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**Official Report  
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**Monday 9 May 2005**

**Journal  
des débats  
(Hansard)**

**Lundi 9 mai 2005**

**Standing committee on  
general government**

Family Responsibility and  
Support Arrears Enforcement  
Amendment Act, 2005

**Comité permanent des  
affaires gouvernementales**

Loi de 2005 modifiant la Loi  
sur les obligations familiales  
et l'exécution des arriérés  
d'aliments

Chair: Linda Jeffrey  
Clerk: Tonia Grannum

Présidente : Linda Jeffrey  
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ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

**STANDING COMMITTEE ON  
GENERAL GOVERNMENT**

**COMITÉ PERMANENT DES  
AFFAIRES GOUVERNEMENTALES**

Monday 9 May 2005

Lundi 9 mai 2005

*The committee met at 1558 in room 151.*

**FAMILY RESPONSIBILITY AND  
SUPPORT ARREARS ENFORCEMENT  
AMENDMENT ACT, 2005**

**LOI DE 2005 MODIFIANT LA LOI  
SUR LES OBLIGATIONS FAMILIALES  
ET L'EXÉCUTION DES ARRIÉRÉS  
D'ALIMENTS**

Consideration of Bill 155, An Act to amend the Family Responsibility and Support Arrears Enforcement Act, 1996 and to make consequential amendments to the Fish and Wildlife Conservation Act, 1997 / Projet de loi 155, Loi modifiant la Loi de 1996 sur les obligations familiales et l'exécution des arriérés d'aliments et apportant des modifications corrélatives à la Loi de 1997 sur la protection du poisson et de la faune.

**SUBCOMMITTEE REPORT**

**The Chair (Mrs. Linda Jeffrey):** Good afternoon. The standing committee on general government is called to order. We're here today for the purpose of commencing public hearings on Bill 155, An Act to amend the Family Responsibility and Support Arrears Enforcement Act, 1996 and to make consequential amendments to the Fish and Wildlife Conservation Act, 1997.

The first item on our agenda is the report of the subcommittee on committee business. Mr. Brownell, would you move the report of the subcommittee and read it into the record?

**Mr. Jim Brownell (Stormont-Dundas-Charlottenburgh):** I so move, and I'll read it.

Your subcommittee met on Monday, April 25, and Wednesday, May 4, 2005, to consider the method of proceeding on Bill 155, An Act to amend the Family Responsibility and Support Arrears Enforcement Act, 1996 and to make consequential amendments to the Fish and Wildlife Conservation Act, 1997, and recommends the following:

(1) That the committee meet for the purpose of public hearings on Bill 155 on May 9, 2005, in Toronto at Queen's Park.

(2) That an advertisement be placed in the Globe and Mail and one French weekly for one day, during the

week of May 2, 2005, and that an advertisement also be placed on the OntParl channel and the Legislative Assembly Web site.

(3) That the deadline for those who wish to make oral presentations on Bill 155 be 5 p.m. on May 4, 2005.

(4) That the clerk, in consultation with the Chair, be authorized to schedule all witnesses.

(5) That if all witnesses cannot be accommodated, the clerk provide the subcommittee members with the list of those who have requested to appear, by 6 p.m. on May 4, 2005, and that the caucuses provide the clerk with a prioritized list of witnesses to be scheduled by 2 p.m. on May 5, 2005.

(6) That all witnesses be offered 15 minutes in which to make their presentations.

(7) That the Minister of Community and Social Services be invited to make a 10-minute presentation before the committee on May 9, 2005, followed by a 10-minute technical briefing by ministry staff, followed by a 10-minute question/comment period from the opposition members of the committee.

(8) That staff from the Ministry of Natural Resources also be in attendance on May 9, 2005, to answer any questions the committee may have.

(9) That the deadline for written submissions on Bill 155 be 5 p.m. on May 11, 2005.

(10) That amendments to Bill 155 should be received by the clerk of the committee by 12 p.m. on May 13, 2005.

(11) That the committee meet for the purpose of clause-by-clause consideration of Bill 155 on May 16, 2005, in Toronto at Queen's Park.

(12) That the research officer provide the committee with background information on Bill 155 prior to the start of public hearings, and that the research officer also provide the committee with a summary of witness presentations prior to clause-by-clause consideration of the bill.

(13) That the clerk of the committee, in consultation with the Chair, be authorized, prior to the passage of the report of the subcommittee, to commence making any preliminary arrangements necessary to facilitate the committee's proceedings.

That is the report of the subcommittee, Madam Chair.

**The Chair:** Thank you, Mr. Brownell. Any comments or questions on the report of the subcommittee? Seeing

none, all those in favour? All those opposed? That's carried.

MINISTRY OF COMMUNITY  
AND SOCIAL SERVICES

**The Chair:** Our next order of business is a presentation from the Ministry of Community and Social Services. Minister Sandra Pupatello is here. Thank you for coming. We appreciate your being here. You have the floor.

**Hon. Sandra Pupatello (Minister of Community and Social Services, minister responsible for women's issues):** Thank you so much, Chair. It's really a pleasure to be here. This is fairly inaugural for me; it's my first piece of legislation out of the community and social services ministry, and I'm very happy about it. Considering the length of time that many of my colleagues and I spent on the issue of the Family Responsibility Office, you can imagine how thrilled we were to have a hand in trying to improve the office.

Let me start by introducing the executive director for the Family Responsibility Office, Sharon van Son. She's also on the agenda to speak momentarily. I have a number of our professionals from the Family Responsibility Office here, and they're listed on the schedule: Barbara Nawrocki, who is our deputy director of legal services, Melanie Herbin and Katherine Catton. We've also asked the Ministry of Natural Resources to be available. George is here from that ministry to allow for any technical information as this bill relates to that ministry. We're happy that he could join us as well.

I'd like to briefly talk about what we inherited at the Family Responsibility Office when we became the government, the immediate steps we took to improve that office and the results those steps are showing, and how this legislation builds on those initial steps to increase enforcement, improve fairness and enhance efficiency at FRO, as we call it.

What we inherited: For years, the Ontario Ombudsman, the Provincial Auditor and the Ontario Information and Privacy Commissioner had been calling for improvements at the Family Responsibility Office. They repeatedly spoke of its inadequate service delivery and lack of tools to support enforcement, and they identified an unsatisfactory system of taking action and collecting payments that were in arrears. They warned that this office was at risk of not being able to fulfill its mandate, putting us in an extremely precarious position. It was, in fact, very serious. In short, we did inherit an office that was not working well enough, and we knew we had to move immediately to take some steps so we could turn that ship around as soon as we could, and I believe that we did.

In February 2004, right at the Family Responsibility Office, we had a significant announcement, and I'm proud to tell you of some of those changes that have started to take place as a result of that announcement.

More than \$112 million has since been collected as a result of our credit bureau initiative. What that means is,

as opposed to just sending the files down to the bureau, we actually call people, write them a letter, and tell them, "Look, we need you to come into compliance or we're going to the credit bureau." That alone has resulted in the cheques literally flying into the office, because people at least have a chance not to ruin their entire credit rating history because we've not informed them. I'm very pleased with that.

The FRO now fields 36% more phone calls. It's still not enough. We still have a long way to go, but I can tell you it is vastly improved. The average wait time on the customer service line is half of what it was in February. It's often not short enough yet, but it is half what it used to be.

The FRO can now take enforcement action on more than 16,000 cases, simply because we've identified staff and made them available to open the mail that comes back to the office, a pile of which used to just sit there because we didn't have the manpower to get at it. These are results that truly speak for themselves.

There's more: \$107 million has been collected from defaulting payers as a result of issuing almost 7,500 notices of intention to suspend drivers' licences. We've managed to seize more than \$162,000 in lottery winnings from parents who owe support payments, and service continues, thanks to more than 150,000 new PIN numbers, personal identification numbers, being issued to our clients, who can then go online themselves through the telephone system and access information 24-7. We really are coming into the new age in terms of technology.

We know there is still a long way to go. These results show us, though, that we can turn things around. I believe we've got to build on this to give the Family Responsibility Office a strong foundation from which to continue to serve Ontario families. That's what the legislation does today. Specifically, it would:

—increase enforcement by increasing the maximum jail term for failure to comply with court orders from 90 days to 180 days. The simple fact is that 90 days wasn't deterrent enough.

—ensure early-release provisions under section 28 of the Ministry of Correctional Services Act do not apply to jail terms ordered under the Family Responsibility and Support Arrears Act; that is, you can't get early release if it's because of this failure to comply with a court order.

—make it easier for FRO to obtain a financial statement from a third party that is financially linked to a default payer. Many of us have had people in our own constituency office tell us stories where the whole neighbourhood knows where these people have hidden their money. It's just not acceptable, and we think this in particular will send a very strong message from the government that it is unacceptable not to pay your court order.

We also want to:

—increase the FRO's power to demand personal information about payers in order to locate them. Often, our biggest stumbling block is simply not being able to find them.

—expand the number of organizations from which the FRO can demand information to include trade unions, something that should have been part of our access earlier, but which simply was not.

—report default payers to professional licensing bodies.

—suspend defaulting payers' hunting and fishing licences.

—give us the authority to post those we can't find on a Web site, a measure we'll take if we feel we have to.

We would like to have this portion in legislation so that if we get to that point, it's there. I personally don't have the intention of moving to this point, because I think that with the enforcement measures in this bill so far, the message will be loud and clear. We really have to change an attitude out there. It's not OK to allow your children to go without support.

We want to improve fairness by:

—giving our staff the flexibility to allow the FRO to cease enforcement of a child support when a recipient does not respond to an inquiry about ongoing entitlement to support. We know we have a lot to do in terms of getting educational information over to our judging system. In the meantime, we know our director should have the opportunity to make changes to the court orders where it makes perfectly good sense to do so. She has to do that judiciously. I will tell you that it saves both parents lots of money and lots of time. It saves them from having to go back to the court system again to make changes that are just so apparent.

—allowing FRO to enforce a lesser amount of support when the number of children entitled to support decreases. When the orders aren't written out really clearly, it doesn't allow for that kind of interpretation to be taken out in a different context. When things are patently clear, we still force parents—both sides, men and women—back to court, with extraordinary court costs.

—allowing the FRO to create standard support order terms by regulation. We would like to tighten that up and make it a lot clearer and, frankly, easier for judges to write out those orders.

**1610**

It would enhance efficiency by:

—allowing income sources to send support payments to the FRO electronically.

—requiring mandatory direct deposits for recipients.

—allowing the FRO to collect arrears owing to an assigned representative; for example, social assistance, and other support programs that Ontario has agreements with.

—allowing the FRO to collect fees on behalf of other support programs that Ontario has agreements with.

—allowing the FRO to automatically calculate and collect interest on arrears at a standard rate for all cases. Recipients will no longer have to do those calculations.

—confirming that the FRO is a law enforcement body for the purposes of privacy legislation.

It builds on what we've already accomplished since February 2004. This legislation is the next step. We knew

we had a number of administrative things that we needed to tighten up. Our next step now is enforcement.

As you know, in the last budget, we had an identified \$40-million enhancement at the FRO. Much of that is to do with the building of a case management model, which the Provincial Auditor has been pointing to since 1994's report. So almost every political party has been involved in understanding the critical need for a case management system at the FRO. We are well on our way to identifying that.

I really think this piece before us today is extremely important. Not only does it give us the enforcement tools, but it gives us the opportunity to send a very clear signal to the public of Ontario: You must pay your court-ordered support. It is really important.

So far, as we've been hearing in the debates on second reading, some of the media interviews and some of the detailed discussions around this bill, I've been very pleased to hear the word "fairness," that overall it has been interpreted as being fair, not slanted toward one side or the other, and understanding that the Family Responsibility Office is in quite a unique position: entering into what is typically an extremely acrimonious debate between two parents that led to a court order, and then we have to come in and enforce an order.

Much of the debate, publicly, is often around the content of the order. That's not for us to decide at the FRO. We're about bringing people into compliance, and we believe this bill will help us to do that. We think it will give us more tools to help families get what they need. So we've got a tremendous opportunity before us.

Let me say before I close that we are very happy to hear amendments that would strengthen the bill, and we look forward to having samples of amendments forwarded to us from all parties involved in this discussion. We hope we'll have the opportunity to accept those amendments if we believe they will strengthen this bill. So we would be more than happy to hear them.

I look forward to the presentations, to the discussions and to the recommendations that we may hear that will help our Family Responsibility Office work even better for Ontario's families.

Finally, I hope all committee members will support the legislation, which really is in the best interests of families.

I'm very happy, through your agenda items, to take any questions that might be directed my way. Thank you for the opportunity to speak to all members of the committee.

**The Chair:** Are there questions of the minister?

**Mr. Jerry J. Ouellette (Oshawa):** I have a number of questions. What is in place so that the FRO is aware of the VAPS, the voluntary arrears payment schedules, that are done through the courts? As it stands now, there is no requirement for that information to be passed on. When somebody is looking at an arrears screen, it may say "arrears," but there's no requirement to have VAPS listed on there. What is taking place to account for that?

**Hon. Ms. Pupatello:** Maybe I can direct that toward my director.

**Ms. Sharon van Son:** My name is Sharon van Son. I'm the executive director of the Family Responsibility Office. I'm not quite sure I understand your question.

**Mr. Ouellette:** I'll give you the guidelines of a case. Currently, there's one case we're dealing with—as I'm sure a lot of members do—that has about \$2,000 outstanding, and it's about 10 years old. There is currently a voluntary arrears payment schedule, an agreement between the two, that states that \$50 a month is fine between the payer and the recipient. However, somebody looking at an arrears schedule would say, "Wait a second. This person has been out of compliance for 10 years for this much." How are we going to ensure they're not suspended in other areas?

**Hon. Ms. Pupatello:** I think if you have a look at the previous auditor reports, a number of pieces of data are listed that show certain percentages that are completely out of compliance. They're not complying whatsoever. There's another whole whack of numbers of people who are somewhat in compliance. Those individuals would be falling into that category.

**Mr. Ouellette:** My concern here is that those individuals don't fall into the grey area. All of a sudden they're in compliance because of court agreements, and they may be penalized, even though it's in place.

**The Chair:** Mr. Ouellette, can I leave this to the technical briefing, perhaps? I think, really, these are just comments to what the minister spoke to today.

**Hon. Ms. Pupatello:** I think what we would like to do, though, is get information to you to give you some certainty around that.

**The Chair:** I think we can get back, but we've got a pretty tight schedule. It's not that I don't think the information is important, but—

**Hon. Ms. Pupatello:** We'll get back to you on that.

**The Chair:** OK. Any other short questions before we get to our technical briefing?

**Mr. Michael Prue (Beaches—East York):** Just a couple, and they're all things the minister said today. You said it was a good thing to raise the penalty from 90 days to 120 days.

**Hon. Ms. Pupatello:** It's 180.

**Mr. Prue:** It's 180. How many 90-day sentences have there ever been in Ontario's history that we need to double it?

**Ms. van Son:** If I can attempt to respond to that, one of the challenges that we have is actually capturing that kind of information in our current system and our current structure. I think what's important to note, though, is that when we bring a person to a default hearing, it is because we have attempted every other measure or enforcement tool that we've had at our disposal, and that has not worked. So we then bring the payer to court, and it really is the decision of the court and the judge to determine whether this individual should be incarcerated and whether they have the means in which to pay but, in fact, they're just not fulfilling their responsibilities.

So I can't give you the short answer to your question in terms of numbers, but I have to say to you, though, our experience has been that having this enforcement measure and this possible decision being made by the judge is a real deterrent. For some, however, they don't seem to have a problem with spending 90 days in jail rather than pay. I think the message that this government and this minister is attempting to bring forward is that we're very serious about this. Ninety days is one thing; 180 is another. But at the end of the day, it is the decision of the court in terms of whether this person will be incarcerated.

**Mr. Prue:** The real answer is you don't know.

**Ms. van Son:** I don't have those numbers.

**Mr. Prue:** OK. The second question is the staffing. All the indices are that the waiting times have gone down and stuff. Is it, in fact, true that there have been layoff notices given at the FRO?

**Hon. Ms. Pupatello:** No. That's incorrect. In fact, when we took office, within the first few months we announced a number of contract positions that were being hired. So they were never coming on full-time permanent; they always were contract. In fact, some of the numbers that you might be referencing that were listed in an obligated public list across the government with phone numbers included, were for contract positions that haven't started yet, but because the rules obligate us to list what might end over the course of the next two or three years, they were listed there. But there have been no layoffs. In fact, there have been hires on contract, because we cannot wait for enforcement measures to be passed. We can't wait for the case management model. We've got to get on with some serious administration issues.

**Mr. Prue:** Another short one: You mentioned licensing bodies. A licensing body like, I don't know, the Law Society of Upper Canada—a lawyer is in default. We might think a lawyer is not in default, but we tell the licensing body. What's the licensing body supposed to do, or the doctors or the engineers? What are they supposed to say? "You can't be a doctor," "You can't be an engineer," or "You can't be a lawyer," or is it just to embarrass them?

**Hon. Ms. Pupatello:** I think it's important to note that most of the enforcement measures are meant to bring people into compliance, that we don't want to get to the point where we actually enact the thing it is that we have the power to do, because we want them to come into compliance.

So on this matter of actually reporting them to their professional body, it really is the intent that if there is a practising lawyer who is in contravention of a court order himself, which is quite interesting considering what that person might do for a living, we believe that if they understand that they would be reported to their own professional body, it would be one more reason for them to come into compliance. If it moves to that point where he or she is, in fact, reported to that licensing body—in that case, the law society—the law society then has its own terms for what is considered a member in good

standing. We're certainly leaving it up to those bodies, at least up till now, to determine what they would do when they understood that someone was in contravention of a court order. This bill doesn't mandate anything that happens; it's simply reporting to those bodies.

1620

**The Chair:** Thank you for your time, Minister. We appreciate your being here.

**Hon. Ms. Papatello:** Thanks so much.

**The Chair:** We're now at the point where we would get the technical briefing from the Family Responsibility Office, so does the rest of the staff want to come up for the briefing?

**Ms. van Son:** I'll start the briefing, if I may.

**The Chair:** Could I ask that anybody else who is going to speak identify themselves for Hansard prior to speaking, so that we have it for the record?

**Ms. van Son:** Beside me is Barbara Nawrocki, who is my director of legal, and Melanie Herbin, who is our senior counsel at the Family Responsibility Office.

If I may, I'm just going to start my presentation with a bit in regard to the evolution of support enforcement legislation in FRO. Prior to 1987, approximately 85% of all support orders in Ontario were not being paid. Recipients had to conduct their own enforcement using writs or garnishments, and had to attend show cause hearings, later known as default hearings. In 1987, what became the Family Responsibility Office was created by statute to enforce support orders for the benefit of recipients. From 1987 onward, there has been a successive number of acts that have created new support enforcement tools such as liens, support deduction orders, drivers' licence suspension, credit bureau reporting and garnishment of joint bank accounts.

Bill 155 includes both substantive and housekeeping changes. These will be the first changes to the legislation since 1995. The substantive amendments strengthen our enforcement tools, they improve FRO's ability to trace and locate defaulting payers and they streamline some of our enforcement procedures. There are also some housekeeping amendments which basically clarify some of the meanings of the intended provisions and update some of the terminology.

In terms of timing, should Bill 155 pass, most of the substantive changes would come into effect on royal assent. The remainder would come into effect on proclamation to allow time for work to support those changes because a lot of these changes will require the new technology that we are also bringing in to develop and to carry forward those changes. The housekeeping changes would come into force on royal assent.

I would like to go through some of the enforcement measures that we are proposing to strengthen our enforcement and to give you some of the highlights, some of which you have already brought to the minister's attention. Before I get into these proposed amendments, I think the thing that is very important is that it is never our intent to be punitive. It is never our intent to harm people or to put people in difficult situations, but these are

people who have gone to court. These are parents who have not been able to make decisions on their own. They have gone to court and they have asked the court to determine issues around support, custody, access and a number of issues during family breakdown and divorce proceedings. They have a moral and a legal obligation to pay their child support, to pay their spousal support. When they do not, and when they wilfully do not, the Family Responsibility Office has a very clear mandate, and that is to make these people—and I hate to use the term “make,” but it's true—fulfill their obligations, both legally and morally, to their children and to each other.

Reporting defaulting payers, as you've talked about briefly, to prescribed professional and occupational licensing entities, as the minister has very clearly indicated, are steps that we would take only in situations where the payer has failed to meet his or her obligations. We have already undertaken a number of consultations with the Law Society of Upper Canada. We are also speaking with the College of Physicians and Surgeons of Ontario. We were approached by the Ontario Motor Vehicle Industry Council, which was very interested in working with us. In future, other bodies, such as professional engineers, certified general accountants, perhaps the College of Chiropractors of Ontario and others will be approached. We will be discussing all these proposed amendments in conjunction with these organizations because we don't want it to be a shaming exercise. We do, in fact, want it to be an exercise where people understand that they have responsibilities not only to themselves but to the associations which they represent.

In terms of suspending defaulting payers' prescribed hunting and sport fishing licences, regulations will be developed prescribing these affected licences in consultation with the Ministry of Natural Resources. Again, this is about sending a strong message to people that it's not right for you to go hunting and fishing while your children perhaps are living in poverty or while your family is not able to send their children to school with food in their mouths in the morning.

We currently already suspend drivers' licences. Through the federal government, we also suspend other licences, such as passport suspension. We can suspend commercial pilots' licences. Whether you're an airplane pilot, a helicopter pilot, a flight engineer, a sea captain, a ship's cook, all of these people require licences, and we do already, with our colleagues in the federal government, have the ability to suspend these licences.

In all cases, however, we provide notice. This isn't about being overly aggressive; this is about warning people, “You have an obligation,” and we will provide notice to these individuals.

This tool around fishing and hunting will send a very strong message about complying with obligations. As I've indicated, it's very similar to our driver's licence suspension. As the minister has noted, we've had a fair bit of success in terms of the driver's licence suspension. As I've mentioned, my senior counsel have already been in discussion with the Ministry of Natural Resources on

how we are going to do this to ensure that it is a fair and appropriate process and that we can enforce it.

The other provision within this proposed bill is increasing the maximum committal term that a judge can order against a payer who is able to pay on default. I think this is a very important point. We are talking about a last-ditch effort through the courts, where every other enforcement tool we have attempted to use has failed. If the judge is certain or has certainty that this person can pay and has, for whatever reason, decided not to pay, then we'll make a committal order in the default hearing and incarcerate that individual.

The other thing around this, and this goes to the issue around the early release provision, is that a person who is incarcerated—this is not a criminal offence, by the way—can come out at any time. The only thing they have to do, however, is to pay their support. The judge does not always determine whether the person shall sit in jail for 90 days. They may say, "You've got five days" or they may say, "You are in jail for 30 days." It is the court's decision and the judge's decision to determine what the appropriate term is. At any point in time, should that person decide to pay their support, they are immediately released. If, however, they decide to sit in jail, their obligation and their payment to their family do not disappear. We will start again, because under the law they are obligated to pay this support.

What we are trying to do in terms of early release is to deal with a situation that we've had with the Ministry of Community Safety and Correctional Services. They seem to have felt in the past that they are able to let people off for good behaviour. We're saying, "Sorry, that doesn't apply to us. Yes, people can be released early, but you must pay your support." So within this provision, we are actually clarifying the early release provision within our act.

The other thing that is very challenging in the Family Responsibility Office is actually around trace-and-locate. While we are strengthening some of our enforcement tools, the other thing that we're working very hard on is the trace-and-locate powers within our current legislation. Half the battle sometimes is finding some of these people. When defaulting payers cannot be located by other means, FRO, as the minister mentioned, would be able to post their names and other prescribed information on the Web site. This is something we're working on in anticipation that we may do this at some point in time. It's a tool that is currently being used in Alberta. They use it as a trace-and-locate tool. They have found several dozens of payers this way, and about 70% have actually started making support payments. Again, we realize there are significant privacy and confidentiality issues; there are issues around the children in terms of perhaps seeing their parent on the Web site. We understand all of those things. The criteria we will develop will be very clear, very specific, and this would be a tool that we would use very much as a last resort.

#### 1630

In terms of demanding information, one of the gaps we're trying to fill in the legislation is—I know it may

sound pretty obvious, but we are now asking in this bill to be able to demand a payer's telephone and fax number and e-mail address, in addition to the information we are currently allowed to demand in terms of the address, the employer and other such types of information. Again, we talked a little bit about FRO being able to demand information about a payer from professional organizations and trade unions. Oftentimes, payers don't like to provide us with updated information; however, they seem quite comfortable in providing their professional associations with information that they will not give to us. So in this proposal, we are proposing that we would be able to demand this information from these professional organizations. Particularly payers in the construction trade, who move a lot from job to job—trade unions in the past have been very supportive of providing us with information and working with us in order to trace and locate these individuals.

One of the things the Provincial Auditor has been talking to us about for many years is our inability to calculate interest on arrears automatically. We've never had the technology to allow us to do this and we always knew it would be a very difficult and unwieldy manual process. Through the investment the government is making and through this legislation, we will now be able to calculate interest on arrears automatically.

The other proposal in this bill is exercising discretion to cease enforcement of ongoing child support if a recipient fails to respond to a request for information. Many times the payer will call us or send us information and say, "Listen, this child's court-ordered payments have terminated." The child is 18 or is no longer living at home or is now in university or has left school. Our current process is that we must ask for confirmation from the support recipient. What we are proposing in this bill is that if the recipient fails to respond—and oftentimes, recipients do fail to respond—rather than holding the payer hostage to this court order, we will be given the discretion to make a decision in terms of whether the child is still entitled to support. We think this will be an excellent way of streamlining and also will eliminate abuse of the existing system if the support recipient does not respond.

The other area we're looking at and proposing is exercising discretion to enforce a lesser amount of support when the number of children entitled to support under the child support guidelines order decreases. Currently, we cannot reduce the amount of support that is being collected under the child support guidelines even where everyone agrees that the number of children entitled has decreased. We receive from the courts what we refer to as a global order, and within that global order it says, "Thou shalt pay \$483 a month for all three children." It doesn't make a distinction about the children; it doesn't separate them out. It just says, "It's \$483." However, when children do become 18 or there's a terminating event, we want to have the opportunity and discretion to reduce that amount of support owing. I want to be very clear about this, though: We are not changing

the court order; we do not have that authority. Parties will still, unfortunately, have to go to court, should they wish to discuss or change the court order because somebody's circumstances have changed. What this is allowing is for us to use some of our discretion in situations such as that.

That is a very brief technical briefing and overview of the highlights of the proposed legislation under Bill 155.

**The Chair:** Thank you. There isn't time to ask any questions, unless they're really quick. We're way over our schedule and we've got delegations waiting.

**Mr. Ouellette:** The agreement says we have up to five minutes each to ask questions, so we should be in compliance with the agreement.

**The Chair:** I understand that you have five minutes for your opposition critic's statement. If you want to use that time for questions, you can. That's my understanding of the agreement at the subcommittee. If you want to use your five minutes as time to question technical briefing staff, you're welcome to do that. Would you like to use that, Mr. Ouellette?

**Mr. Ouellette:** Yes.

**The Chair:** Fine. You have the floor.

**Mr. Ouellette:** Several questions. First, the minister had talked about improved fairness and the must-pay court-ordered support. What happens when there is non-compliance with a court order?

**Ms. van Son:** When there is non-compliance with a court order, that is when we exercise our authority under our current legislation to enforce those court orders.

**Mr. Ouellette:** Actually, I'm referring to access court orders. This is a very difficult subject and there are a lot of problems in a number of areas. I've got great staff in our office and we deal with a lot of these cases, much as we don't like to, but we're put in those situations. We've actually been able to track down individuals in England and start to get compliance from them. What happens in non-compliance with access orders?

**Ms. van Son:** I think it's important to understand that the Family Responsibility Office's mandate is very narrow. Our mandate says we shall enforce child or spousal support court orders. We do not have any authority to enforce—and I know that access is a huge issue. It comes up quite frequently. Payers say to us quite frequently, and use it as an excuse not to pay their support, "If I don't get to see the children, why should I pay support?" This is an issue that has been under discussion for some time, but the short answer for us is that we have no authority in our current legislation to enforce access or custody of those children.

**Mr. Ouellette:** OK. You mentioned the global orders and that you have some discretion there. For example, General Motors—and the minister will be well aware of what happens in an automotive town environment, whereby the court order is based on the income of the previous year. However, at General Motors, for example, they have a substantial number of layoffs. In a two-month period, 50% of the income for both months is gone because they're laid off on short notice, and not only that, but the amount of overtime that's made avail-

able. What sort of ability is there going to be to take that into account?

**Ms. van Son:** This issue is an ongoing challenge. Again, because we respond to a court order—if a court order says clearly to us that this is an employee of General Motors, for example, which does have seasonal layoffs over time, the order will say, not in all instances but in some instances, that we will enforce support while this person is employed, and during any kind of seasonal layoff, we are to suspend that enforcement. Unless the court order is really clear, there is nothing we can do except enforce what the court order tells us to do. If it doesn't address that issue, we are not allowed to address it ourselves.

The only other avenue, which the minister also commented on, is that if people wish to vary their order, they must go back to court to change and vary that order.

**Hon. Ms. Papatello:** If I may on this question, if you can suggest amendments that would strengthen this section of the bill, I would love to see them. It is an area that I think we can perhaps do more work in, because given where we come from, or for whatever reason, we understand the cost to families to send them back to court for what is patently clear. In a discussion around how your amendment would actually read, I'd be very interested to see that.

**Mr. Ouellette:** Chair, I'd like to use our remaining time after the MNR briefing.

**The Chair:** Mr. Prue, you have five minutes for comments or questions, whichever you prefer.

**Mr. Prue:** I'd like to go back and ask some of the same questions, but this time about unions. Unions are now going to be a source of information for you. For what purpose is this? Because you can't get the information from elsewhere, or to embarrass the union member before his or her brothers and sisters?

**Ms. van Son:** Our intention is never to embarrass anyone. Our intention is to have people fulfill their obligations to their children and their families. This would be to find someone and perhaps to find information that would help us either locate that individual or enforce.

**Mr. Prue:** With a few exceptions—and I'm thinking sometimes in the construction trade or perhaps the music business, if people belong to a music industry union—isn't it easier just to find the person at his or her workplace?

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**Hon. Ms. Papatello:** I have to say that a number of people who are tradespeople for a living are sent out on the job through the union. The union does the placement. Depending on what job they're working on, they could be in one place for two weeks and the next place for three, or perhaps for the whole summer at one site. The difficulty for us has been to track the employment place. If we can go through the unions, it's just simpler. The information is always there, because that's the body that houses all the information we need to get at the person, and we don't have to worry about whether this person is constantly moving. It's just easier for us to find them. It's

no different from any other place of employment, other than that that type of employment tends to be vetted through the unions. That's why we need to act—

**Mr. Prue:** So you're talking primarily about construction unions here.

**Hon. Ms Papatello:** People who work in the trades, people who get billeted out, basically, by their unions. That's just how that industry works. It's easier to find them, because if we had to go to the place they're actually landed to do the framing for that house for those two weeks—we know it's this union, at this address, that is constantly sending them to wherever their job site might be. It just helps us locate people.

**Mr. Prue:** I'm constantly amazed—I understand somebody not wanting to lose their pilot's licence or their driver's licence, but a fishing licence? What kind of deterrent effect do you think that will have?

**Ms. van Son:** We've had a number of discussions on this. My understanding is—and maybe our colleagues in natural resources can talk more intelligently on this. I think it's the same message we want to provide to anyone in terms of your driver's or pilot's licence. It's another area where people must be licensed. I understand, from some of the people I've talked to in the north and in eastern Ontario, that they would do anything not to lose their hunting or fishing licence.

We're looking for tools to help improve our ability to enforce. We will do this very carefully. Again, there will be a notice provision, so there'll be fair warning. Hopefully that person will take note of that warning and do the right thing.

**Mr. Prue:** Part of the great problem the FRO has had in the last number of years is an antiquated and, some would say, disastrous computer system trying to track everything. How much have you asked for in this year's budget to make that right?

**Ms. van Son:** As the minister mentioned, she and her government provided our program with \$40 million over four years. I'm very pleased to tell you that we now have a vendor in place, and the amount of money that has been set aside for this is \$7.2 million.

**Mr. Prue:** Who's the vendor?

**Ms. van Son:** The vendor is Themis Program Management and Consulting Ltd.

**Mr. Prue:** When will that be up and operating?

**Ms. van Son:** We're looking at a timeline of anywhere between 18 and 24 months.

**Mr. Prue:** From now?

**Ms. van Son:** From now.

**The Chair:** Did you want to use your remaining time when MNR is asked to comment?

**Mr. Prue:** Why not? I want to hear about the fishing licences.

**The Chair:** Actually, there is no presentation by MNR, but because both members have indicated a desire to ask MNR staff, I'd ask them to come up. Both opposition parties have an opportunity to ask a minute and a half worth of questions.

Thank you very much, Minister.

**Ms. van Son:** Do you wish me to stay or do you want me to leave?

**The Chair:** You can stay, but I need MNR staff at the table.

#### MINISTRY OF NATURAL RESOURCES

**Ms. Leith Hunter:** I'm Leith Hunter. I'm the deputy director of the legal services branch. This is Gina Cunningham, from central agency liaison. We don't have a presentation, but are there questions?

**The Chair:** Mr. Ouellette, you have the floor.

**Mr. Ouellette:** The questions are twofold. One, what changes are being made by the licence issuers to comply with this? First of all, I'm not sure if you're familiar with the fact that licences could sit in a facility that retails licences for up to two months before MNR picks them up. Somebody could buy a licence and have it sit there for two months before it's even registered in the ministry. What computer systems are being put in place to handle the calls that come in so you can handle when a CO checks to find out if the licence is verified? Lastly, is it the licence or tag that's being suspended? In a party moose-hunting application, if a tag recipient happens to be one that is suspended, then the entire party is under suspension, as opposed to the individual.

**Ms. Hunter:** I'll start, and then perhaps Gina can correct me if I make some mistakes. First of all, no determination has yet been made as to which licences will be prescribed by regulation and therefore will fall under the definition of "licences" for the purposes of the act. That determination hasn't been made.

**Mr. Ouellette:** So it could be a deer, a moose, a bear, a wolf, small game—it could be any of those licences?

**Ms. Hunter:** No determination has yet been made. What probably makes most sense is that the licences that will be prescribed are those that are issued pursuant to the computer system operated by the ministry. That would include the outdoors card, when it's issued or renewed, and it would include adult moose validation tags and antler list deer validation tags. Those two tags are issued pursuant to a draw that is managed by the ministry, as you know. That would be an opportunity for the ministry to catch and refuse to issue those licences.

**Mr. Ouellette:** Are those tags transferable to other individuals in the group, then, if it's a moose tag? Because you party hunt in those, the way the Ontario system is.

**Ms. Gina Cunningham:** The way the system works with adult moose tags is that at the time that an application is made, the tag is issued to one individual and another person from the group is selected on just a random basis to be the alternate tag holder. The tag can be transferred to the alternate tag holder, but it has to be done prior to the start of the moose hunt and it has to be done by the person going into an MNR office and seeking a form.

**Mr. Ouellette:** So this would be applicable to what takes place with the FRO suspensions?

**Ms. Cunningham:** If the decision is made that the moose tag is one of the licences that will be subject to the provisions, then yes.

**The Chair:** Thank you. Your time has expired. Mr. Prue, you have a minute and a half.

**Mr. Prue:** In terms of a fishing licence—I have one; it's a little card that looks like a credit card—as you travel around Ontario, you see signs up for fishing licences, and you can get one right away for a couple days, a week. What is to stop somebody from just getting one of those? You just go in, and I don't think you even show any ID, do you?

**Ms. Hunter:** One of the things that is clear is that it is only certain licences that we will have the capability of suspending, and those are ones, assuming they're regulated, that are issued, at least initially, pursuant to the MNR licensing system, the computer system. At the moment, there are a lot of licences that are issued by independent issuers across the province at Canadian Tire or Wal-Mart—

**Mr. Prue:** Yes, all of them

**Ms. Hunter:** At the moment, it is just not practical to try and have those licences come under this act. It may become practical, but it isn't now.

**Mr. Prue:** OK. So somebody who loses the one that looks like a credit card, the one with the great picture of a walleye on it, can still go into Canadian Tire and get a licence and, for all intents and purposes, go fishing?

**Ms. Hunter:** Yeah, I think that's right—with one caveat, which is if that person is stopped in the field—is that right?

**Ms. Cunningham:** Yes.

**Ms. Hunter:** If the person is stopped in the field and the conservation officer checks and determines that the person is on the bad FRO list, then—I guess it would still only be those licences that are regulated, though, Gina.

**Ms. Cunningham:** Yes, so the way it would work in the field is if somebody is stopped by a conservation officer, the conservation officers all have satellite phones, and they can contact the provincial coordination centre. The people at the centre are there 24 hours a day, seven days a week. They have access to the outdoor card information system.

**Mr. Prue:** But why would they, if they had a Canadian Tire one-week fishing thing? Why would they contact anybody?

**Ms. Cunningham:** I'm only talking about a situation where information has been recorded that the person is in violation on their support orders and the conservation officer has access to that information.

**The Chair:** Thank you. Our time has expired. We appreciate your being here to answer questions.

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ONTARIO FEDERATION OF  
ANGLERS AND HUNTERS

**The Chair:** Our first delegation is the Ontario Federation of Anglers and Hunters. Welcome. Thank you for

your patience. I'm sorry we're running long, but we were kind of waiting for the House to finish before we could begin. We appreciate your being here. When you do begin, please identify yourself and the organization you speak for. You will have 15 minutes. Should you leave any time at the end of your delegation to us, there will be an opportunity for all parties to ask you questions about your comments.

**Mr. Greg Farrant:** Thank you very much, Madam Chair; no need for apologies.

Good afternoon, Madam Chair and members of the committee. On behalf of the Ontario Federation of Anglers and Hunters, our 78,000-plus members, our 640 member clubs and the almost 1.3 million licensed anglers and hunters in Ontario, I thank you all for affording me with the opportunity to appear before you today to comment on Bill 155.

From the outset, I'd like to be perfectly clear on one point: The OFAH is strongly supportive of the position that every person in this province who has an obligation to provide support payments, whether it is spousal support, child support or both, should do so in a timely and responsible manner. We also support the premise that if a person who is responsible for providing support through the Family Responsibility Office falls into arrears, then that person should be held accountable and subject to the penalties contained in the act.

While this is obviously tempered by circumstances which can, in some cases, make it virtually impossible for a payer to meet their obligations, such as illness or loss of employment, or, as the member for Oshawa has indicated, layoffs, even temporarily, even under these circumstances, payers must at least make an honest attempt to ensure that they are meeting their obligations.

Personally speaking, as one of thousands of Ontarians who has been paying child support through the FRO for well over a decade—in fact, it's now approaching 15 years—I'm well aware of the good work that is undertaken by that office. On a personal note, for many years I've been married to someone who is entitled by court order to receive child support but who has received her payments sporadically because her ex-spouse is frequently in default. So I'm familiar with both sides of the fence on this issue.

Unfortunately, no system is perfect and no bill is perfect. I know that some members of this same committee have pointed out in the House some of the shortcomings in both the family support system and, indeed, in this piece of legislation during second reading debate. Some of these are not directly pertinent to my reasons for appearing before you today, and I'll leave that to others to comment on.

There is, however, one overriding concern that was raised in the House that has the potential to impact upon anglers and hunters throughout Ontario, and it is the amendment that compels me to appear before you today.

The family responsibility act contains penalties against individuals who fail to provide support payments in a timely fashion. Bill 155 includes a provision whereby an

individual who is guilty of being in arrears of their support payments will, in addition to increased fines and penalties, which we support, and the suspension of their provincial driver's licence, which is already in force, now be subject to the suspension of their hunting and fishing licence.

According to Statistics Canada, the population of this province is roughly 12.5 million people. As I noted earlier, the number of Ontario residents who currently possess a hunting and/or fishing licence is about 1.3 million, or roughly 10% of the general population. By introducing a penalty which results in the forfeiture of a licence that is held by a minority of Ontarians, as opposed to the suspension of a provincial driver's licence, which is generally in the possession of most residents over the age of 16, the province is, in our view, unnecessarily and unfairly targeting a specific group of individuals and sending a disturbing message to the public in the process. I think this is an important point, given the minister's earlier emphasis on the issue of fairness, which she spoke to during her comments.

By implication, the province appears to be saying that anglers and hunters are more likely to be in default of their payments. If this is not the implied message, I'd be interested in knowing how else one could interpret the addition of only hunting and fishing licences to the penalties section of the legislation. I'm certainly not aware of any data that supports the contention that anglers and hunters are an identifiable group of transgressors, but if those data exist, I'd be pleased to see them.

In the absence of this information, I am prompted to ask, why would one particular group of individuals be targeted? Is it because they are in a minority? Does it have anything to do with the fact that the growing rural/urban split in this province, and indeed this country as a whole, has resulted in a situation where urban residents who have no appreciation or understanding for life in rural Ontario see traditional heritage activities, recognized by provincial legislation as heritage activities, like hunting and fishing, as some sort of an anachronism in today's society? Is it simply because anglers and hunters, despite contributing almost \$5 billion annually to the provincial economy, despite \$65 million worth of hunters' contribution to wildlife habitat conservation and despite the hundreds of thousands of person-hours that anglers and hunters put into stream and shoreline rehab, fish hatcheries and stocking programs; and despite the fact that licence fees from hunting and fishing licences contribute almost \$60 million annually to the special-purpose account, which replaces funding for fish or wildlife programs cut by a succession of provincial governments—at the end of the day are simply seen by the government as an easy target and a group that is either unlikely to speak out or engender much sympathy if they do?

By spending a few minutes searching on the Internet, it is evident that the province of Ontario either issues directly, or authorizes a third party to issue in their place, a staggering array of licences and certifications, gov-

erning everything from elevator operation to boiler inspection to real estate sales.

For the information of the committee, you will see on the last page that I've appended a list of just a few of these licences and certifications to the copy of my remarks that you have before you.

If the government is truly intent on introducing additional penalties against those who default on their support payments, and is interested in being fair about the application of these penalties, why not consider the suspension of all licences and certifications as an inducement to pay?

Now, in making this suggestion, I can imagine that some members of the committee are wondering how the suspension of these other licences and certificates that must be held by an employee to work in their chosen field will assist payers to meet their obligations. Some would, in fact, argue that by removing an individual's Ontario Motor Vehicle Industry Council certification, they'll no longer be able to sell cars or, for that matter, make their payments. By removing their OEB licence to generate, they'll no longer keep up their payments.

With all due respect, if a business owner violates the terms of their liquor licence, the city or province has no compunction against suspending their licence or closing their establishment, thereby jeopardizing their ability to pay. So why should this be any different?

If a medical practitioner violates his or her Hippocratic oath and has their licence to practise medicine stripped by the College of Physicians and Surgeons, how is this any different from suspending the right to conduct business in their chosen profession if they do not live up to their obligations under the FRO? I'm encouraged to hear that the government is in negotiations with several professional bodies on this issue, but if the suspension of licences or privileges is not a part of these discussions, I'm not sure how the issue of fairness is then addressed.

If a payer is guilty of defaulting on their payments to the FRO, the threat of losing their job or having to close their business might be just the incentive they need to pay up. How many people who are in danger of defaulting do you honestly think will view the potential loss of their life insurance licence, their lottery licence, their pesticides certificate, or whatever, as something they are prepared to countenance in an effort to dodge their payments? How many of these people are so intent on hurting their ex-spouses or children that they would willingly sacrifice their jobs and their primary source of income just to avoid making their support payments?

I would respectfully suggest that this number would be small. Faced with the loss of the credentials they need to hold a job or the licences to operate their business, I would guess that a vast majority of those caught up in this dilemma would choose to pay. If the government is serious about tackling the problem of non-payment of support, why not include all licences, certificates and permits in the legislation? Why just hunting and fishing licences? If the government's not prepared to consider this possibility, then it should immediately amend the legislation to remove hunting and fishing licences from

the mix. Failure to do so sends a message to the outdoor community across Ontario and, indeed, to all residents of Ontario that anglers and hunters are guiltier than other groups or individuals of non-payment of support under the FRO. This is not only wrong, but discriminatory and, in fact, with the suspension of provincial driver licences, a case of double jeopardy.

Unfortunately, if the bill is not amended to address this issue, we will have to work against this piece of legislation that includes some otherwise useful amendments to address a very serious problem in our society. Having said that, I know first-hand that the minister, her staff and ministry staff are looking at a number of ways to strengthen this bill and address problems that became evident during the legislative process.

Madam Chair, members of the committee, the OFAH looks forward to working with the minister and yourselves to resolve our difficulty with this piece of legislation. I thank you again for allowing me to appear before you here today.

**The Chair:** Thank you very much. You've left about two minutes for each party to ask questions, beginning with Mr. Prue.

**Mr. Prue:** You were in the room and you heard the questions about people getting an alternative licence. I mean, you can go out salmon fishing, and they have one on the boat. You can go to Canadian Tire on your way to—I don't know—Bancroft, and you can just buy one in the store. How realistic do you think this is going to be when one can obtain an alternative licence in a matter of seconds?

**Mr. Farrant:** I think you raise a very salient point. If somebody is determined not to pay their support payments, and as a consequence—if this stays in the legislation—their licence to hunt and fish is suspended, you're quite correct. They can go to any one of thousands of outlets across this province—local tackle shops or wherever it may be—and take out a licence immediately to allow them to do so.

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**Mr. Prue:** I've never seen anyone even have to show ID to buy one of those licences. You just fill it in and hand it across to the clerk. You give them a couple of bucks, and they hand you one back.

**Mr. Farrant:** That's correct, in many cases, yes.

**Mr. Prue:** Even the fishing licence doesn't have a picture on it.

**Mr. Farrant:** No, it doesn't.

**Mr. Prue:** It just says "Michael Prue" on mine. I don't think it says anything else.

**Mr. Farrant:** That's correct.

**Mr. Prue:** You're with anglers and hunters. How realistic is it that a game warden—I don't whether they still call them that or if it's somebody from MNR—

**Mr. Farrant:** Conservation officer.

**Mr. Prue:** Yes. How realistic is it that a conservation officer will have satellite tracking or he'll phone and say, "I'm out here on a lake. I've just found a Michael Prue who has a licence. That's all he has on him is a licence he

bought at Canadian Tire. Can you tell me whether his licence is under suspension?"

**Mr. Farrant:** Well, I know that you—

**Mr. Prue:** I'm sorry; I just think this is so ridiculous.

**Mr. Farrant:** I know that in addition to yourself, the member from Oshawa and the member Renfrew–Nipissing–Pembroke have also talked about this issue in the House. The minister's office would have you believe that most COs in the field today have the capability to easily obtain this information. Whether that's accurate or not, I don't know. That's really something that MNR should probably be answering. I will say this to you, though: With the declining number of COs in the field across Ontario, the chances of anybody being stopped is pretty remote in the extreme anyway. So the fact that you'd be stopped and found in suspension is probably even more remote.

**The Chair:** Thank you. Ms. Matthews?

**Ms. Deborah Matthews (London North Centre):** Welcome. I appreciate your submission, and I very much appreciate the support you give for the idea that people should be responsible for their families. I'm glad you framed your submission that way.

There are a couple of points I want to make just to respond. Obviously, the hunting and fishing licence provision is in bill because it's a lever we have, and we want to use the levers we have to ensure that people do live up to their responsibilities. I appreciate the list you provided of perhaps more levers that we could use as a government; we don't want to close the door to any other levers. We want people to pay up, and you never know what's going to work for an individual. You heard that we are working with MNR on the actual implementation of how we're going to do it. That's yet to be determined, but there are some levers we do have there.

I just want to briefly comment on the notion that you think we've somehow singled out anglers and hunters because we think they're more likely to be defaulting payers. That's simply not the case. Actually, a reading of the bill would show that. We talk about reporting to professional organizations like doctors, like lawyers, like other organizations. Certainly, we know that the people who don't pay cover the full spectrum of society.

**Mr. Farrant:** With all due respect to that, we've heard witnesses testifying here earlier today suggest that the reporting to professional societies, like the College of Physicians and Surgeons or the Law Society of Upper Canada, is simply that: It's reporting. It is not seeking suspension of their licences, which indeed is what the bill speaks to in terms of anglers and hunters. So there's a difference there between reporting to a society—whether it's an embarrassment factor or whatever—but non-suspension of their licences is not the same thing.

**Mr. Ouellette:** Do you know of any other jurisdictions that implement this?

**Mr. Farrant:** How many?

**Mr. Ouellette:** Do you know if there are any other jurisdictions?

**Mr. Farrant:** No, I'm not aware of any, but that could be my failing. I wouldn't want to comment for sure.

**Mr. Ouellette:** A standard police officer has the legal ability to enforce the Game and Fish Act. Do you think that they will be asking for outdoor cards and checking on that as well?

**Mr. Farrant:** You're probably more likely to encounter a police officer. Whether or not they're going to make that check—and indeed, are they going to check whether the licence is suspended, particularly for FRO offences?—I don't know, unless, obviously, there are instructions given to them.

**Mr. Ouellette:** Right. You've specifically stated that you're more likely to have a police officer check those records. How do you think the police officer is going to be able to check on the computer system when they are not a conservation officer and don't have the satellite hookup?

**Mr. Farrant:** Obviously the ministries would have to work together to ensure that law enforcement officers across this province would have the ability to tap into the same system the FRO is suggesting COs will have.

**Mr. Ouellette:** Which is not listed. One quick question, because I know my colleague—actually, it's a complex one. According to the Game and Fish Act, for anything that takes place in contradiction to the act, all those fines go directly into the SPA. Do you feel any fines levied as a result of this should then reflect that and go back into the SPA or should go back into the FRO? It's not addressed in the legislation.

**Mr. Farrant:** That's a good question. I don't have a simple answer because that is a very complex question. Quite often you see these things disappear into general revenue, and I'd hate to see that happen, but it does need to be addressed in terms of where the money from the fines is going to go.

**The Chair:** You have about 15 seconds, Mr. Yakabuski, so if it's a yes or no—

**Mr. John Yakabuski (Renfrew–Nipissing–Pembroke):** Fifteen seconds? It won't take long.

As the government was planning the amendments to the FRO with Bill 155 and contemplating the fishing and hunting licence scenario, did they consult with you, and if so, did you make the views of your group, the Ontario Federation of Anglers and Hunters, known at that time?

**Mr. Farrant:** In the interests of brevity, no. They did not consult with us, so, no, we were not able to make our views clear.

**Mr. Yakabuski:** Thank you.

**The Chair:** Thank you for your brevity. We appreciate your being here.

**Mr. Farrant:** Thank you. I appreciate it very much.

#### NANCY TALLEVI

**The Chair:** Our next delegation is Nancy Tallevi. Welcome. Is this your handout?

**Ms. Nancy Tallevi:** Yes, I gave it to the clerk.

**The Chair:** Before you begin, perhaps you could say your name for Hansard. When you begin, I'll begin timing you. You have 15 minutes. Should you use all the

time, there won't be any opportunity to ask questions or make comments, but if you leave time, we'll have a chance to chat.

**Ms. Tallevi:** Nancy Tallevi. I've been a participant in the family support plan for over 14 years. I truly welcome the opportunity to speak today with regard to Bill 155.

In order to illustrate the epitome of a deadbeat parent—I don't apologize for using that term. My family happens to fall in that small percentage we heard about earlier, in terms of those dealing with a parent who truly does not want to pay. I offer up the example of my ex-husband, Rick Tallevi. In the past 14 years, he has never even once provided FRO with personal contact and employer information. He has been a defaulter for periods of multiple years, several times. He has quit several well-paying jobs each time he was finally tracked down, making him eligible for unlimited legal aid. That enabled him to wipe out all his arrears several times and have his support order reduced by half.

He has repeatedly and successfully avoided his creditors. When they could not locate him, they came after me for payment of old jointly held debts, even though the divorce judgment had made him responsible for those debts. The banks simply don't care. If there are two names and they can find one of you, that's who will pay.

The one and only time his arrears were actually paid off was when he moved to sell the house he and his second wife won in the Princess Margaret lottery, and the lien had to be paid in order to complete the sale. That was over six years ago and he hasn't been heard from since.

His arrears currently stand at \$16,920.17, before eligible interest is applied, even though his \$450-a-month obligation is well below the provincial guidelines and a tax write-off for him. FRO has issued two garnishments through WSIB and CPP, which generates just \$250 monthly, before taxes.

Ten of the 11 currently available enforcement actions were taken on my file five years ago, including driver's licence suspension. FRO has taken no new enforcement action on my file since. The sole remaining enforcement action would be a default hearing. But FRO staff has told me that a defaulter must be served notice of a default hearing, and because they can't find my ex-husband, they can't serve such notice; therefore, they cannot pursue a default hearing. FRO staff has told me as recently as this past Friday, "There is nothing more that can be done."

On February 6, 2004, this government stated they will "beginning immediately, make the enforcement of support orders a priority and track down more deadbeat parents," and that "FRO has created a special trace-and-locate unit to focus on tracking down deadbeat parents." Fifteen months later, however, the deadbeat parent of my child remains totally unaffected by this tough talk and arrears continue to accumulate.

**1710**

Furthermore, when introducing second reading of Bill 155 last month, and earlier in her statement today, the

Minister of Community and Social Services made it perfectly clear that she has no intention of actually implementing the toughest enforcement measure included in this bill, namely, the posting of information on the Internet. This is completely, totally unacceptable. If the government passes legislation, it must have every intention of enforcing it. If you say that you're going to do it, that you're going to make it a priority to track down deadbeats, the public will expect you to do just that, and to use every possible means at your disposal in doing so. When you use the word "immediately," they expect you to start right away. Anything less is, quite simply, political grandstanding.

Undoubtedly, existing legislation fails to hold to account deadbeats who will quit their jobs and do anything else they can possibly think of to avoid having to pay child support. The truth is that when it comes to beating the system, such deadbeat parents are much smarter than any of us in this room today or anyone who wrote the legislation that's being considered today.

Although the new legislation does provide for some improvements, it fails to go far enough to catch the worst offenders. So I propose the following amendments:

**Disclosure of bank account and personal contact information:** The FRO must be able to secure bank account information from all possible sources. Freedom of information and protection of privacy legislation currently impedes such disclosure.

Federal and provincial governments make CPP, GST rebate, unemployment, income tax rebate and like payments by direct deposit and mail. Information regarding bank accounts these monies are deposited to and/or addresses that cheques are being sent to could be used to quickly track down deadbeats and defaulters. In my personal case, half a monthly CPP pension and a WSIB pension are garnished. As the other halves are paid to my ex-husband, obviously the federal government and WSIB know where they're sending the money. Yet incredibly enough, this information is not available to the FRO. This has to be rectified immediately.

It should also be possible to require that last known employers disclose direct deposit payroll and any contact information they have on record for defaulters. The list in section 54 of Bill 155 of those who must provide the FRO with information must also be expanded to include any organization that receives public funding, and also financial institutions. In some instances, a payee may know a bank branch where a defaulter has an account but doesn't have that account number. The financial institution should be required to provide the information on that bank account. I have provided in the handout some suggested wording that would provide for such disclosure as I've just referred to.

**Establishment of a special investigations unit:** This unit needs to be adequately staffed, including employing professional investigators. Tracking down deadbeats needs to be their only mandate. Files in arrears for a year or more must be their top priority and dealt with in priority order by length of time of the arrears, not the amount owing.

Consideration should also be given to contracting the services of some deadbeat dads who have a long history of beating the system. There is a precedent for doing similar things. Although this is a somewhat unorthodox idea, these individuals could provide invaluable information on how to track other deadbeat parents. It would also provide a few of them with income that could be applied to the arrears they owe. In addition, when hiring the FRO staff, priority should be given to FRO clients, as many of them have experience with the FRO and Family Court issues that would improve client services. I don't say that looking for a job. I actually have one.

**Default hearings:** A defaulter must be served written notice of a default hearing. If the FRO can't serve notice because they don't know where the person is, the hearing won't take place or be pursued. While Bill 155 proposes to increase jail time for defaulters, if the FRO can't find the person, there's no default hearing and therefore no real threat of jail time. The FRO participants must provide updated contact information, but by ignoring this requirement, deadbeats are able to escape enforcement action. So the system actually rewards deadbeat parents. The legislation needs to be changed so that notice sent to the last address provided by the defaulter is deemed sufficient for the default hearing to take place, whether the defaulter is there or not.

**Posting of information on the Internet and in print media:** Section 16.1 of Bill 155 provides for posting of information about deadbeat parents on the Internet, yet the minister has stated very clearly that she has no intention of actually enforcing this provision. I again emphasize that this mindset is absolutely unacceptable and contrary to the government's stated commitment to track down more deadbeats. It is my contention that if this minister is not willing to go ahead with this, then she ought to step aside and someone else should take her place to go forth with that action.

Not only must this particular enforcement measure be undertaken immediately in cases where arrears have accrued for an extended period and the defaulter has not been located, but section 16.1 needs to be further strengthened to provide for publication of information on deadbeats in major newspapers. Immediately following royal assent, I propose that prominent full-page ads be taken out monthly in all Ontario newspapers and quarterly in all Canadian newspapers, identifying defaulter names, last known city of residency and length of default. The same information would be posted on the Internet and updated monthly to add/remove names as appropriate.

Effective January 1, 2006, photographs of defaulters would be posted on the Internet and wording added to the ads to direct readers to a Web site to verify identification of names published in the newspaper. Effective January 1, 2007, photographs of defaulters would be added to the ads themselves. Advertisements and Internet postings would also note that the publication of information would be expanded on the dates I've just referred to. This would provide incentive for defaulters to pay up before having

their photograph publicly exposed in their local paper and on the Internet for all to see.

**Calculation of interest:** While it is a positive step that Bill 155 would enable FRO to calculate entitled interest on arrears, section 7.1(3)4 provides for calculation of interest from “the day section 2 of the Family Responsibility and Support Arrears Enforcement Amendment Act comes into force.” This clause clearly rewards deadbeat parents for not paying their bills on time. I personally take exception to the possibility that my ex-husband could have years of interest written off when I’ve had to borrow significant amounts of money over the years because he failed to pay his child support, the child support my family was entitled to and needed. At a minimum, if this clause does remain in the bill, FRO should still be able to calculate the interest and the person who ought to have received that interest should be able to write that off as a loss on their income tax.

**Declaring unpaid support as a loss:** With support orders issued under the old rules, payers write off payments made while recipients declare the payments on their income tax. While both parties can agree to switch to the new rules, which have no tax implications, there is little incentive for deadbeats to actually do this. In cases that fall under the old rules, recipients who do not receive entitled support should have the option of declaring that unpaid support as a loss on their income tax. Amounts declared would be reported to FRO and an equal amount would be deducted from arrears owing. To ensure that this does not serve as a deterrent for people to pay, a substantial administrative penalty payable to FRO could be levied to the defaulter for each year this option is exercised.

In closing, I want to acknowledge that there are a lot of very good parents out there. I happen to have been married twice, the second time to my now late husband, unfortunately, and he was a very good parent. I know a lot of good parents. I’m not suggesting in any way that the parent I’m describing constitutes anything more than a small minority, but we are an important minority. We’re families nonetheless, and we are the families that have gone the longest without payment, whatever those amounts are.

I thank you for agreeing to hear me today and I hope you will give serious consideration to the comments and potential amendments that I’ve put forth.

**The Chair:** Thank you for your thoughtful presentation. You’ve left about a minute and ten seconds for each party, beginning with the government side.

**Ms. Matthews:** I very much appreciate your taking the time to put together this quite comprehensive submission to us. There’s nothing quite like hearing from the very front line when we’re drafting legislation, so I can assure you that all of these will be taken into consideration. I do want to tell you, though, that the bank account information would require a change in federal legislation. I would urge you to work on that next, because that would be very helpful.

**Ms. Tallevi:** I would guess that you know your federal counterparts much better than I would know any of them,

so it is my suggestion that if indeed this government, the provincial government, is serious about this—the federal government could tell you today where this man is, so if you’re serious about it, you ought to be pursuing it with your counterparts.

**Ms. Matthews:** I appreciate your saying that. Trust me, we are absolutely determined to get as many payers paying as we possibly can, and we are using every tool at our disposal.

I want to ask you if you have any thoughts on the concern about the fishing and hunting licences.

1720

**Ms. Tallevi:** Those people aren’t going out to get a licence. I think somebody did say it in the House; it might have been the NDP. They’re not concerned about following the rules of too many things. It’s of no use to my family; I can tell you that.

**Ms. Matthews:** Thank you very much for your presentation. I appreciate it.

**Mr. Ouellette:** I very much appreciate hearing your presentation; it was very well thought out. Unfortunately, you had to live through the situation that brings you here today.

You mentioned a number of great amendments and ideas. Do you think there should be a recommendation for a “three strikes and you’re out” sort of thing, or would you enact this right away? Is there a sunset clause whereby you’d look at things going forward? You mentioned some of the arrears being reduced by half, nullified and things like that. Do you go back and include that or do you start from here forward? How do you think it should proceed?

**Ms. Tallevi:** I actually did consider putting something in. I suspect you get into a very hazy area as to what is three strikes. In this instance, he was rewarded for quitting his job each time by having access to unlimited legal aid. Because I’ve stayed with the same employer for 21 years, I didn’t qualify for legal aid. I have been forced to spend over \$30,000 in legal fees over the years, only to have all the arrears wiped out. There’s no support coming in, I’m stuck with all the bills, and I put out \$30,000 to get further behind. In some instances, it didn’t make it all the way to court; I ran out of money to pay any further legal bills. I understand what you’re saying, in an ideal world.

**Mr. Ouellette:** I’m sure all the members here see the same problem: The lawyers seem to be the ones who win in a lot of these cases, at the expense of a lot of other people. Hopefully, we’ll be able to move forward with some amendments that will address the concerns you’ve brought forward. Also, the working relationship between not only the feds and Ontario but other provinces as well is necessary to move forward so we’ll be able to address a lot more of these issues. Thanks for your presentation.

**The Chair:** Mr. Prue?

**Mr. Prue:** In this whole period, was your husband ever jailed?

**Ms. Tallevi:** No, because they can’t find him to put him in jail.

**Mr. Prue:** So the only time you ever found him was when he won a house in the lottery.

**Ms. Tallevi:** Actually, he won the house right after he got the support order reduced by half and had his arrears wiped out. Then, a year later, he moved to sell it and, by then, was in arrears again and had to pay. He skipped town or whatever.

**Mr. Prue:** And he has mostly disappeared?

**Ms. Tallevi:** Sure.

**Mr. Prue:** OK. I can understand the frustration.

It was suggested to go to the federal government. I agree with you that that's probably the best place. He probably files income tax; he probably gets some monies back. If he's working, he'd have to file income tax or get some refunds. There are a thousand things that could be done: banks—

**Ms. Tallevi:** This is a payment that he is getting every single month; he's receiving it in a bank account, and it is being deposited there by the federal government each and every month. In addition, he is getting the same type of payment through workers' comp each and every month. It's a lifetime pension. The first one is a widower's pension. Ironically enough, we were both widowed on our second marriage. It's a lifetime pension, and every month that's going out. Unless the federal government is going to claim they don't know where they're sending money to, they know.

**Mr. Prue:** So it would be a whole lot easier to catch him with this than with a fishing licence.

**Ms. Tallevi:** The fishing licence, as I said, will do nothing for my family.

**The Chair:** Thank you very much for being here.

KERRY GEARIN  
DEBBIE THOMPSON

**The Chair:** Our next delegation is Kerry Gearin.

**Ms. Kerry Gearin:** This is Debbie Thompson.

**The Chair:** And Debbie Thompson. Welcome. When you begin, please identify yourselves for the purpose of Hansard. When you do begin, you'll have 15 minutes. Thank you for waiting. We appreciate it.

**Ms. Gearin:** It's interesting to listen to.

I'm Kerry Gearin, and I'm a Toronto lawyer, and this is Debbie Thompson, who assists me. I'll start first, and then we'll take turns speaking about different issues. Both Debbie and I have a lot of involvement in community service over the years and now, so we're grateful to make these submissions. We've seen first-hand the importance of strong family support enforcement and the problems when enforcement is not strong enough or effective.

I think when we look at these amendments, we need to put ourselves in the children's and the parents' or spouses' shoes and ask, "What we would like done if we were in their place?" The parents or spouses I'm speaking about are those who are supposed to be recipients or receiving the money.

There are a couple of compliments we want to make about some of the amendments and a couple of concerns, just to keep it brief. I'll summarize what they are and then discuss them a bit more thoroughly.

The compliments are that we like that now recipients can choose to enforce the support themselves. The prior amendments were problematic, where a recipient had to get permission of the other party or have pre-payment of a few months' worth of support in order to withdraw from FRO. The second part we really like is the ability to add third parties to pay the support orders as well, third parties who are conspiring with the support payer or debtor and evading payment. It's a great amendment.

The two concerns, in a nutshell: First—and it might be a matter of interpretation; it was earlier addressed—is the issue of the director's discretion to enforce a smaller sum of support when one child no longer has an ongoing obligation. We talked about that, and we had interpreted it differently. We weren't thinking it applies strictly to global sum orders; we weren't thinking that at all. In fact that's all it applies to—that we've got one family and one child no longer is owed support, and the problem is divvying up how much is support for the remaining children who are owed an obligation—then that should be clearly specified. When we read it, we thought it relates to other families, like starting a second family, and if you have an older child you can enforce a lesser amount for them. The way it's worded didn't address the global family support order issue. As a lawyer, that would be very important for me, because I would see it being used as a weapon against the older child whose obligation has ceased but who perhaps has big obligations to pay educational expenses that they may have incurred—or their parent may have done that.

Our second concern that we mention is a recipient parent not being a party and having the automatic right of a party to be notified of all steps, of all hearings, and to have a say. If I'm interpreting it correctly, we haven't addressed that issue. That's a big concern.

The first amendment, allowing the recipient parent to enforce their own order, is really good, because this means they can now take the steps if FRO is not. We've heard here earlier that that's a problem, and that's particularly a problem with deadbeat parents who switch jobs or are self-employed and do not provide financial disclosure. We like that now the recipients can take the steps.

Deb will address the proposed amendment to add third parties.

**Ms. Debbie Thompson:** Together we have found that it's an excellent change in subsection 41(5), adding a party at a default hearing. The amendment that authorizes the court to add a third party for the purpose of paying the support due is excellent. Most times, we have found in the work we do that someone will inadvertently try and have the money hidden somewhere else; ultimately, they end up hiding the money through another source. This ends up frustrating the ability to make payments, and another person ends up having it in their name. The

payer still has access to the money; however, unfortunately, it's not something that can be easily tracked.

1730

This amendment is good because it goes a long way to holding conspirators accountable for their actions that harm the family of the custodial parent and the children. This remedy will be more useful if it is applied by the creditor or the recipient parents, who often have a lot of direct knowledge of how third parties are conspiring to frustrate the support orders. While the recipient parent would often know of all the dealings and where certain money is placed—stocks or RRSPs etc.—FRO would not know. Therefore, it would be nice if they would take the information given by the recipient parent to assist in this process.

There are a lot of self-employed payers that the FRO does not take the time or have the time to pursue. They are getting away with not paying, and this amendment tells third parties, "If you conspire to help the payer avoid their obligation, you might end up paying what is ordered," and this is a good thing.

A few portions of the act are a concern, because we see them as opportunities for payers or non-payers to avoid the responsibility. Kerry?

**Ms. Gearin:** We're looking at subsection 8.2(1), where it gives the director the discretion to enforce a lesser amount under certain circumstances. We had read it to mean that if the debtor parent has an ongoing obligation to support another child but has an adult child whose support obligation has ceased, they can lower the amount of enforcement for that adult child or that child who's no longer entitled.

I don't want the director to have this discretion. Actually, I don't want a judge to have this discretion, because I think it really puts the earlier children in the backseat, and I think that's an encouragement to the payer who's not paying to avoid their responsibility.

It's also unfair for the custodial parent who has paid both parts of support by having custody and looking after the children's needs. It's unfair, since they've paid their part and they've paid the other parent's part and may have incurred a debt or forgone financial benefits and financial security, that now they may have to pick up the slack again. This has an impact on the children's and family's emotional and physical health, their ability to be educated, and that's very serious. It's very irresponsible. We don't want to give that away, and certainly not at the discretion of the director.

The director's agents appear overburdened. I mean, I listen in, I eavesdrop on their conversations when I'm at court. I love it. It's fascinating, but who wants their job? You know, they have all these parents who are very concerned and need their money. I could see the temptation to settle early, settle the case easy and take a reduction, on consent.

The second concern, alluded to earlier, was the creditor parent, called the recipient—well, if they are receiving—has no say in enforcement steps taken. I think the wording is a problem too. "Creditor" is really accurate

and "debtor" is accurate; "recipient" and "payer" are softer, but they do speak to the issue that the creditor parent doesn't have the same rights as a normal creditor. Visa has more rights, in some ways that are very serious. Often the creditor parent does not get notified to come in and participate in the enforcement proceedings. They simply don't have an option. You can ask, and they'll say no.

They may well have the inside information that Deb was referring to earlier to counter the payer, who may lie to court about their ability to pay. They may have the information about where assets and income are, and FRO can either misplace it or choose to ignore it and not act on it. I've seen this happen a lot. It's very concerning. We've given information to FRO about where RRSPs are, huge lump sums of money being held in trust, bank accounts, and they ignore it. They tell me they're just not going to do it, and there's nothing we can do.

So we need the parent to have the automatic right to participate either in person or by affidavit. That way, the judge will have the best information before them to make their decision.

In sum, those are just a couple of examples of some positives that we really are grateful for, and a couple of problems. Did anybody have some questions?

**Ms. Thompson:** Actually, I have just another point to offer. In regard to section 41, the default hearings and the power of the court, I was very pleased to find that recipients can pursue the court to enforce payment. Many times, it is extremely difficult to get the Family Responsibility Office to enforce action when the payer is in default and they cannot find the person. This amendment allows the recipients to act, although at the cost of having to bring them back to court. As a recipient whose payer's default now exceeds \$70,000, it is very empowering to know that I can in fact take him to court, as outlined in what power the court has. However, it would be ideal if the Family Responsibility Office could perhaps practise some of the power that they have regarding defaults.

**The Chair:** You've left about a minute and a half, beginning with Mr. Ouellette.

**Mr. Ouellette:** Thanks very much for your presentation. It's nice to have the perspective of individuals who deal with this in the courts.

Are you familiar with the BC or the New Zealand examples and how they do enforcements there?

**Ms. Gearin:** No.

**Mr. Ouellette:** That's OK. Do you think that the current judges are going to be able to enforce or have enough training to understand how to implement this legislation and all these changes?

**Ms. Gearin:** I have a lot of confidence in our judges, frankly. Some of these amendments—we have cases before the courts right now, and they're dealing with it.

When I heard some questions about how to find banking and other information, there are ways, but it's not coordinated.

**Mr. Ouellette:** Being from Oshawa, we have a number of cases—as I'm sure all members do—where in-

comes changes happen on a regular basis. We have huge amounts of overtime one year, and then they'll go to court and get a change based on the abundance of overtime, and all of a sudden this year there's no overtime and a substantial amount of layoffs. What do you think an effective way to account for that would be?

**Ms. Gearin:** I'd put the burden on the lawyers in their drafting, frankly. I grew up in Oshawa, so I know about the GM issues. I'd like to see that. The lawyers aren't drafting it accordingly. When you were describing the scenario, my mind was turning and I was thinking about how I'd draft that order. So it's on the lawyers in that situation, I think,

**Mr. Prue:** I don't think the problem is the courts either, really. I guess in the odd case it may be. The real problem is trying to find some of these deadbeat parents. You heard the woman before—somebody wants to disappear. What should happen in the law to make it easier for the FRO to find those deadbeat parents, and is the reporting of them to professional bodies or the taking away of fishing licences likely to have much impact? You're a practising lawyer.

**Ms. Gearin:** Yes. That's a really good question. I think I'll have to write up some submissions about how to find deadbeat parents, because I'm really good at it and I really enjoy it. It's very enjoyable. There are a lot of ways. We have family law forms that allow us to request information from third parties. For some of them, you have to bring a motion to involve them. Some of them you have to name as a party for the purpose of perhaps naming them as a party in a motion, not necessarily for enforcement—because I don't do enforcement for my clients excepts for cost orders. But I find them. I think we can find them a lot easier than some of them realize. I like the idea, sure, of bringing in some deadbeats and picking their brains. They have great ideas. But there are others out there, private investigators, who also know. Mr. Pankau, I believe, is one of them. I've seen some of his materials. So I think we could write up a training manual on how to find deadbeat parents, and I'd love to help.

In terms of licences, whether it's a fishing licence, which is recreational—and I distinguish from the employment or career licences that were addressed earlier, that beautiful long list of licences that could be suspended. I think it's great. I think we should use every means possible. It's fair. Some statistic was given that 10% of the people may be fishers or hunters. I didn't know it was that high. I'm astounded. That's wonderful. We should also address all the other licences—lawyers or doctors or real estate agents, as was mentioned. If they're deadbeats, if they're not responsible, take something valuable away. I think it's a great idea. Every bit helps.

**Mr. Prue:** That's my time, right?

**The Chair:** Way over your time. But it was a great answer.

Closing with the government side.

**Mr. Jean-Marc Lalonde (Glengarry–Prescott–Russell):** I heard a lot of points there, but I really feel that you should sit down with the FRO people. I don't know how long you've been working as a lawyer to defend those cases. Section 8.1 is very clear. Everything has to go according to the court order. The FRO has no authority to change anything that is appearing in a court order. I've been working on this for the last 10 years, and FRO has no authority. It's very clear in there: "The director shall cease enforcement of a support obligation provided for in a support order or support deduction order filed in the director's office if the support obligation has terminated." Terminated. It's either that the child is in the workforce or has ceased his education. If he's on the labour market, definitely the ex-husband won't pay for it. It's all dependent on the court order. If the court order specified that the ex-husband has to pay up to the age of 25, then that poor lawyer who prepared that court order didn't do his job properly to protect both sides. But it's always the way the court order is done.

You've just said that you enjoy trying to find the deadbeat parents. Well, it is really the recipient's responsibility too, to let the FRO know where that deadbeat parent is. There's no way. We just can't put anybody on the road, trying to find that person who isn't paying. We're doing that regularly at our offices, and when I say to that person: "Can you tell us where your ex-husband is working?" "Well, I prefer you find out because I wouldn't like him to know that I'm telling you where he's working." We hear that steadily.

**Ms. Gearin:** I bet you do.

**The Chair:** Mr. Lalonde—

**Mr. Lalonde:** So the court order is really the issue that you have to work with, and that is very clear. If you were talking about fishing and hunting licences, that would be different—

**Ms. Gearin:** I was talking about something different.

**The Chair:** Thank you very much for your presentation. That was a very interesting statement that you made, both of you.

I'd like to thank all of our witnesses today, committee and ministry staff, for their participation in the hearings. I'd like to remind all members that amendments to Bill 155 should be filed with the clerk of the committee at 12 noon on Friday, May 13. The committee stands adjourned until 3:30 on Monday, May 16.

*The committee adjourned at 1742.*

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