

Cathy Saunders
City Clerk
City of London

London, Ont.
March 15, 2011

Dear Ms. Saunders:

Re: Children's Law Reform Act

Bill 22, a private members bill by MPP Kim Craitor amends the Children's Law reform Act by emphasizing the importance of children's relationships with their parents and grandparents. After passing 2nd reading Bill 22 was referred to the Standing Committee on Social Policy where it is today. This common sense Bill will reunite families in Ontario, yet it has died in three previous sessions of parliament, even though all three political parties voted unanimously in favour of it. A strong voice from The City of London will help to ensure that Bill 22 will not be pushed aside again and allowed to die.

Quebec, B.C, and Alberta already have legislated rights for grandparents and children. In the absence of a specific statute providing grandparents with legal standing to access, there are continuing difficulties in obtaining contact with grandchildren.

During an era of economic downturn, joblessness, and despair; Ontario seniors are secure, stable, and they are willing and able to offer emotional and financial support to their grandchildren. Grandparents can help in providing grandchildren with opportunities that they otherwise would not have. Bill 22 will ensure that children are reunited with their family groups and that every child is given every opportunity to succeed.

It was reported that there are 100,000 children living in Ontario who are blocked from seeing their grandparents. Many of these children do not have contact with an entire network of family and friends on their maternal or paternal side of the family. Mental illness, drug use by the parents or a family rift has resulted in children being alienated from their families whom love them.

A 2007 news report estimated that 70,000 Ontario grandparents are being denied access to an estimated 100,000 grandchildren. Yes, those figures are frightening, but also frightening is the fact that there is nothing in Ontario law that addresses the terrible heartache caused by this forced separation.

Separation or divorce, family disagreements, death of a spouse, whatever the reason, it sometimes drives a wedge between adult generations and separates the children from their grandparents' love and support. Should your adult child pass away and the surviving spouse remarries, you have no legal right to ever see your grandchildren again.

Of all the holiday seasons the Christmas season is the worst one for many grandparents who are denied access to their grandchildren. You avoid looking down the toy aisles, you can't watch the Santa Claus parade, and you turn your head from something as simple as seeing all the excited kids going to see Santa at the mall.

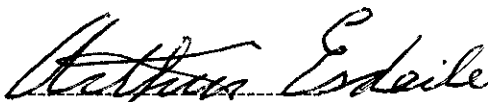
(reported in 2007 by The Standard News in Cornwall Ontario)

We have to date the endorsement of five cities and three towns, including Ingersoll and St. Thomas.

Unquestionably, The City of London could make a positive difference in the lives of children by supporting Bill 22 which would reunite families and improve the lives of others, especially the lives of our youngest citizens, the children.

Enclosed is a copy of Bill 22, the story of Dr. Drake from Windsor, and a copy of a letter from Ginnie Baker in London.

Sincerely Yours,



Arthur Esdaile

Bill 22 2010

An Act to amend the Children's Law Reform Act

Note: This Act amends the Children's Law Reform Act. For the legislative history of the Act, see the Table of Consolidated Public Statutes – Detailed Legislative History on www.e-Laws.gov.on.ca.

Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. Section 20 of the Children's Law Reform Act is amended by adding the following subsection:

Relations with grandparents

(2.1) A person who has custody of a child shall not unreasonably place obstacles to personal relations between the child and the child's grandparents.

2. (1) Subsection 24 (1) of the Act is amended by striking out "(2), (3)" and substituting "(2), (2.1), (3)".

(2) Subsection 24 (2) of the Act is amended by adding the following clauses:

(a.1) the importance of maintaining emotional ties between the child and his or her grandparents;

.....
(d.1) the willingness of each person applying for custody of the child to facilitate the child's contact with each parent and grandparent in accordance with subsection (2.1);

(3) Section 24 of the Act is amended by adding the following subsection:

Maximum contact

(2.1) The court shall give effect to the principle that a child should have as much contact with each parent and grandparent as is consistent with the best interests of the child.

Commencement

3. This Act comes into force on the day it receives Royal Assent.

Short title

4. The short title of this Act is the Children's Law Reform Amendment Act, 2010.

EXPLANATORY NOTE

The Bill amends the Children's Law Reform Act to emphasize the importance of children's relationships with their parents and grandparents.

Subsection 20 (2.1) of the Act requires parents and others with custody of children to refrain from unreasonably placing obstacles to personal relations between the children and their grandparents.

Subsection 24 (2) of the Act contains a list of matters that a court must consider when determining the best interests of a child. The Bill amends that subsection to include a specific reference to the importance of maintaining emotional ties between children and grandparents and the willingness of each person applying for custody to facilitate as much contact with each parent and grandparent as is consistent with the best interests of the child.

Subsection 24 (2.1) of the Act requires the court to give effect to the principle that a child should have as much contact with each parent and grandparent as is consistent with the best interests of the child.