

94.3 Amending Canada Assistance Plan (CAP) Agreements with the Provinces

Whereas, At present, in cases of non-payment of child support, the custodial parent is forced to pay the legal cost of enforcing divorce or separation agreements, and, as a result, is often obliged to go on welfare; and, Whereas, In some provinces Legal Aid is not available until the custodial parent is on welfare; and, Whereas, If the children in such cases were to be declared as 'special needs' children and given the needed protective and preventative measures, such as free legal representation, much stress and hardship could be avoided; and Whereas, It would be far less expensive to cover the shared cost of legal representation in child support cases, through amended Canada Assistance Plan agreements, than to pay welfare costs; and, Whereas, One of the aspects of the Canada Assistance Plan was to cost-share civil legal aid for social assistance clients; therefore be it,

RESOLVED, That The National Council of Women of Canada urge the Government of Canada to ensure that Federal/Provincial programs such as CAP include the extension of legal aid facilities to children and/or custodial parents in cases where support payments are in default and the recipient incomes are below a certain cut-off level, and that this is provided for within a two-year time frame; and be it further, RESOLVED, That The National Council of Women of Canada request its Provincial and Local Councils to urge their respective governments to provide Legal Aid facilities to children and/or custodial parents in cases where support payments are in default, and the recipient incomes are below a certain cut-off level, and that this is provided for within a two (2) year time frame.