

ATTN: NEWS EDITOR

FOR IMMEDIATE RELEASE:

## **Ontario's Family Responsibility Office dropped the ball in collecting delinquent child support**

**TORONTO, Ontario** (August 9, 2006) – In his most recent report titled, “Its All in the Name,” Ontario’s Ombudsman André Marin found that the Ontario Family Responsibility Office needs to accept greater responsibility for ensuring that the rights of Ontario’s Families are protected in the enforcement of support orders.

The Ombudsman found in his investigation, that the enforcement office failed to warn a father who was owed child support arrears that a Writ of Seizure and Sale it had registered against the property of the delinquent support payor, his former wife, was useless because it was in the wrong name.

“The Family Responsibility Office dropped the ball” Mr. Marin commented. “Its practices have cost the complainant at least \$2422.00 – money which should have gone to feed and clothe his son. He should be compensated for his loss and systems should be put in place to prevent this from happening again.

“Sadly this case reflects the very malaise which is all too prevalent among government bureaucrats. Administrators have taken a wooden view of their rules and obligations and forgotten that they are dealing with real people.”

The Ombudsman noted that the Family Responsibility Office could not rely on the defense that it had followed its own internal policies and procedures, when it allowed the worthless enforcement Writ to be filed and did not warn the support recipient that they would need to get a new court order so that a new Writ could be filed, if they wanted to be able to collect on the back support owed.

“The Family Responsibility Office was content just to sit back and lead the support recipient on. It neglected its fiduciary responsibility and displayed a cavalier attitude towards an individual it was duty-bound to serve,” remarked Mr. Marin. “It is no answer to the complaint that ineffective policies and procedures were followed.”

The Ombudsman rejected the Family Responsibility Office’s argument that it was a “neutral” agency, which had no obligation to advise support recipients that enforcement Writs may be useless to collect money owed in arrears if the support payor has changed their name.

“One does not have to be rehearsed in the law of government fiduciary obligations to know that this kind of attitude and behaviour is malodorous.” Mr. Marin commented, “Those charged with the enforcement of support orders must accept that they have a duty to act in the best interest of those who the support was intended for.

“It is evident to me that a cultural change is required in the way the Family Responsibility Office views its role. Its passive “hands off” approach must be replaced by a proactive, common sense, and good faith attitude towards support recipients.”

The Ombudsman’s report contains five recommendations including that the Family Responsibility Office change its policy and procedures to inform recipients about the use of Writs of Seizure and Sale where support payors may have changed their name or use different names and that legislative changes be made to ensure more effective enforcement of support obligations.

This press release is available in French

- 30 -

*The Ombudsman is an officer of the Legislature and is independent of both the political process and government administration. Generally an office of last resort, the Ombudsman investigates and resolves complaints about provincial governmental organizations and recommends corrective action. Services are free and confidential. Other languages can be arranged. For further information, call 416-586-3300, TTY 1-866-411-4211 or visit our website: [www.ombudsman.on.ca](http://www.ombudsman.on.ca)*

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