

PRESS RELEASE

After decades of waiting, women's rights groups celebrate changes to the Divorce Act

Ottawa, June 19, 2019—After decades of advocacy by women's rights groups pressing for much needed changes to the Divorce Act, including by a coalition led by the National Association for Women and the Law (NAWL) and Luke's Place, and the efforts of many feminists who engaged on Bill C-78; *An Act to amend the Divorce Act, the Family Orders and Agreements Enforcement Assistance Act and the Garnishment, Attachment and Pension Diversion Act and to make consequential amendments to another Act*, the Divorce Act will now better respond to the realities of women and children facing family violence, and reflect the diversity of families in Canada.

Suki Beavers, Director of NAWL, stated:

“While not perfect, Bill C-78 introduces some critical changes to help better advance the rights of women and children in Canada. It represents a huge victory that now, when parents divorce and decisions must be made about custody and access, which as part of these changes designed to modernize the Divorce Act, will be referred to as parenting arrangements, there is no presumption of equal shared parenting. This is because every decision must be made based on what is in the best interests of each individual child. In addition, all forms of family violence must be taken into account in in divorce proceedings.”

Pam Cross, Legal Director at Luke's Place, added:

“While these amendments to the Divorce Act represent a historic step forward for women and families across the country, changes to the law must be accompanied by the development and implementation of approved family violence screening tools, and education and training for judges, mediators and lawyers to ensure that family violence is fully taken into consideration at every stage of divorce proceedings.”

NAWL and Luke's Place congratulate the Government, all political parties, and the Senate for their cooperation in ensuring that the many positive changes introduced in Bill C-78 became law, and call for the full participation of feminist organizations, activists and service delivery groups in the development of guidelines and tools, including a mandatory family violence screening tool, and the systematic monitoring and evaluation of the implementation of C-78.

The [National Association of Women and the Law](#) (NAWL) has been advancing feminist law reform in Canada since 1974. [Luke's Place](#) is a centre for change devoted solely to improving the safety and experience of abused women and their children as they proceed through the family law process. For the joint NAWL & Luke's Place Brief on Bill C-78 which was endorsed by 31 organizations, click [here](#). For the NAWL & Luke's Place joint discussion paper on Bill C-78, click [here](#).

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