

Written Submission for the Status of Women Committee

I am since April 2020 fresh out of an abusive relationship with my ex common-law partner. We have a son together and he too would not allow our son to be medicated for his ADHD. Our son had become suicidal. He was in grade 1 at the time.yes...grade 1!!! I am lucky that when I fled our home I was given excellent advice by the lady who answered at the women's shelter. We were lucky that I was able to afford to stay in a hotel for a week while I worked with the court resolution services social worker to get an Emergency Parenting Order and an Emergency Protection Order. I have to say that the social worker that helped me was nothing short of an ANGEL. She worked with me over the course of 4-5 days straight to get me the help I needed. My experience with the courts however was much different. The Justice that heard my urgent ex-parte parenting order application was fantastic. I was granted the parenting order and he recommended that I apply for an EPO. The Social Worker asked me if I had police involved at all prior to leaving the family home and if I had requested a protection order. I said yes I did and I asked them to help me. I had the police out twice to the house and I also spent a few hours on the phone with several police the days leading up to us leaving.

The police told me that they could not help me with a protection order. *"we are the ones that show up after something happens"* is what I was told. The social worker was very upset and told me that they absolutely have the power and it's their JOB to request the protection order on our behalf. I ended up submitting an application for urgent hearing for an EPO the same day I was heard regarding the emergency parenting order. I waited in the hotel room very anxiously until the court called me. I was told to speak concisely to the Judge. Again, I struggle with severe anxiety, ADHD and I also have PTSD from the abuse I suffered by my ex. I was asked the very first question of why I thought I needed an Emergency Protection order. Literally 5 words into my reply the judge yelled at me. "I asked you XYZ!!!! NOT ____!!!! I froze. I couldn't breathe. I couldn't think. I didn't know how to respond. I was hyperventilating. The Judge says to me "Stop that...I can't hear you....!!". Thankfully I was able to pull myself together sobbing and stated the facts. I was granted the EPO. But I also was traumatized even further.

I will never forget that hearing. I will never forget that Judge. I don't know who I'm more scared of now...the Court, or my ex. That was in April 2020.

Over the last 2 years I have spent a ton of money with lawyers trying to obtain orders for financial disclosure from my ex. As well as a preservation order as my ex was dissipating assets.

Even though I have court orders regarding disclosure and preservation of marital assets, my ex ignored them. I found out AFTER spending all of the money in court, that there really is no consequence for violating a court order. If I wanted to hold my ex in contempt, I'd have to pay more to have the court state that he was in "contempt". And what good is that? I mean it really has no magical meaning that will help solve any problems. But this is an example of how the courts seem to be geared towards dragging things out and costing everyone money. Thank goodness I did not have to fight in court for my child. Another thing is that the lawyer that I hired during what was the most vulnerable time in my life, was completely incompetent. Either that or he deliberately failed to act on my behalf despite hours of preparation in meetings that I set up and paid for. There was also a time where I had made a very direct request for him to act and he did not. His failure to act at that time has cost me tens of thousands of dollars. Yet who holds this man accountable? I feel like I've been made a victim over and over and over again.

FFWD to last month. I still have not been able to settle our separation with my ex. In the process he has become more harassing, sending very weird but coercive emails to me. I became very fearful for the

safety of myself, my child and my mom who lives with us. My ex lives in Ontario but who knows where he is really and what he is capable of when he is cornered. I went to the court house to ask for advice. It took two days of running around floor to floor and to the library filling out forms etc. and finally I submitted my application for a restraining order. I was led to believe by the court clerk at Resolution Services that I could apply on an urgent basis again ex-parte and I would not have to appear at all in court. This sounded too good to be true as I was sweating bullets thinking of having to go through that trauma again. So I agreed. On my way home from the court, I get a ding on my iphone. It's an email stating I need to call in to the hearing ASAP!! Wait what??!! So, sitting in a parking lot, I wait on hold for the judge. After 90 minutes!!! She comes on the phone and speaking to multiple parties who are being heard, she rants about how everyone has made applications of urgent nature that are in her opinion NOT urgent at all. She bawled everyone out. Of course I was the first case to be heard. And so found out very quickly that it was MY case that she determined was NOT urgent. She stated that she could not see ANY evidence of any harassing, or threatening behavior from my ex. And I had submitted a stack of the emails. I stated in reply that it is the pattern of behavior that has me so fearful. She was very rude, condescending and spoke to me like how dare I bother her making such an absurd request. She denied the order. I was paralyzed for about 30 min and finally drove myself home from that parking lot. I swore that I would NEVER EVER apply for any other order. I simply could not endure that again.

Recommendations:

1. There needs to be an organization that is available to support victims of domestic violence within the court system specifically. As well there needs to be special people that can help victims who have disabilities and may not be able to communicate very well.
2. It seems also that there are "favourite professionals" that are utilized by the courts. Eg. Psychologists, mediators, etc....
 - a. How are these professionals screened, managed and overseen and paid...there needs to be transparency.
3. There absolutely needs to be training for all lawyers AND judges at every level on the science behind coercive control and also the truth about "parental alienation" and how it is NOT an actual fact backed by any evidence or studies.
4. There should be mandatory sensitivity training for ALL judges. And I don't mean the weekend seminar kind. I mean they should be forced to work at a women's shelter for 6 months or something so that they can learn the facts.
5. There needs to be accountability with judges. It seems that there is NO oversight whatsoever with how court rooms are run, how decisions are made, and if the law is even being followed. Who oversees the ongoing training of judges?
6. There needs to be accountability with Lawyers too. It seems that the Alberta Law Society is a "good 'ol boys club" where they take care of their own.
7. There needs to be accountability with Police. They are there to protect us.