

March 9, 2022

### **Attention: House of Commons Standing Committee on the Status of Women**

Thank-you to the committee for allowing me the opportunity to tell you about the effect that IPV, specifically coercive control, has had on someone close to me.

In a joint custody situation that was never in the best interests of her children, “Anne” spent seven years trying to navigate an impossible co-parenting relationship with her coercively controlling ex-husband. In the 50% time-sharing arrangement her children spent with their father, neglect, manipulation, and parentification were the standard. When her ex began to actively prevent her son “Eric,” from attending school, and preventing his access to necessary mental health services in 2019, she engaged the family court system. Despite evidence of neglect and a pattern of coercive controlling behaviour, the judge labelled Anne as uncooperative and ‘high-conflict,’ informed her that she was wasting court’s time, and advised that if she hadn’t ‘dispensed with her lawyer’ (which she was forced to do, due to financial hardship), that the court might have been of more help.

The lack of action by the court to hold Anne’s ex accountable for his ongoing neglect of their son, simply enabled him to continue unchecked. His neglect of Eric worsened. He is now sixteen and has never attended high school. Eric’s father moved—against court order, and despite a 50-50 parenting arrangement—100km away, a tactic that assisted him in the forced estrangement of Eric from Anne, his sister, and his entire extended family. Anne has barely seen or spoken to Eric in 2.5 years. His grandparents and cousins who he previously had a good relationship with, have not seen him since 2019. His father monitors who he speaks with, and refuses to allow Eric contact with his family.

There is a profound power imbalance between Eric and his father. His voice is no longer his own. He’s purposefully being denied an education as a means of exerting long-lasting control over him. His educational neglect is a form of child abuse, and is akin to financial abuse in intimate partner relationships. Just like a victim whose finances are controlled, Aaron is trapped with his controlling father. Without access to an education, and the ability to socialize with others, he will remain tethered to his abuser. His teenage years, and now his future have been stolen from him. Why? Because his father knows that hurting him is what most hurts Anne. It is the ultimate red flag of an abuser using coercive controlling tactics to control his victim.

Eric has fallen through the cracks. Every agency that could have helped including Family Court, CAS, the Ombudsman, and the school board, shrugged their shoulders and refused to help Anne help Eric. Eric could have had the chance to be living a normal teenage life, enjoying an active social life and preparing for his future, if the judge in Anne’s case, and the CAS, had a better understanding of Eric’s father’s true motivations. **They failed to recognize the obvious elements of coercive control.** The red flags of coercive control were obvious to those who know what they look like.

Recommendations for how to address IPV and domestic violence (DV) in Canada:

**1. EDUCATION AND TRAINING IN INTIMATE PARTNER VIOLENCE (IPV) AND COERCIVE CONTROL SHOULD BE MANDATORY FOR ALL FAMILY COURT JUDGES, lawyers, CAS workers and all people involved in child protection.**

It must be understood that:

- (i) psychological abuse is a *pattern* of abuse. Currently, judges, lawyers, CAS, etc., try to separate out individual instances of abuse, to deal with one incident at a time. This masks the full weight of the abuse. It's akin to attempting to separate a single raindrop while in a thunderstorm. Anne provided evidence of the pattern of abuse she and her children experienced to the court. The judge flippantly stated that 'he didn't read it' and labelled her uncooperative.
- (ii) abusive spouses cannot be good parents. Courts must recognize that children don't simply witness violence and coercive control. They *experience* it, and it breaks them emotionally and psychologically. The myth that it doesn't affect them enables the Family Court system to mask the abuse, and the result is that victims and their children aren't protected.
- (iii) maximum access for both parents (ie: 50-50 shared parenting) is not always in the best interests of children. This assumption automatically places the rights of abusers ahead of the rights of the children to safety. It only takes one bad parent to harm a child.

**2. There should be a UNIFIED FAMILY COURT, where all judges presiding over cases involving child custody and access have specialized training.**

**3. Hold abusers accountable for their abuse.**

**4. There must be INCREASED FUNDING FOR LEGAL AID, as well as a different funding model to regulate lawyer's fees for victims of DV.** As the judge in Anne's case made clear, the current family court system is two-tiered, and entirely unaffordable to most DV victims. In Anne's quest to seek justice in the Family Court system, she was financially decimated within six months. The court enabled her abusive ex to force her to continuously require court/lawyer services. She didn't qualify for legal aid.

**5. Please SUPPORT Bill C-233 (Keira's Law).** It will save lives.

**6. Introduce education in schools, to teach young girls the red flags of coercive control, so they can avoid abusive relationships.**

Thank-you for your willingness to hear from victims of Domestic Violence. They and their children are desperate for assistance.

Regards from:

A support person to an Ontario victim of Domestic Violence and Family Court Failure