



**ENHANCING ACCESS TO THE COURTS FOR PEOPLE WITH
DISABILITIES: THE FINAL CHAPTER**

Biographical Summaries of Presenters

[Presented in alphabetical order]

April 19, 2016

Justice Howard Borenstein was called to the Bar in 1991 and was appointed to the Ontario Court of Justice in 2006..

Prior to his appointment to the bench, he practiced law with Borenstein Dotsikas and Price in Toronto where he practiced criminal and civil litigation. His criminal practice was divided between trials and appeals.

He has also appeared as counsel before various professional colleges, a coroner's inquest and has represented numerous unionized employees in contempt hearings arising out of a protracted labour dispute.

Justice Borenstein was appointed *amicus curiae* in criminal prosecutions. He frequently speaks at educational and advocacy conferences held by both Crown and Defence counsel associations.

In 2006, he was appointed to the Ontario Court of Justice. In addition to his duties on the bench, he routinely lectures to newly appointed provincial court judges from across the country. He also regularly lectures at bench and bar related continuing education. Justice Borenstein sits on the Ontario Courts Accessibility Committee, a committee that meets regularly to receive reports and to give advice to the Ontario Government relating to the government's obligation to ensure that court related facilities are fully accessible. He also was a member of the Court's rules committee which enacted new Rules of criminal procedure in the Ontario Court of Justice. He is also a member of the Ontario Judicial Council

ANGELA COVERT

Angela Covert is the manager, education Multiple Sclerosis Society of Canada, Ontario and Nunavut Division and has worked in programs and services with the MS Society for 24 years. Angela is eager to ensure that person's affected by multiple sclerosis receive the most up to date information on research, symptom management and community supports.

David Lepofsky is a part-time visiting professor at the Osgoode Hall Law School, an adjunct member of the University of Toronto Faculty of Law, chair of the Accessibility for Ontarians with Disabilities Act Alliance, co-chair of Barrier-Free Canada, and the chair of the Toronto District School Board's Special Education Advisory Committee.

In 1979, David Lepofsky graduated with honours From Osgoode Hall Law School with a Bachelor of Laws. He obtained a Masters of Law from the Harvard Law School in 1982.

He was admitted to the Ontario Bar in 1981. From 1982 to the end of 2015, he practised law in Toronto with the Ontario Ministry of the Attorney General, in the areas of constitutional, civil, administrative and most recently, criminal law. In 2004, he was appointed to the position of General Counsel. This is the highest promotion in the Ontario Public Service (outside management). Reserved for only a handful of the 2,000 lawyers in the Ontario Public Service, it is reserved for the most senior counsel, to recognize career achievement in handling the most complex work, demonstrated diversity of expertise, creativity, professional leadership, judgement, and mentoring/role modelling.

From 1982 to 1988, he served as counsel in the Crown Law Office Civil, conducting civil, administrative and constitutional litigation on behalf of the Ontario Government. From 1989 to 1993, he served as counsel in the Constitutional Law and Policy Division, conducting constitutional litigation on the Government's behalf. From 1993 to the end of 2015, he served as counsel in the Crown Law Office Criminal, conducting criminal appeals in the Ontario Court of Appeal and the Supreme Court of Canada. He has appeared on at least 30 cases in the Supreme Court of Canada in his career, as counsel or co-counsel, and in some 200 cases in the Ontario Court of Appeal. He retired from his position with the Ontario Public Service at the end of 2015.

Since 1991, he has served as a part time member of the University of Toronto, Faculty of Law, where he teaches an advanced constitutional law seminar on freedom of expression and press. From 1987 to 2005, he served as Associate Head of the Ontario Bar Admission's Course's Public Law Section.

Starting in January 2016, he serves as a part-time visiting professor of legal ethics and public interest advocacy on the faculty at the Osgoode Hall Law School.

Since the late 1970s, he has been active in a volunteer capacity, advocating for new laws to protect the rights of persons with disabilities in Canada. In 1980, he appeared before the Joint Committee of the Senate and the House of Commons on the Constitution of Canada, on behalf of the Canadian National Institute for the Blind for an amendment to the proposed Charter of Rights, to guarantee equality rights to persons with disabilities. The efforts of a great many combined to lead Parliament to pass the disability amendment to the Charter.

From 1980 to 1982, he served on the leadership team of a broad disability coalition that successfully advocated for inclusion of protection against discrimination based on disability in the Ontario Human Rights Code.

From 1994 to 2005, he led the Ontarians with Disabilities Act Committee. That coalition successfully campaigned for ten years to win passage of two new Ontario laws to make Ontario fully accessible to persons with disabilities, the Ontarians with Disabilities Act 2001 and the Accessibility for Ontarians with Disabilities Act 2005. Since then, he has helped in efforts to get that law effectively implemented.

As of late February, 2009, he became the Chair of the Accessibility for Ontarians with Disabilities Act Alliance. He and the Alliance have pressed for the prompt enactment and enforcement of strong accessibility standards under the Disabilities Act. In 2010 they succeeded in getting Ontario election legislation amended to address accessibility barriers impeding voters with disabilities, although they have more to do to get telephone and internet voting to become a reality in Ontario elections.

He is a founding member of, and now serves as co-chair of Barrier-Free Canada. It is a community coalition that advocates for the enactment of a national Canadians with Disabilities Act.

Starting in 1994, he campaigned to get the Toronto Transit Commission to announce all subway stops, and later all bus stops, for the benefit of passengers with vision loss. Between 2001 and 2007, he personally fought two cases against TTC. In 2005, the Human Rights Tribunal ordered TTC to consistently announce all subway stops (*Lepofsky v. TTC #1*). In 2007, the Human Rights Tribunal ordered TTC to announce all bus and streetcar stops (*Lepofsky v. TTC #2*).

Starting in April 2015, he serves as a member of the Toronto District School Board's Special Education Advisory Committee. In January 2016 he became its chair. That legally-mandatory committee advises the Toronto District School Board on reforms needed to improve special education services and programs.

Awards include investiture in the Order of Canada (1995), the Order of Ontario (2007), and the Terry Fox Hall of Fame (2003), honorary doctorates from Queen's University and the University of Western Ontario, and awards from other organizations including e.g. the City of Toronto, the Law Society of Upper Canada, the Ontario Bar Association Public Lawyers Section, the Advocates Society, the Ontario Crown Attorneys Association, the Ontario March of Dimes and Community Living Ontario.

He was very flattered and humbled when the Canadian Lawyer Magazine August 2010 edition listed him among Canada's 25 most influential lawyers. However, he was left wondering: "If I am so influential, why doesn't anyone listen to me?"

He is the author of one law book, and the author or co-author of 30 law journal articles or book chapters on topics including constitutional law, criminal law, administrative law, human rights, and the rights of persons with disabilities. His publications have been cited with approval in several decisions of the Supreme Court of Canada, as well as by trial and appeal courts across Canada. He has lectured on topics including these across Canada, and in the U.S., Israel, the Republic of Ireland, Denmark and Belgium.

Biography - Laurie McEvoy

Laurie McEvoy is a ministry Accessibility Lead with the Ministry of the Attorney General responsible for supporting the accessibility efforts of the ministry. She has over 25 years of experience in the areas of employment and accommodation of people with disabilities, assistive technology and accessibility in services, spanning the federal, private, non-profit and provincial sectors. In recent years she has received two Ontario Public Service Amethyst Awards for her work on accessibility for employees with disabilities and is currently the Chair of the Ontario Public Service Disability Advisory Council.

Bio:

Stephanie Moeser, a Registered Social Worker, has been providing clinical services to people with Autism Spectrum Disorders and their families since 1999. She spent 14 years working at Geneva Centre for Autism, in both clinical and supervisory capacities and managed a dual-diagnosis program at COTA Health in Toronto. She moved to Peterborough in 2013 with her family, and has opened a private practice focusing on supporting people with Autism Spectrum Disorders and their families. In her work she aims to support the strengths of individuals and work with them to develop tools to enhance their quality of life. Stephanie sees education of the wider community as an important role of ensuring inclusion and acceptance of all individuals.

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The Honourable Madam Justice Anne Molloy

Ontario Superior Court of Justice

The Honourable Madam Justice Anne Molloy has been a judge of the Ontario Superior Court of Justice since 1995. Called to the Ontario Bar in 1980, her practice was initially concentrated in the fields of civil and commercial litigation, with a strong side interest in human rights law. In 1988, while a partner in the litigation department of MacMillan, Binch, she took a leave of absence to become Legal Director of the Ontario Human Rights Commission. Thereafter she decided to concentrate entirely on public law. For the five years prior to her appointment to the bench, she was legal counsel to the Advocacy Resource Centre for the Handicapped (ARCH) where she did test case litigation involving the equality rights of persons with disabilities. Madam Justice Molloy's duties in the Superior Court of Justice have included civil, criminal and Divisional Court work. She is a member of the Ontario Courts Accessibility Committee and sits on the Board of the Ontario Justice Education Network.

Jill Sawchuk Bio

Jill Sawchuk is an accessibility practitioner with over 20 years in the field. She currently works with the Ministry of the Attorney General as an accessibility lead where she supports efforts to make the court system and the ministry's services and programs accessible for people with disabilities. She has also worked in policy and accessibility consulting functions at the Accessibility Directorate of Ontario including the development of the Accessibility for Ontarians with Disabilities Act and its regulated standards, and public education programs aimed at increasing awareness about accessibility issues and solutions.

Date: April 2016

Biography for Gail Simpson

Gail Simpson is a Registered Occupational Therapist and has practised in both publicly funded and private pay healthcare settings. She was the Clinical Practice Leader at Bridgepoint Hospital and provided occupational therapy services and leadership for 15 years. She has a Master of Health Science in Health Administration from the Institute of Health Policy, Management and Evaluation at the University of Toronto, and is a member of the Canadian College of Health Leaders. She has been providing therapy services, education, advocacy and consultation in the area of neurological disorders, specifically stroke and acquired/traumatic brain injury (ABI/TBI), for over 20 years. These skills are also necessary strengths in her ongoing work with MVA clients in the auto insurance sector. Ms. Simpson is an active member of the University of Toronto Continuing Education Committee and is involved in the "Building Practice Through Mentorship" course for occupational therapy students. Ms. Simpson is currently working as an independent practitioner in private practice with the goal of quality client care with positive system and environmental impact.

DAVID A. WRIGHT

David A. Wright is the first non-bencher Chair of the Law Society Tribunal that decides lawyer and paralegal discipline, licensing and related matters at the Law Society of Upper Canada. From 2007-2013, he was an adjudicator at the Human Rights Tribunal of Ontario, serving as Vice-chair, Interim Chair, and Associate Chair. He completed his B.A. in History at the University of Windsor and his LL.B. and B.C.L. at the Faculty of Law of McGill University. Mr. Wright articulated as law clerk to Madame Justice Claire L'Heureux-Dubé of the Supreme Court of Canada, and then completed his LL.M. at New York University. Prior to becoming an adjudicator, his litigation practice focused on labour and administrative law, human rights, professional discipline and civil litigation. He has taught administrative law at Osgoode Hall Law School as an adjunct professor, and is the author of several law journal articles.