

I thank the Standing Committee on the Status of Women for this opportunity to submit this brief.

26 years and counting. That is how long my abuser has been able to negatively influence my life. 12 in the relationship and 15 years since I left. If you had told me I would go from graduating Valedictorian of my nursing class to working as an RN at Sick Kids hospital to enduring more than a decade of stalking and post-separation abuse in the family law system I would not have believed you. But that is what happened. Exactly that.

This situation has been made significantly more challenging by the fact the abuser and I share a special needs child. Matthew has a chromosome abnormality, autism and epilepsy. He is a 5 year old living in a body that has just turned 21. My journey with my abuser does not have an end point.

The day I stood at the police station applying for a restraining order, I didn't know how bad things were until the officer at the desk pulled me aside and after reading my application, told me I needed the services of Victim -Witness Protection. But VWS rejected me because I was not filing charges against my ex. After the physical assault, I had intended to file charges, but it was the officer at Division 22 who talked me out of doing just that saying "Ma'am if he gets arrested and loses his job, how can he pay you child support?" Yes, this happens. And it shouldn't.

The Victim Witness Services did hand me a pamphlet on dangerous behaviours. My ex-spouse was exhibiting all but two of the 20. He had drained the bank accounts, stopped paying the mortgage and took my car away. But this was just the beginning. The police declined to help me 6 times over the years even when alarms were cut at my home and when the stalking and threats escalated. Imagine the terror I felt when I would walk to the end of my driveway to find freshly cut ropes hanging from my garbage can and car door handle. The police seemed decidedly uninterested but they did take note of the footwear I was wearing when I attended the station. "Blonde hair, blue eyes, ¾" heels".

I do want to take a brief side moment to applaud FRO (the Family Responsibility Office) for their dedication and hard work in their enforcement of my case. 6 times they went to court against my ex for failure to pay child support. They garnished his tax returns, threatened his driver's licence and put a lien on his multi-million-dollar home. Each and every time he was granted a refraining order.... Once reducing his support by 80%, forcing my children and I to move out of our home to a main floor rental accommodation.

Over and over, we cycled in the family court system, with each and every time the judges deciding that I should have sole custody of our special needs child. But I never got what I needed which was a safe place to exchange the children and some guidance how to live safely.

I barely survived my experience. My children and I suffered immensely and none of us will be the same as a result of the protracted post separation abuse and broken support systems.

Please excuse my bluntness in my conclusion of my experience. I dare to say that "Abusers are the bread and butter of the Family Justice System". The family lawyers dine regularly on full loafs and the victims of abuse are lucky to get the crumbs.

I would now like to put forward my suggestions on how the system could be bettered for victims of domestic abuse:

1. All high conflict cases including coercive control and stalking should be privileged with a case management judicial system. Abusers know that if they keep trying and trying, they will eventually find a judge who will side with them. So that is what they do. Case Management would allow a judge to see the patterns of abuse and be able to make swift judgements accordingly. Some major cities including Toronto, do not have this and need this system in place. The alternative is the victims cycling through the system telling their story from the beginning each time. I feel the scheduling inconvenience of the judges is far outweighed by the cost savings of preventing protracted and foundationally false litigation.
2. Case files labelled as domestic abuse should not have to start from the beginning of the court process and endure case conferences and settlement conferences every two years. A victim of abuse should not have to go through these steps to get orders or enforcement of previous orders (which is most often the case). These steps affect a struggling parent's ability to earn income and hold a job. The abuser knows the system and will use it against the victim as a form of litigation abuse. Exactly every 2 years.
3. Judges need to be educated on domestic violence including litigation abuse and the tactics of the high conflict individual in regards to same. If a court order is meaningless to an abuser.... the entire system falters. When a pattern is established of ignoring court orders, the system needs teeth. Currently the tolerance bar is set extremely high with a parent being allowed to default on court orders many, many times before the judge will read the abuser the "riot act" and this is not ok. Getting a court order in the first place is an onerous and expensive process. The public needs to have restored faith in the justice system as it is the foundation of our society.
4. Victims of domestic violence need funding to leave. And job training to become self-supporting. Coercive control abusers usually hold the purse, severely limiting options for women and children to escape to somewhere safe. Quebec got this one right and the rest of Canada should follow.