
THE RISE AND FALL OF WELFARE TIME LIMITS IN BRITISH COLUMBIA

BY BRUCE WALLACE & TIM RICHARDS | JUNE 2008

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EXECUTIVE SUMMARY

When the newly elected Liberal government of British Columbia announced in 2001 that it was developing policies to impose time limits to welfare, they were announcing changes that were unprecedented in Canada. In September of 2002, these changes became law and beginning in April 2004 certain classes of recipients would have their monthly benefits reduced or eliminated if they remained on income assistance for more than 24 months in a 60 month period. This legislation was the first of its kind in Canadian history and was part of a wider program of punitive welfare reforms aimed at reducing the welfare budget and welfare caseloads by thirty percent.

Welfare time limits are considered the most dramatic of measures introduced in the name of welfare reform. Welfare time limits had been a key element of the welfare reforms in the United States in the mid-1990s, but as documented in *A Bad Time to be Poor*¹, in the US time-limited welfare was accompanied by significant spending on supporting recipients to become self supporting through employment. No comparable support accompanied time-limited welfare in BC. The changes implemented by the BC government were referred to as a “social experiment”, an experiment with unknown results on the people directly affected and also potentially broad implications for welfare systems in the rest of the country. However, before the time limits could take effect in BC, the provincial government announced legislative amendments that effectively ended their experiment.

This report documents the dynamics of the opposition to time-limited welfare which led the government to capitulate on this element of its welfare reforms. In addition to the public record, it draws extensively on over 1,000 pages of internal government materials obtained through a Freedom of Information request.

It presents an analysis of the public and internal government records and shows that the opposition to time-limited welfare involved resistance both from the public and also from within the Ministry of Employment and Income Assistance. The policy was initially opposed during its creation and prior to its enactment in legislation by individuals and groups who were active in anti-poverty efforts. After its implementation, the first effective opposition to time limits arose within the Ministry itself. Internal government documents reveal two motivations for this opposition. On the one hand, staff responsible for administering income assistance concluded that time limits would apply to recipients who could not be expected to find or maintain employment. They would deny benefits to those who should receive them. On the other hand, staff also identified that imposing time limits on these recipients could lead to potentially significant public opposition and that therefore it was in the government political interest to create exemptions to time limits. In early 2003, internal government correspondence indicates that in response to government staff concerns, welfare legislation was amended to exempt numerous classes of recipients. This internal opposition did not oppose welfare time limits in principle, but rather only in relation to classes of recipients that in the government’s view merited exemption from its application.

By the summer and fall of 2003, time limits to welfare had become a concern to the general public. This was prompted by the work of front line community organizations, anti-poverty activists, and faith communities, and supported by the research and information generated by social policy researchers. While this community effort to oppose welfare time limits was at best loosely organized and coordinated, it was highly effective in mobilizing broader concern. This concern found expression in resolutions against time limits from numerous city councils, school boards, and faith communities. The nature of this concern was diverse, varying from

those whose primary concern was the well-being of individuals who would lose their benefits, to those whose concern was the social harm that would result to communities from a significant increase in people with no source of income.

Politically, the government promotion and defence of welfare time limits faltered over the question of the number of individuals who would likely be affected. The government lost credibility due to its steadfast refusal to respond to questions from the media, municipal councils, opposition critics in the Legislature, and community concerning the number of individuals who would lose their welfare benefits and would therefore be at risk of becoming homeless and in need of food and other necessities. Rather than revoke time limits for humanitarian reasons, the provincial government ultimately did so as the perceived political cost outweighed the perceived political benefits.

In retrospect, the failure of the implementation of time-limited welfare did not significantly shift the Liberal government's punitive welfare reform agenda. The government's target of a thirty percent reduction in the welfare budget and caseloads was achieved through other elements of welfare reform, particularly the new rule that required two years of financial independence in order to be eligible for welfare, and a new required wait of three weeks before a person could apply for benefits. In this sense, the resistance to welfare time-limits was only a limited and partial victory. However, it is profoundly important that the welfare time limits policy failed. It is important for the individuals who faced homelessness and hunger as a consequence of welfare time limits, important as an affirmation of basic societal values, and important to demonstrate to other provincial governments that time-limited welfare is not politically viable. We hope that the results of this "social experiment" in BC will help ensure that other provinces do not attempt to adopt similarly destructive policies.

THE FALL OF WELFARE TIME LIMITS: A NOTE ON TERMINOLOGY

Welfare time limits continue as part of the law of BC under section 27 of the Employment and Assistance Regulation. The position of this paper is that these time limits have "fallen" for the following two reasons. First, the various amendments to the time limits legislation have drastically reduced the number of recipients affected. This is evident in the following. Prior to the 25th exemption, in January of 2003 the Ministry estimated that time limits would affect 19,000 cases in March of 2004 alone. This estimate declined to 7,900 by the summer of 2003, after amendments to the legislation that created exemptions. In January of 2004, the Ministry estimated that time limits would affect a total of 6,777 recipients in all of 2004 and 2005. After the creation of the 25th exemption, the estimate for this number fell to 339 in 2004 and 2005. In fact, the Ministry disentitled 31 recipients in this time period due to time limits. The reduction of recipients affected by time limits from 19,000 in March of 2004 to 31 in all of 2004 and 2005 due to successive exemptions indicates that this policy was essentially abandoned as an element of welfare reform. Although of great importance to these individuals, time limits were rendered a marginal element of the welfare program.

The second reason that time limits have "fallen" is that the 25th exemption restricted ineligibility due to time limits to recipients who would already be ineligible under existing rules. Specifically, recipients who comply with their employment plans are exempted from time limits. Ineligibility due to failing to comply with an employment plan is a rule that predates the election of the BC Liberal government. Nevertheless, it is significant that time limits impose a new penalty which is that the sanction is now ineligibility for the remainder of the five year period.

INTRODUCTION

This paper presents an analysis of the BC Liberal government's failure to impose time limits on recipients of income assistance as a requirement for eligibility to receive welfare. In 2002, the provincial government enacted legislation under which certain classes of recipients would have their monthly benefits reduced or eliminated if they remained on income assistance for more than 24 months in a 60 month period. This was one amongst numerous punitive welfare reforms, but was noteworthy for being the first such eligibility requirement in Canadian history. While other welfare reforms would ultimately have more devastating consequences for larger numbers of applicants and recipients, the welfare time-limits reform best symbolized the direction in which the government intended to reshape the welfare system. This new eligibility requirement was also noteworthy for the unprecedented opposition which developed against it, opposition that extended into mainstream civil society and well beyond groups traditionally opposed to punitive changes to the welfare system. Ultimately, the government was unable to salvage the welfare time-limits policy, and on February 6, 2004 it capitulated by effectively eliminating time limits through legislative amendment.

This result is noteworthy. Historically, opposition to punitive welfare policies has not been successful. In BC, since the mid-1990s when the percentage of people on income assistance approached ten percent of the population, successive governments have legislated cuts to welfare benefits and restrictive eligibility rules to reduce the numbers of people receiving welfare. Though the impacts have been harsh, none of these previous welfare reforms generated significant public opposition. Time-limited welfare was different, and it is important to understand why.

In analyzing the failure of welfare time limits, this paper addresses two interrelated questions. First, why was the government unable to impose time limits to income assistance, and second, what can be learned from the process through which this policy failed?

Through answering these questions, this paper seeks to achieve several goals. One is to document the first attempt in Canadian history by a government to impose welfare time limits. To do this the authors have drawn extensively on over a thousand pages of internal government material acquired through a Freedom of Information request, as well as reference to public documents and media reports. These materials enable and analysis of the complexities underlying the failure of this policy, by examining the opposition to the policy both within the welfare ministry and within civil society. The practical relevance of this is that a better understanding of the forces within government that ameliorated aspects of the time limit policy and of the nature of the collaboration amongst individuals and groups opposed to time-limited income assistance will help social justice activists develop future campaigns against harsh public policies.

This paper is presented in three sections. The first section briefly outlines the methods used in the research. The second section presents the chronology of the social and political dynamics of the rise and fall of welfare time limits in BC, outlining the Ministry's internal discussion and analysis, the government's public positions, and the public debate that arose and evolved in response. The third portion provides a retrospective analysis that seeks to understand the dynamics of the rise and fall of time limits in BC, the characteristics of the campaign that contributed to its success, and the lessons that can be learned for those who engage in future activism.

The reader is cautioned that the chronology and analysis in this paper has limitations. The dynamics of the process regarding time limits both within the Ministry and amongst the public were very complex. Further,

we are working with partial information, as the Freedom of Information materials we received were heavily censored by the provincial government. Therefore the conclusions of this paper are offered with the intention that they be compared with the experiences and knowledge of others involved in opposition to the time-limited welfare. We hope that this will contribute to developing more sophisticated and effective skills in advocacy for change towards social justice.

THE CONTEXT FOR WELFARE TIME LIMITS: WELFARE CHANGES IN BC, 2001-2004

Welfare time limits were introduced by the newly elected Liberal government as part of a broader redefinition of income assistance. The sweeping changes to welfare implemented from 2001-2004, discussed at length in *A Bad Time to be Poor*,² included:

- cuts to welfare rates and to benefits available to people living on welfare;
- multiple measures to restrict eligibility for welfare, including a three-week waiting period for adults applying for welfare, a requirement that adults over age 19 be able to demonstrate two consecutive years financial “independence” before applying for welfare, reduced eligibility for single parents of young children, redefinition of eligibility criteria for disability benefits and changes to the application procedure, elimination of hardship assistance for refugee claimants, and elimination of welfare for most post-secondary students;
- elimination of earnings exemptions and the child support exemption;
- substantial reduction in Ministry staffing, with resulting closure of Ministry offices and access to services only through telephone or computer; and
- changes to the welfare appeals process and the elimination of legal aid for advice or representation on poverty law.

Welfare time limits were introduced as part of an overall policy of disentanglement, based on the belief that welfare is not a basic support that should be available to anyone in need but rather is a temporary benefit accorded only to people who prove that they are worthy of assistance. The government’s objective through these reforms was to cut the welfare budget by 30% (581 million dollars) within three years. While these targets were achieved, the Ministry failed to demonstrate that the dramatic caseload reduction resulted in improved self sufficiency or employment, that individuals were better off without the help of the Ministry, or that the declining caseload was due to success in re-entering the workforce.

Research by the authors and colleagues in 2006 demonstrated that caseload decline in BC had been largely a result of restricting entry and not increasing ‘exits’ of people who were receiving welfare.³ In hindsight, it is clear that the two year independence requirement and the three week wait have led to far greater caseload reductions than time limits to welfare. In fact, before the time limits would take effect in BC in April of 2004, the cost-cutting and caseload reduction targets would already be surpassed as “far more people are denied assistance, than cut off.”⁴ Welfare restructuring led people in need of help being systematically denied, discouraged, and delayed in receiving income assistance.⁵ However, the potential remains for welfare time limits to cause harm to the most vulnerable people in BC, and also to be adopted as a model in other jurisdictions. For this reason we believe that it is important to chronicle the evolution of the attempt to implement welfare time limits, and the community resistance to the initiative.

METHODS

Research for this project combines the publicly available record of events related to the rise and fall of welfare time limits in BC with government documents accessed through the Freedom on Information (FOI) process. FOI requests are a research strategy for accessing information from public bodies. They utilize freedom of information legislation, whose purpose is to provide public accountability and transparency for government decision making.

The FOI process in this research was an arduous two year ordeal characterized by the government denying the existence of the records requested, needlessly requiring requests to be reworded in special language, withholding information, and other tactics to avoid release of information.

VIPIRG's initial FOI request was submitted shortly after the Ministry's announcement of the 25th exemption to the welfare time limits legislation in February 2004. It requested records relating to the Ministry's decision to create the 25th exemption and specifically how the Ministry calculated the number of recipients who would be cut off their benefits due to time limits. The Ministry's initial response to the FOI request was that there was no such "report" generated for the Minister and the FOI request was transferred to the Ministry of Finance and to the Office of the Premier. After several months, the Ministry's response to the FOI request was a single page. It was indecipherable and required explanation. The authors' subsequent request for clarification spawned a new and separate FOI request.

In July 2004 VIPIRG initiated a complaint process with the Office of the Information and Privacy Commissioner, questioning the completeness of the response and the adequacy of the search for records conducted by the welfare Ministry. We stated, "It is untenable that a policy decision of this social and political significance was made without records providing background to the issue". On June 9, 2005 the Commissioner released the results of the investigation and found that VIPIRG's complaint against the Ministry was substantiated and that the Ministry had repeatedly breached its duty under the *BC Freedom of Information and Protection of Privacy Act*. The Commissioner wrote:

"I find that the search conducted by the Ministry for records responsive to VIPIRG's request dated February 26, 2004 was not adequate in the circumstances. Although the Ministry has provided what it views as an explanation, I do not find that this explanation rises to the level demonstrating that it made a reasonable effort to respond completely to VIPIRG's request. I find that the Ministry has therefore breached its duty under s. 6 of the Act. However, as the Ministry ultimately located additional records responsive to the request, there is no need at this stage to make a formal recommendation about how this matter should be resolved."

The Ministry agreed to release approximately 1,000 pages of records⁶, many heavily severed,⁷ and five pages of unsevered records from the Ministry of Finance. These were released to VIPIRG on January 5th, 2006, nearly two years after the initial request. It is these five unsevered pages that provide the information necessary to calculate the number of clients facing time limits in April 2004, and then the much smaller estimate two weeks later when the 25th exemption was announced (see Table I on page 28).

THE CHRONOLOGY: THE RISE AND FALL OF TIME-LIMITED WELFARE

PART I: THE RISE OF WELFARE TIME LIMITS — 2001-02

In 2001, the BC Liberals were elected promising a “New Era” for the province. Once elected, they promised to end what they described as the culture of welfare dependency. “We will find them jobs, we will get them training and, for the rest of their lives, they will be self-sufficient,” promised the Minister of Human Resources.⁸ As part of this program, on October 2001 the front-page headline of Victoria’s daily newspaper announced “*Welfare time limits expected in spring*”, quoting the Minister as saying “we are in the early stages of redefining welfare” and that a time limit on welfare payments to people who are capable of being employed would be implemented in the near future.⁹

In early 2002, the government translated its election slogans into spending priorities. On January 17, 2002, the provincial government announced a budget that required significant cuts to social spending in BC. The welfare Ministry was directed to achieve a reduction of \$581 million, a full 30 percent cut, over the course of three years. This was the greatest reduction of any ministry. In response, the Ministry established caseload reduction targets that corresponded to the drastic reduction in its projected budgets. In the Legislature in February 2002, Premier Gordon Campbell assigned the Ministry the key priority to “reduce total income assistance caseload” as part of the Government’s Strategic Plan.¹⁰ The Premier also established performance measures for the Ministry’s Deputy Minister (DM) in which the DM would receive bonus pay for reducing the number of welfare recipients by two percent as well as reducing the growth rate in disability assistance by two percent¹¹ — regardless of the need.

The specifics of time-limited welfare were delineated in the Ministry’s *Service Plan Summary*:

“Eligible employable singles and couples will receive assistance for a maximum of two years out of every five years. Eligible employable parents with dependent children will receive full income assistance for a maximum of two years out of every five years, after which their rates will be reduced by an average of 11 percent.”¹²

This would be achieved through replacing the *BC Benefits (Income Assistance) Act* with the *Employment and Assistance Act* and the *Employment and Assistance for Persons with Disabilities Act*.

In anticipation of public opposition to time limits, an internal briefing note¹³ prepared before the new welfare legislation was introduced discussed the likely opposition and the potential grounds for legal challenges. The note advised that “negative reaction may be expected from advocacy agencies, clients and not-for-profit social services agencies who provide emergency shelter, temporary accommodation and food for homeless individuals”, and that the “new Acts establish a number of provisions that may attract legal challenges”¹⁴ — specifically mentioning the welfare time limits. Of greatest concern to Ministry staff was the outstanding Supreme Court of Canada decision on the *Gosselin v. Quebec* case, which argued the state had a legal obligation to provide adequate assistance under welfare legislation. The briefing note explained how the planned legislation had been purposefully written to impose sanctions such as time limits while avoiding legal challenge, but warned that if the pending Supreme Court of Canada’s decision created a positive obligation on provinces to provide adequate assistance, the Ministry would be in a weaker position to defend its time limits sanction.

MINISTRY'S TIME LIMITS FACT SHEET APRIL 1, 2002

Fact Sheet BC Employment and Assistance Initiatives Effective April 1, 2002

Time Limits to Receipt of Income Assistance

Legislation will be introduced this session which would effect the following:

- Employable clients will be limited to a cumulative 24 months (two years) of income assistance out of every 60 months (five years). After April 1, 2002, each month that a client receives income assistance will count toward his/her 24-month limit.
- Months when employable clients are receiving income assistance and are expected to be actively looking for employment will count toward the time limit.
- Months will not count toward the time limit during periods when a client is classified in one of the following groups:
 - People with a level one disability (DB1)
 - Disability Benefits (DB2) recipients
 - People who are 65 years and older
 - Dependent children
 - Children in a home of a relative (CIHR)
 - Single parents with a child under three-years old, or caring for a disabled child
 - People who are temporarily excused from seeking work
 - Refugee claimants who have not yet been granted permission to take up permanent residence in Canada, i.e., "landed" status (time on income assistance will count for Convention Refugees who have permission to work in Canada)
- After receiving income assistance for a total of 24 months in a 60-month (five year) period, rates would be reduced as follows:
 - No eligibility for employable singles
 - No eligibility for employable couples, with both adults at the limit
 - \$300 per month for employable couples with one adult at the time limit
- For families with children rates will be reduced by:
 - \$100 per month for single parents
 - \$100 per month for two-parent families where one is at the time limit
 - \$200 per month where both parents are at the time limit

(Fact Sheet dated April 22, 2002)

As anticipated by the provincial government, the proposed welfare time limits were immediately controversial. Policy analysts from across the political spectrum agreed that this initiative was drastically different than other aspects of welfare restructuring, that this was unprecedented in Canada, and that the introduction of time limits in BC could have national implications. The Fraser Institute called welfare time limits “the most profound aspect of BC’s reforms”¹⁵ and “a watershed development in Canadian welfare reform”.¹⁶ The Canadian Centre for Policy Alternatives wrote that the time limit rule represented “a fundamental shift in Canadian social policy — the denial of welfare when in need as a basic human right”.¹⁷

Advocates and community groups working with people in need of assistance quickly registered their opposition and their predictions of harm. The planned changes to welfare legislation, and especially the unprecedented time limits, prompted challenging legal and ethical questions from anti-poverty advocates. University of British Columbia’s professor Graham Riches stated “Let there be no doubt that [the] welfare reform decisions violate international law and in certain respects the Charter of Rights and Freedoms. The Government actions require legal challenges”.¹⁸ In February 2002, a coalition of community agencies sent their concerns about the new welfare laws to the United Nations Committee on Economic and Social Cultural Rights; the media reported, “poverty-law experts have claimed that the Campbell government’s proposed welfare reforms could violate Canada’s Constitution”.¹⁹

The new legislation, the *Employment and Income Assistance Act*, was debated in the Provincial Legislature in April and received royal assent on May 30, 2002. However, welfare time limits did not have legal effect until they were implemented by regulation four months later on September 30, 2002. This regulation backdated the beginning of time-limited income assistance by six months to April 1, 2002. For an unknown number of individuals in receipt of welfare, their welfare time limit clock had started ticking.

University of Victoria’s Dr. Marge Reitsma-Street summed up community concerns about the legislative review process:

“In spite of the significant changes no witnesses were called, no hearings were held, and no research into the legislation’s impact was examined. The government permitted only a few hours of debate on the bills before approving them, despite requests of hundreds of people and groups who volunteered to appear before them.”²⁰

The public responses varied from condemnation to acclaim. In June 2002, at the BC Association of Social Workers’ Annual General Meeting, members voted to censure the welfare Minister (a trained social worker), expressing their loss in confidence in the Minister, asserting that the legislation violated the principles espoused in the provincial Social Work Code of Ethics, and suggesting the legislation would place social workers in the position of being asked to carry out unethical policies. In contrast, Vancouver’s Fraser Institute praised the government’s introduction of time limits in their report card on welfare reform, stating that the “Province leaps to the forefront of intelligent welfare reform and sets new standard for Canadian welfare” and that BC’s welfare reforms “catapulted it beyond any Canadian jurisdiction and into the realm of reform-minded US states”.²¹

On December 20, 2002, the Supreme Court of Canada announced its decision in *Gosselin v. Quebec*, ruling that the *Canadian Charter of Rights and Freedoms* guarantee to equal treatment did not encompass a distinct right to social welfare benefits.²² The government of BC was one of four provinces that, as interveners in the case, made legal arguments against there being any such right to provide for those in need.²³

PART II: THE EROSION OF TIME LIMITS FROM WITHIN THE MINISTRY — SPRING 2003

Time Limits and the Mandate of the Ministry

In the Spring of 2003, senior staff within the Ministry of Human Resources (later renamed the Ministry of Employment and Income Assistance) struggled to implement the politically-motivated legislation as Ministry practice. Concerns were raised by policy analysts that the current wording of the regulations would see time limits imposed in questionable situations, situations which were “contrary to the policy intent”. For example, in March 2003 the Social Policy Branch of the Ministry provided a list of clients who would face time limits sanctions but who were in fact not able to participate in employment-related activities, including those in job training programs, clients in hospitals, and adults caring for a Child In the Home of a Relative (CIHR).²⁴ In the same month, in a private briefing note²⁵ to the Deputy Minister, the Social Planning Branch of the Ministry warned of “undue hardship” for some clients under the current welfare time limits legislation, as individuals who reached the time limits and lost benefits would continue to be ineligible even if they experienced periods during which they were unemployable. In this briefing note, staff pointed out that the legislation had no provision for allowing the issuance of assistance to ineligible applicants who have no other resources. In particular:

“Clients who lose their eligibility for assistance due to time limits, and who subsequently become temporarily unemployable due to medical condition, pregnancy, separating from an abusive spouse, or entering a treatment or rehabilitation program will not be eligible for assistance. In families where all adults are unable to work and who have no other resources, the denial of income support would create undue hardship.... [T]he consequences of having people with medical problems being ineligible for assistance while they are recovering from medical issues, abuse, or have been accepted into hospitals, or treatment facilities is likely to result in negative public reaction.”²⁶

As stated in a Decision Note to the Deputy Minister, “A reduction [to families] appears to imply a double penalty — one for reaching the time limit, and another for being unable to work or achieve independence through employment.”²⁷ In this document Ministry staff also noted that the imposition of time limits could contribute to an individual’s inability to be employable and independent, and potentially precipitate health issues:

“...the inability to receive assistance, or to receive it at a reduced rate, may precipitate an NEO (No Employment Obligation) circumstance (i.e. severe depression, an addictions relapse, or pregnancy) that precludes the person’s ability to maintain or achieve employment.”²⁸

In response, the government began to backtrack on welfare time limits through legislating exemptions. The result was *BC Regulation 116/2003*, which took effect on April 1, 2003, and which exempted from time limits classes of welfare recipients such as noted above. Additionally, Ministry staff explored policy mechanisms such as hardship grants to ensure that assistance would remain available to welfare recipients who were unable to seek or maintain employment.

Although internal information and analysis had already indicated that welfare time limits were inconsistent with the Ministry’s mission and mandate, the Minister maintained its public message supporting welfare time limits. In March 2003 the BC government published an Opinion Editorial by Human Resources Minister Murray Coell stating that in the past “government policies led to a culture of entitlement: there was widespread expectation that welfare could be a lifestyle for employable people...we placed time limits on income assistance for employable people to discourage them from returning to welfare as a way of life.”²⁹

Time Limits and the Number of Recipients Facing Sanctions

In January 2003, the Ministry of Human Resources established a “Time Limits Project Group” to advise senior management on issues related to implementation of welfare time limits. In their first (internal) report³⁰, dated January 2003, the Time Limits Project Group noted that they did not yet know what the impacts of welfare time limits would be: “we require preliminary analysis to determine the potential Time Limits impact to clients, number of clients and their demographics.” Two weeks later staff provided the first estimate, stating that preliminary analysis indicated that “19,000 chronic cases may have 24 months accumulated by May 2004”.³¹ None of this information was made public, and further internal analysis was subsequently scheduled.

In the summer of 2003, internal documents revealed that the Minister of Human Resources was provided with estimates of the number of people facing time limits sanctions. According to an Information Note prepared for the Minister’s Briefing, “Time limits will begin to affect clients as of the March 26, 2004 cheque issue. Caseload projections indicate that 7,900 cases are likely to be impacted, either through ineligibility or reduction, in April 2004”.³² Ministry staff warned the Minister that of these 7,900 clients, as many as 60 percent could be characterized as difficult to employ, and advised that, “It will be important in applying time limits to try to ensure both that they apply to those who reasonably can be expected to work, and that they not unfairly impact children or others who are vulnerable”.³³

The disclosure and leaks of government information began in this time period, with a CBC Vancouver report on “heavily censored files” obtained under the *Freedom of Information Act* showing that “senior bureaucrats warned the Minister of Human Resources last year that BC’s welfare reforms could create hardship for some people”.³⁴

By the end of the summer (August 27, 2003), in a confidential note to Cabinet, the Minister appeared to request a significant change in the approach to welfare time limits. The Minister advised Cabinet that “advocates are already beginning to focus on time limits” and that “the decision on the Gosselin Charter challenge on welfare as an entitlement leaves room for further challenge and a challenge is pending in British Columbia in October”.³⁵ The Minister also presented Cabinet with the estimated total number of cases that might be impacted by April 2004: 1,321 families would face reductions to their benefits and 1,882 people would be completely cut off welfare.³⁶

PART III: A GROUNDSWELL OF PUBLIC OPPOSITION — SUMMER AND FALL 2003

Throughout the fall of 2003, diverse sectors of civil society began questioning the acceptability of welfare time limits. This was prompted in part by the work of anti-poverty individuals and organizations that had opposed time limits on principle prior to their enactment into law, but the opposition soon spread to “mainstream” portions of society who traditionally had not voiced concerns about poverty or welfare rights. The government’s failure to be forthcoming with information and its failure to justify the rationale for welfare time limits soon put the government on the defensive, setting the stage for the demise of time limits in the spring of the following year.

By October 2003, concerns about the pending time limits were mounting and critics were becoming more vocal and more diverse. The month began with the Canadian Centre for Policy Alternatives releasing the editorial “The ticking time bomb of BC’s welfare time limits,”³⁷ questioning the assurances from the Minister not to worry, and repeating the risks outlined by Ministry staff and released through an FOI on CBC Radio earlier in the summer.

Numerous groups and individuals launched public campaigns against the welfare time limits, including an online petition posted by the BC Government Employees’ Union to end welfare time limits and poverty advocates releasing plans for a legal challenge to the welfare time limits legislation. Lawyers from the BC Public Interest Advocacy Centre explained, “the cut-off rule violates rights protected in the *Canadian Charter of Rights and Freedoms* and sections 7 and 15 of our *Charter of Rights and Freedoms* guarantee security of the person and equality...cutting people off welfare will leave people without the means to meet basic needs. This is a threat to their physical and psychological security, and a denial of their dignity and equal worth as human beings.”³⁸

At a major speech to the Union of BC Municipalities, the Minister of Human Resources assured the crowd that “people are better off working than on welfare.”³⁹ However, more and more people were wondering what their municipalities would look like with an unknown number of people neither working nor receiving welfare.

On October 8th, 2003, in the provincial Legislature, the Opposition quoted an internal report they acquired through an FOI request that provided the estimated number of people affected by the welfare time limits, although the numbers were blanked out. The Minister’s refusal to provide an estimate of the number of recipients facing time limits undermined the government’s position that time limits are in the best interests of the public, instead lending support to the perception that the government was withholding information to manage an increasingly sensitive and damaging political issue.

Two days later, a leaked government memo resulted in the front page newspaper headline “28,000 could be caught in two-year welfare squeeze.”⁴⁰ The leaked document was dated October 9th, the day after the Minister stood in the Legislature refusing to provide an estimate of the number of clients affected. In it a chart showed that 14,337 individuals had accumulated over 13 months of welfare assistance and would face the cut-off as of April 2004, and that 14,703 people already had 7 to 12 months of assistance so would face sanctions in the near future. In the Legislature, the Minister of Human Resources retorted that the Opposition had completely misunderstood the report and that it was not a forecast of people who would be affected by the time limits but rather a simple picture of the entire caseload, including all of those who would be excused from the time limits by the 22 categories of exemptions. The Minister added, “I believe that by the time we get to April

[2004], those people who have been on income assistance for two years, who are employable, will have jobs, I am hoping that's the case." In response to the Opposition's earlier press release warning "Communities across BC should brace for an explosion in the number of homeless British Columbians... BC communities need to make preparations in advance of April 1, 2004, when over 27,000 British Columbians will be kicked off income assistance",⁴¹ The Minister shot back, "This is another example of the NDP using numbers that they know are wrong yet persist in putting before the public to cause confusion, fear, anxiety and stress among BC's most vulnerable".⁴²

A Confidential Issues Note of October 17th, 2003, prepared in response to the increasing outcry against welfare time limits, provided the Minister with his 'key message': "The number of people affected by time limits at any one time is a small percentage of the caseload."⁴³ But it appears that the public was not accepting this claim.

By November 2003, the efforts of grassroots organizing against the time limits started to yield results in the form of statements of public institutions. On November 4th Vancouver City Council passed a motion urging the provincial government to rescind the time limits law and resolving to write other municipalities encouraging them to pass similar motions. The meeting included four hours of speakers supporting the motion. Two weeks later the Vancouver School Board passed a resolution condemning the provincial welfare time limits policy, noting that "the provincial government has failed to provide accurate numbers on Vancouver citizens who will be impacted, but it is estimated that it could be in the thousands".⁴⁴ The passing of resolutions continued through the month, with the City of Victoria passing a motion on November 22nd, Smithers the same week and Saanich one week later. The BC Association of Social Workers passed a "Resolution to Repeal the Two-year Time Limit on Welfare Assistance in British Columbia" at their Annual General Meeting, while the Deans and Directors of the Canadian Schools of Social Workers passed a similar motion.

In response to the pressure, the Ministry implemented a referral of all inquiries directly to the Premier's office. In the Legislature the Opposition read an internal Ministry memo, which it referred to as a "gag order":

"Please do not provide any information to the public regarding the potential numbers of clients being cut off or the effect of time limits on caseloads...The reason for this, likely obvious, is this is a very hot news story, and we can't speculate on how the policy will affect people or the numbers. That's up to the public affairs branch".⁴⁵

In a press release the BC Government Employees Union summarized the situation as gagging their own Ministry staff to keep secret the number of people who would be cut off welfare as a result of the time limits.

On November 14th, 2003, in a Vancouver Province article, the Ministry tried to reinforce the message that their policies were working and resulting in far fewer people on welfare, enough to justify a smaller system. The "good news" message was overshadowed by the story's headline, "Welfare jobs axed, offices to be closed." The closure of welfare offices and laying off of Ministry staff again prompted media speculation that thousands of people may lose their benefits:

"Anti-poverty activists, the NDP opposition and others have been concerned about Liberal plans to kick thousands of people the government says are employable off welfare next spring in order to shrink the system. Coell has said he has no idea how many people will be affected, although he has asked a senior bureaucrat to try to come up with a figure by January. The NDP has suggested, based on leaked government documents that up to 29,000 people could lose their benefits".⁴⁶

A week later, the Vancouver Sun ran a column by Stephen Hume with the headline “What happens when more poor hit the streets?”

“[C]ome April, the province intends to put a lot more impoverished British Columbians on to the streets. That’s when people now receiving social assistance will have to rely on their own resources once time limits imposed by the province off-load them from the welfare rolls — a first for Canada. I say off loading because that is what the province is doing — transferring the social costs to municipalities while pretending it’s balancing the books.”⁴⁷

Without specific information from the Ministry, the public was left to speculate regarding how many people would be living with no incomes and how this would affect their municipalities. This speculation played into affluent people’s fear of living with people in dire poverty, and public opposition to the time limits increasingly framed it as a matter of self-interest.⁴⁸ While the affluent public may be willing to support harsh welfare laws, there seems to be less willingness to accept policies and outcomes that could negatively affect their own lives.

Throughout December, public opposition to the time limits continued to mount and diversify. The Social Planning and Research Council of BC (SPARC-BC) released a factsheet on welfare time limits which became an integral resource for concerned citizens less familiar with welfare rights. The factsheet capitalized on the fact that the provincial government “has not been forthcoming about the anticipated impact of the time limits policy...but communities urgently need as much information as possible to assist with their planning.” Meanwhile a vocal “Anti-Two Year Time Limit Coalition” was organized in Vancouver. Described in its pamphlet as a “coalition of anti-poverty groups, women’s groups, faith groups, unions and other concerned organizations and individuals”, the group called on people to come together for “leafletting, petitioning, advocating for people’s rights, organizing days of action, etc.”. In Victoria, the Anglican Diocese of Vancouver Island, representing 70 parishes, passed a resolution to write to every parish in the Diocese encouraging lobbying of the Minister and Premier to stop the welfare time limits.

With no credible response from the provincial government, the Fraser Institute stepped forward to attempt to counter the opposition. In an article titled “Staying the course on welfare time limits” they observed that “social advocacy groups have singled out the time limits policy as their main point of criticism. But their concerns have no foundation”.⁴⁹ The article implored the provincial government to disregard public opinion:

“Unfortunately, in BC there is an increasingly vocal objection to time limits, and the province’s government has thus far shown weak resolve on a number of its initiatives including spending cuts, tax relief, and privatization. It is important that they not cave in on time limits. With enough political will to limit exemptions and enforce this policy effectively, time limits can save a new generation of British Columbians from welfare dependency”.⁵⁰

Within the Ministry, staff responded not by staying the course on welfare time limits but rather by urgently preparing mitigation strategies. Staff prepared a detailed Discussion Note addressed to the Deputy Minister to “provide time limit extensions to singles and couples without children, who have been and continue to be, compliant with employment plans”.⁵¹ According to this internal document: “The first large stream of recipients will be impacted by time limits starting in April 2004. If no changes are made to Time Limits it is estimated that 1378 cases will be impacted (662 single recipients, 55 couples, 143 two-parent families with

children, 518 single parent families with children)⁵² Ministry staff repeated the warning that the current policy would result in people who are unable to work being ineligible for income assistance, and that, under the current policy, clients cut off welfare due to time limits while deemed “employable” could later face barriers to employment yet still remain ineligible for assistance for three years. Ministry staff also raised the risk of “constitutional challenges” and specifically noted that “legal fees associated with Charter challenges on the ministry’s time limits legislation could be very costly. Numerous advocacy groups have stated their intention to launch a charter challenge on time limits.”⁵³ Despite staff concerns about welfare time limits, the document noted that a possible negative consequence of mitigating the time limits would be that “the ministry may be perceived as reacting to interest groups and media pressure” and that “cost-savings will be significantly reduced.”⁵⁴

The year would end with one more challenge as Aboriginal leaders raised unique concerns about the impending time limits. An internal document dated December 31st, 2003 noted: “Aboriginal leaders have expressed concern that the two-year time limit, which will impact recipients as of April 2004, may lead to an influx of band members returning to reserves. The Sto:lo First Nation in the Upper Fraser Valley estimate that 60 percent of its members live off-reserve and up to half may receive income assistance. There is growing concern that an influx of natives returning to reservations will place tremendous pressures on resources including housing and existing programs.”⁵⁵

This issue was largely ignored by the media, but appears to have been of serious concern within government. According to a document prepared for a meeting between the Minister of Human Resources and the Attorney General, “because time limits do not apply on-reserve at this time, a person can move to a reserve in British Columbia and not be affected by the province’s two out of five-year time limit.”⁵⁶ The document noted that Indian and Northern Affairs Canada had confidentially advised the Ministry that they would be proposing alternative strategies to reduce client dependency to their Treasury Board in an effort to avoid the application of time limits federally. Specifically, they hired a contractor to document the impact of time limits and social conditions for clients on-reserve, and would be proposing pilots that would focus on alternative ways to move on-reserve welfare recipients off income assistance.

The Minister’s speaking notes⁵⁷ (obtained through the FOI) sought to calm the fears of Aboriginal leaders, stating the “the final number impacted by time limits in April 2004 is expected to be quite small” as a result of “successful employment planning and employment programs”. The Minister offered assurances that the Ministry “wants people to be employed, rather than lose eligibility due to time limits or return to reserves”. He attributes the fears of Aboriginal groups not to the welfare policy but rather “reports by the media and others [who] have greatly over-estimated the number of recipients who may reach their time limit. This may have fueled fears by native leaders that large numbers of band members may return to reserves”.

PART IV: GOVERNMENT CAPITULATION — SPRING 2004

The period from the start of 2004 until the effective end of time limits on February 6th, 2004 was a time of intense activity within both the Ministry and civil society. The FOI documents indicate that by this time the government had concluded it would have to amend welfare legislation to negate the effects of time limits. It faced the challenge of a very short timeline to achieve this, and the public relations problems of backtracking on a centerpiece of its welfare reform. Within civil society, the opposition to time limits intensified and unified, in part in response to the government's failure to clarify its plans.

Developments within the Ministry

On the first workday of the new year, the Minister of Human Resources made a significant shift in position. In a radio interview the Minister said he was “willing to take another look at sweeping changes to welfare guidelines that are set to start in April,”⁵⁸ stating that if a government committee examining the potential changes reported tens of thousands of people would be suddenly cut he would re-think the changes. However, he added he did not think that would be the case because of the 22 exemption categories already developed to exempt certain classes of welfare recipients.

The media continued to pressure the Minister of Human Resources to say how many recipients would face time limit sanctions. On January 4th, 2004 the Ministry's spokesperson promised to release, by the end of January, a statistical report that would provide “full disclosure of accurate information that will help people see what the whole picture looks like at the end of the month.”⁵⁹ In this interview, Minister Coell insisted that “60 to 70 per cent” of current welfare clients did not fall into the work category and so would be at no risk of being cut off welfare as of April 2004.

Less publicly, government staff scrambled to push back the time limits clock. An internal email emphasized the urgent need to amend the welfare legislation prior to April 1st, 2004 when the cutoffs would begin. Ministry staff were told: “The new message is we may be mitigating time limits but our focus is still employment for clients and we will emphasize this by strengthening EP [Employment Plan] sanctions.” A subsequent email from the Ministry to Attorney General staff explained “Currently the ministry is developing an RFL [Request for Legislation] to amend the Employment and Assistance Act in order to provide the ministry with regulation making power to suspend the consequences of time limits in specific circumstances”, provided a welfare recipient was compliant with their employment plan.⁶⁰

Ministry staff now faced two looming deadlines: to provide the public with the estimated number of people likely to be impacted by the end of January, and to make the necessary legislative changes to mitigate the number of clients affected before the April welfare cheque was released. A critical meeting was set for January 12th, 2004, where the Ministry would make its case to the provincial Treasury Board. The province would then have to agree to change the time limits by January 15th to meet the timeline to amend the legislation. At the same time, as a fallback position the Deputy Minister sought a legal opinion from the Attorney General's Legal Services Branch “regarding the possible impact of the Charter in relation to the provision for time-limited income assistance”.⁶¹

On January 15th, 2004 Ministry staff submitted their request for “Amendments to the Employment and Assistance Act” to the Ministry of Attorney General. This request, accessed through VIPIRG's FOI request, was heavily censored but it is noted that the request is a “significant policy change” that has “significant financial implications.”⁶² The request appears to be more than a request to add an additional (25th) exemption, as the

Ministry clearly noted they already have the authority to exempt categories of recipients from the welfare time limits. Rather, the request appears to seek an amendment to the Legislation to allow for the suspending of the consequences of reaching the time limit for some clients, to allow for case-by-case decisions. Without this authority, the Ministry explained, “This means that the consequences must be applied to every non-exempted family unit that reaches the limit”⁶³ The Ministry went on to describe the ineffectiveness and inappropriateness of current time limits legislation in accomplishing their policy intent. For example, a client receiving welfare could be non-compliant with their employment plan for 23 months, and then comply for one month to be exempt from the welfare time limits; conversely clients could become unable to work after reaching their time limit (e.g., due to pregnancy). The Ministry stated that they “do not wish to penalize family units that are making good faith efforts to find employment. Nor does it wish to exempt them from the time limit entirely”⁶⁴.

At 8:00 PM on January 15th a Ministry staff person emailed out a document entitled “Time Limits Fast Track Plan.”⁶⁵

As the mitigation strategies were unfolding, Ministry staff also appeared to be continually seeking the much-promised statistic of how many people will actually be cut-off assistance on April 1st and in the subsequent months. Throughout the correspondence and reports accessed, there are various estimates. Our sense from reviewing this documentation is that Ministry staff were continually seeking mitigation strategies and corresponding estimates until the number was brought down to a figure that was felt to be publicly acceptable. The focus was on two estimates: first, the number of clients/cases who could potentially be affected by time limits in the future (i.e., their current months are counting towards time limits), and second, the smaller number of clients/cases who were actually expected to face sanctions (i.e., reduction or total removal of welfare benefits). In January 2004, before the announced 25th exemption, an internal document⁶⁶ calculated that 21,112 adults (45% of all adults on welfare) were on time-limited income assistance in BC — in other words, nearly half of adults on welfare were considered employable and were not protected under any of the existing twenty-four exemptions. The estimated number of people that had actually reached the 24 month time limit, promised for public release by the end of the month, continued to be worked and reworked throughout January.

In the two weeks leading to the promised announcement on January 31st, staff drafted and redrafted a document titled “Time Limits Management Strategy”⁶⁷ According to this document, “it is anticipated 1200 clients will reach their time limit on April 2004. It is expected that many of these clients will have significant barriers to employment.” The following initiatives were suggested to reduce the numbers of people receiving welfare who would have their benefits reduced or cut off after April 1, 2004:

- “Social Policy and Research Branch and Employment Initiatives Branch are currently reviewing sample Client Profile data of clients with advanced time limits counts to determine if criteria for further exclusions from the time limit counts are warranted.”
- “[I]ntensive case management” was suggested for clients reaching their time limit to ensure assessment of barriers, with exemptions to be sought for those who have barriers to employment. “Efforts to reassess the employability of clients approaching time limits and to create an additional exclusion for those with proven barriers will show that the ministry has made all efforts to ensure time limits did not impact those who have not become independent through no fault of their own. This will be important evidence in favour of the ministry in the event of a Charter challenge.”

- “An oversight in current regulations will be amended to allow clients, who reach their time limits and are off assistance, to be eligible if they subsequently develop conditions for which time limits would not have counted (e.g., Pregnant, mental health condition, temporary medical condition, alcohol and drug problem). This is consistent with the original intent to ensure that clients who could not be expected to work are eligible for assistance.”
- “At the end of this process, some clients will reach 24 months and be subjected to time limit consequences, i.e., either ineligibility or rate reductions. However, the process proposed will ensure this number is as low as possible, through an intensive effort to place all clients, and to clearly assess whether clients warrant further time limit exclusions.”

In the last week of the month a “Time Limits Backgrounder” was prepared that offered a quick summary of the strategy:

“Approximately 1200 clients will reach their time limit on April 2004. It is expected that many of these clients will have significant barriers to employment and may not have had the full benefit of rigorous employment planning, placement services and compliance activities that are in place today. An interim strategy has been developed to maximize the effect of existing interventions to secure employment for this first cohort of clients who reach their time limit in May 2004.”⁶⁸

In the last days of January 2004, previously written research reports on welfare time limits were circulated to the Executive. One report, “*Time Limits — A Brief Review of the Literature*”⁶⁹ presented the predominant research on American welfare time limits by Dan Bloom and the evaluations by the MDRC group. The second document, “*Post-Time Limits Policies — Washington, Oregon and Innovative Practices*”⁷⁰ was previously written within the Ministry’s Social Policy and Research Branch. Its obvious renewed relevancy is found in the case studies such as Oregon where “time limits are not applied to recipients who are cooperating with their plans for achieving self-sufficiency that they agreed upon with their case workers....It appears that no families have been terminated due to time limits because of the generosity of the state’s exemption/extension policies.”

By the end of January the Ministry’s internal documents were increasingly confident, announcing “the ministry has developed a cost-effective strategy designed to ensure: all clients affected by time limits have been recently assessed and confirmed as ‘expected to work’; maximize opportunities for these clients to secure employment; exempt clients who have proven barriers to employment.”⁷¹ The Ministry also appeared to be more realistic, noting that “many clients are expected to be more barriered. They may have literacy, drug/alcohol, mental health, psycho-social or other barriers, plus the fact that any skills they did have may have atrophied after being part of ‘the welfare system’ for so long.”⁷² Finally, the threat of a Charter Challenge was considered to be minimized as the process of excluding clients with employment barriers was deemed valuable evidence if a Charter challenge was initiated.

Although the tone of the Ministry’s internal documents had shifted, on January 31st, 2004, the promised release of the number of people facing time limits did not happen. The media reported, “just how many British Columbians will be forced off welfare rolls this spring remains unclear after the provincial government missed a self-imposed deadline Friday to release that information.”⁷³ Although internal records clearly showed the Minister knew the numbers of people that would be affected, the Minister told reporters “that a report from ministry staff isn’t complete”, that he “hasn’t seen it yet”, and that “staff are taking their time coming up with a figure in order to ensure that the information is accurate.”⁷⁴

In the face of Ministry silence, throughout January 2004 community opposition to the welfare time limits gained strength and media attention. Labour activists predicted that “the ‘Two-year Time Limit’ will likely be the next significant ‘front’ on which to base a unified ‘Fight Back’ against the BC Liberal Government”. On January 19th, 2004 there was a rally in Vancouver to “Fight the Two-Year Time Limit and the Closure of Welfare Offices”. Resolutions were passed by Cranbrook City Council and the Greater Victoria School Board urging the Provincial Government to rescind the time limits law as well as the laws that reduce welfare benefits. The Canadian Centre for Policy Alternatives initiated a long-term study to analyze the impact of the new welfare time limits, seeking 60 potential participants who are at risk of hitting their time limits.

In the last days of January, a news conference was held in a downtown church in Victoria, where school boards, churches and city councils sat side by side demanding an end to the time limits rule. The event demonstrated the widespread disapproval from mainstream society — not just anti-poverty activists — and portrayed the Province as out of step with the shared values of church, school and local government. The news conference attracted national news coverage, including the Canadian Press article “Preacher to protest BC welfare cuts” in which Rev. Harold Munn vowed to sleep in the streets in protest of the welfare time limits. Robert Arnold of the National Anti-Poverty Group (NAPO) declared that the time limit policy would soon become the focus of a countrywide campaign, stating “We’re picking up the two-year time limit in BC as one of our major campaigns.”⁷⁵ A week later a letter was sent to the Prime Minister and BC Premier, signed by over 125 groups, requesting that the time limits be rescinded before April 1, 2004 and that no similar provision be implemented in BC or any other province in the future. Within the Ministry, an email was circulated from a staff lawyer with a link to PovNet’s webpage dedicated to Welfare Time Limits in BC, containing links to the most relevant opposition actions, resolutions, research reports, media coverage, and commentary from provincial non-profit organizations.

February 6th, 2004 — the 25th exemption

On February 6, 2004, the Ministry delivered the news release “*Time Limit Policy to Protect People in Need*”⁷⁶ which estimated “the number of clients that will be affected as the government follows through on its commitment to limit income assistance for employable clients to two out of every five.”

According to this news release, only 339 clients would be affected by the time limits over the coming year — “far lower than the tens of thousands that the opposition claimed”. Contained within the news release was a less triumphant message, that the government would be implementing a new 25th exemption to the time limits policy to ensure that those clients who were employable and looking for work would be protected. Specifically, the 25th exemption was intended to ensure that time limits would not affect, “People who have an employment plan, are complying with their plan, are actively looking for work, but have not been successful in finding employment.”⁷⁷

The news media were quick to file stories based on the news release, focusing on the numbers. Many did not immediately notice the significant policy change, and instead repeated the Minister’s message that the opposition was wrong to claim ten of thousands would be affected. But when reporters called on social policy critics for additional commentary, they were made aware of the significance of the policy shift. The next day the front page story on the Vancouver Sun was “*Province backs off plan for dramatic cuts to welfare*”.⁷⁸ This headline is more similar to the Canadian Council for Policy Alternatives (CCPA)’s News Release “*Government backs down on welfare time limits, but cutoff should be scrapped all together*” than the Minister’s own release “*Time Limit Policy to Protect People in Need*.”⁷⁹

The CCPA was one of several groups to quickly counter the message of the Minister, stating, “Until today thousands of people were at risk of hitting the two-year time limit. The new exemption makes the whole two-year time limit policy redundant. . . . Regardless of whether the number is 15,000, 300 or one, this is a bad law. It remains an awful precedent and should be removed from the books.”⁸⁰ Government watchdog David Schreck commented that employable clients were already mandated to have an employment plan as part of their eligibility for welfare, and concluded that “rule 25 exempts everyone and the two year rule was a cruel exercise that caused needless anxiety for people who are already down on their luck.”⁸¹ A Vancouver Sun columnist called the 25th exemption “an all-purpose escape clause”, adding, “There is no mystery as to how the Liberals were able to reduce the anticipated impact of their welfare changes. They did it by adding more and more grounds for people to continue to collect benefits after crossing the two-year threshold”.⁸²

Although community groups, media, and social policy commentators were critical of the government’s decision to keep welfare time limits legislation, there was also celebration that the numbers of people who would be affected had been significantly reduced. The BC Coalition of People with Disabilities called the 25th exemption “a significant victory for the community” in a letter of congratulations to community groups for their hard work speaking against welfare time limits. The Leader of the Opposition said she believed the Liberals originally planned to cut off far more people, but bowed to public pressure, a message that was echoed by several media outlets.

The following week the initial reactions shifted to deeper reflections. In the Vancouver Sun editorial “*Victoria should dispense with welfare time limits*”:

“Had the rule been in place at the time it was unveiled, there were, by the human resources minister’s reckoning, 30,000 people on welfare who would have been kicked off. After almost two years of speculation, during which the government has refused to divulge its own estimates, we now learn that at most, 37 people will become ineligible on April 1. We say at most because between now and then any or all of those people could fall off the list by virtue of finding a job or meeting the requirements for any of the 25 exemptions that have been created to the rule. So what happened? How could a policy shift of such magnitude have resulted in so little impact?”⁸³

The editorial answered its own question, stating, “This extraordinary outcome was achieved partly by the last-minute decision to exempt anyone who is genuinely looking for work”, calling the released numbers “a mockery of the two-in-five rule” and stating the provincial government should “scrap this useless rule.”

Three days later the Vancouver Sun ran two opposing editorials on the announced 25th exemption. Shelagh Day, a lawyer with the Poverty and Human Rights Project in Vancouver, claimed, “What happened last week is that the government retreated in the face of mounting pressure from community organizations, churches, unions, city councils, social policy experts and individuals who let Victoria know that the 24-month rule is both impractical and morally repugnant.” She names the 25th exemption “a backhanded admission by the Liberals that applying a time limit to welfare doesn’t work,” and concluded that “A rule that requires 25 exemptions is a feeble rule. And a rule that, to save the government’s face, requires an exemption that guts the rule itself — as the 25th exemption does — needs to be scrapped.”⁸⁴ The Fraser Institute agreed that the government capitulated, characterizing the government action as “backtracking” and calling the addition of the 25th exemption a “policy change that effectively nullifies the time limit rule”. However, it described the 25th exemption as “a disastrous U-turn on welfare reform” that “delegitimized what was one of Canada’s most important social welfare reforms to date”.⁸⁵

Within the Ministry, staff prepared damage-control speaking notes for the Minister. One Information Note⁸⁶ states: “the ministry has been accused of ‘gutting’ time limits policy....The small number of clients impacted by time limits is primarily due to thousands of clients who have found employment and who no longer require assistance, and not the newest exemption.” While this public statement sounds positive, it is false and in fact a direct contradiction to the Ministry’s own budget Fact Sheet released at the same time that states, “The ministry believes the most recent exemption to time limits policy will increase the annual average caseload by about 1,200 cases”.⁸⁷

On April 15th, 2004 the government implemented the change of policy through BC Regulation 160/2004. It exempted from time limits any individuals, couples, or families where one person has received welfare for more than 24 months, as long as “each recipient in the family unit who is subject to an employment plan complies with the employment plan.” Thus, while still enacted as legislation, welfare time limits are limited to a pre-existing ground of ineligibility. Welfare time limits end, not with a bang, but with a whimper.

ANALYSIS AND COMMENTARY

The foregoing account provides material for significant insights into the political, ministerial and public dimensions of implementing a social policy with very harsh consequences upon one of the most disadvantaged groups in society. The following draws from this to present several observations regarding the rise and fall of welfare time limits.

THE FORCES THAT LED TO THE FAILURE OF TIME-LIMITED WELFARE

As the 24 month period between the introduction and capitulation of this policy unfolded, two forces intervened to prevent its implementation. One force was within the Ministry itself, and the other was the public or civil society. As the 24 months unfolded, there was a shift in focus within each of these forces.

Before and shortly after the introduction of the time limits policy, the policy was opposed by a small portion of civil society. This was primarily from organizations knowledgeable of and active in anti-poverty work. Their opposition was based on the very harsh consequences of the policy for individual recipients, the denial of assistance needed for food and shelter to those most in need and without resources. It was also rooted in the principle or moral position that time-limited benefits is fundamentally wrong. It would be another year and a half before concerns regarding time limits would spread more broadly within civil society.

During the early phases of implementation of time limits, there was significant internal inertia within the Ministry of Human Resources towards the time limits policy. At the institutional level, the experience and expertise of the workers within the Ministry provided resistance to the policy. It appears that this originated from both front line staff and policy analysts. Both groups expressed concern that the policy would be harmful to the beneficiaries of income assistance and also would defeat the employment-related objectives of the program. They also cautioned the Minister that imposing time limits on certain classes of recipients could lead to negative public reactions and become a difficult political issue. The result was an ongoing process of amendments to exempt classes of recipients from the time limit. This was an important indication that the policy was fundamentally flawed.

The nature of the welfare time limits policy generated the timeline of its opposition. This contrasts with other BC welfare reforms such as the two-year independence rule and the three-week wait, which took effect immediately upon their creation. As described in the chronology, by autumn 2003 broader portions of civil society had become concerned about what would happen in April of 2004 when the first recipients reached their time limit. The rate reductions for families did not appear to be the primary concern, as these recipients had earlier suffered cuts to their monthly benefits with little public reaction. The focus appeared to be single individuals and couples without children who would be cut off benefits entirely, and presumably become homeless as a consequence. However, the opposition was complex, with diverse motivations among the various groups in society opposed to time limits reflecting the constituencies each represented. These groups included city councils, school boards, religious and faith communities, front line service organizations, and non-governmental organizations. Regardless of the degree of self-interest that may have motivated some groups, what is clear is that there was a large, vocal and engaged opposition to the time limit policy that was unprecedented in regard to welfare issues. It was a political problem of considerable magnitude for the government, and the government found itself unable to manipulate the issue or pacify the critics.

In contrast to the initial Ministry of Human Resources response to time limits (focused on the purposes of the welfare program), by autumn 2003 the Ministry was responding to external political pressure and the Office of the Premier became actively involved in responding to the problem. At this stage the Ministry staff's institutional knowledge and expertise were not relevant; rather the focus was on a public debate about numbers and attempting to salvage an increasingly unpopular policy.

The logic of time limits contained the seeds of its own downfall. Its purpose was to cut recipients off welfare, and inherent in the policy was the reality that a potentially large number of recipients would be affected at the same moment. This inevitably raised the numbers question. If the policy was to have any useful consequence in regards to its purpose, then the number had to be significant. However, the greater the success of the government in cutting recipients off of welfare, the greater would be the harmful consequences for the public. As events unfolded, it became apparent that the public acceptability of the policy depended on it having minimal impact. Public concerns over this found expression in resolutions of city councils, school boards, and other institutions. These concerns were fueled by the government's secrecy and failure to respond to the most simple of questions concerning the number of recipients who would reach time limits. This secrecy led to media itself becoming a force of pressure upon government, for regardless of whether the media supported time limits to welfare, their irritation at the government's refusal to answer their questions regarding numbers of recipients facing ineligibility contributed to the loss of credibility of the government. In the face of widespread public opposition, the government was left to argue in favour of its policy while at the same time arguing that its impacts in terms of numbers of recipients cut off benefits would not be significant.

By this point (and perhaps contrary to its expectation), the BC Liberal government had committed itself to a deeply unpopular political and social policy. The legal dimension of welfare time limits further complicated the government's problem. Because time limits were an issue of statutory legal rights, the solution required a formal legislated solution. Ultimately, the government was unable to both maintain the policy and address the concern of its opponents in regard to the consequences — specifically the prospect of a significant increase in the number of homeless people. In late January 2004 the government decided that the political price to be paid for continuing the policy outweighed its ideological commitments and loss of credibility over a flawed and failing policy, and time limits were sacrificed. Regrettably, the human and ethical dimension of time-limited welfare was not of primary concern.

OBSERVATIONS ON THE OPPOSITION TO WELFARE TIME LIMITS

As anti-poverty researchers and advocates, we offer the following observations and reflections on what we believe are key aspects of the opposition to time-limited welfare.

Time Limits: Public Rejection of the Policy

While in the past the public has accepted harsh welfare policies, there are limits to this acceptance. This limit appears to be reached when income assistance is arbitrarily denied to individuals with no income. In one respect this is a basic human rights issue. However, mainstream civil society did not engage in the opposition until it perceived that its own quality of life would be adversely affected by cutting an unknown number of people off welfare and banning them from assistance for three years regardless of need. This concern was expressed as follows in a Vancouver Sun column which stated, in response to assurances of the Minister that urban decay would not follow from welfare time limits, "...if he's wrong, we are about to see a transformation in the urban fabric that most of us will find neither pleasant nor acceptable and will make us the shame of Canada."⁸⁸

Time Limits: Social Policy Implemented through Exemptions

The application of the BC time limits legislation was quite complex. Individuals could be exempt due to their classifications, such as people with disabilities, or they could be in a classification subject to time limits but temporarily exempt due, for example to a short-term medical condition. Thus, the Ministry had to track both individuals who due to their classification were accumulating months towards their time limit and also the months in which these recipients were exempt from time limits. A person could change from a family status subject to complete ineligibility (e.g., single employable person) to a status in which they would be subject to reduced benefits (e.g., parent in a family with children).

Ministry staff made recommendations to create exemptions to time limits when they would be applied to individuals who in their view were deserving to be exempt. However, there is a more fundamental problem. The application of time limits relied on the Ministry's classification of individuals as employable. This is the default classification: every welfare recipient is automatically considered "employable" until they provide documentation to prove that they are not. However, in reality many people who are unable to obtain or keep a job also lack the stability and tenacity to obtain the lengthy medical documentation required to establish non-employable status, or to persist through the arduous application process. The very conditions of suffering from mental health problems or addictions that prevent individuals from succeeding in the paid workforce also prevent them from qualifying for a status from a Ministry that demands they complete a difficult and prolonged application processes. This is not a problem at the margins of the Ministry's purpose. The purpose of income assistance is to provide for people who are in poverty. In the absence of this, time-limited welfare would lead to a complete denial of benefits to the most vulnerable people.

Ultimately, welfare time limits was unworkable legislation, as in practice it was a law that required implementation through extensive exemptions. It illustrates that simplistic, politically-motivated social policy can be ill-conceived, unable to be implemented and disastrous in its real-world impact.

Public opposition and public interest research

The opposition to welfare time limits demonstrates the potential effectiveness of public interest research. Some of the most vocal criticisms of time limits came from individuals and organizations that would not normally consider themselves activists, such as city councils, school boards, and church groups. They knew that this was an unjust law, but they also knew that the issue was complex and that they did not have enough information to speak to the complexities. Public interest research was available to fill this gap and provided the necessary information for diverse groups to speak out eloquently. For example, the CCPA's *A Bad Time to be Poor* became the framework document for describing why time limits were ill conceived social policy; SPARC-BC created widely distributed fact sheets; and academics such as Marge Reitsma-Street, Shelagh Day, and Gwen Brodsky provided social policy and legal analyses. These research resources were made widely available by creating links on the websites of community organizations such as PovNet and VIPIRG.

The link between public interest research and public opposition to time limits was a facilitated link. While activists opposed time limits, they were often not the most visible face of dissent. Rather activists and advocates were often behind the scenes, facilitating the mainstream to speak out, for example by providing facts and analysis and assisting with resolutions, media releases and press conferences. The activists linked concerned citizens to public interest research and facilitated their involvement in the issue.

Threat of legal challenge

The legality of welfare time limits in Canada remains undetermined.⁸⁹ What is clear is that the threat of legal challenge was an ongoing concern within government.

Public interest lawyers played a leading role in the opposition to time limits, arguing the rule violates rights protected in the *Canadian Charter of Rights and Freedoms*. They claimed that “a complete denial of social assistance to a person in need, based solely on the duration of their reliance on social assistance, violates any reasonable interpretation of the rights to security of the person and equality protected by sections 7 and 15 of the *Charter of Rights and Freedoms*.”⁹⁰ Welfare time limits are also considered to violate international human rights agreements signed by Canada such as the *International Covenant on Economic and Cultural Rights* (Article 11) which obligates Canada to progressively realize the right of everyone to an adequate standard of living including adequate food, clothing, and shelter.⁹¹

The threat of legal challenges repeatedly emerged in internal Ministry discussions and documents as a significant concern. From their inception, the government references the potential legal challenges to time-limited benefits, with special emphasis on the Gosselin case and the ramifications if the Supreme Court of Canada were to rule in favour of Louise Gosselin. By the end of 2002, the Supreme Court made their decision on this landmark case — the first claim under the Canadian Charter of Rights and Freedoms to a right for welfare. The decision split the court 5-4 with the majority stating there was no breach of the Constitution. However, the justices also did not rule out the possibility for further challenges that section 7 may be interpreted to obligate a government to provide social assistance.

Even after the Supreme Court of Canada decision on the Gosselin case, Ministry staff warned the Minister of Human Resources that “legal fees associated with Charter challenges on the ministry’s time limits legislation could be very costly. Numerous advocacy groups have stated their intention to launch a charter challenge on time limits.”⁹² Staff went as far as including legal fees for a Charter challenge as a financial implication of implementing time limits. And even with the significant mitigation strategy in place, the threat of legal challenge continues to influence policy development. Strategy documents note that it will be important that the Ministry shows it has made all efforts to protect clients with barriers to employment, as “this will be important evidence in favour of the ministry in the event of a Charter Challenge.”⁹³ This threat of a legal challenge may be an important tool for future campaigns regarding welfare eligibility.

THE REAL IMPACT OF TIME LIMITS SANCTIONS

Opposition to welfare time limits in BC galvanized around the uncertainty of the numbers of people facing time limits and potentially facing the sanction of surviving with no employment and no welfare. The Ministry lost support from traditional allies and lost political and public credibility for its refusal to tell the public how many people would be cut off of welfare because they reached their time limits. In the end the estimates of people being cut off welfare became more central to the debate than the ethics of cutting people off of welfare.

Pre 25th Exemption Estimates of the Number of Recipients Facing Time Limit Sanctions

The data accessed through the FOI clearly show that thousands of clients were facing time limit sanctions in BC. The data are complex because they include estimates of both recipients who would be cut off entirely from benefits, and also those who would have their benefits reduced. The data also include estimates of the number of people that would face time limits in successive time periods, beginning in April 2004 and continuing to the end of 2006.

Based on estimates made by the Ministry in January 2004, the 25th exemption had the effect of reducing the number of recipients that would be affected by time limits in April of 2004 from 1,445 to 72. The number of recipients entirely cut off benefits in April 2004 fell from 746 to 37 due to the 25th exemption. For the period 2004 to 2005, the 25th exemption reduced the number of recipients affected from 6,777 to 339.

TABLE I: MINISTRY ESTIMATES OF THE NUMBER OF CLIENTS AFFECTED BY TIME LIMITS, PRE AND POST THE 25TH EXEMPTION						
<i>Estimates made in January 2004</i>						
	Pre 25th Exemption		Post 25th Exemption		Total	
	Ineligible	Rate Reduction	Ineligible	Rate Reduction	Pre 25th	Post 25th
April 2004	746	699	37	35	1445	72
May 2004	252	324	13	16	576	29
June 2004	267	241	13	12	507	25
July 2004-March 2005	2175	2072	109	104	4248	213
Total Clients 2004-2005	3439	3337	172	167	6777	339
Total Clients 2005-2006	1995	2278			4273	

NOTES: Totals provided by the government appear to have rounding error.
 Pre 25th Exemption Data accessed through FOI (#04-00239) as presented in the Ministry's table "Estimated Impact of Time Limits — Adults Reaching Time Limits each month British Columbia" (January 2004 data). Post 25th exemption data from publicly released FactSheet — Time Limits Update. Interpretative notes provided through FOI #04-00488.

The basis of the Ministry's number of 339 was unclear. It was eventually revealed that it was calculated by applying a 5% multiplication factor to the 6,777 number. The 5% amount was based upon Ministry data that 95 per cent of clients were compliant with their employment plans. The Ministry found that in the four months leading up to the announcement, only five per cent of clients were found to be non-compliant with their employment plans and merely extrapolated this rate for 2004/05.

Actual Time Limit Sanctions Post the 25th Exemption

The actual number of clients being sanctioned by time limits in BC is even lower than predicted by the Ministry. In the two years following the implementation of time limits in BC, forty-seven clients have been sanctioned by the time limits rule — 33 were ruled ineligible for assistance and 14 had their rates reduced.

TABLE II: ESTIMATED AND ACTUAL TIME LIMIT SANCTIONS IN BC, 2004-2006									
Fiscal Year	Ineligible (cut-off)			Rate reduction			Total		
	Pre 25th	Post 25th	Actual	Pre 25th	Post 25th	Actual	Pre 25th	Post 25th	Actual
2004-2005	3439	172	24	3337	167	7	6777	339	31
2005-2006	1995		9	2278		7	4273		16
TOTAL	5,434		33	5,615		14	11,050		47

NOTES: Totals provided by the government appear to have rounding error.
 Pre 25th Exemption Data accessed through FOI (#04-00239) as presented in the Ministry's table "Estimated Impact of Time Limits — Adults Reaching Time Limits each month British Columbia" (January 2004 data). Post 25th exemption data from publicly released FactSheet — Time Limits Update. Interpretative notes provided through FOI #04-00488.
 Actual numbers obtained through email request to Ministry ADM in February 2007.

This chart shows the dramatic mitigation of time limits in BC. Whereas it was expected that over 10,000 clients would be sanctioned, in reality less than 50 would be affected in the first two years (and figures indicate even less in the third year).

As many argued in February 2004, following the introduction of the 25th exemption — time limits are a redundant policy, and the law and its regulations should be repealed. That said, forty-seven people still fell through the cracks and faced severe hardship, driving home the need for action to repeal the time limits legislation in its entirety.

CONCLUSIONS

The downfall of time-limited welfare in BC was profoundly important for numerous reasons. Most immediately, by the Ministry's own numbers and calculations, it prevented thousands of recipients from having their benefits reduced or ended. Many of these individuals are those least able to provide for themselves and least able to challenge the governments policies and decisions. Many would have been left homeless and hungry had time limits taken effect as initially legislated.

The end of time-limited welfare was also the assertion or affirmation of values basic to a humane society. Time limits were a policy that tied income assistance to arbitrary rules rather than the needs of individuals. After years of cuts to welfare, the public defined the limits of punitive government policies towards people in need of income assistance. In reality, the opposition to time limits was diverse, including those who opposed time limits in principle and for purely humanitarian reasons, and those who perceived that a dramatic increase in the number of homeless citizens would harm themselves or their communities. While it was the work of the former groups that lead to the broader opposition, it was likely the political pressure from the latter group that led to the downfall of time limits.

However, as revealed by the FOI materials, within the staff of the Ministry there was also opposition to time limits based in part on the beliefs of the Ministry's staff's regarding the purpose or mandate of the Ministry. Time limits were resisted by Ministry staff because they were contrary to this purpose and mandate. This lesson is surprising, in that in the past punitive welfare measures have originated amongst the higher levels of the Ministry. The resolution of this contradiction may lie in the Ministry's staff's perception as to who is "deserving" of benefits. Punitive measures supported by Ministry staff are likely directed against those whom staff believe should not be entitled to benefits, while time limits were affecting those that in their views were entitled to benefits. In light of the internal opposition to punitive social policy, it can be very useful to have sources of information within government ministries. In this regard, Ministry staff raised the concern of potential public opposition to imposing time limits on those unable to work. Therefore the motivation of the Ministry staff in mitigating time limits appeared to be influenced by concerns relating to political expediency.

The process of opposition to time limits indicates that it can be a more effective strategy for activists to do the behind the scenes organizing to facilitate opposition from mainstream organizations than to be the public face and voice of opposition. Further, public interest research can play a powerful role through providing analysis and information to civil society organizations who are concerned by lack the experience or expertise to gather and analyze social policy information. In this campaign, the media was a highly effective force to bring pressure on the government. From the perspective of results, in regard to time limits it was not necessary to have the mainstream media oppose time limits. Rather, it was sufficient for them to become irritated by the government's steadfast refusal to answer the media's questions concerning the number of recipients facing welfare sanctions.

The internal government documents related to time limits indicate that government decision makers are very sensitive to the prospects of court challenges to legislation. However, it is also significant that the victory over time limits was achieved through the expression of public opinion rather than legal action. While legal action is a legitimate means to hold the government accountable, it is profoundly important that the public does not

leave the work of ensuring that government policies are humane to lawyers and judges. The politicians must be reminded that the public itself will act to curb efforts that will harm vulnerable citizens.

Finally, the downfall of time-limited welfare was necessary because provincial governments within Canada have had a practice of adopting regressive welfare reforms that are perceived to have been acceptable or successful in other provinces. It is hoped that the BC Liberal government's convoluted and contorted efforts to salvage a policy that was unacceptable to the public will deter other provincial governments from legislating time limits to welfare.

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NOTES

- ¹ Klein & Long, 2003.
- ² Klein & Long, 2003.
- ³ Wallace, Klein & Reitsma-Street, 2006.
- ⁴ Reitsma-Street & Wallace, 2004:175.
- ⁵ Wallace, Klein & Reitsma-Street, 2006.
- ⁶ Within these records are emails from Ministry staff through the year leading up to the implementation of time limits. In one email a senior staff person emails other staff stating “a request from Vancouver Island Public Interest Research Group specifies all documents and records from January 1 to February 26. Can you please review all relevant files (including emails) on this topic?” In another email the Ministry’s own Information and Privacy Analyst emails staff requesting that they search their folders for information pertaining to the request and adds “the applicant who initiated this FOI is persistent” stating that Ministry’s last two responses to requests to time limits are under review at the Privacy Commissioners.
- ⁷ The outcomes of this FOI process raise concerns about the government’s application of *Section 13* of the *Freedom of Information and Protection of Privacy Act*. This section permits the withholding of information that would reveal advice or recommendations to a Minister. The government withheld the requested information for two years, on the pretext that it was ‘advice for the Minister’. The information was finally approved for release following the filing of a formal complaint and the extensive work of Portfolio Officers with the Office of the Information & Privacy Commissioner. The information obtained in the larger (926 page) response was heavily severed, most frequently citing *Section 13* – ‘advice for the minister’. In total there are 233 pages with sections severed, and often full pages are blanked out. The majority (140 pages) are severed citing *Section 13*, with another forty sections severed under *Section 14* (advice prepared for Executive Council) and fifty citing *Section 12* (legal advice).
- ⁸ Murray Coell, November 8, 2001 *Victoria Times-Colonist*.
- ⁹ Lavoie, 2001.
- ¹⁰ BC Ministry of Human Resources, 2004a.
- ¹¹ Francis, 2003.
- ¹² BC Ministry of Human Resources, 2002:5.
- ¹³ Internal Briefing Note (undated) prepared for Legislative Review Committee regarding the “*Introduction of the Employment and Assistance Act and the Employment and Assistance for Persons with Disabilities Act for the Spring 2002 Legislative Session.*”
- ¹⁴ Ibid.
- ¹⁵ Fraser Institute, 2002.
- ¹⁶ Schafer & Clemens, 2002: 16.
- ¹⁷ Klein & Long, 2003:4.
- ¹⁸ Riches, 2002.
- ¹⁹ Smith, 2002.
- ²⁰ Reitsma-Street, 2002.
- ²¹ Fraser Institute, 2002.
- ²² [2002] 4 S.C.R. 429, 221 D.L.R. (4th) 257, online: CanLII www.canlii.ca/ca/cas/scc/2002/2002scc84.html [*Gosselin* cited to S.C.R.].
- ²³ Makin, 2002.
- ²⁴ “*Time Limits Scenarios*” document attached to emails sent March 12, 2003.
- ²⁵ “Ministry of Human Resources Decision Note” dated April 3, 2003. Document heavily severed.

- ²⁶ Ibid.
- ²⁷ “Ministry of Human Resources Decision Note” dated May 23, 2003.
- ²⁸ Ibid.
- ²⁹ Coell, 2003.
- ³⁰ “*Time Limits Phase 1 Summary Report: Status Report*” Dated January 31, 2003
- ³¹ “*Time Limits Phase 1 Summary Report: Status Report*” Dated February 7, 2003
- ³² “Ministry of Human Resources Information Note “*Strategies to refine specific elements of Time-limited Assistance.*” Prepared for Minister’s Briefing on June 18, 2003.
- ³³ Ibid.
- ³⁴ Vancouver CBC “Welfare reforms triggered internal warnings” July 7, 2003
- ³⁵ *Confidential A&P Note: Advice to Cabinet “Impact of the Two-Year Time Limit on Income Assistance.”* Dated August 27, 2003.
- ³⁶ Ibid.
- ³⁷ Klein, 2003a.
- ³⁸ BC PIAC, 2003.
- ³⁹ *Confidential Issues Note: Advice to Minister – Time Limits UBCM.* Dated September 22, 2003.
- ⁴⁰ Lavoie, 2003.
- ⁴¹ BC NDP, 2003.
- ⁴² *Confidential Issues Note: Advice to Minister – Time Limits – Opposition Numbers.* Dated October 20, 2003.
- ⁴³ *Confidential Issues Note: Advice to Minister – Time Limits (Oct. Update).* Dated October 17, 2003.
- ⁴⁴ Vancouver Board of School Trustees, SD No. 39 Board Meeting Minutes of November 17, 2003
- ⁴⁵ Hansard Debates, November 6, 2003 (J. MacPhail)
- ⁴⁶ Vancouver Province, November 14, 2003 “Welfare jobs axed, offices to be closed”
- ⁴⁷ Hume, 2003.
- ⁴⁸ For example, the Vancouver School Board resolution listed impacts not just as “children arriving to school hungry” but also “homeless people sleeping on our school steps,” and the Saanich City Council resolution raises the concern “businesses have expressed serious concern about their ability to do business” as a result of the new law.
- ⁴⁹ Gabel, T., Clemens, J., LeRoy, S. & Veldhuis, N. 2003:22
- ⁵⁰ Gabel, T., Clemens, J., LeRoy, S. & Veldhuis, N. 2003:24
- ⁵¹ Ministry of Human Resources Decision Note “*Time Limits Mitigation Strategies for Singles and Childless Couples.*” Dated December 3, 2003.
- ⁵² Ibid.
- ⁵³ Ibid.
- ⁵⁴ Ibid.
- ⁵⁵ Ministry of Human Resources Information Note “*Background for Minister’s meeting with the Attorney General on the impact of time limits on First Nations reserves.*” Dated December 31, 2003
- ⁵⁶ Ibid.
- ⁵⁷ Ibid.
- ⁵⁸ CKNW “Human resources minister might re-think upcoming changes to welfare guidelines” January 2, 2004
- ⁵⁹ Anderson, 2004.
- ⁶⁰ Email dated January 7, 2004, sent from Ministry of Human Resources’ Legislation and Legal Services Branch to Ministry of Attorney General lawyer.

- ⁶¹ Email dated January 13, 2004 from Ministry of Attorney General lawyer.
- ⁶² Ministry of Human Resources Memorandum to Ministry of Attorney General RE: Amendments to the *Employment and Assistance Act*. Dated January 15, 200.
- ⁶³ Ibid.
- ⁶⁴ Ibid.
- ⁶⁵ PowerPoint attachment to broadcast email dated January 15, 2004.
- ⁶⁶ One page document titled “BCEA Clients By Time Limit Status – December 2003”
- ⁶⁷ “Time Limits Management Strategy” internal document attached to email dated January 30, 2003 which states the Strategy document “was just finalized yesterday.”
- ⁶⁸ Prepared by a Ministry Policy Analyst and emailed to senior staff on January 23, 2004.
- ⁶⁹ “Time Limits – A Brief Review of the Literature” attached to email dated January 23, 2004 sent from report’s author to senior staff with note “I wanted to send it along in case you find something here of use to you.”
- ⁷⁰ “Post-Time Limits Policies – Washington, Oregon and Innovative Practices” Prepared by Ministry of Human Resource’s Policy and Research Branch, attached to email to senior staff on January 30, 2004 explaining that the report was prepared “in the course of doing costing for the time limits.”
- ⁷¹ The internal document titled “Time Limits Management Strategy” attached to emails sent on February 4, 2004.
- ⁷² Ibid.
- ⁷³ Rud, 2004.
- ⁷⁴ Rud, 2004.
- ⁷⁵ Meissner, 2004.
- ⁷⁶ Ministry of Human Resources, 2004c.
- ⁷⁷ Ministry of Human Resources, 2004d.
- ⁷⁸ Kines, 2004.
- ⁷⁹ BC Ministry of Human Resources, 2004c.
- ⁸⁰ CCPA Press Release “Government backs down on welfare time limits, but cutoff rule should be scrapped altogether”
- ⁸¹ Schreck, 2004.
- ⁸² Palmer, 2004.
- ⁸³ Vancouver Sun, “Victoria should dispense with welfare time limits.” February 13, 2004
- ⁸⁴ Day, 2004.
- ⁸⁵ Clemens, J., Veldhuis, N., & LeRoy, S. 2004.
- ⁸⁶ Ministry of Human Resources Information Note “Differences between BC Employment and Assistance and BC Benefits.” Dated February 12, 2004
- ⁸⁷ BC Ministry of Human Resources, 2004b.
- ⁸⁸ Hume, 2003.
- ⁸⁹ Schafer, 2003 & Poverty and Human Rights Project.
- ⁹⁰ Poverty and Human Rights Project: 6.
- ⁹¹ Poverty and Human Rights Project.
- ⁹² Ministry of Human Resources Decision Note “Time Limits Mitigation Strategies for Singles and Childless Couples.” Dated December 4, 2003.
- ⁹³ *Time Limits Management Strategy*” Attached to email dated January 30, 2004



VANCOUVER ISLAND
PUBLIC INTEREST RESEARCH GROUP

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VIPIRG is a student funded, not for profit organization dedicated to action-oriented research on social justice and environmental issues. Located at the University of Victoria, VIPIRG supports students' engagement in community based research.

THE ECONOMIC SECURITY PROJECT

www.sfu.ca/economicsecurityproject/

The Economic Security Project is a major research initiative of the CCPA's BC Office and Simon Fraser University, in partnership with 24 community organizations and four BC universities.

The project examines how recent provincial policy changes affect the economic well-being of vulnerable people in BC, such as those who rely on social assistance, low-wage earners, recent immigrants, youth, and others. It also develops and promotes policy solutions that improve economic security.

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