

City of Mississauga
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www.mississauga.ca



HS-D 2-1

Leading today for tomorrow

May 17, 2011

Carol Reid, Regional Clerk
Region of Peel
10 Peel Centre Drive
Brampton, ON L6T 4B9

Dear Ms. Reid:

Re: Bill 22, Children's Law Reform Act

At its meeting on May 11, 2011, Mississauga Council received a deputation from Mr. Arthur Esdaile and passed the attached Resolution 0138-2011 in support of the above-noted matter. The Resolution also referred the matter to the Council of the Region of Peel for support.

Accordingly, please find enclosed herewith Mississauga Council Resolution 0138-2011 and Mr. Esdaile's letter.

By copy of this letter to Mr. Esdaile, if you wish to request a deputation to Regional Council, you may contact the Regional Clerk's Office at 905-791-7800 to make arrangements.

Yours truly,

Jessica Reid
Legislative Coordinator
Legislative Services Division
Phone: 905-615-3200 Ext. 5423
E-Mail: Jessica.Reid@mississauga.ca

Encl.

c.c. Arthur Esdaile, 1116 Trafalgar St., London, ON N5Z 1G8

LEGISLATIVE SERVICES	
COPY TO:	FOR:
Chair	<input checked="" type="checkbox"/> Committee
CAO	<input checked="" type="checkbox"/>
Corporate Services	Council
Public Works	
Employee and Business Services	June 9/11 R.C.
Health Services	File
Human Services	<input checked="" type="checkbox"/>
Peel Living	

REFERRAL TO _____
RECOMMENDED _____
DIRECTION REQUIRED _____
RECEIPT RECOMMENDED

RECEIVED

MAY 19 2011

REGION OF PEEL
CLERKS DEPT.

HS-D2-2



RESOLUTION 0138-2011
adopted by the Council of
The Corporation of the City of Mississauga
at its meeting on May 11, 2011

0138-2011 Moved by: Katie Mahoney

Seconded by: Sue McFadden

That the Council of the Corporation of the City of Mississauga supports Bill 22, a private members bill by MPP Kim Craiton which amends the Children's Law Reform Act by emphasizing the importance of children's relationships with their parents and grandparents and that the letter and Council endorsement from Arthur Esdaile be referred to the Region of Peel.

Carried

HS-D 2-3

Crystal Greer
City Clerk
Mississauga, Ont.

London, Ont.
April 4, 2011

Dear Ms. Greer:

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 Mississauga 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 grandchildren. 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.

HS-D.2-4

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 six cities and seven towns, including Niagara Falls and Niagara on the Lake.

Unquestionably, The City of Mississauga 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
1116 Trafalgar St.,
London, Ont.
N5Z-1G8
Phone (519)-455-2723
Cell (519)-857-9058
Navigator58@bell.net

Grandparents rally for child access rights

Sunday vigil to draw hundreds

SARAH SACHELL
The Windsor Star

Dr. Robert Drake and his wife, Susan, miss their granddaughter terribly.
The 16-year-old girl lived

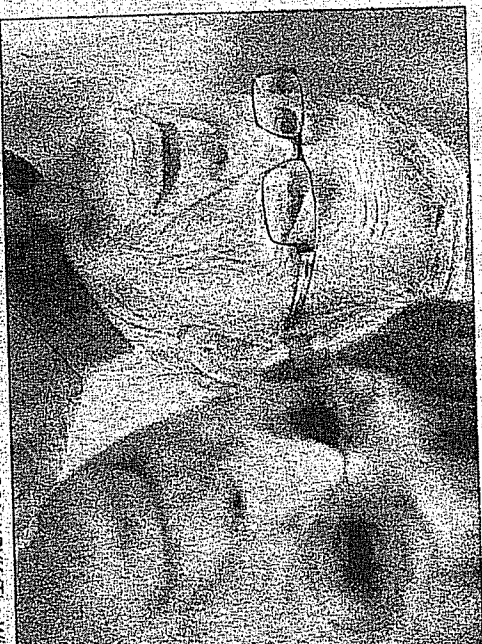
with them for three months earlier this year when neither of her divorced parents wanted her. The courts held a hearing which resulted in the girl being placed in a group home in Dundas, Ont. The Drakes were barred from the courtroom because as grandparents, they had no legal standing.

"It's as if grandparents don't even exist," said Robert Drake

of how the law treats child custody cases.

The Drakes plan to attend an event at City Hall Square Sunday to raise awareness of the lack of grandparents' rights. Called "Grandparents Missing Grandchildren," the candlelight vigil is expected to draw hundreds.

See VICIL, A4



JASON KRYK/The Win
Dr. Robert Drake and his wife Susan plan to attend Sunday candlelight vigil in support of Bill 22, proposed legislative would give grandparents rights in child custody dispute

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DOLLAR DEALINGS For normal transactions quoted Thursday by Windsor banks. Buying U.S. cash for 0.9988 and selling for 1.0235. Buying U.S. cheques for 0.9981 and selling at 1.0237.



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.