

January 22, 2002

6408 Russell Road
P.O. Box 128
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The Honourable Michael Harris, Premier of Ontario
Room 281 Legislative Building
Queens Park
Toronto, Ontario M7A 1A1

Dear Premier Harris

RE: The oppression of a member of the Canadian Armed Forces and his family by the Family Responsibility Office and the family court system.

For the past six months my wife, her two children and myself have literally been going through hell as a result of Ontario's Family Responsibility Office (FRO) and the family court system. These agencies have us on the verge of having to sell our home and forced into poverty. These institutions claim to help needy children and parents, yet nothing could be further from the truth. Most recently, my wife had to leave her job as a direct result of the consistent badgering and persecution of the FRO, the stress and worry was just too much for her to bear.

I had been faithfully making child support payments directly to my ex-wife for the care of our 4 children, for which we share joint custody. Originally, my ex-wife and I had a mutual legal agreement for regular monthly child support payments to be paid directly to her. My ex-wife is financially well-off and could still maintain a good standard of living without child support without any problem. She is employed as is her common law husband and has already received nearly \$100,000 from my military pension plan.

Everything was fine until I was laid off here in Ottawa in May as part of the high tech sector lay-offs. For the past 6 months, I had tried relentlessly (several job interviews) to land a job, but had been unsuccessful due to a variety of reasons conveyed to me such as, that I am not bilingual (*resulting in ineligibility for over 50% of available jobs*), I am middle aged (47), either over qualified or under qualified, and competing in a very competitive job market due to cutbacks and layoffs. Most recently, with nothing on the horizon and winter coming, I took a job for \$10.00 an hour. It is far below the standard I am accustomed to and 75% less the wages I once earned, but it is a job.

In spite of the changes to my income and expenses required to live and support my current wife and children, my ex-wife refuses to be sympathetic to my financial dilemma and has asked the Family Responsibility Office to exercise its awesome and repressive powers. In September of 2001, I received a letter from the Family Responsibility Office (FRO). The letter was impersonal but basically said "pay up or else", and we don't care about your circumstances!

I went to a lawyer in an attempt to seek a "Variance to Agreement" and subsequent reduction in child support payments as a result of being out of work. The lawyer told me that the courts would not consider what I am earning now, but would only consider the average of what I have earned in the past 3 years, whether I was unemployed currently or not. He explained the courts now use "imputed"

earnings and base monthly payments on an average of what I made as a salary for the past 3 years. I was told that going to court for justice would be an exercise in futility.

My lawyer stated that I should essentially forget about getting justice and to continue to make the full monthly payments whether I could afford them or not. He stated, that I would be fighting a losing battle if I tried. He showed me some recent case laws and it appears that no matter how well off the children may be financially and no matter how financially well off the recipient is, the other parent must pay and pay regardless if they are in dire financial straights themselves.

I went to Legal Aid for help. It was told that I easily qualified for Legal-Aid, but that all I could get was the services of one of their lawyers for 15 minutes before I went into court. How can any citizen expect to get justice with someone representing them in court who has only spent 15 minutes on the case. This would be sheer suicide.

I tried to get help from the FRO. They proved to be the least helpful of all. All they did was offer their condolences and essentially, wish me luck. After reading the Director's letter which was sent to me in response to my inquiries, I have come to the conclusion that this government agency is totally inept and without compassion. They are nothing more than a collection agency concerned about money and little regards as to what is best for children and their families. I tried repeatedly for nearly 3 weeks and all I got was a constant busy signal, regardless of the time of day. When I did get through I was just told all kinds of negative things such as the things they could do to support payers, like garnishing my EI Benefits, taking my license away etc, if I do not pay up.

In my dealings with the FRO I could not help but feel that I was labeled a criminal of sorts. Even after serving my country faithfully for 24 years in the Military the FRO would listen to none of my so-called "nonsense. The FRO just want their money and would entertain no excuses.

I have tried to get my former wife to mediate but she will not cooperate. A mediator contacted her and she related that she had been advised by her lawyer not to go to mediation, nor did she have to. She essentially knows that the FRO will go after me without costing her a cent. She also knows that the FRO can do more damage to me and my new family than she could ever do to me in court with her lawyer. It seems that the FRO and the courts are nothing more than taxpayer funded weapons to be used by vindictive and controlling child support recipients to "get even" with their ex-spouses.

This entire matter has been very frustrating to all in my family. It has affected my wife, her children as well as my children who I see every 2 weeks. It has caused a great deal of stress overall in our lives, mainly caused by the inability to be able to do something positive that is fair in light of our current financial predicament. Every new day is a day of facing fear blended in with sorrow. My children have been used as puppets by my ex-wife to carry messages, all negative. This has in turn had a direct impact on their well being. All of this caused by the greediness of my ex-wife who is being shielded by this corrupt and biased Canadian Divorce Law and agencies such as the FRO.

With winter coming with my wife out of work and myself making very little money, we will likely be forced to sell our house, sell one of our cars (*which we need for work, when employed, as we live in Carlsbad Springs – no bus service*), some furniture and belongings, and live in a 1 bedroom apartment with our 2 children. What will I do when my 4 girls come every second weekend? But this seems all

OK in accordance with the government wherein one family is wiped out to provide for another's excesses.

The family court system and the FRO have forced us to walk through a maze with walls and barriers at every turn. It is an endless bureaucracy and there seems to be no healthy exit.

As a member of the armed forces for over 24 years and as a citizen who risked my life in the Bosnian war to serve my country, I find it absolutely inhumane that laws such as Bill C-41 and agencies such as the Family Responsibility Office are being used in this county to destroy good fathers and their families. This is contrary to the principles in which I served my country to protect. I can only say that I am ashamed that my country of Canada treats Canadian fathers this way. The treatment of fathers in our country truly is a disgrace to our country.

As a father, I risked my life as a member of the armed forces to protect for my country to protect what I thought were just laws and fundamental freedoms. Now where is my country to stand up for my rights and freedoms when I need it as a father? With the FRO closing in now, I am beginning to see a dark side of this country that I never could have imagined before. It seems that if you are a father, that separation and divorce will potentially destroy you and take away your freedom and access to justice for many years.

Many children and their families are being harmed by the child support guidelines and the FRO and it is time that our politicians take action to correct these injustices which are literally destroying families in this province of Ontario. Besides myself, there are many good and worthy fathers and mothers (support payers) of Canada who only want to regain their dignity and to enjoy a meaningful relationship with their children.

The child support guidelines are flawed and unjust and the family court system is too cumbersome to meet the needs of families. The FRO destroys children and families. These things must be changed to be more fair and flexible for varying family circumstances. These oppressive systems must be changed to make the Province of Ontario a friendlier place for families.

In closing, I feel that my Human Rights as a Canadian have been violated, wherein the impossible is being demanded, at no matter what cost. Many good fathers and mothers of Canada have succumbed due to the failure of the government to act decisively on this issue. Due to the systematic destruction of children and families by the family court system, **the entire matter of divorce and child support should be catapulted the forefront of Federal and Provincial political scene.**

Your feedback on my concerns would be greatly appreciated.

Yours truly,



Steve Forgie

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