

My daughter and I were victims of all types of domestic violence, including physical abuse on behalf of the father for many years. In winter 2017 the father pushed me and broke my foot. In summer 2017 after going on vacation my daughter and I went straight to the hotel and the next day to shelter for domestic violence where we stayed for 9 months.

I had many judgements that were about domestic violence, and that entrusted me the child at the exclusion of the father for 3 years and father had supervised visits for more than 2 years. Director of Youth Protection was involved since the beginning and those were Youth Court decisions as well as Superior Court decisions.

In 2019 after he was threatening me again, I finally had a courage to go to the Police and filed a report with multiple proof of the abuse.

Prosecutor pressed 2 charges against the father for assault and assault causing bodily harm for multiple events dating back to 2011.

Immediately after that father has come to court, claimed parental alienation on the emergency hearings and, without letting speak any of my or my daughter's witnesses, with the sole testimony of Youth Protection worker, who claimed that mother had "*skyrocketed anxiety*", the judge has ordered to have the child integrated to the father. I had 2 doctors (PhD level) present and waiting to testify and no one heard them, however the judge has rendered that drastic decision and child against her will was sent to live with the father.

She tried to run away from him in the middle of the night after an argument with him, but she was sent by Youth Protection back to him without any considerations.

It is worth noting that the worker of Youth Protection called herself a "social worker" and a member of the order, but after the judgement it turned out to be that along with other falsities that she reported to court, she also has never been the member of the order or a social worker and had no right to submit to court her opinion. Thus, court admitted inadmissible evidence.

I filed nearly 30 new exhibits to Youth Court and asked to review this judgement, but without looking into any of my proof and without child's lawyer present, in 55 minutes, judge just dismissed my application.

I am in appeal going from court to court for 2 years now. My daughter's mood and school marks went down. Other signs of distress are clearly present as well. She watches mature adult movies at fathers and uses electronic devices for 14 hours a day. No one in court has ever evaluated her interest, even though there were more than 20 hearings. Nothing seems can be done. I wrote to many politicians to no avail and no help and often no answer was provided.

We live a horror story. I am a teacher and, even though I am making decent salary, I more often than not cannot afford to buy food or basic expenses, because I am paying legal fees and unable to come out of debt that was strictly related to this extremely unfair judicial process. In 2019, right before father claimed parental alienation, I had no debt at all.

Recommendations:

1. Judicial system URGENTLY needs to be changed. It cannot keep divorce cases in process for 4 years, especially those that involve domestic violence. There has to be merits hearing fast in order to avoid postseparation abuse, as with time abusers learn how to overcome the system.
2. Criminal system as well shouldn't keep files in process for so many years. All files that had criminal charges authorised, should be obligatory brought to hearing. In my case they just dissolve this after many years.
3. Government has to define on-duty lawyers from private practice and pay them hourly rate for cases of domestic violence. These cases cannot be treated by legal aid, as legal aid never has resources to treat these voluminous files. There has to be no limit for salary admissibility to legal help, as middle class, like me is not even admissible for legal aid, but after paying more than my salary strictly for trying to overcome dishonesty and injustice I can say that it is not humane and unfair and I often (just to get a little extra cash to pay legal fees to get my daughter out of this) had to rent my own apartment and sleep at my friends' place, and eat there as well, thankfully I have many friends who helped me.
4. Youth Protection workers who report falsities at court and who help abusive fathers to get away from responsibility have to be investigated, criminally charged and brought to responsibility for their actions.
5. Bias of lawyers has to be clearly investigated. In my case lawyer, who represented father at Youth Court, was hired by Youth Protection exactly when my daughter was taken away from me. He cannot be working for Youth Protection and his colleague from the same firm as him cannot be representing the father, as this is conflict of interest.
6. Clinical decision is a reserved act and belongs to mental health LICENSED professionals. Most of Youth Protection Workers and their bosses have no licenses at all. They should not be allowed to make clinical decisions. And when Youth Protection hires all licensed professionals, there should be an INDEPENDENT committee that can override these clinical decisions, as they can be harmful to the child.
7. Parental alienation as an argument should be not allowed in cases of domestic violence, as it is used too often by abusers to get away from responsibility in cases of domestic violence.
8. Bodies like professional orders, complaint commissioner, ombudsman and other should NOT BE LOCATED in the same province to avoid bias. It is Canada, who took responsibility in front of international society to protect victims from institutional abuse, not provinces. Thus, if ombudsman of Youth Protection of Quebec has delegated members in Alberta and these members are elected and change every couple of years, then bias problem could be ruled out and there can be efficient Canadian remedy that can view complaints about abuse of power.
9. Criminal Code of Canada has to include coercive control (this should be Canadian and not provincial law).
10. Overall culture of respect for motherhood has to change.
11. As well as culture of Youth Protection, where they should provide help to families (psychological, social etc.) and not punishment (like only service they have is placement).