bathurst Bowlarama, 2788 Bathurst Street (at Glencairn Avenue), Toronto ([www.bathurstbowlerama.com](http://www.bathurstbowlerama.com))!

Please join us for a fabulous evening of fundraising and disco dancing bowling as we raise funds for HALCO.

There are prizes for the individual and the team that raise the most money, prizes for the best - **and worst!** - bowler, and the very popular "Team Spirit" award.

Each bowler is asked to raise a minimum of \$100-\$125 and teams are asked to raise a minimum of \$750. There will also be a fabulous silent auction, including sporting event and theatre tickets, gift certificates, crafts, gift baskets, etc.

Funds raised will be used to provide front-line legal services to people living with HIV/AIDS in Ontario. We provide tax receipts for all donations of \$20.00 or more.

If you would like to bowl with us, please contact **Bill Merryweather**, our Director of Administration, at 416-340-7790 / 1-888-705-8889 or by e-mail at [merryww@lao.on.ca](mailto:merryww@lao.on.ca)

If you are unable to join us at our Bowl-a-thon, please consider making a donation. Simply click on the **DONATE** button on our new website [www.halco.org](http://www.halco.org) or you can go directly to [www.halco.org/get-involved/donate](http://www.halco.org/get-involved/donate) .

**Thank you for your support!**

### Monthly Giving Program

Since 2006, requests for HALCO legal services have increased by 90%. You can help us meet this increasing need by becoming a monthly donor. Monthly giving provides us with a steady and dependable base of support. For as little as \$10, \$20 or \$25 per month, you can make a huge difference! You choose the amount so you can be assured that your generosity will continue throughout the year, and support the work we do.

If you are interested in becoming a monthly donor, please contact **Bill Merryweather** at 416-340-7790 / 1-888-705-8889 or by e-mail at [merryww@lao.on.ca](mailto:merryww@lao.on.ca)

## HALCO's Public Legal Education Workshops

The fourth in our free **Public Legal Education Workshop Series** is taking place this Fall.

We are starting to plan our next workshop series, which will take place early in 2012. Please visit the **Public Legal Education** section of our website for more information:

[www.halco.org/our-services/public-legal-education](http://www.halco.org/our-services/public-legal-education)

As always, our staff continue to provide other workshops for groups and organizations on a variety of legal topics, including:

- Criminalization of HIV Non-Disclosure
- HIV Legal Issues Overview
- HIV & Privacy Law
- HIV & Immigration Law
- HIV & Employment Law
- HIV & Private Insurance
- Ontario Disability Support Program
- Powers of Attorney, Wills and "Living Wills"
- Introduction to Tenancy Law

Please contact us if you would like to request a workshop or our participation in an event.

# Health Information Privacy in Ontario

## Privacy and Electronic Health Records (eHealth)

In the spring of 2011, the Ontario government asked for submissions regarding proposed changes to the regulations under the *Personal Health Information Protection Act*. The proposed changes were intended to make it easier for the province to implement its **eHealth** initiative.

We were concerned that the proposed changes did not adequately protect the health privacy of people living with HIV in Ontario. In our submissions, we made recommendations that, if followed, would have given people more control over their own and others' access to their electronic health information. We also recommended that the legislation include: the right to correct misinformation, the right to receive a report of all accesses to one's own health information, and, the right to be informed directly by eHealth if one's own health information has been accessed by an unauthorized person.

Unfortunately, the regulation that the province filed in June 2011 is essentially the same as the one that was initially distributed for comment and did not reflect our recommendations. You can find our recommendations on our website:

[www.halco.org/wp-content/uploads/2011/11/HALCO-PHIPA\\_e-Health\\_amendment\\_submission-2011Apr.pdf](http://www.halco.org/wp-content/uploads/2011/11/HALCO-PHIPA_e-Health_amendment_submission-2011Apr.pdf)

## Ontario Laboratory Information System (OLIS)

As we reported in our *HALCO news Spring 2011*, the Ontario Ministry of Health and Long-Term Care began the process of sharing laboratory test information with a broad range of health care providers through the Ontario Laboratories Information System (OLIS).

HALCO submitted a complaint about OLIS to the **Information and Privacy Commissioner of Ontario** on behalf of the **Ontario AIDS Network (OAN)**. Unfortunately, the Information and Privacy Commissioner of Ontario did not agree with our position. After assessing the merits of an appeal and discussing the matter with **Michael Power**, a prominent privacy lawyer who initially filed a complaint regarding OLIS, we decided not to invest our limited resources in an appeal that would unfortunately be very unlikely to succeed.

As the push for electronic health records marches on, there will be many more proposed changes to OLIS and to other health records systems. Together with organizations like the OAN, we will continue our advocacy on behalf of people living with HIV for greater privacy rights in the age of electronic health records. Please see **Ontario Court of Appeal hears privacy law case** on page 7 for more information.

## Ontario Court of Appeal hears privacy law case

For some time, we have been urging Ontario courts to develop a breach/invasion of privacy civil action. We have had some success, including a Small Claims Court decision outlining the elements of such an action. Unfortunately, in spring 2011, an Ontario court ruled that there is no right to sue in Ontario for a breach/invasion of privacy. The ruling indicated that privacy issues can be dealt with under existing legislation, but not through a civil action for breach/invasion of privacy. This decision was appealed to the Ontario Court of Appeal.

While certain privacy laws exist to protect particular information, including health information, we are concerned that a significant number of people living with HIV have privacy issues that can only be solved through a breach/invasion of privacy lawsuit. For example, while the *Personal Health Information Protection Act* governs health information collected, used or disclosed by health care professionals, and the *Personal Information Protection and Electronic Documents Act* applies to certain employee and customer information, no Ontario legislation applies to situations such as disclosures of a person's HIV status by a family member, friend, or neighbour. Because of this gap in the law, we strongly believe that people should be able to sue for breach/invasion of privacy.

This summer, HALCO, along with the Canadian HIV/AIDS Legal Network, applied to the Ontario Court of Appeal to intervene in the privacy case. We did so in order to bring the perspectives of people living with HIV to the Court, and urge the Court to recognize a breach/invasion of privacy action. We also wanted the Court to rule that proof of harm is not required to win a privacy lawsuit. Generally, a person must prove that they have been harmed, and must demonstrate the damage done, in order to be successful in a lawsuit. We believe that a breach of privacy is such a fundamental matter to the dignity of an individual that a breach of privacy alone is enough to win a lawsuit. Unfortunately, the Court of Appeal denied our request to intervene in the case. The case was heard by the Court in September and a decision should be released in a few months.

HALCO would like to sincerely thank **Michael Power** for representing us in our application to intervene. Michael's generosity and expertise is sincerely appreciated. For information about Michael, see <http://michaelpower.ca/>.

# Immigration Law Updates

## Sponsorship of Parents and Grandparents suspended

As of November 5, 2011, Immigration Canada will no longer accept applications from people to sponsor their parents and grandparents for permanent residence in Canada. Applications that have already been filed will still be processed. The suspension will last for two years while the government reconsiders the immigration process for parents and grandparents.

## New “super visa” for visiting Parents and Grandparents

Immigration Canada has also announced that starting in December 2011, there will be a new type of visitor visa for parents and grandparents who wish to visit their family in Canada. These “super visas” will be valid for 10 years and will allow for multiple trips and stays in Canada of up to 24 months at a time. A requirement for the “super visa” will be that the parent or grandparent will need private health insurance to cover any health care necessary during their time in Canada. For more information about these new announcements, please contact HALCO.

## Canada delays implementation of Immigration law changes

In our *HALCO news Spring 2011*, we reported that, in June 2010, the Canadian government made important changes to some of Canada’s immigration laws. The changes concern the process for refugee claims, pre-removal risk assessments, humanitarian and compassionate grounds applications, and deportations.

The changes were to take effect on December 1, 2011, but the Canadian government recently announced that the **new system will come into effect on June 29, 2012**. The final details of the changes are still not known. When the final details are announced, we will post more detailed information on our website. For other immigration law information, please visit the **Immigration Law** section of our website:

[www.halco.org/areas-of-law/immigration-law](http://www.halco.org/areas-of-law/immigration-law)

You can also visit the **Canadian Council for Refugees website** for information:

<http://ccrweb.ca/en/refugee-reform>

Watch for our new *HIV & Immigration Law* booklets that will be available soon. The booklets cover a variety of immigration law topics and will be announced in the **What’s New** section of our website: [www.halco.org](http://www.halco.org).



# ODSP/OW Special Diet Allowance Changes

People who receive Ontario Disability Support Program (ODSP) or Ontario Works (OW) benefits may be eligible for a **Special Diet Allowance (SDA)** if they have certain medical conditions. The SDA has changed several times over the years.

The most recent SDA changes started in April 2011 when a new SDA program began. The maximum for the new SDA is still \$250 per person, but now there are 29 medical conditions instead of the 43 medical conditions in the previous SDA. Everyone who was receiving an SDA had to submit a new SDA application by July 31, 2011.

Under the old SDA, anyone living with HIV was entitled to an SDA of \$75, \$150, \$180 or \$240, depending on how much of their usual body weight they had lost, from 0% (no weight loss) to weight loss of more than 10% of usual body weight. The new SDA only has two weight loss categories: \$191 if weight loss is 5% to 10% of usual body weight, and, \$242 if weight loss of more than 10% of usual body weight.

It has always been HALCO's position that anyone living with HIV is eligible for the new SDA as long as a health care professional confirms unintended weight loss related to HIV **at any time since HIV diagnosis**. However, there has been variation in the interpretation of the relevant time period to be considered for the weight loss category, even though we made our position clear in the materials that we have provided to the community on this issue.

In August 2011, the Ontario government made clear that health care professionals should consider past or present weight loss when completing the weight loss category on the new SDA application. There is more information on the Ontario government website:

[www.mcass.gov.on.ca/en/mcass/programs/social/special\\_diet\\_health\\_care.aspx](http://www.mcass.gov.on.ca/en/mcass/programs/social/special_diet_health_care.aspx)

As a result of the confusion regarding the relevant time period to be considered for weight loss, many people living with HIV have had their SDA unfairly reduced or eliminated. We have handled almost 200 requests for information regarding the SDA, and have opened almost 60 case files from April to September 2011. We are still receiving inquiries and opening case files.

**If your Special Diet Allowance has been reduced or denied, or if you disagree with any ODSP decision, you have the right to request an Internal Review within 30 days. Even if it has been more than 30 days, you can ask for an extension of time to make your Internal Review request. You should get legal advice as soon as possible.**

**If you are living with HIV, please call HALCO for advice. If you are not living with HIV, you can contact your local community legal clinic:**

[www.legalaid.on.ca/en/contact/contact.asp?type=cl](http://www.legalaid.on.ca/en/contact/contact.asp?type=cl)

**Special Diet Allowance information** for individuals, organizations and health care providers is in available on the **Our Publications** section of our website:

[www.halco.org/our-services/our-publications](http://www.halco.org/our-services/our-publications)

# Ontario Energy Board (OEB) information for consumers

## Low-income Consumers

New customer service rules for low income residential electricity customers came into effect on October 1, 2011. You must be “qualified” as a low income consumer by a social service or government agency to be eligible under the new rules. If you have already qualified for emergency financial assistance under the low income energy assistance program, you qualify under the new rules. You can find more information on the Ontario Energy Board (OEB) website:

[www.ontarioenergyboard.ca/OEB/Consumers/Consumer+Protection/Help+for+Low-Income+Energy+Consumers](http://www.ontarioenergyboard.ca/OEB/Consumers/Consumer+Protection/Help+for+Low-Income+Energy+Consumers)

[www.ontarioenergyboard.ca/OEB/Consumers/Consumer+Protection/Help+for+Low-Income+Energy+Consumers/Help+for+Low-Income+Energy+Consumers](http://www.ontarioenergyboard.ca/OEB/Consumers/Consumer+Protection/Help+for+Low-Income+Energy+Consumers/Help+for+Low-Income+Energy+Consumers)

## OEB Consumer Protections

The OEB introduced some consumer protections for electricity consumers and is developing enhanced customer service rules for gas consumers:

[www.ontarioenergyboard.ca/OEB/Consumers/Consumer+Protection/Consumer+Service+Rules](http://www.ontarioenergyboard.ca/OEB/Consumers/Consumer+Protection/Consumer+Service+Rules)

The OEB Website includes OEB *Consumer Newsletters* and *Brochures* that explain some of the new protections:

[www.ontarioenergyboard.ca/OEB/Consumers/OEB+and+You/Newsletters](http://www.ontarioenergyboard.ca/OEB/Consumers/OEB+and+You/Newsletters)

If you have questions or would like more information, you can call the OEB Consumer Relations Centre at 416-314-2455 or toll-free 1-877-632-2727.

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## Marihuana Medical Access Program Consultation

We provided submissions to Health Canada's **Consultation on Proposed Improvements to the Marihuana Medical Access Program** supporting the Canadian AIDS Society submissions. You can find our submissions on our website:

[www.halco.org/wp-content/uploads/2011/10/HALCO-Medical\\_Marihuana\\_submission2011July.pdf](http://www.halco.org/wp-content/uploads/2011/10/HALCO-Medical_Marihuana_submission2011July.pdf)

You can see the Canadian AIDS Society (CAS) submissions on the CAS website:

[www.cdnaids.ca/Submission-for-Marihuana-Consultations](http://www.cdnaids.ca/Submission-for-Marihuana-Consultations)

# Criminal Law and HIV Non-Disclosure

The use of the criminal law to respond to HIV non-disclosure continues to be an extremely pressing legal issue facing people living with HIV in Canada. Unfortunately, Ontario is home to the majority of HIV-related prosecutions in Canada, and is also one of the leading jurisdictions in the world when it comes to such prosecutions. The **Ontario Working Group on Criminal Law and HIV Exposure (CLHE)**, comprised of people living with HIV, lawyers, activists, academics, and AIDS service organization staff, came together in 2007 to oppose the current use of the criminal in relation to HIV non-disclosure, and attempt to bring fairness and consistency to the law. **Ryan Peck**, HALCO's Executive Director, is co-chair of CLHE. Information about CLHE can be found at [www.ontarioaidsnetwork.on.ca/clhe](http://www.ontarioaidsnetwork.on.ca/clhe).

## **Prosecutorial Guidelines for HIV non-disclosure criminal law allegations**

In September 2010, the **Ontario Working Group on Criminal Law and HIV Exposure (CLHE)** called on Ontario's Attorney General to develop prosecutorial guidelines for Crown prosecutors handling allegations of HIV non-disclosure. In December 2010, Chris Bentley, the then Attorney General, agreed to develop guidelines, and in spring 2011, CLHE conducted a robust community consultation on the development of guidelines. The consultation included people living with HIV/AIDS, communities affected by HIV, legal, public health, criminal justice and scientific experts, health care providers, and advocates for women's rights in the context of sexual violence and the criminal justice system. Flowing from the consultation, in June 2011, CLHE provided the Ministry of the Attorney General (MAG) with a report entitled "*Consultation on Prosecutorial Guidelines for Ontario Cases Involving Non-disclosure of Sexually Transmitted Infections: Community Report and Recommendations to the Attorney General of Ontario.*" A copy of the Report is on CLHE's website:

[www.ontarioaidsnetwork.on.ca/clhe/docs/Guidelines\\_Report.pdf](http://www.ontarioaidsnetwork.on.ca/clhe/docs/Guidelines_Report.pdf) .

As of the time this article went to print, MAG has not responded to the *Report*, and has not informed CLHE when it will be honouring its commitment to develop prosecutorial guidelines.

**Guidelines are urgently needed to ensure that HIV-related criminal complaints are handled in a fair and non-discriminatory manner. The guidelines must ensure that decisions to investigate and prosecute such cases are informed by a complete and accurate understanding of current medical and scientific research about HIV and take into account the social contexts of living with HIV.**

**We urge individuals and organizations to visit CLHE's website in order to send an email to John Gerretson, Ontario's current Attorney General, urging the immediate development of prosecutorial guidelines:** [www.ontarioaidsnetwork.on.ca/clhe](http://www.ontarioaidsnetwork.on.ca/clhe)

*(continued on page 12)*

## **Supreme Court of Canada to hear two cases**

In 2011, as CLHE was communicating with the Ministry of the Attorney General (MAG) about the development of prosecutorial guidelines, we learned that the Supreme Court of Canada agreed to hear two cases involving HIV non-disclosure. The two cases have been joined and will be heard together in early 2012. In September 2011, CLHE was greatly dismayed to learn of the position being taken by MAG in its recently-filed request for intervener status in the Supreme Court cases. According to MAG's application, the Attorney General of Ontario plans to call upon the Supreme Court to rule that people living with HIV must disclose their HIV status before *any* sexual activity whatsoever, even in the case where there is a negligible, effectively zero, risk of HIV transmission – and that not disclosing should be prosecuted as an aggravated sexual assault, which is one of the most serious offences in the *Criminal Code*.

CLHE strongly opposes this approach, and, takes the position that it fails to take into account a complete and accurate understanding of current medical and scientific research about HIV, and is incompatible with broader scientific, medical, public health, and community efforts to prevent the spread of HIV and to provide care, treatment and support to people living with HIV. In addition, to completely disregard the question of the risk of transmission is tantamount to declaring people criminal because they have HIV, not because their conduct poses any significant risk of serious bodily harm, which is the current standard articulated by the Supreme Court. As such, CLHE takes the position that Ontario's proposed position is a radical expansion that would depart from the basic role of the criminal law.

CLHE submits that it is particularly troubling that the Ontario government is taking this position at the same time as it is engaging in ongoing discussions with CLHE regarding the development of prosecutorial guidelines for HIV non-disclosure allegations. The position apparently to be advanced by the Attorney General before the Supreme Court of Canada flies in the face of the notion of prosecutorial guidelines that could set out appropriate parameters for a fair, evidence-based application of the law.

However, CLHE notes that it is encouraging that the then Attorney General, Chris Bentley, has since indicated that although the intervention materials advocate for the elimination of the current significant risk test and that there be a duty to disclose regardless of the risk of transmission, that the Attorney General of Ontario has no intention of taking such a position at the Supreme Court of Canada. Minister Bentley further made it clear that the Attorney General is seeking the maintenance of the significant risk test, and requesting that the Supreme Court provide clarification as to the interpretation of the test.

CLHE supports the approach taken by a coalition of HIV organizations that will be making arguments at the Supreme Court. The coalition is comprised of **HALCO**, the **Canadian HIV/AIDS Legal Network**, **la Coalition des organismes communautaires québécois de lutte contre le sida ("COCQ-SIDA")**, **Positive Living Society of British Columbia**, the **Canadian AIDS Society**, the **Toronto People With AIDS Foundation**, the **Black Coalition for AIDS Prevention**, and the **Canadian Aboriginal AIDS Network**.

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The coalition supports clarification of the current “significant risk” test for HIV disclosure so that the law will be informed by current medical and scientific research about HIV, and, be compatible with broader scientific, medical, public health, and community efforts to prevent the spread of HIV and to provide care, treatment and support to people living with HIV. This would include, for example, the position that protected sex, oral sex and sex with a low/undetectable viral load should not require disclosure of HIV status.

HALCO would like to sincerely thank **Jonathan Shime** and **Corie Langdon**, Cooper, Sandler, Kaufman & Shime LLP, for representing the coalition. Their devotion and expertise is sincerely appreciated. For information about Jonathan, Corie, and Cooper, Sandler, Kaufman & Shime LLP, see [www.criminal-lawyers.ca/](http://www.criminal-lawyers.ca/).

**It is crucial that MAG keep the promises to develop guidelines and amend the proposed argument included in its intervention materials before the Supreme Court of Canada.**

**If you have questions about criminalization of HIV non-disclosure, or if you know someone facing HIV-related criminal charges, please contact HALCO.**

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## Pardon Fee Increase Update

As we reported in our *HALCO news Spring 2011*, the Canadian government is considering increasing the pardon application fee from \$150.00 to \$631.00. The Parole Board of Canada held consultations on the proposal from February 10 to 27, 2011. The *Consultation Report - Proposed Increase to the Pardon Application User Fee* is available on the Parole Board of Canada website: [www.pbc-clcc.gc.ca/infocntr/factsh/pardonfeenotice-eng.shtml](http://www.pbc-clcc.gc.ca/infocntr/factsh/pardonfeenotice-eng.shtml)

The report indicates that the consultation received 1,086 responses, of which only 12 were supportive of the fee increase, meaning that 1,072 did not support the increase. In response to the 16 official complaints, the Board has established an Independent Advisory Panel:

“The Panel is mandated to prepare a report with its findings and recommendations for resolving the dispute and send this report to the PBC as well as to complainants...The Independent Advisory Panel’s recommendations will be presented to the Minister of Public Safety for consideration and will form part of the package the Minister will table in Parliament.”

To be eligible to apply for a pardon, a person who was convicted of a criminal offence has to have completed their sentence and demonstrated ‘law-abiding behaviour’ over a specific period of time.

**If you are eligible for a pardon, we suggest that you consider applying soon to avoid any future increase in the pardon application fee.** The Parole Board of Canada website makes clear that you do not need a lawyer or representative to apply for a pardon. You can find more pardon information and the pardon application on the Parole Board of Canada website:

<http://pbc-clcc.gc.ca/infocntr/factsh/pardon-eng.shtml>



**HIV & AIDS Legal Clinic Ontario**

**HIV & AIDS Legal Clinic Ontario**

Telephone: 416-340-7790 / 1-888-705-8889

65 Wellesley Street East, Suite 400

Toronto, Ontario Canada

website: [www.halco.org](http://www.halco.org)

**HALCO provides free legal services for people living with or affected by HIV/AIDS in Ontario.**

We provide intake for new inquiries on Monday, Tuesday, Thursday and Friday from 9 a.m. to 5 p.m. We do not take new inquiries on Wednesdays.

**HALCO is a “scent-reduced environment”** so please avoid wearing scented products when coming to our offices. Help us to make HALCO more comfortable for everyone!

**HALCO is a registered charity and is funded by Legal Aid Ontario, the AIDS Bureau of the Ministry of Health and Long-Term Care, and other sources including corporate, foundation and individual donors.**

We welcome **donations** and tax receipts are issued for donations of \$20 or more. If you would like to make a donation to support the work we do, you can call us at 1-888-705-8889 or you can make an on-line donation through CanadaHelps: [www.halco.org/get-involved/donate](http://www.halco.org/get-involved/donate)

***HALCO news* contains general information only and is not legal advice.**

**Laws, policies and practices can and often do change.**

**If you have a legal question or problem, please contact HALCO, your local legal clinic or a lawyer for advice.**

***HALCO news is published by the HIV & AIDS Legal Clinic Ontario (HALCO) and is distributed free to our members, interested individuals, agencies and organizations.***

***Please contact HALCO if you want to reproduce or excerpt any part of HALCO news.***

***The views expressed in HALCO news may not reflect those of HALCO Board and/or staff.***

## HALCO Membership/Renewal Application

HALCO's primary goal is to provide free legal services to people living with HIV/AIDS in Ontario. To help us to fulfil our goal and to ensure that our services are relevant, we need the participation of people living with HIV/AIDS in Ontario, as well as those who are not living with HIV/AIDS.

Please offer your support by becoming a member of HALCO. As a member of HALCO, you have the right to participate in and vote at our General Meetings, and to stand for election to our volunteer Board of Directors. Membership takes effect when it is approved by the Board of Directors. HALCO reserves the right to deny Membership Applications/Renewals. Only members in good standing who have been members for at least 30 days before the meeting may vote at a membership meeting.

There is no fee for HALCO membership and membership is renewed annually. To become a member, you must be a resident of Ontario who is 16 years of age or older, and you must agree with our **Statement of Principles** (on page 2 of this application).

Your membership information will be used to inform you of our Annual General Meeting and to give you the opportunity to renew your membership annually. You can also choose to receive other HALCO information, including our newsletter, by checking the box below. We will only share your membership information as required by law.

**I agree with the *Statement of Principles* of the HIV & AIDS Legal Clinic Ontario (HALCO), I am a resident of Ontario, I am 16 years of age or older, and, I am applying:**

- to become a new member of HALCO: [ ] or - to renew my membership [ ]

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Name: \_\_\_\_\_

(please print)

Address: \_\_\_\_\_

Unit/Apartment: \_\_\_\_\_ City/Town: \_\_\_\_\_

Province: \_\_\_\_\_ Postal Code: \_\_\_\_\_

Phone: \_\_\_\_\_ May we leave phone messages for you? Yes [ ] No [ ]

E-mail Address: \_\_\_\_\_

If you would you like to be on our mailing list to receive our newsletter, etc., please choose:

Mailings by: Email [ ] Mail [ ]

If you are a new member, please tell us how you found out about HALCO:

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**Thank you for applying to be a member of HALCO!**

# Statement of Principles of the HIV & AIDS Legal Clinic Ontario

Adopted January 30, 2006, by the Board of Directors  
of the HIV & AIDS Legal Clinic Ontario.

It is agreed that:

1. People living with HIV and AIDS are confronted with unique legal problems of enormous proportions and complexity;
2. Those best equipped to make choices regarding HIV and AIDS issues and problems, are those individuals who are HIV positive themselves;
3. People living with HIV and AIDS must have control over their own lives.
4. The HIV and AIDS affected communities are very diverse and are confronted by overwhelming challenges derived from both their diversity and from their common experience as people living with HIV and AIDS.
5. It is necessary to create and foster a climate of understanding and mutual respect for the dignity and worth of people living with HIV and AIDS; and
6. The confidentiality, bodily security, autonomy and privacy of people living with AIDS and HIV must be respected, which includes but is not limited to:
  - a) the right of individuals to exercise control over their own medical treatment;
  - b) the right of individuals to exercise control over decisions concerning their own socio-economic position;
  - c) the right of all persons living with HIV or AIDS to be fully informed of all process and procedures in which their interests are in any way involved; and
  - d) the right of all persons living with HIV or AIDS to consent, or withhold their consent, in all matters affecting them.