

Shelter allowance policy leaves children in foster care longer: ombudsperson complaint

May 12, 2010 – Pivot Legal Society (Pivot) and West Coast Women’s Legal Education and Action Fund (West Coast LEAF) are calling on the Ombudsperson of British Columbia to investigate shelter allowance reductions for families with children in temporary foster care. The policy unfairly impacts economically disadvantaged families, and women in particular.

Current Ministry of Housing and Social Development (MHSD) policy reduces a parent's monthly shelter allowance when their children are in the temporary care of the Ministry of Children and Family Development (MCFD). This means that a parent may lose their housing, leaving them homeless or in accommodation that may not be a suitable for the return of their children from care.

Both of these systems impact the lives of marginalized and vulnerable people disproportionately. There is a significant overlap between child apprehension and poverty for families in BC. A 2006 review showed that almost half of child apprehension cases involved families on income assistance.

“When a child is placed in temporary care, social workers are actively working with the parent to reunite the family, yet the reduction of shelter allowance is an obstacle to family reunification,” says Lobat Sadrehashemi, legal coordinator of the Child Apprehension and Mothers in Poverty project at Pivot. “Decisions about shelter allowance for parents of a child in care must consider whether the child is in temporary or permanent care, and facilitate that child’s eventual return to the family.”

Repeated requests to amend the policy have been ignored. “Reduction of shelter allowance for parents with children in temporary care breaches the *Charter* and is inconsistent with domestic and international human rights law,” says Kasari Govender, West Coast LEAF Legal Director. “It is our position that the shelter allowance policy is unjust and contrary to the rule of law.”

Pivot and West Coast LEAF are bringing this systemic complaint on behalf of a number of community groups across the province that work with parents who both receive income assistance and have involvement with the child welfare system.

Pivot's mandate is to take a strategic approach to social change, using the law to address the root causes that undermine the quality of life of those most on the margins.

West Coast LEAF’s mission is to achieve equality by changing historic patterns of systemic discrimination against women through BC-based equality rights litigation, law reform and public legal education.

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The following organizations are participating in this complaint:

Atira Women's Resource Society
Battered Women Support Services
BC Society of Transition Houses
Downtown Eastside Women's Centre
Ending Violence Association
The Kettle Friendship Society