

# Survey – The Family Court System And The



# *Canadian Charter of Rights and Freedoms*



Department of Justice *Ministère de la Justice*  
Canada *Canada*

*Français*

### Equality Rights

15. (1) Every individual is equal before and under the law and has the right to the equal protection and equal benefit of the law without discrimination and, in particular, without discrimination based on race, national or ethnic origin, colour, religion, sex, age or mental or physical disability.

A	Do You Believe this violates the “Charter of Rights and Freedoms?”	YES	NO
1	That Family Courts discriminate against the father by taking his the right to be an equal parent without cause after divorce.		
2	That Family Courts allow “a women” to remove children geographically from their home, father and siblings without cause after divorce.		
3	That the Law (Child Support Guidelines) and Family Courts do not recognize custodial children of the father when the women does not work.		
4	That Family Courts orders “the man” to pay court costs for” the women” in addition to his own in cases of custody and support resolution.		
5	That Family Courts order support for custodial children of the women over the age of majority but not for custodial children of the father or children in non-divorce families.		
6	That income considered in support calculations includes withdrawals from RRSP’s on which support has already been paid. (i.e. double dipping).		
7	That with introduction of new tax treatment in 1997, Federal income tax which is biased against the man increases tax paid by families in crises by \$500 million per year.		
8	That the CCRA allows women to deduct from tax all legal fees incurred to obtain or vary a child or spousal support order but not for the man.		
9	That the outrageous cost of the legal and Family Court process discriminates against justice for all.		

10	That Family court hearings are typically less than 40 minutes in duration, there is no access to a jury as is the right in criminal matters and lack of joint parenting as a default position equates to a presumption of guilt without cause.		
<b>If a Parliamentary Bill was put forward:</b>			
1	Would you agree with the position of equal parenting as the default unless either parent was proven to be unfit.		
2	Would you support a reversal of 1997 tax treatment that collects an additional \$500 a year in tax from families in crises		
3	Would you support providing equal treatment for all children of the marriage eliminating discrimination of children with the father.		
4	Would you support eliminating the Family Courts if a more humane alternative process is available.		
5	Would you support providing equal treatment of men and women regarding tax deductions for legal costs in divorce related undertakings.		
6	Would you support an independent and non-biased audit of the family laws and court system to ensure that it meets the criteria set out in the Charter of Rights and freedoms.		
7	Would you support accountability and oversight for judges and lawyers holding them personally responsible for corruption, deception and discrimination?		
8	Would you support equality for all Children over the age of majority, not just the privileged picked by the Family courts.		
9	Would you support revising Family Laws to provide clarity of the law, eliminating many points of contention which are the cause of discriminatory practices by judges and unnecessary litigation?		
10	Would you support monitoring the court by collecting historical data and tracking decisions to help provide statistics related to human right violations, their complicity in domestic violence, gender bias, inefficiency, ineffectiveness, lack of integrity and costs related to family court.		
11	Would you support a motion that until Families can be completely removed from the Family Court system that the legal process and court proceedings should be revised to facilitate self representation.		
12	Would you support a default position that women must provide fathers access to their children and not be allowed to move them outside the immediate geographic area with non compliance to result in loss of support.		

	<b>Do You Believe it's in the Family and Children's best interest:</b>	<b>YES</b>	<b>NO</b>
1	That Family Courts discriminate against the father by taking away his the right to be an equal parent without cause after divorce.		
2	That Family Courts allow "a women" to remove children geographically from their home, father and siblings without cause after divorce.		
3	That the Law (Child Support Guidelines) and Family Courts do not recognize custodial children of the father when the mother does not work.		
4	That families and women in distress do not get the support they need because the Family Courts and FRO deal with a one size fits all approach, i.e. enforcement whether needed or not.		
5	Costs related to divorce have been shown to be the number 1 reason for child poverty and personal bankruptcy		
6	That family and tax payer dollars are going to lawyers, judges and court related costs of the divorce industry when they could be going to help children and families in poverty.		
7	That there is absolutely no accountability for how child support payments are used.		
8	That discrimination by the court sabotages mediation and out of court settlements by providing the women an incentive to take court action.		
9	That judges avoid or ignore the negative impact of the father's absence in children's nurturing.		
10	That Family Courts order support for custodial children of the women over the age of majority but not for custodial children of the father or children in non-divorce families.		
11	That although law says both parents are responsible for the financial well being of their children, judges will not reflect this in their orders.		
12	To get an FRO statement of account men have to pay \$25. For women it's free.		
13	That women can simply not co-operate with the child's father to obtain custody of children.		
14	Every time support payer of spousal support gets an increase, spousal support is also increased.		
15	Courts will order support to be paid on E.I. payments which then are required to be paid back.		
16	Laws are so inadequate and vague that almost all issues require court actions.		
17	That Courts don't interpret laws, they make their own. It then becomes case law and replicates like a bad virus.		

18	That Provincial agencies enforce support payment orders for the women but not access orders for the fathers.		
19	That to change a support order requires (when someone loses a job for example) a minimum of 3 court visits and 6 months of legal action.		
20	That the court process to change a court order takes a minimum of 6 months yet the Family Responsibility office begins enforcement action within 2 months.		
21	That amount payable for spousal support does not take into account child support payments. These stand alone as do special expenses and forces and outrageous support judgements forcing many payors into bankruptcy.		
22	That after an unspecified time a women can simply walk away from the marriage, refuse to work and Family Court judges will retire them for life.		
23	That the self serving legal process is purposely made so complicated and convoluted that self representation is nearly impossible.		
24	That the new Spousal Support Guidelines do not address support entitlement, have a large variation, are not binding by law and do not take into account Child Support payments.		
25	Given that the results of the Support Guidelines computer program is used ballpark spousal support payments, its is unnecessarily complicated and available to legal professions only.		
26	That Family Laws are so vague and incomplete that Judges are able to make their own laws to avoid discrimination being written into law.		
27	That the legal process dictates costly and demeaning involvement of the FRO in all cases even if enforcement is not required.		
28	That lawyers and judges \are rewarded by inefficiency and time spent rather than results obtained.		
29	There is not single political body that has all members of the the family as a primeship in their mandate.		
30	That the Family Responsibility Office is under jurisdiction of the Minister for Community Services and Women's issues yet courts are under the Justice Ministry.		
31	That fathers are capable to have children as financial dependants but they are not capable of being an equal parents.		

Please add your name and position....Thank You