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Charles E. Gluckstein

What Do I Do If I Am Involved in an LRT, Train, or Bus Accident?



Simona Jellinek

Sexual Abuse by Clergy In Religious Institutions



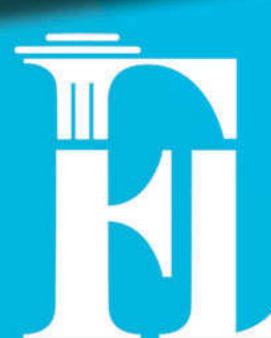
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Depending on the nature of discussion, the seminar may be led by one or more professionals.

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#### INSURANCE CLAIMS

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# Sexual Abuse by Clergy In Religious Institutions



(Part 1)

Sexual violence in any form fundamentally violates an individual's dignity, security, and bodily autonomy. However, when such abuse is committed by a clergy member, the breach of trust extends into the spiritual sphere, profoundly affecting not only the victim's faith in humanity but also their belief in a higher power and religious teachings. Instead of being a source of solace during challenging times, these spiritual tenets may become marred by the trauma caused by those who should serve as moral and ethical guides. Religious institutional abuse has existed across history but gained significant public attention through globally recognized scandals. In Canada, the acknowledgment of abuse within religiously administered residential schools during the 1980s was a pivotal moment, prompting a national re evaluation of the intersection between faith and abuse.

Since these revelations, numerous reports have chronicled abuse and its concealment within religious communities, involving countless minors and vulnerable adults. Disturbingly, both historical and current cases of sexual abuse continue to emerge, suggesting a persistent and pervasive issue. Understanding how religious environments can become fertile ground for sexual abuse begins with recognizing key factors that create

opportunities for such transgressions. Clergy members, often revered and trusted, may wield significant influence, enabling access to the vulnerable, such as children. The closed circle of trust and authority makes detection difficult, while the culture of confidentiality in religious settings offers cover.

Research into characteristic traits of clergy abusers indicates that these individuals often hold multiple roles within their community, allowing exploitation of their position. A predominately male religious hierarchy, combined with high rates of narcissism observed in abusers, exacerbates the problem. These individuals may not fit a singular profile, with offenders across a spectrum of positions, experience levels, and demographics.



Scholars like Stanley J. Grenz and Roy D. Bell have categorized clergy offenders into three categories: 'predators', 'wanderers', and 'lovers'. Predators actively search for victims, wanderers turn abusive during personal crises, and lovers believe in the false narrative of mutual affection with their victims.

The classification of sex offenders extends to generalists and specialists, with generalists seizing non specific opportunities, whereas specialists target victims based on specific preferences. The latter is more common among those

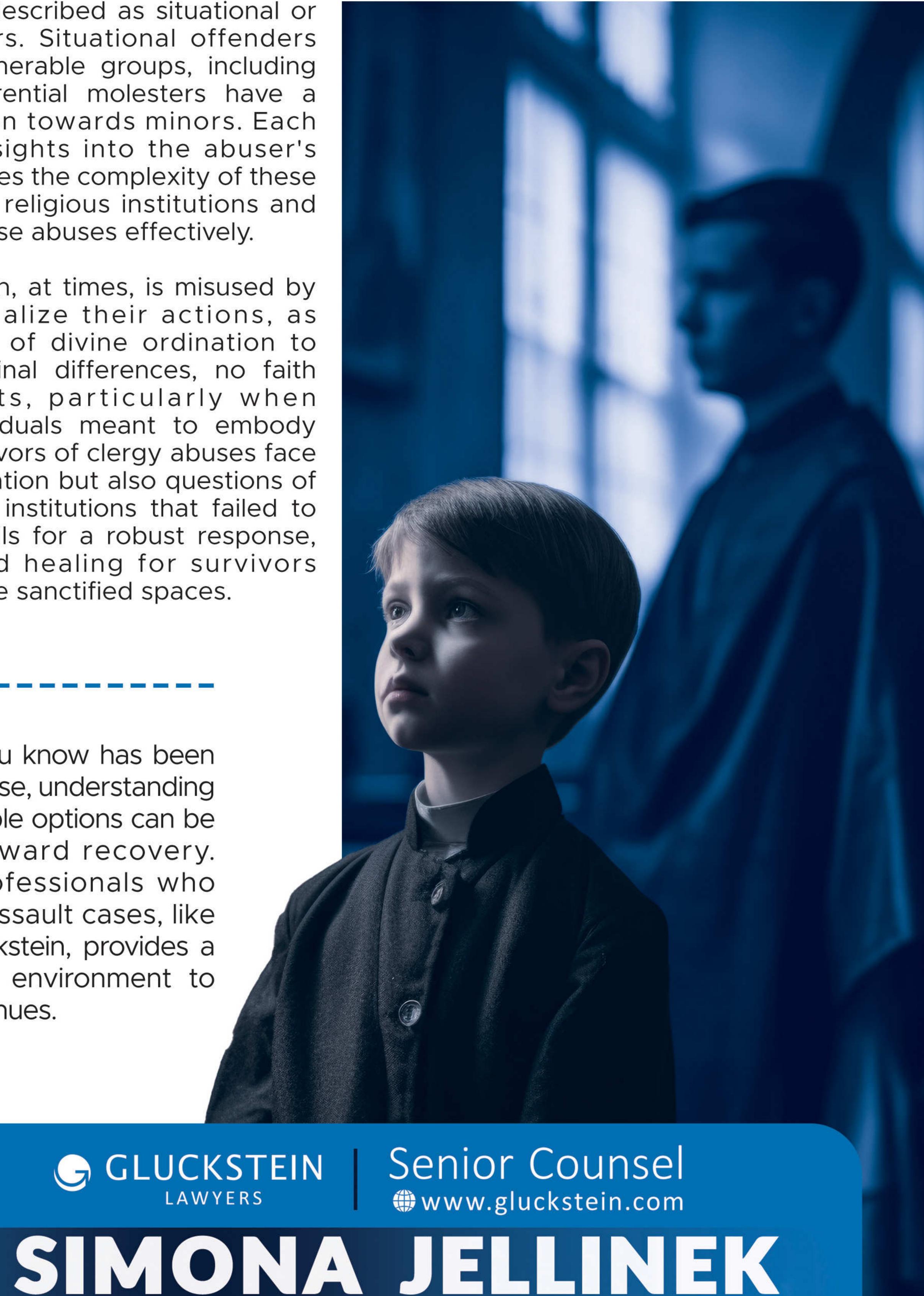
who abuse children, described as situational or preferential molesters. Situational offenders exploit access to vulnerable groups, including children, while preferential molesters have a discernible inclination towards minors. Each category reveals insights into the abuser's intentions and reinforces the complexity of these offenses, challenging religious institutions and society to address these abuses effectively.

The rhetoric of religion, at times, is misused by offenders to rationalize their actions, as illustrated by claims of divine ordination to abuse. Despite doctrinal differences, no faith endorses such acts, particularly when perpetrated by individuals meant to embody divine principles. Survivors of clergy abuses face not only personal violation but also questions of faith and trust in the institutions that failed to protect them. This calls for a robust response, ensuring justice and healing for survivors mistreated within these sanctified spaces.

If you or someone you know has been affected by clergy abuse, understanding your rights and available options can be an integral step toward recovery. Consulting with professionals who specialize in sexual assault cases, like those at Jellinek Gluckstein, provides a safe and supportive environment to explore your legal avenues.

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# What Do I Do If I Am Involved in an LRT, Train, or Bus Accident?

#### By Gabriel Lessard

Many residents of Ontario depend on public transit as their primary mode of transportation for commutes and daily travel within their communities. This reliance is expected to surge in the years to come as the province aims to enhance transit infrastructure in the Greater Golden Horseshoe, an area anticipating nearly a 50% population increase by 2051. To accommodate this growth, new subway and light rail transit (LRT) lines are under development. Toronto has plans for four new subway lines or extensions, such as the Ontario Line, which will place approximately 255,000 people within walking distance of its stations.

Despite the general safety of public transit, a number of passengers sustain injuries annually due to numerous factors such as mechanical failures, operator mistakes, or collisions with other vehicles. In these instances, both the transit operator and the municipality may be held liable since transit authorities owe a duty of care to their passengers. Yet, as indicated by various court decisions, not all physical markings or bruises qualify for compensation. The experienced Toronto personal injury attorneys at Gluckstein Lawyers can provide guidance on whether your public transit injury meets the criteria for a compensation claim.

Public transit operators are held to a significantly high duty of care as affirmed by the Supreme Court of Canada in Day v. Toronto Transportation Commission ([1940] SCR 433). The Court outlined, "Although the carrier of passengers is not an insurer, yet if an accident occurs and a passenger is injured, there is a heavy burden on the carrier to establish that he had used all due, proper and reasonable care and skill to avoid or prevent injury to the passenger. The care required is of an extremely high degree." Similarly, the Ontario Superior Court of Justice has reiterated that transit drivers adhere to an elevated standard of care, as evidenced in Bruni v. Toronto Transit Commission et al., 2023 ONSC 6110, which noted that the imposed standard for entities like the TTC exceeds that of an average individual. Passengers, especially on streetcars and buses, are expected to experience a degree of roughness, such as bumps or jolts, which may not always constitute negligence on the part of the driver or operator.

In 2011, the "no crash, no cash" rule was introduced under the amended Insurance Act. This rule stipulates that transit passengers who experience injuries cannot claim accident benefits if their vehicle did not physically collide with another vehicle or object during the incident. According to Section 224 of the Insurance Act, this definition of "public transit" encompasses any fare charging service offering public transportation through vehicles operated by or for a municipality or a local board under the Municipal Affairs Act.





individuals with disabilities, school buses, and ambulances. Under the "no crash, no cash" provision, in instances where a bus or streetcar must abruptly brake or swerve to prevent a collision, injured passengers are not eligible to claim accident benefits for medical rehabilitation, income replacement, or other necessary treatments. However, Transit bus veered into a ditch after a allowing the injured party to file a lawsuit passengers. against the transit provider for negligence and seek damages for pain, suffering, and economic loss.

Recently, the Ontario Court of Appeal affirmed the Toronto Transit Commission's (TTC) liability in a case involving a woman struck by a TTC bus. In 2022, a jury sufficient compensation. awarded her \$175,000 in non pecuniary

Exclusions apply to transport facilities for damages along with \$200,000 for previous income loss. The plaintiff cited serious and enduring physical and psychological impairments from the incident, while the TTC argued claims of malingering. Additionally, a recent report noted an accident in January 2024 where 12 people were injured as a Mississauga while accident benefits claims may be collision with a car, resulting in hospital barred, tort claims can still be pursued, admissions for both drivers and 10

> Although public transit remains a generally secure means of travel, accidents may happen. If you're injured on any public transit mode such as a bus, train, streetcar, or subway due to the negligence of the driver or transit system, you deserve



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# New CRA Powers

The Canadian government has officially given the Canada Revenue Agency (CRA) expanded powers under the 2024 budget, which is now law. These new measures give the CRA stricter enforcement abilities, including penalties and extended timelines for reviewing tax filings when individuals or businesses fail to respond to information requests. Additionally, the CRA has new authority to demand foreign information through legal orders.

#### Here are the main changes:

# 6 New Notice of Non Compliance:

If you ignore the CRA's requests for information, they can now send you what is called a "Notice of Non Compliance".

# 6 6 Longer Time to Reassess your Taxes:

If the CRA issues a "notice of non compliance" due to a failure to provide requested information, the normal time limit for reassessing your taxes is paused. This suspension of the time limit will remain in place as long as the notice is unresolved. Essentially, this allows the CRA more time to review and audit your tax filings, ensuring they can gather the necessary information before the reassessment time limit expires.

## 66 New Penalties

If you receive a Notice of Non-Compliance and fail to resolve it promptly, you could face a fine of \$50 per day, up to a maximum of \$25,000. If the CRA is forced to pursue legal action, and the unpaid taxes exceed \$50,000, you could be hit with an additional penalty equal to 10% of the taxes owed.

# **6 6 Foreign Information Orders:**

The CRA now has expanded powers under the 2024 budget to demand information or documents from other countries through legal orders. This can include information related to international agreements, tax treaties, and the Income Tax Act. The CRA can ask any Canadian resident, or non resident doing business in Canada, to provide foreign based information without charging the government.

The CRA's request will give you at least 90 days to provide the required documents and will clearly state what is needed. If the information is not provided, the CRA can apply to the Federal Court of Canada for a compliance order. A compliance order is a legal command from the court that forces you to provide the information the CRA has requested.

## 66 Conclusions

The expanded powers granted to the CRA under the 2024 budget significantly enhance their ability to enforce tax compliance. With new tools like the Notice of Non Compliance, extended reassessment periods, and stricter penalties, taxpayers must be vigilant in responding to CRA requests, as failure to comply can result in substantial financial consequences and legal complications. It's crucial for individuals and businesses to stay informed and proactive in their dealings with the CRA to avoid these penalties.









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Mr. Ben Azimi is a member of the Law Society of Ontario. He is a public notary and duly sworn Solicitor of the Court of Appeal for Ontario and the Ontario Court of Justice.

Mr. Azimi is a litigator and trial lawyer. He has dealt with all facets of personal injury claims including slip and fall and Occupiers Liability Act, property loss, motor vehicle accident tort claims and accident benefit claims. He has successfully recovered millions of dollars in settlement for accident victims. No case is big or small for Mr. Azimi, so don't give up and give Azimi Law a call to know about your rights.

Mr. Azimi has represented clients in Smalls Claims Court, Ontario Court of Justice, the Ontario Superior Court of Justice, and the Federal Court of Canada.

#### Personal Injury Practice

Mr. Azimi believes the difference is in the details. His law firm strives to provide exceptional legal representation to those who have been injured in an accident or have sustained an injury caused by the negligence of a third party. Ben Azimi provides personal injury services in the following areas:

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- Wrongful Death
- Boat Accidents
- Train Accidents
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- Wrongful Death
- Animal and Dog Bites
- Long Term Disability
- Assault and Battery
- Defective Product Accidents

In addition to his plaintiff's work, Mr. Azimi on a selected case basis represents defendants in various litigation cases including premise liability disputes, contract disputes, and other commercial related disputes.

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#### Immigration Litigation

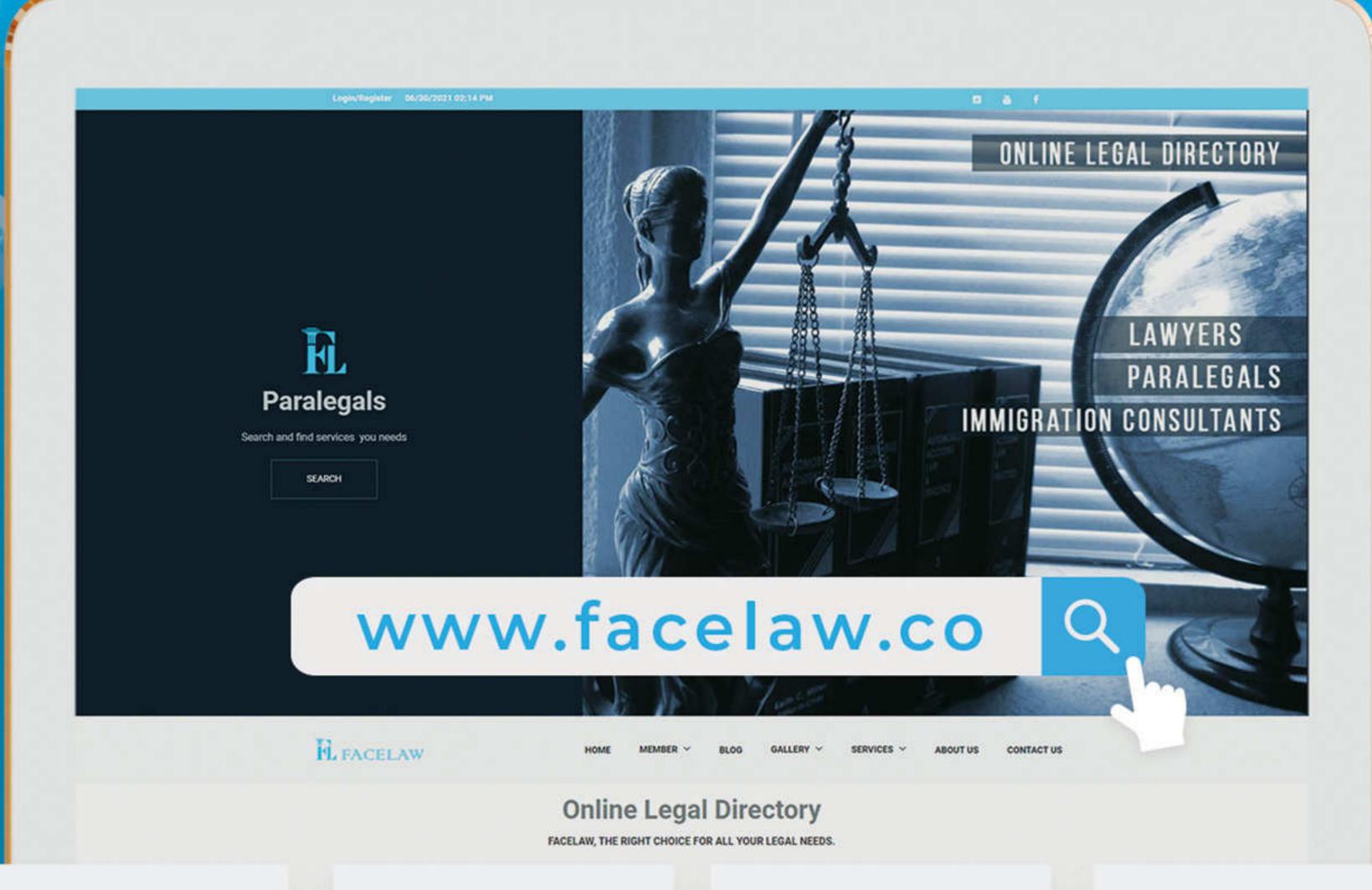
Arising from Mr. Azimi litigation practice, his firm also specializes in serious immigration matters and he has conducted numerous Immigration, Citizenship and Refugee Appeals and Hearings successfully.

Mr. Azimi has represented clients at the Federal Court of Canada for mandamus applications, applications for leave and judicial review and appeals at the Immigration Appeal Division.

Mr. Azimi immigration litigation practice specializes in representing individuals and families whose visitor visa applications, study visa, work permit applications, and all other types of immigration applications were denied by Immigration, Refugees and Citizenship Canada. If your visitor visa, work permit or study visa applications has been denied, please contact Mr. Azimi's office to know your rights.

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## Hossein Niroomand



Hossein Niroomand has been practicing since 2003 and specializes in civil litigation, personal injury, employment, and family law. He is admitted to the Ontario Bar representing private individuals and corporations.

Hossein is very well respected within the legal community for his extensive experience negotiating lump sum settlements, as well as mediation, arbitration and trials. He oversees every step in the progress of your case and you can rest assured that Hossein's experience is at work for you.

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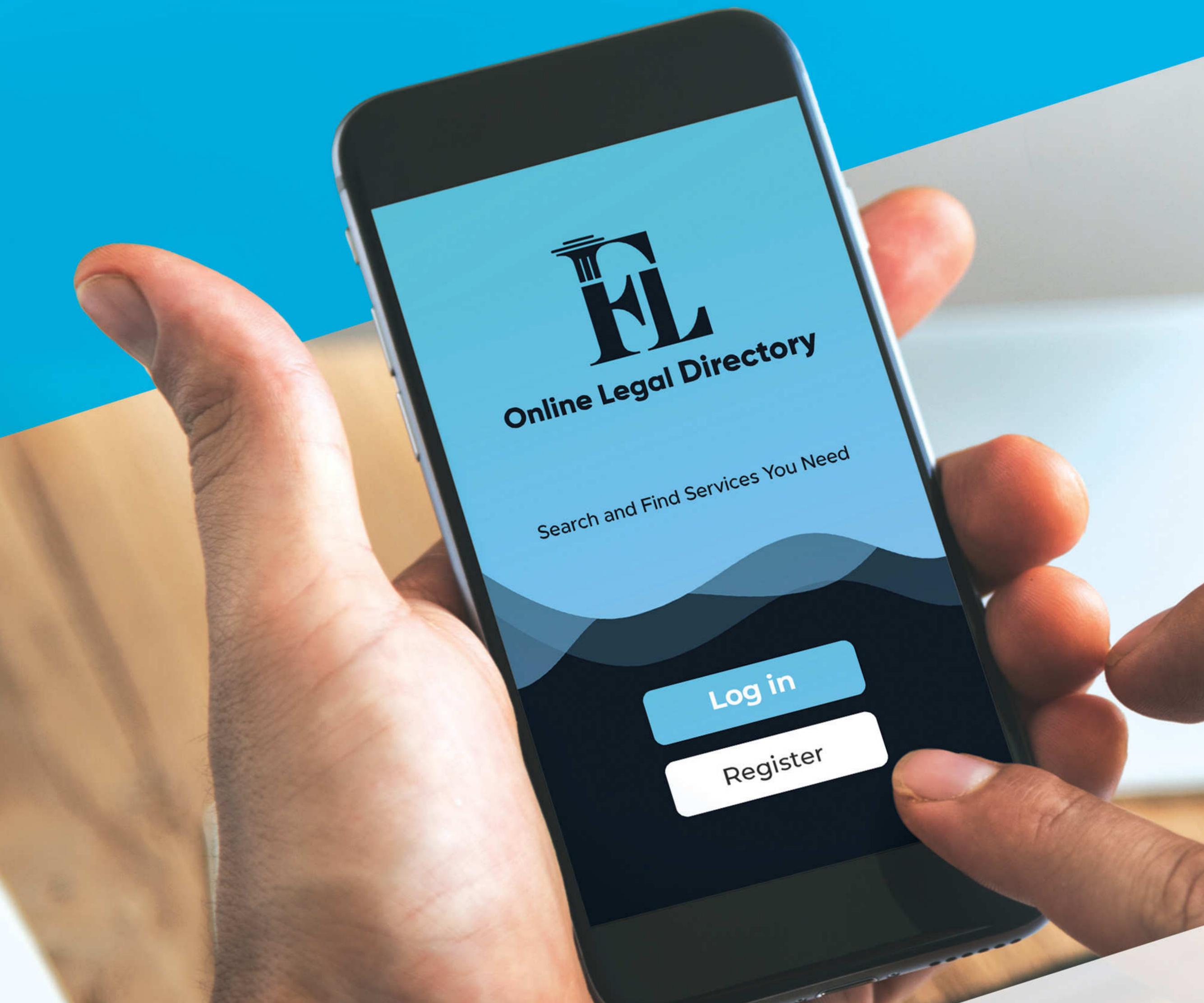
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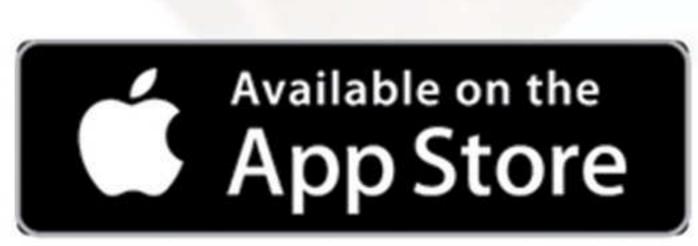
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Having graduated in 2001 from the University of Toronto with a joint Law degree and Master's degree in International Relations, I have been practicing family law since 2004. Prior to that, my career began on Bay Street as an associate at Blake, Cassels and Graydon LLP, where I gained valuable experience in significant business and financial transactions.

Practicing in family law with meaningful experience in all its aspects, I have represented over a thousand clients in issues ranging from custody and access, support issues, property division, and complex financial disputes.

As a family law lawyer, I often see people at the most difficult of times. Clients feel a range of emotions from sadness, anger and denial to optimism and hope for the future. Focusing on my client as a complete person, my goal is to provide legal advice and guidance on the best path to resolving matrimonial issues in the most cost effective and timely manner.

While I recommend settlement when it is reasonable and meets my client's expectations, I am also a strong advocate at court for my client's rights and entitlements when litigation is called for. Having been noted in more than twenty (20) precedent setting cases and appearing before all levels of court in Ontario, I have extensive courtroom experience in the Ontario Court of Justice, the Superior Court of Justice, the Unified Court of Justice, and the Ontario Court of Appeal.

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# etter of Pecognition from Ali C. Ehsassi

Liberal MP for Willowdale (Ontario)





February 8, 2021

#### Letter of Appreciation

Dear Messrs. Ahmari-Moghadam & Anvari,

As the Member of Parliament for Willowdale, I would like to take this opportunity to salute you for your efforts in publishing the Facelaw Online Legal Directory.

By providing legal guidance in Farsi and identifying experienced legal professionals that may assist clients navigate the intricacies of the law, you are undoubtedly promoting the welfare of numerous individuals within the Iranian-Canadian community, a development that is bound to be welcome by all.

Thank you for your efforts in promoting greater legal literacy and for highlighting practical information that will enhance prudent decision-making for all of us, while also safeguarding the best interests of individuals confronted by legal challenges. By enhancing our access to legal resources, you are essentially availing all of us of the certainty of granite under our feet, thereby permitting us each to stand taller.

May you thrive in your latest worthy endeavour for many years to come. Your continued success will further the success of others.

Ali C. Ehsassi

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etter of Jecognition from Majid Jowhari

M.P.; Current Member of The House of Commons - Richmond Hill





Majid Jowhari Member of Parliament Richmond Hill

October 7, 2020

#### Letter of Recognition

As the Member of Parliament for Richmond Hill, I would like to thank Ali Ahmari-Moghaddam and Ashkan Anvari for their recent innovation, the Facelaw platform.

Facelaw.ca is a directory of Lawyers, Paralegals, and Immigration Consultants, striving to bring together the best professionals in the legal field in an easy-to-search database making finding the right legal professional simple and efficient. The Facelaw platform also provides access to articles, blogs, and useful information dealing with different areas of the law. There is also a Facelaw Magazine which is available in both English and Farsi and is available to download for free from the website.

I appreciate Ali Ahmari-Moghaddam and Ashkan Anvari's effort and aspiration to make their platform and access to legal professionals easily accessible to more people, and I commend their spirit of innovation and inclusiveness.

Sincerely,

Majid Jowhari, MP Richmond Hill

**Constituency Office** 

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# entificate of Appreciation from Micheal Parsa

MPP | AURORA-OAK RIDGES RICHMOND HILL



April 2<sup>nd</sup>, 2024

Certificate of Appreciation

On behalf of the Government of Ontario, I am very pleased to acknowledge,

# Ali Ahmari-Moghaddam & Akhkan Anvari

For the creation of

### Facelaw

A Legal Directory for individuals in search of a Legal Profession to assist them in their legal matters.

Your website protects people from enduring the long and stressful process of finding legal support on their own. The focus on helping people demonstrates the values of this organization in supporting all individuals in their time of need.

Thanks to the efforts of Mr. Ahmari-Moghaddan and Mr. Anvari, individuals across the province and country can secure legal representation with ease and confidence.

Hon. Michael Parsa

MPP of Aurora-Oak Ridges-Richmond Hill

# Certificate of Appreciation from Laura Smith

MPP | THORNHILL





## HACELAW

April 3<sup>rd</sup>, 2024.

As the Member of Provincial Parliament for the Riding of Thornhill, I would like to thank you for providing legal assistance and guidance to our constituents in a professional and efficient manner.

My appreciation to you for making the process of connecting people to a Legal Professional simpler. My best wishes in the years to come!



Laura Smith, MPP Thornhill

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