

## **House of Commons Standing Committee on the Status of Women.**

Although I have multiple roles and personal experience with intimate partner violence, I am writing today based on my experience as a family dispute resolution professional in Ontario.

I applaud all organizations and individuals who took the time to share their experience, ideas, and concerns and trust that you see the value in each and every brief.

In the area of family dispute resolution, primarily within separation processes and elder mediation, we interact with many who have experienced violence in relationships and hear their stories.

As a society we are shocked and talk about the big instances of Intimate partner violence. The horrific and the newsworthy stories grab our attention however each day women and children face incremental and real instances of abuse, coercion, and revictimization that must be acknowledged.

Women reach out for support, they try to move their situations forward and they hit wall after wall, bias, power imbalances and a lack of enforcement.

Women of all ages, and those who identify as women along with their children are not cases, nor are they studies or case law. They are real people who need to be believed, they need to be supported, and they need processes and systems that are inclusive and sympathetic to the unique challenges they face.

There needs to be an acknowledgment and a paradigm shift from the winning at all costs attitude to one that is not only cognizant but supportive of the challenges faced during and after separation.

### **Challenges**

- Legal client advocacy at all costs.
- Use of non-family trained professionals. I include judges, lawyers, mediators, arbitrators, financial professionals, and all other professionals who work with families in the area of family and elder law. A lack of skills and sensitivities cause further risk to survivors.
- Lack of common-law rights and the misunderstanding of those rights further victimize and put woman and children at risk. No automatic equalization of property, financial abuse and controlling behavior tied to the ownership of assets lead to further financial and emotional abuse.
- Lack of funds to proceed with private family dispute resolution options forces women through the court process which often leads to litigation abuse.
- Ineffective enforcement of support agreements and orders increase the risk of financial instability.
- Autonomy and self-determination get lost in the process. Asking for help/support often takes decision making out of their hands. Police, CAS, and anyone with a duty of report follow a set path that may cause more damage. There is need for a more nuanced path that will inform, take into consideration the safety, age, housing, financial and cultural considerations (to name a few) and assist with a plan for after the abuse is reported.

### **Opportunities**

- Training:
  - Survivor informed trauma training and screening to be mandatory for all professionals working with women and children.
  - Screening for all forms of Family Violence.

- Identification of bias.
  - Recognizing and understanding the impact of financial abuse.
  - Specialists to support survivors through legal processes, with comprehensive training in the areas above.
- Safely hearing the voice of the child. This could confirm/identify the survivor's claims and lead to getting appropriate support for all survivors, including the children.
  - Address prevention. Review ***Preventing Intimate Partner Violence Across the Lifespan: A Technical Package of Programs, Policies, and Practices*** from the National Centre for Injury Prevention and Control, CDC.<sup>1</sup>
  - Encourage disclosure of IPV in safe environments, which leads to creating those safe environments.
  - Safe transitions:
    - After PARS program back into the relationship or moving towards separation.
    - From supervised to unsupervised access to children.
    - After protection orders expire.
  - Public Education (including schools and workplaces):
    - Media campaigns against DV, FV and IPV. (For example, smoking cessation, against drinking and driving)
    - Demystifying the justice system
    - Conflict Resolution.
  - Enforcement of protection orders
  - Triage in the family justice system that acknowledges and can divert DV, FV and IPV to appropriately trained professionals & processes.
  - Funding for legal aid lawyers to support through FDR processes.

“Service providers in a variety of disciplines is necessary to implement an effective response. These professionals include health service professionals (physicians, emergency room staff, public health nurses, paramedics, nurses, and home care staff), members of the legal community, mediators, court assessors, conciliators, lawyers, mental health professionals, social workers, income assistance staff, child protection workers, educators and school personnel, in addition to criminal justice system personnel. A comprehensive, coordinated continuum of services must be available to provide an effective response.”<sup>2</sup>

I would ask that Family Law and Elder Law professionals get involved and be invited to the table. We have a depth of practical experience and work closely with women who have faced and continue to face violence in relationships.

Thank you for your time.

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<sup>1</sup> Preventing Intimate Partner Violence Across the Lifespan: A Technical Package of Programs, Policies, and Practices from the National Centre for Injury Prevention and Control, CDC. <https://www.cdc.gov/violenceprevention/pdf/ipv-technicalpackages.pdf>

<sup>2</sup> Final Report of the Ad Hoc Federal-Provincial-Territorial Working Group Reviewing Spousal Abuse Policies and Legislation. <https://www.justice.gc.ca/eng/rp-pr/cj-jp/fv-vf/pol/index.html>