



Community Living
Ontario

Intégration communautaire
Ontario

News Release
January 26, 2005
for immediate release

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Community Living welcomes ruling affirming closure of institutions

Community Living Ontario welcomes the court decision issued today (Thurs. Jan. 26) that allows the Ministry of Community and Social Services to proceed with closing institutions by 2009 as planned.

“We’re pleased that the decision to close these institutions has been upheld. Our society is moving on from segregated care to a model of natural, inclusive supports that considers and respects the individual as a citizen of the community,” said Keith Powell, executive director of Community Living Ontario.

“We shouldn’t lose sight of the fact that this move is not a sudden decision – it’s the culmination of thoughtful, considered, planned and phased-in process begun well over a quarter-century ago.” said Mr. Powell.

In his Ontario Divisional Court ruling, Mr. Justice Charles Hackland cited the 1971 Williston report which even back then took the position that institutions should be replaced by community-based support, noting that “a century of failure and inhumanity in the large multi-purpose residential hospitals ... should in itself be enough to warn of the inherent weakness in the system and inspire us to look for some better solution.”

Justice Hackland wrote that “the option of continuing to reside there in the long-term will not be open to the remaining residents.”

Research and experience have shown that community living provides a better quality of life for individuals “Such institutions simply are not needed in today’s society,” said Mr. Powell.

Justice Hackland’s decision also reinforces Community Living Ontario’s position, as an intervenor in the case, that decision-making must be conducted “in good faith” and with the best interests of the individual at heart.

“We are very heartened by the Court’s endorsement of the principle that the important decision about where a person is going to live after they leave the facility requires informed consent on their part or on their behalf, in a process that does not strip them of their ‘autonomy and dignity’,” said Michael Bach, Community Living Ontario’s witness at the judicial review and vice-president of the Canadian Association for Community Living.

Community Living Ontario hopes that families, community-based support organizations and the government can come together in good faith to develop the best plans for each individual as they move from institutions into community living options.

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“The real issue underlying this court case is not the authority of the Ministry to close institutions, nor some families’ heart-felt resistance to closure,” said Mr. Powell. “In reality, the fear for families is the absence of a competent, informed supported decision-making process that fully respects the rights and best interests of the individuals themselves.”

“As a parent-founded and family-based association, Community Living absolutely trusts and encourages families, when they have the information that is available to them regarding community living options, to be central in the planning for their family members. We are committed to making sure that families have every opportunity to explore these options in detail to assist in the decision-making process.”

Community Living has a long and successful history of support for people who have an intellectual disability and their families. “And we know how parents feel when there is an absence of support – our job is to be there for them, to support families as they plan and develop the best options for their family members,” said Mr. Powell.

“This isn’t about us as an organization of support and service providers,” said Mr. Powell. “It is entirely about the people who were placed in institutions years ago when there were no other options, but who in this day and age can and should be living in the community along with everyone else who has the right to be here.”

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The following are available for interviews:

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