

March 24, 2022

To: The Standing Committee on the Status of Women

Question:

What does economic abuse look like?

Answer:

Some forms of economic abuse include: Intentionally withholding necessities such as food, clothing, shelter, personal hygiene products and/or medication. Refusing to pay court-ordered child or spousal support. Stealing and/or destroying the victim's belongings.

Currently, child access laws in Canada state that you cannot prevent the other parent from access to the children "just because" they are not paying child support. I can understand this logic if the other parent is not in a financial situation to make the payments i.e.: perhaps they lost their job. However, if the other parent is making a 6-figure income for example, while the children and former spouse are left in dire straights with nothing, this is completely unacceptable, and it absolutely needs to change. Perpetrators use this method of intimidation and abuse to exert control over victims long after separation. The Canadian legal system needs to recognize that court ordered judgements for child support are not worth the paper they are written on if no one takes them seriously. The lack of support to enforce court ordered judgements is a catalyst to enforcing the abuse.

Over the past 8 years, I have had 3 court ordered judgements for the same child support and I currently still have yet to receive any support for my 3 minor children.

To date, no one has taken it seriously.

I have contacted Revenue Quebec, I have contacted the Ottawa police services, I have contacted the Military police, I have contacted the Military Ombudsman, I have contacted the Military Padre requesting to speak to my ex-husband's boss (my ex-husband was a senior officer in the Canadian Armed Forces) - The Padre hung up on me when I begged him for help. I have contacted my local MP, I have even put bold capital letters in an email to news outlets in efforts to get their attention, but nobody listened, and nobody cared to listen.

Their response? It is a civil legal matter.

Their solution? Go back to court.

I listened to them, and I went back to court 3 times...But what is the point in going back to court when no body is enforcing the orders?

JUDGEMENT #1

Issued March 2014. We agreed to lower the child support payments from \$2200/month to \$1200/month in exchange for payments of heat, light, cable, vehicle, mortgage and taxes. We had just moved to Gatineau on a military move. I left my government job with CRA to support my ex-husbands military career to our new posting. I found out about further infidelities shortly after our move, so I was unemployed at the time of separation hence the reason for the agreement written the way it was; it was to remain in effect until I was in a position of employment and able to take over the bills myself. My ex-husband failed to abide by any of the terms of that agreement leaving myself and our 3 small children (ages 5, 5, 6 years old at the time), in a dire and financially challenging situation. In 2015 I reached out to my ex-husbands boss and advised him he was not abiding by the terms of that agreement. His boss' response was "I am sorry but there is nothing I nor DND can do to assist you."

Fast forward to October 2021 when I was in contact with a lawyer who I had consulted after the death of my ex-husband in Aug 2021. I had asked who was responsible to enforce court ordered judgements within the military, they replied, "according to Queens Law 207.03 under general provisions, the 2 powers that could have enforced your judgements are the Chief of Defense Staff and his commander in chief." I didn't pursue my case further back then in 2015 because I believed what that man told me was the truth. I didn't know about the Queens law, but he should have known about it. I was unaware back then that his boss could have in fact helped me, he just didn't do his job. The neglect of his boss to help me back then, caused years of financial struggle for myself and our three children. We lost our home, our family vehicle was repossessed, our heat, light, cable, were disconnected on numerous occasions during the first few years of separation. I had to light candles around the house for light, I cooked on a rusty BBQ since my gas was cut. All of that could have been avoided had that boss done his job.

JUDGEMENT #2

After I secured a job, I was unable to take my ex-husband back to court because I couldn't afford to pay a lawyer and with a \$40,000 year income, I was too poor to be in a position to pay a lawyer and I was too wealthy to qualify for legal aid. It wasn't until I was laid off from my job that I was able to take my ex-husband back to court with the help of legal aid in Sept 2019. I received a court order for my child support payments to be increased to the proper amount and I was told a future separate court order was required for back pay owed as well as a divorce. Revenue QC received the required original court ordered documents January 2020 and the military acknowledged receipt of their request to put in place wage garnishment, but then the military failed to communicate further with Revenue QC to put in place the requested wage garnishment and thus it was never enforced.

November 2020, I requested my file to be transferred from Revenue Quebec to FRO for collection as Revenue Quebec advised me their hands were tied in terms of their abilities to collect on my behalf. Since he lived in Ontario and the military were failing to communicate, they agreed that transferring my file would be the best recourse to collect my child support. The Supreme Court received my judgement in April 2021, FRO received it for collection on Aug 25, 2021 -The day he died. My file was then closed, and I was advised through my lawyer that I would need to apply my judgement as a creditor against the estate. It is perhaps worth noting that after 8 years waiting for my divorce, it was finalized on June 18, 2021 - the week he went in hospital to die.

JUDGEMENT #3

May 19, 2021. I was awarded a back pay child support amount of \$200,000.00 with support for my 3 minor children (now ages 14, 14, and 15) going forward. His ex-girlfriend created a fraudulent will for which I currently have retained legal council to contest. That will lists me as a beneficiary of \$1.00 to

raise my 3 minor children. Furthermore, she hid the will, and it was only by coincidence, luck and a few threats that I was able to get it in my hands. I can't contest a will I cannot find, and I cannot apply my child support judgement against a will I cannot find. Her intention was to disinherit my children and to ensure I wouldn't see my support even through she was very aware of its existence.

It has been 8 years, I have had 3 court ordered judgements, 2 of those judgements of which were ignorantly dismissed by the Canadian Military and a third in the hands of a fraudulent executor. I've been in and out of lawyer's offices for those 8 years trying to get my child support while trying to raise 3 small children on my own. I have done my job, lawyers have done their jobs, Revenue Quebec did their job; The Canadian military and the Canadian legal system on the other hand, did not do their job.

By ignoring the enforcement of court ordered judgements for child support, women and children in Canada are living in poverty everyday.

By ignoring the enforcement of court ordered judgements, the Canadian government, the Canadian legal system, and the Canadian Military are encouraging financial abuse and it needs to stop.

Thank you for listening.

Sincerely,

Karen Butt

