

ORAL QUESTION—JULIE GREEN, MLA YELLOWKNIFE CENTRE

QUESTION 617-18(2): MAINTENANCE ENFORCEMENT PAYMENTS

February 21, 2017

MS. GREEN: Mahsi, Mr. Speaker. Mr. Speaker, my questions are for the Minister of Justice regarding maintenance enforcement. As I pointed out in my statement, the thinly resourced maintenance enforcement office must now go sleuthing around to find deadbeat and sometimes abusive spouses, often relying on tips from the very women who need to stay away for their own safety. Yet, as soon as a new hire is made, a flare goes up for the tax office.

I refuse to believe that this information can't be passed on to the maintenance enforcement office. Will the Minister commit to assign staff from his department to work with Finance and plug this loophole? Thank you.

MR. SPEAKER: Masi. Minister of Justice.

HON. LOUIS SEBERT: The maintenance enforcement office, of course, was set up many years ago so that parents did not have to deal directly with those who owed money under orders that were filed with the office. Of course, there are many things the office can do: they can garnishee wages; they can seize property; and they can attach and sell assets. The Member opposite has raised an interesting issue which I am prepared to look into as to whether there are constitutional or Charter bars to obtaining the information she spoke of upon the person, or a possible creditor becoming employed. Thank you.

MS. GREEN: I thank the Minister for his commitment to look into this area and figure out how we can plug this loophole. It is one that benefits some of the most disadvantaged people in our territory, who are single mothers.

Another shortcoming I pointed out was the difficulty in collecting payments from the self-employed. I will remind the Minister that maintenance payments we collect very often lift the cost of social assistance off the public purse. It is worth making an effort here, Mr. Speaker. Will the Minister commit to having his maintenance enforcement people sit down with the tax department experts and make a report to standing committee on possible improvements?

HON. LOUIS SEBERT: Naturally, Mr. Speaker, we are always interested in improving the system; however, sometimes there are loopholes that cannot be plugged as the result of Charter or other privacy concerns.

MS. GREEN: We are talking about people who are self-employed, so I do not see how the Charter concerns relate there. I would ask the Minister, when he is looking at how to plug the loophole of finding out who is employed, that he include the people who are self-employed.

Another sort of antiquated portion of this problem is that remittances are forwarded by

cheque in the mail; two things which will disappear in our lifetime, Mr. Speaker. We need to tighten up the time frames and methods on these payments. I am told that a change in regulations would make that happen. Will the Minister commit to looking at how to speed up payment?

HON. LOUIS SEBERT: Yes, without a doubt, it is difficult often to make collections of any kind from the self-employed because they are obviously working for themselves. For that reason, it is difficult often to obtain the kind of information the enforcement office needs to make collection of arrears. With respect to the other matter, clearly we should look into a faster method of getting payment to the creditors.

MR. SPEAKER: Masi. Oral questions. Member for Yellowknife Centre.

MS. GREEN: Mahsi, Mr. Speaker. Mr. Speaker, I hope that I can take that as a commitment that the Minister will look into making the payments faster.

Finally, Mr. Speaker, we recently heard a report of a local woman being shortchanged on an NWT court-ordered support payment because a BC court lowered the amount of money payable under the order. Now, NWT payment levels are set with an eye, of course, to the cost of living here, so a payee's income goes down in BC. It seems to me that it is wrong that a court there should lower the amount owed under an NWT judgment. My question is: will the Minister commit to consulting with his BC Justice Minister colleague to eliminate this provision in their law? Thank you.

HON. LOUIS SEBERT: Mr. Speaker, payments under court orders are always subject to recalculation. In fact, we are attempting to develop a child support recalculation service that will avoid the necessity of going back to court in every case. Courts, however, always have the right to make changes to payments, and really, that is within their jurisdiction and responsibility. I do not think I could have any influence over that, particularly the courts of British Columbia.