



BRITISH COLUMBIA LAW INSTITUTE

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Media Release

Publication of Report on the Parental Support Obligation in Section 90 of the Family Relations Act

VANCOUVER, 14 March 2007—The British Columbia Law Institute (BCLI) has today published a report recommending the repeal of British Columbia’s eighty-five-year-old parental support law.

Most British Columbians would be surprised to learn that adult children owe a legal obligation to support their parents, which is distinct from their moral obligations. If a parent is in need due to age, infirmity, disease, or economic circumstances, then the parent may sue the child and obtain a court order for the payment of monetary support.

“Section 90 is an outdated provision that does not fit well with contemporary society,” said BCLI Chair Ann McLean.

British Columbia’s parental support law was introduced in the aftermath of World War I. It was intended to reduce the burden on government to provide social assistance to the poor. But it was rarely used for this purpose, even during the Great Depression. Subsequent amendments to the law have made it almost impossible for the government to use it in any systematic way to reduce the cost of social assistance.

Today, when the parental support law is used at all, it seems to arise mainly as a collateral issue in the course of a larger family dispute. It does little to provide practical solutions to the problem of poverty among older adults and instead largely serves to frustrate those older adults, their families, and the courts.

The report was made possible by funding from the Ministry of Attorney General and was carried out as part of the Ministry’s review of the *Family Relations Act*.

A backgrounder on this project and the full text of the report are available on the BCLI website.

The British Columbia Law Institute is a nonprofit society dedicated to law reform. It is the successor to the Law Reform Commission of British Columbia and has been in operation since 1997.

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