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• (1635)

[English]

The Chair (Mrs. Shelby Kramp-Neuman (Hastings—Lennox and Addington, CPC)): I'd like to call the meeting to order.

[Translation]

Welcome to meeting 122 of the House of Commons Standing Committee on the Status of Women.

[English]

I would like to remind all members of the following points. Please wait until I recognize you by name before speaking. All comments should be addressed through the chair. Please raise your hand if you wish to speak, whether participating in person or via Zoom.

[Translation]

Thank you in advance for your co-operation.

[English]

Pursuant to Standing Order 108(2) and the motion adopted by the committee on Monday, November 27, 2023, the committee is continuing with its study of coercive behaviour.

Before we welcome our witnesses, I'd like to provide a trigger warning. We will be discussing experiences related to violence and coercive control. This may be triggering to viewers with similar experiences. If you feel distressed or need help, please advise the clerk. For all witnesses and for all members of Parliament, it is important to recognize that these are very difficult decisions and discussions. Let's try to be as compassionate in our conversations as possible.

I would now like to welcome our witnesses.

For today's panel, we have three witnesses appearing as individuals via video conference. They have chosen to remain anonymous. They will be referred to as Witness 1, Witness 2, and Witness 3. I would kindly ask all members to refer to each witness as such.

We also have, by video conference from Ottawa Victim Services, Heidi Illingworth, executive director.

Witness 1, please begin. You have up to five minutes.

Thank you.

Witness 1 (As an Individual): Thank you.

I would like to express my deepest thanks to all of you for your commitment to the well-being of Canadian women and girls and for the opportunity to speak today.

I am a physician. My work is predominantly in cancer care. Like cancer, coercive behaviour is rampant in our society, often covert and insidious. It affects women of all races, socio-economic statuses, ages and religions.

I've been in the family court system for five years and counting, with reports of coercive behaviour made by my children and me, countered by false allegations of parental alienation made by my ex-husband. Perpetrators of coercive behaviour not only deny violence; they often distract from their behaviour by painting themselves as the victim. One common method to do so is accusing the mother of parental alienation, or PA. PA is defined as the "wilful attempts by one parent to prevent or undermine a child's relationship with the other parent".

In April 2023, the UN special rapporteur on violence against women and girls, Reem Alsalem, wrote the following:

...the discredited and unscientific pseudo-concept of parental alienation is used in family law proceedings by abusers as a tool to continue their abuse and coercion and to undermine and discredit allegations of domestic violence made by mothers who are trying to keep their children safe.

Adding to the trauma of alienation claims is the intensive deprogramming therapy in which children are subsequently forced to participate in an attempt to repair their relationship with the unsafe parent. This therapy can be administered in a variety of forms and goes by many names. It can be called reunification, reintegration or reconciliation. Even the words "family therapy", when in the hands of certain therapists, are a benign-appearing name given to veiled reunification therapy. This therapy is not regulated and has no supporting literature indicating that it is effective. In fact, literature and numerous testimonies from youth outline its short- and long-term negative psychological consequences.

The therapy can be in the form of frequent outpatient sessions. In some instances, children are sent against their will to a multi-day overnight camp, such as Family Bridges in Canada. Some are even trafficked across the border by transport agents to camps in the U.S., such as Turning Points for Families in New York. In her report, the special rapporteur called on states to ban the use of parental alienation in family court and to ban all forms of reunification therapy. Bans on reunification therapy and camps are currently in effect in many American states.

The tactics used in reunification therapy are similar to those used in conversion therapy. Threats, intimidation, verbal abuse and forceful denial of reality are used in an attempt to deprogram youth. Conversion therapy is banned in Canada, yet reunification therapy remains a common “solution” ordered in family court. If it is not ordered, mothers are often pressured into consenting to it for fear that the court will impose a custody reversal upon them if they do not.

As a physician, I find it staggering that the Canada Health Act is overridden and children's consent to treatment is dispensed with in order to force a relationship between a child and their unsafe parent through reunification therapy. Further, children are not being believed and their wishes are disregarded, which violates the UN Convention on the Rights of the Child.

Because my ex-husband was able to convince the custody assessor and reunification therapists that I demonstrated alienating behaviours, my children experienced two rounds of this therapy. I witnessed these therapists dismissing disclosures of abuse by telling the children they were not remembering events correctly, and telling them to forget about it and move on. Excuses were made for the unsafe parent in order to normalize or minimize their actions. Some examples include the following: “Your memory isn't very good when you're emotional; that's not how it happened” or “These are mistakes; Dad was just stressed that day.”

The more the child attempts to advocate for themselves, the more intense and aggressive the therapy becomes and the more the child's behaviour is framed as pathological, disordered, defiant and a manifestation of alienation.

Regarding recommendations, criminalizing coercive behaviour is, in theory, an excellent step forward. However, the law has to be worded in such a way that it will protect mothers who are accused of alienation. Supporters of alienation will work hard to have it framed as a form of coercive behaviour. The consequences for mothers can be catastrophic, as they will be fined or jailed for parental alienation.

If we eradicate the remedies imposed by the court, such as reunification therapy, custody reversals and no-contact orders, allegations of alienation will dissipate, as the allegations will no longer result in financially and emotionally abusive outcomes for mothers and children.

Numerous other valuable changes can be made. Standardized risk assessments should be performed by custody assessors, CAS workers and clinicians involved in these cases. Children's wishes should be respected. Mothers' and children's accounts of abuse should be believed. There should be access to children's lawyers so that children can have their wishes and experiences directly communicated to the court.

I ask for legislation that aligns with the UN recommendations, specifically to ban the use of alienation in family court and to ban all forms of reunification therapy and camps.

Thank you very much for listening.

● (1640)

The Chair: Thank you very much.

Witness 2, you have up to five minutes.

Thank you.

Witness 2 (As an Individual): Thank you very much for the opportunity to speak with you today.

I'm an 18-year-old Canadian woman and a survivor of coercive behaviour and reunification therapy. I hope to provide some insight into the broad spectrum of what Canadian youth experience under the black cloud of the preferred parent being accused of parental alienation in family court custody disputes.

Within a few days of being told about my parents' separation, my sibling and I were brought to reunification therapy to repair our relationship with our dad. When asked about our experiences at home, we communicated that our dad was absent throughout our lives and therefore a stranger to us. When he was around, he was easily angered and emotionally abusive towards us and our mother. There are many examples, but some include yelling in my face, swearing at me, calling me names, making homophobic comments to me, listening in on my conversations, sneaking up and startling me, monitoring me, forcing affection, threatening me and videoing me without my consent.

My sibling and I avoided interaction with him because of how unpredictable his behaviour was, how nervous he made us and how much he scared us. In the reunification therapy sessions, we watched our dad inappropriately flirt with the therapist and lie repeatedly. As a result, the therapist denied our reality. When we described emotionally abusive episodes, our dad told the therapist they didn't happen. The therapist told us that we needed to think of things from our dad's perspective, that we weren't remembering things correctly—

The Chair: Excuse me, Witness 2, could I kindly ask you to slow your pace down a little so the translation can be a bit easier?

Thank you.

Witness 2: Sure.

We were told that our dad was stressed and made a few mistakes, that our boundaries were incorrect, that we needed to be educated because we didn't understand relationship boundaries, and that our thinking was disordered and distorted. The therapist also asked us to look into our dad's eyes and tell him that we loved him, because telling our dad that we loved him would make things better.

Overall, we were blamed and repeatedly told we needed to change our behaviour and perspective in order to make things better. We were ignored and consistently asked about our mom's reaction to the abusive events. I didn't understand at the time, but I later realized that this was an attempt to further the accusations of alienation against my mom.

My sibling and I tried to refuse to attend therapy, but we were told we had to go. We each had one session per week with the therapist—alone, together or with our dad—for one and a half hours. On top of this, we would soon be doing activities every weekend with the therapist and our dad for four hours without our mom present, such as baking, shopping, cooking and going on outings. When we asked how long we had to do this for, there was no conclusion date provided.

After many sessions, my sibling and I refused to continue to attend. We thought that was the end of the nightmare. Instead, we started a section 30 custody assessment. The situation was even worse. The assessor spoke with the reunification therapist to get her opinion. My sibling and I again described numerous abusive episodes. My dad painted himself as the victim, and the assessor believed his numerous lies. We were not believed, not listened to and made to feel as though we were the problem. We were told we needed to get over the past and stop thinking about those events because they didn't actually happen. The assessor told me that I had black-and-white thinking, and that I needed to stop being stubborn and change my thinking. The assessor also said that I was overly emotional, that my emotions were distorting my memory, that I was defiant, immature and closed-minded, and that I was at a high risk of mental health issues if I did not have a relationship with my father.

I asked to have a lawyer represent us and directly express our wishes, but a judge would not allow it because we had an assessor involved in our case. We then had to start a second round of reunification therapy. This time, it was at an office over an hour away from our home and school. It was the same. We were told we were the problem.

The sessions with both therapists and the assessor were stressful and traumatic, against a background of the trauma I experienced with my dad for years beforehand. We then had to restart more sessions with the assessor because she wanted to assess how things with our dad were progressing in reunification therapy. Things were worse.

My dad's behaviour didn't change, and he was not held accountable by anyone throughout this process. Not one person in my life—

The Chair: Witness 2, I'm terribly sorry that I need to interrupt you.

I need you to slow down your pace a little more for the translation. If you can speak up a bit, as well, that would be appreciated.

Thank you.

Witness 2: Of course. Is there anything I should repeat?

The Chair: No, just continue from where you were.

Thank you.

Witness 2: Not one person in my life would characterize me as being dishonest or having disordered thinking, except for the assessor and the reunification therapists.

I, again, asked to speak to a judge. We were told we could speak to the judge, but only after his trial decision was made. I found that very upsetting, given that we wanted the opportunity to tell the

judge that my dad was lying to everyone throughout this process—to tell him what had actually happened in our lives.

My entire high school career and adolescence have been tainted by these experiences. My mom being accused of parental alienation silenced her. It also silenced my sibling and me. It stripped us of our rights and access to resources to help us.

Ignoring children's reports of abuse, disregarding children's wishes regarding parenting schedules, and forcing children into reunification therapy and camps abuse Canadian children and violate the United Nations Convention on the Rights of the Child.

I'm asking this committee to please protect the rights of young victims of coercive behaviour by creating legislation to ensure that a child's lawyer or an abuse-informed clinician is granted, in order to have their experiences and wishes directly presented to the court. In addition, please create legislation to ban parental alienation accusations in family courts and all forms of reunification therapy and camps. The well-being of Canadian children depends on it.

Thank you very much.

• (1645)

The Chair: Thank you very much, Witness 2.

Witness 3, you have up to five minutes.

Thank you.

Witness 3 (As an Individual): Thank you so much.

As a mother who was labelled as an alienator, I was also labelled as someone who had engaged in coercive control by the family court.

The criminalization of coercive control on its own standing would put those whom it is meant to protect at greater risk if the use of parental alienation and its associated remedies remain an option to family court judges.

It has now been 1,033 days since I've had contact with my child because of the use of parental alienation as a legal strategy. No contact means no visits, no cards, no celebrating holidays, no phone calls.

My judgment stated an immediate reversal of custody, inclusive of a police enforcement clause. The non-preferred parent was granted exclusive custody, sole decision-making and an indefinite restraining order, and ordered to participate in a second round of reunification therapy. This order is in direct contradiction of the recommendations of the Office of the Children's Lawyer, who recommended that I should have sole custody and decision-making power.

In 2020, Professor Joan Meier published empirical evidence that alienation claims are effective in undermining mothers and double their rate of losing custody of their children. Our family's judgment further legitimizes this study and is consistent with her findings as published in the *Journal of Child Custody* regarding children who have been forcibly removed from their preferred parent: "The children in these cases suffered from anxiety, depression, PTSD, self-harm, and suicidality, and some repeatedly ran away, thus exposing themselves to further harm of homelessness and sexual trafficking."

The content from this journal has now become my child's reality. My child's clinical impression, as documented by the Hospital for Sick Children and the Centre for Addiction and Mental Health, is aligned with the *Journal of Child Custody* regarding children who have been forcibly removed from their preferred parent.

Since the reversal of custody and no contact for almost three years, my child has been diagnosed with suicidal ideation, anxiety, depression and self-harm. Prior to the reversal of custody, my child did not have any concerns with mental health. Once again, the details of my case align with the *Journal of Child Custody*, as my child has also run away from school and home. Every time, she has been retraumatized, and her cries for help have been met with assault, forcible confinement and punishment.

The typical outcome in family court cases like mine is that the preferred parent is erased from the child's life. The remedies associated with parental alienation are hypocritical. In order to repair the relationship between the child and the non-preferred parent, they completely remove the preferred parent. They stop any and all contact immediately with the preferred parent, family members and friends, and even change schools, doctors and physicians.

Another implication for children affected by the pseudoscience of parental alienation is that all resources put in place to assist children, such as the children's aid societies, Ontario children's lawyers, clinicians, school social workers and mental health practitioners become null and void when there are accusations of parental alienation. Not one of the above agencies has made any attempt to help my child. As a non-preferred parent presents the court order, any concerns for the child's well-being, mental health or life are disregarded.

Accusations of parental alienation can be as simple as the preferred parent not having pictures of the non-preferred parent in the common areas of their home, the children not smiling in pictures taken with the non-preferred parent or the children not telling the non-preferred parent that they love them, and the preferred parent is alienating by not forcing the children to do so. This applies to physical affection. The preferred parent has to force the children to hug the non-preferred parent; otherwise, this is seen as alienation.

Clinical documents demonstrate that my child's views and preferences have remained the same, to be in the primary care of her mother. School and medical reports are consistent that my child is intelligent, mature and a top achiever, yet her views and preferences are still not respected.

Children are the ultimate victims in this process that is imposed upon them by a judge who follows the pseudoscience of alienation and all the unethical and traumatizing remedies associated with it.

In conclusion, I recommend that the Canadian government adopt the recommendations of the UN special rapporteur and NAWL. I additionally recommend the removal of the family court's ability to order custody reversals, no contact orders, reunification therapies in all forms and the use of transport agents.

Thank you.

• (1650)

The Chair: Thank you very much.

Our last witness for this afternoon will be Ms. Illingworth, for up to five minutes.

Ms. Heidi Illingworth (Executive Director, Ottawa Victim Services): Thank you so much for the opportunity to address the committee.

I want to thank the three witnesses who spoke before me just now for their very powerful statements.

I'm here today representing Ottawa Victim Services, a community-based agency that's mandated to provide 24-7 crisis intervention support to victims of crime and tragic circumstances across the city of Ottawa. In 2023-24, we served 4,292 clients, of whom 1,287 were survivors of domestic and intimate partner violence, which is about 30% of our caseload. Our clients regularly disclose many forms of coercive and controlling behaviours by their intimate partners, including isolation, intimidation, monitoring, restricting access to financial resources, emotional abuse and threats, and other forms of psychological manipulation, which undermine their autonomy and self-worth. In our daily work on the front lines, we do see the need for a criminal law response to coercive control.

Currently, there are offences in the Criminal Code that are used to respond to situations of domestic and intimate partner violence, but these offences were designed to respond to the problem of men's public violence against other men. Canada lacks specific and clear legislation outlining what abuse is in the context of intimate or private relationships. In my view, there has been a deliberate failure on the part of the state to recognize private violence that occurs in the domestic context for the epidemic that it is today. This is largely because it is a gendered issue negatively affecting women, children and gender-diverse folks. The law does not currently reflect victims' lived realities or the real nature of harm, as you just heard, because it fails to include many aspects of abuse in the intimate context. I do believe that a shift is needed in order to significantly impact how the state responds to domestic violence in Canada.

I think we can make a difference by, first, broadening the definition of abuse. Our existing laws focus on physical violence or threats of physical harm. Coercive control includes a range of behaviours, such as psychological manipulation, isolation and financial control, which can be just as damaging but aren't captured by existing laws. By criminalizing coercive control, the legal system would recognize and address these forms of abuse and provide a broader scope of protection to victims who may not have experienced physical harm but are often paralyzed by fear from the psychological abuse and manipulation of their partners.

I also think what is really important and really needed is a cultural shift. We need to start thinking about coercive control as a serious issue rather than as a minor, private or normal aspect of relationships. Intimate partner violence is an epidemic, and we need to take steps to fully address it. Criminalization will help to change public perceptions, reduce stigma around seeking help and better define what is abuse and what is a healthy relationship.

Also, it's really critical that we look at early intervention. Criminalizing coercive control could lead to earlier intervention by the authorities. We want to be able to intervene, as service providers, before behaviours escalate to physical violence. We can prevent more severe abuse and provide support to victims earlier. This is really key to the prevention of femicide in Canada. Many domestic homicide reviews and academic research in the U.K., Canada, Australia and the U.S.A. have identified coercive control as a significant precursor in many cases of domestic homicide. Coercive control often precedes, accompanies or escalates into more severe forms of violence, including intimate partner homicide. The recent CKW inquest into the murder of three women in Lanark County, Ontario, recommended the following in recommendation 85: "Include 'coercive control', as defined in the Divorce Act, as a criminal offence on its own or as a type of assault under s. 265 of the Criminal Code."

• (1655)

I cannot emphasize this enough: Coercive control is a warning sign. Numerous studies have found that coercive control is a common feature in the histories of domestic homicide cases. Victims often experience prolonged periods of psychological abuse, manipulation and control before the situation escalates to violence or homicide.

I want to make a couple of recommendations today and echo the words of the three witnesses before me.

As presented to you by the National Association of Women and the Law, we know that many victims of intimate partner violence do not go to the police. However, those who have children will interact with the law in the context of family law. Abusers are known to continue their violence and control post-separation in the form of judicial violence. Therefore, it's important to also address coercive control in family law. Specifically, we echo the calls of NAWL for the committee to recommend that the Government of Canada amend the Divorce Act to ban parental alienation accusations from being used in family court.

I would also like to echo the recommendation made to you earlier by the Canadian Center for Women's Empowerment, which is to have the government recognize the gendered aspect of domestic vi-

olence and how coercive control is deeply rooted in gender inequality. We recommend increased funding of services to adequately protect and support victim-survivors before and after separation. We recommend a holistic framework that can adequately support and protect women in abusive situations, especially with respect to different intersectional realities, such as newcomers, immigrants, gender-diverse people, Black, indigenous and other persons of colour, disabled persons, seniors, and young women, who are all at an increased risk of violence.

Lastly, we recommend that economic and financial abuse must also be included within the context of coercive control and include post-separation abuse in considerations if we are moving toward a coercive control offence.

The Chair: Thank you very much.

Thank you all for your opening remarks.

At this point, we will move to our first round of questions.

[*Translation*]

Ms. Ferreri, we'll begin with you.

[*English*]

You have six minutes.

Ms. Michelle Ferreri (Peterborough—Kawartha, CPC): Thank you, Madam Chair.

Thank you so much to our witnesses today for being here on our study on coercive control. Your voice matters and we're very happy to have you here.

I will start with Ms. Illingworth.

Ms. Illingworth, thank you for the work that you do.

When we see an increase of 50% in crime, that means 50% more victims. I think that's a key thing that people forget when they're looking at a lot of the stats that we see.

One thing you said before was, "Our findings were that the CVBR [the Canadian Victims Bill of Rights] has largely failed to empower and support those harmed by crime. I called for a Parliamentary review of the Act and issued 15 recommendations to the federal government for legislative and administrative measures."

What response have you received from the government?

Ms. Heidi Illingworth: I am no longer the ombudsperson for victims of crime, so you would have to speak to the new ombudsperson about what is happening.

As far as I know, the recommendations that I made have not been actioned as of yet.

Ms. Michelle Ferreri: Yes, I appreciate that you're no longer the ombudsman.

When you were, was there any response from the government at all on your recommendations?

Ms. Heidi Illingworth: There was not.

Ms. Michelle Ferreri: Were you given a reason why?

Ms. Heidi Illingworth: The report was received, as far as I know. We had been calling for the review of that legislation, which was supposed to happen after five years. I understand it may be coming, but I don't really have information to answer that.

Ms. Michelle Ferreri: I'm sure that must have felt fairly frustrating, for all the work that you're doing.

I want to go to Witness 3.

For those watching at home, the identification is obviously very confidential today as we navigate these difficult situations.

Witness 3, I want to thank you for testifying. You said you are a mom. Can you say again, please, the number of days that you've been alienated from your child?

• (1700)

Witness 3: Yes. It's been 1,033 days as of today.

Ms. Michelle Ferreri: In all that time, you haven't seen your child. Is that correct?

Witness 3: I have had no contact, no phone calls and no video calls. There's a restraining order. I'm only allowed to speak to doctors and her teacher.

Ms. Michelle Ferreri: As a mom, I'm looking around the room and our eyes are kind of popping out of our heads a little bit, because we can't imagine that.

What have you been told is needed in order for you to be able to see your child again?

Witness 3: The judge has granted my daughter's father.... He gets to decide whether I get to see my child or not. He was given exclusivity over whether or not I have visits.

Ms. Michelle Ferreri: We've heard a lot of testimony here about.... Ms. Illingworth, one of your recommendations was to remove the term "parental alienation" from the Divorce Act.

I'm going to go to Witness 1, who described herself as a physician.

You suggested standardized risk assessment. Obviously, being a physician, you have clarity around the structure of systems. How do you prevent parental alienation? That is real, even though the testimony we've heard today is awful. It's a violation. What has happened to you is unacceptable. It's criminal. What would you recommend we put in to ensure that parents aren't using their children as leverage to alienate them? Is there wording that can be changed? What is your recommendation, Witness 1?

Ms. Illingworth, you are free to jump in with suggestions on that as well, if you wish. What we're looking for is what that language would look like. If we were to remove that from the Divorce Act, how would we still ensure the safety of the children?

Witness 1: I think we need to look historically at this phenomenon of parental alienation. It was created in the early eighties by a disgraced psychologist who used the concept of parental alienation as a method to distract from sexual abuse accusations against fathers. It has been used as a vector of abuse against women since then. You can all google who started this; his name was Richard Gardner. He said, "There is a bit of pedophilia in every one of us" and "The child who has suffered bona fide [sexual] abuse may very well have enjoyed the experience". That is how this started.

This concept of parental alienation has morphed and is used in settings where men are accused by the mom and/or children of abuse. They're false allegations used to distract from the abuse. Sadly, there has been a lot of case law across the world—even here in Canada—where as soon as parental alienation is raised, women are down a rabbit hole.

The word "alienation", in the setting of abuse, has to be eradicated. The way to do that is to have risk assessments on the front lines so that, from the get-go in these custody battles, we can determine whether or not abuse is present. That—

The Chair: Thank you very much for your answers.

I'm confident that there'll be many other questions from members and you'll be able to finish some of your thoughts.

Anita, you have the next six minutes.

Thank you.

Ms. Anita Vandenberg (Ottawa West—Nepean, Lib.): Thank you very much.

I have to say, as other members of this committee have said, that this is some of the most disturbing testimony we have heard.

I'd like to start with Witness 2.

What you described is absolutely a violation of your fundamental rights. You mentioned the United Nations Convention on the Rights of the Child. I just want you to know that what you are doing today, by speaking out, is going to help a lot of other children. I know it's really hard, but I want you to know that we appreciate what you're doing. The fact that your basic rights.... You wanted to speak to a judge because you believed that this would actually make a difference.

Are there safeguards? You talked about banning all forms of reunification therapy and other things. Your voice was silenced, but are there safeguards in the judicial system that could be built in to allow children to have a voice and a direct remedy? Is there anything you can think of that we could do to make sure that what happened to you doesn't happen to anybody else?

• (1705)

Witness 2: Yes.

Thank you for your first remarks. I very much appreciate it. I want to apologize for speaking too quickly. I was quite nervous.

To comment on what you said, I think it's very important that what I wanted to happen does happen: for example, that children get the opportunity to speak with the judge prior to the decision being made. It was quite frustrating not to have that opportunity.

In addition, involving children's lawyers, if the child cannot communicate directly with the judge, and having an intermediate party like a children's lawyer who takes the words of the child exactly, without twisting them or manipulating them in the ways the assessor did, and who is then communicating the child's wishes to the judge, I think is an alternative solution as well.

Ms. Anita Vandenberg: Thank you very much.

I wish we had more time, but I am going to move on to Witness 1.

In the horror of what you're describing, there are some things in what you said that are incredibly alarming. One of them was that you said children are being "trafficked across the border". We know that children cannot travel internationally without parental consent, so how on earth would this have happened? Can you maybe describe what happened to you? How do we prevent that, given that it would be illegal to begin with? How did it happen?

Witness 1: My children were not sent to a camp in the U.S. However, I know of two cases in Ontario where that did happen.

What happens is that at the time of the judge's decision, the custody is transferred initially to the transport agents and then to the people who run the reunification camp. We've had children driven across the border to New York, and another child flown to a camp in California.

This dates back all the way to 2012. This has been going on for some time, but there are these camps also in Canada.

Ms. Anita Vandenberg: I think we need to look at these kinds of issues as well, to ensure this doesn't happen.

Witness 3, we all talk about consent. You described something in your testimony about children being forced to hug their father. Obviously, forced hugs are not consent. Again, it's baffling to think that this would even be allowed in our system. How do we prevent that? Is this something that's happening across the board?

Witness 3: Yes. My child was also forced to. It's with the reunification therapist and any form of reunification or any time parental alienation is brought up. When the child feels scared and they don't want to hug or show affection, or to tell the non-preferred parent that they love them, that is seen as alienation done by the preferred parent. That is used against us in family court.

I'm not too sure in terms of prevention, but removing the reunification therapy, as we've all spoken about, and all the remedies associated with parental alienation that are currently being used...also, as Witness 2 mentioned, having lawyers to properly advocate for the children to express their views and wishes.

Ms. Anita Vandenberg: Thanks for bringing that.

I have less than a minute left.

Ms. Illingworth, you've heard this testimony. You work with victims. What are your thoughts about what we've heard today?

• (1710)

Ms. Heidi Illingworth: Yes. I thought the testimony was incredibly powerful.

As I said, I don't think Canadian laws adequately address the lived realities of victims and can respond to them adequately. We see that certainly in the criminal context, but I think the witnesses today have eloquently shown you how this isn't working in the family law context either.

We have serious work to do, especially around the use of parental alienation and disallowing that, as recommended by so many and by the UN special rapporteur.

Ms. Anita Vandenberg: Does it surprise you?

Ms. Heidi Illingworth: No.

Ms. Anita Vandenberg: That tells us everything.

The Chair: Thank you, Anita.

[Translation]

Ms. Larouche, you have six minutes.

Ms. Andr anne Larouche (Shefford, BQ): Thank you, Madam Chair.

Thank you to all four witnesses for taking the time today to share their profound and troubling life experiences with us.

Thank you for participating in this study.

Ms. Illingworth, in your opening remarks, you talked about coercive control, which is the subject of this study. Can you tell us a little more about the criminal justice response you expect when it comes to coercive control? I would like to hear more about that.

[English]

Ms. Heidi Illingworth: Do you mean the current criminal law response?

[Translation]

Ms. Andr anne Larouche: Exactly. You mentioned it in your opening remarks. I'm giving you the opportunity to tell us more about that.

[English]

Ms. Heidi Illingworth: I would like to come back to that, certainly.

I have concerns that many of the clients whom we help and serve in our jurisdiction cannot access police support. There are no charges in their case unless there is a physical incident of violence. All of what is happening in that relationship that is very abusive is basically observed by patrol officers. When they come on the scene, they know something is going on that isn't right within this relationship. Survivors are describing economic and financial abuse and control. They are being isolated and intimidated. They have been threatened and they are very fearful.

Right now, the law is really focused on physical incidents of violence, and that's when charges can be laid. We have so many survivors who are outside of the scope of a criminal law response. They don't know where to go to get help, and they don't know how to get out of these situations. Luckily, sometimes we have officers who recognize that there is a problem and they will flag it to victim services teams so that we can intervene and do some education around what may be happening. This may help people to recognize the abusive situation they're in and get them supports to increase safety or provide them with options around perhaps fleeing and looking at new housing to get out of the situation they're in.

Others, such as in the testimony you've heard today, maybe are not in the criminal justice system at all but are trying to separate or get a divorce from the abuser. If they have raised concerns around their partner being abusive, they face really dire consequences in the family law system in terms of being accused of parental alienation.

I think we have serious work to do in terms of dealing with coercive behaviour in both the criminal system and the family law system in Canada.

● (1715)

[Translation]

Ms. Andr anne Larouche: Thank you.

My time is limited, so I'll come back to that in a subsequent question.

As a teenager, I was struck by an awareness campaign in Quebec called "Violence: It's not always striking, but it always hurts!" It opened my eyes to the fact that there are different types of violence and that you don't need a bruise to be a victim of violence. This has been a concern of mine for quite some time.

You mentioned it in your opening remarks. You also talked about culture change. First of all, it has to be recognized from a criminal standpoint. Second, officers must be made aware of coercive control and properly understand its implications under the Criminal Code.

How do you envisage education initiatives for stakeholders, from the police community to the justice system?

I have 30 seconds left. We can come back to it later, but you can start your answer.

[English]

Ms. Heidi Illingworth: Absolutely. We need to implement training mechanisms, especially if we're moving towards criminalization in this country. There will need to be training for police, judges and other legal professionals in addressing and responding to these behaviours, and in how we handle these cases in both the criminal and the civil law contexts.

I think public education is absolutely needed, as well, as part of this change, so the problem of intimate partner violence doesn't remain hidden and thought of as a private matter, which it very much is now.

The Chair: Thank you very much for your response.

Leah, you have six minutes.

Ms. Leah Gazan (Winnipeg Centre, NDP): Thank you so much, Chair.

I want to start out by thanking all the witnesses for being here and sharing very difficult testimony. I want to honour that.

My first question is for Witness 1.

You were talking about abuse. We know there is a continuum of abuse, coercive control being part of that, often resulting in physical abuse. I know we're studying coercive control. One of my concerns, at this point, about criminalizing coercive control is that I don't know whether we have adequately addressed parental alienation, and if that will place victims at greater risk.

I want to very quickly quote the NAWL report:

Victims of domestic violence are particularly at risk of being accused of "parental alienation" when they raise safety concerns. The idea that mothers fabricate allegations of violence to gain an advantage in family court and then brainwash their children to fear their father reinforces myths around family violence, marginalizes concerns for the child's safety, and puts women who denounce domestic violence at increased risk of being disbelieved and even punished.

Do you think parental alienation is often used as a counter-argument for coercive control?

Witness 1: Yes, 100%. It's well documented in the case law and literature.

Ms. Leah Gazan: Witness 2, I know you spoke a lot about the abuse you experienced at the hands of your father. That's traumatic, and I'm sorry that your childhood was impacted by violence.

To go back to the quote I just gave, you were a child who communicated fear of the father. We're studying coercive control. How did not having proper things in place to protect victims from being accused of parental alienation make you more unsafe?

● (1720)

Witness 2: I'm sorry. Do you mind repeating the question?

Ms. Leah Gazan: Well, you were saying that your mother was accused of alienating your father.

Witness 2: That's correct.

Ms. Leah Gazan: As a result, you had to go to therapy. Part of the reason is that courts are allowed to use this. They're allowed to use accusations of parental alienation.

Do you believe this placed you at further risk of violence?

Witness 2: Yes, 100%. Because of the accusations, I was forced to spend more time with my abuser. As a result, that directly placed me in a space where there was a higher risk of violence.

Ms. Leah Gazan: I appreciate that. I absolutely agree with you that it was a violation of your rights.

I know you cited the UN Convention on the Rights of the Child. What can the federal government do right now to honour its obligation to this international convention so this doesn't happen to other folks in your situation?

Witness 2: Some lines that stand out to me from that UN report are that children have the right to give opinions freely and to have adults listen to them. I was not listened to. It also says that I have the right to protection from being hurt or mistreated in body or in mind, and I feel that I did not have that protection.

It also says that, if parents are divorced, you have a right to stay in contact with both unless it isn't best for you. It wasn't best for me, and yet I was consistently encouraged, by the therapists the court mandated me to see, to remain in contact and, like Witness 3 testified, to force affection. I was told that I had to tell my father that I loved him, that I had to hug him, etc.

Ms. Leah Gazan: I'm so sorry that you experienced that kind of abuse.

I have only 30 seconds left, so I will just say that I know you shared some really difficult testimony. I hope, through this study, when we're looking at coercive control, that we'll make sure we put forward recommendations that don't unintentionally place victims like you in greater harm.

Witness 2: Thank you.

The Chair: Thank you.

We've completed our first round. We now begin the second round of questions from our members.

Dominique, I invite you to take the floor for five minutes.

[*Translation*]

Mrs. Dominique Vien (Bellechasse—Les Etchemins—Lévis, CPC): Thank you very much, Madam Chair.

I'd like to thank our witnesses for such poignant testimony. Again, it's quite distressing for us. I don't know if my colleagues agree, but what we can take away today is that these young victims are not being heard or listened to.

In fact, a thought occurred to me. Today, at the age of 14, a person can see a doctor for specific services, which will be confidential. People will be considerate. However, if that same person speaks to a judge or a lawyer, they turn a deaf ear. At least, so I have gathered from our discussions thus far.

Ms. Illingworth, we've heard testimony from women who told us that if they had known the aftermath, they wouldn't have left the family home. We are talking about parental alienation, deprivation and false charges, for example. One of them told us about the economic problems she was experiencing.

Do you hear that kind of comment or observation from women who take refuge in your shelter, that the price for leaving the violent environment is even higher than the price for staying at home?

• (1725)

[*English*]

Ms. Heidi Illingworth: Yes, absolutely, I've heard that and my staff have heard that. There are a lot of complaints around the crim-

inal court system not sharing information with the family court system. When there are clear histories of abuse and violence being reported in the criminal system, the family system doesn't seem to take that into account: how serious that is and what a serious impact it has on children.

To continue to allow people who are accused of abuse to raise parental alienation is just ridiculous. It's so outdated and harmful, as you heard from the three witnesses today.

[*Translation*]

Mrs. Dominique Vien: Thank you very much.

I would like to ask a question of Witness 2, who is so young—only 18 years old.

Welcome, and thank you for your testimony.

I have some rather technical questions to ask you about your experience, so that we have a clear understanding of what these therapies are, since you've seen them up close.

First, you said that you were in this situation with your sibling. Are you the younger one?

[*English*]

Witness 2: I'm 18, and my younger sibling is 16.

[*Translation*]

Mrs. Dominique Vien: Thank you.

So your sibling has not reached the age of majority and may still be living in the same situation.

Can you explain to us how it was decided that you had to take these therapies, and for how long? How long did the separation from your mother last?

[*English*]

Witness 2: It was ordered by the court, and I had to go.

I started this process when I was 14, and I continued through this therapy until just before I turned 17.

[*Translation*]

Mrs. Dominique Vien: When you were there—I assume you lived there and slept there—what kinds of conversations were you able to have with other children or teenagers who were there? Was everyone, or just about everyone, in the same situation?

[*English*]

Witness 2: Well, not exactly. I had to switch back and forth between both of my parents' houses, so they had divided parenting time.

The other victim I've spoken to attended one of the camps, where they were taken away from their parent. That was not my experience, so I cannot speak on their behalf in terms of—

[*Translation*]

Mrs. Dominique Vien: All right. I completely understand.

[*English*]

The Chair: Thank you very much, Dominique.

Emmanuella, you now have five minutes.

Ms. Emmanuella Lambropoulos (Saint-Laurent, Lib.): Thank you. I will be sharing my time with Ms. Hepfner.

I want to start by thanking the witnesses for being here and sharing their experiences with us today. I know it's very difficult to do so. It takes a lot of courage. I want to thank you for sharing everything with us today in order to better protect women in Canada.

I'm only going to ask one question, and then I'm going to pass it to my colleague.

My question would be for Witness 3. What was the justification the courts gave you to give full custody to your ex-partner and to allow him to decide when you would get to see your children?

• (1730)

Witness 3: We were in trial. I was forced to self-represent, as I couldn't get a lawyer. There were things brought up such as that I don't have pictures on my family room wall. I referred to him as "her father". Text messages and emails from years prior were used against me. There was something that had occurred, and my daughter was refusing to go with him. Therefore, I had planted this story in her head—that's what the reunification therapist, her father's family and her father had told her.

Ms. Emmanuella Lambropoulos: I'm asking that question because I'm curious as to how parental alienation is used against mothers or fathers—whoever the victim is at that point—in order to say that they're manipulating a child into not wanting a relationship with the other parent, but then it's okay to have the child not have a relationship with the other parent once that's been done, that cut-off. The psychological damage that will occur after that is not considered.

That's what I find difficult and what I would like for this committee to work on, finding that balance. Why is it weighted so much heavier in one case and not in...? I don't know if I'm making sense, but I think you understand what I'm trying to say.

Witness 3: I'd like to add that the reunification therapists, these therapists they bring on to change the child's reality, are often hired by the non-preferred parent and are always swayed by the non-preferred parent. This person I spoke to three times in my entire life writes reports about how terrible I am and yet has never really had any therapy with me.

Ms. Emmanuella Lambropoulos: I'm so sorry that's your experience.

I'll pass my time to Ms. Hepfner.

Ms. Lisa Hepfner (Hamilton Mountain, Lib.): Hello, witnesses. This is Lisa Hepfner chipping in here.

I met with the three of you a couple of months ago, and I was extremely moved by your stories. I'm very glad that you've accepted the invitation to come and share with the entire committee. I think it's something that we all need to hear.

I would like to clarify something that we heard earlier from my colleague. This isn't something that's in the Divorce Act that they want us to take out; this is something they want us to change so that we can't use parental alienation in family court.

One thing that I find very disturbing—and I haven't really heard anybody talk about it yet—is that there's a sort of cottage industry growing out of this tendency to use parental alienation. These so-called therapists, the family reunification people, are the same people advising judges that this therapy is needed. Then the children and the parents are forced into particular therapy with that particular person.

Does anybody want to chip in if they've heard the same thing?

Witness 1: That is correct. None of my colleagues in the medical community have ever heard of this therapy. Nobody I know has heard of this therapy, and it has become a cottage industry. It's very lucrative. Had we continued on the therapy schedule intended for my family, it would have cost us \$6,000 a month.

• (1735)

Ms. Lisa Hepfner: And it's mom who's paying that.

Witness 1: Most often, yes, it is. There can be some type of split that happens, but, especially if the child is sent to camp, the bill is sent to the mother. This is another vector of abuse.

It's these same players in this cottage industry, as you said, who are the frequent flyers in the court. The court heavily weighs their opinion, and if they say it's alienation, it's alienation. There's a lot of money to be made in the reunification therapy industry in this country.

The Chair: Thank you very much.

Thank you, Lisa.

Next is MP Larouche.

You have two and a half minutes.

[*Translation*]

Ms. Andréanne Larouche: Thank you very much, Madam Chair.

Ms. Illingworth, I would like to pursue our conversation. Two and a half minutes go by quickly.

On the subject of coercive control, last Friday, I met again with a member of Quebec's National Assembly, who worked on the recommendations in the "Rebuild Trust" report.

She asked me for an update as to any progress on the coercive control issue at the federal level. This is a recommendation in the “Rebuild Trust” report, which deals with the problems of violence against women in Quebec.

Much has been said about the importance of this observation. We must take action on coercive control to prevent situations from getting worse. In your opening remarks, you said that coercive control is often a red flag and is a common feature of femicides.

Can you tell us how, by taking action on coercive control, interventions might be more preventive, before the situation reaches the point of femicide?

[English]

Ms. Heidi Illingworth: Yes, I think it's very important for police to have training to recognize these behaviours as abusive so they can, if not intervene with charges as of yet, intervene by making referrals to victim services so that social workers can intervene with these clients and hopefully provide some crisis counselling, safety information, services and planning and help assess whether they are ready to leave or not.

We know that coercive and controlling behaviours can escalate to more severe forms of abuse and are a precursor to domestic homicides. If we do change the law and criminalize it, I think we will be able to have, hopefully, a much reduced incidence. Basically, every second day, a woman or girl in Canada is killed by a partner or a former partner. This is a really serious issue, and we haven't put enough focus on tackling this violence in our communities.

I do think that moving toward criminalization will do that, but, of course, with the caveat that we need training for police, judges and officials.

The Chair: Thank you.

Leah, you have two and a half minutes.

Ms. Leah Gazan: Thank you so much.

I want to continue on with you, Ms. Illingworth.

I don't think there's anybody on the committee who doesn't believe that coercive control exists and is harmful, but there are a couple of things that have been said that kind of make me feel like we're taking steps before we've put other steps in place to make sure we're actually protecting people. One is banning the use of parental alienation, and the other is the training of judges and police officers who can make an assessment. We know, certainly in the NAWL report, that when victims bring up issues of abuse, it's not uncommon for judges to defer to their trying to alienate the other parent.

Do you think we need those things in place before we can move forward safely with a law on coercive control?

• (1740)

Ms. Heidi Illingworth: I do agree that we have to move in both directions. I'm hopeful that this study and your recommendations will lead to a Divorce Act amendment to ban parental alienation accusations, but I do think that it's also critically important that we move toward criminalization in the Criminal Code as well.

Ms. Leah Gazan: Yes, I think we're on the same page there with caveats.

I share that because, Witness 2, when we're talking about parental alienation, because those things were not in place, it placed you in a situation of violence as a child. Would you agree with that?

Witness 2: Do you mean because of the fact that parental alienation was allowed to be used in court?

Ms. Leah Gazan: Yes.

Witness 2: Yes, 100%.

The Chair: Thank you, Leah.

Michelle, you have five minutes.

Ms. Michelle Ferreri: Thanks, Chair.

This is tough to do in five minutes, I'll be honest with you.

I guess I'm going to start with Ms. Illingworth, if I can.

Is there anyone tracking data on the escalation of coercive control? We know it almost always escalates to violence and, as you said, homicide. Is anyone tracking that data?

Ms. Heidi Illingworth: We have the Canadian Femicide Observatory for Justice and Accountability. We also have the domestic death homicide reviews that happen in many provinces. I know there's a lot of data there. I don't believe that, federally.... We don't have a violence against women survey that includes coercive control data collection, or I'm not aware of any. Again, you could check with Stats Canada on that. I don't believe this self-reported victimization survey digs too specifically into that, either.

Ms. Michelle Ferreri: Where I'm going with this.... I think the issue is that the definition of “coercive control” in itself is fairly new, so having that data is going to be a challenge. However, I think data collection is going to be critical. If we collect the data, we can really show the escalation of what coercive control turns into, in terms of crime. I'm just looking for an agreement through a nod here, because I want to move on to something else.

You pointed to 30% of your caseload being intimate partner violence. Has that number changed? I assume that's your current number. What was it in previous years? Has it increased, decreased or stayed the same?

Ms. Heidi Illingworth: We've seen increased demand for services, for sure. Our numbers for gender-based violence.... It's about 50% of our files. That includes criminal harassment, sexual assault, human trafficking and intimate partner violence.

Postpandemic, there have definitely been stresses on our team and increased numbers in terms of responding to violence in the community. It's the same with the Ottawa police. They've seen similar jumps.

Ms. Michelle Ferreri: Thank you.

I want to go back to Witness 1.

I really value your input. Obviously, as a physician, you're very clever, and you've obviously been through some horrible lived experience, which gives you a lot of credibility in this coercive control study.

I'm looking at the Divorce Act and the new changes that were put in. What I see is that, no matter what it says, an abuser or somebody who is effective at coercive control and manipulation is going to be able to use whatever is written to their benefit. How do you word this in a way that prevents an abuser from manipulating the system? I've heard from other witnesses who don't have the money to defend themselves, or the financial means to do this in court. I'm worried about the language we're going to use. Will it ultimately protect parents and children when a judge spends two minutes with them and makes a ruling? I don't even know if there are psychiatrists specialized enough in coercive control who can testify.

Does Witness 1 want to answer that?

• (1745)

Witness 1: I think the wording has to be extremely detailed. The men using these alienation allegations are very slick at circumventing abuse allegations. It's just too vague. I've read numerous definitions of coercive control, and all of them are extremely detailed. I think that's the only way to get around it.

To your point, the education piece for every single person who touches these cases has to be very high. It's not just about education. It's also about putting that education into action. As it stands now in these cases, the professionals involved are highly educated in parental alienation. They do not recognize coercive control as abuse, as Witness 2 mentioned. The same thing happened to me. It was not deemed to be abuse.

Ms. Michelle Ferreri: They don't have enough knowledge.

I will ask you this, since I only have 10 or 20 seconds left here: Are you able to submit what you believe to be a definition of coercive control? I believe that will be one of the biggest recommendations we're going to make from this study. What does that definition look like, keeping in mind that an abuser is going to be able to twist and manipulate that verbiage?

Witness 1: Yes, 100%. I'm happy to do so.

The Chair: Thank you very much, Michelle.

Lisa, you have five minutes.

Ms. Lisa Hepfner: Thank you.

I'll just continue in that same vein.

There are other jurisdictions that have already legislated against parental alienation, so there is wording we can learn from. Do any of you know about these other jurisdictions, these other countries, that have banned it, and whether it's working there?

Witness 1: There are numerous states that have banned it: Colorado, Tennessee, New Hampshire. Obviously, our legal system is slightly different, but the framework of the wording is available in Piqui's Law and Kayden's Law, and it can be used at least as a starting block for us here in Canada to create the legislation.

Ms. Lisa Hepfner: Have you heard of any negative consequences due to this being banned in family courts?

Witness 1: I have not. If anything, there are benefits, because what states are most commonly doing, part and parcel with banning alienation—it's a bit of a chicken-and-egg phenomenon—is banning the reunification therapy in camps. By doing so, if you get rid of the remedies, what happens is the parental alienation allegations dissipate because then the abuser cannot inflict this upon the children.

Ms. Lisa Hepfner: Would that be an acceptable remedy for you, to ban reunification therapy, if it's a faster way for legislators to approach this problem? If we ban any therapy that a child is forced to take or any therapy where participants in the court system are forced to take therapy from a particular person or a particular company, would that solve the problem?

Witness 1: Ideally, both things would happen, but I think this would have the most impact, especially if it could be done quickly. As you can imagine, the three witnesses here today really feel a sense of urgency on this issue. Absolutely, the first step should be to ban reunification therapy in all of its forms, because even since I have been in the system, it has mutated, like a bad virus. It keeps changing names. Our court order in the end said "family therapy". It was veiled reunification therapy. So we have to be very careful.

At the end of the day, if we continue to respect the children's consent to treatment—which, again, is overridden, as the Canada Health Act is dispensed with—then children would have a right to decline this. As of right now, they don't. If they don't participate, the mother is held in contempt of court.

• (1750)

Ms. Lisa Hepfner: Thank you.

Family court judges, especially now, are supposed to take family violence into consideration when they're making custody orders or when they're deciding things. Is that not happening because judges don't understand, or is it because coercive control doesn't cause bruises, as we've heard from other colleagues here today? Does anybody have thoughts on that?

Witness 1: Sorry, I don't want to dominate, so I'll let someone else speak, although I do have a comment. I agree with you 100%.

If there are not medical records or reports from a physician or a police report where there are bruises, they don't acknowledge it. It happened in my case, with my own reports and the reports of my children.

Ms. Heidi Illingworth: I would just echo that there's such a bias around physical incidents and physical violence. So, yes, coercive behaviours and that sort of abuse are not understood widely, whether in the criminal system or the family system. There's a lot of education to do of the actors and the gatekeepers in these systems.

Ms. Lisa Hepfner: Sticking with you, Heidi, I'll ask you this. You just mentioned that recently your organization has seen an increased demand for services and it's been a strain. What do you think is causing that? Are there more men abusing women? Is it that there are more women who are willing to come forward? Is it that more services are available or more women are aware that their situation is not acceptable, and then they look for help? I'm wondering if you could just comment on what you think the factors are.

Ms. Heidi Illingworth: I think there has been some public education that happened during the pandemic, which was good. There was recognition that some people aren't safe at home, and there was more public outreach around where to get help. I think that's good, but there are still a lot of economic consequences from the pandemic, which are causing a lot of stress on families. Not that this is ever an excuse for violence, but we certainly know there are increased mental health concerns, widespread stress around economics, and just, I think, pressure. A lot of families are under pressure, and it can often escalate to violence.

We have definitely seen an increased demand for services. It's actually hard to respond to the numbers the Ottawa police are seeing. We share files with them. We have shared clients, and we try to support as many as we can. There are definitely lingering impacts from the pandemic.

Ms. Lisa Hepfner: Thank you for your work.

The Chair: Thank you very much.

Next, we have Michelle.

Michelle, you have five minutes.

Ms. Michelle Ferreri: Thank you, Madam Chair.

I'm going to go to Witness 3, because this is a mom who, as we've heard already, hasn't seen her child for over 1,000 days, with no contact. You mentioned that you were responsible for self-representation because you didn't have the money to get a lawyer. I'd like to dig into this a little further, if I can. What options were you given? How long was this trial, and how did it play out?

Witness 3: Originally, I did have a lawyer. It was through Legal Aid. She got off my case just prior to a settlement conference. At that point, the judge stated, "We're going to trial. I don't care if you have a lawyer or not", so I had about a month and a half to try to find another lawyer. No one would take me on, including Legal Aid, even if I had the financial means, just because there was absolutely no time. I put in a motion and asked two different judges if they could postpone my trial to a point where I could get a lawyer to represent me. Both of them refused and said they were going on with or without me.

Ms. Michelle Ferreri: Thank you for that.

Witness 2, you shared your story today. You are a young woman, 18 years old. How old were you when this first happened with your parents' divorce?

• (1755)

Witness 2: My parents separated when I was 14, and it took less than a week for me to be sent to my first reunification therapy session.

Ms. Michelle Ferreri: Wow.

Did you know your parents were separated?

Witness 2: No, they told us, and then soon after we were sent.

Ms. Michelle Ferreri: Okay, that's not even enough time to process your parents' separation.

Were you consulted?

Witness 2: To be honest, because my dad was rarely around, it felt like they were separated for a long time. Still, without a doubt, there was definitely not enough time to process what exactly was happening, so I went into those reunification therapy sessions with a skewed idea of what was actually happening.

Ms. Michelle Ferreri: Wow. Thanks for that context. At 14 years old, you were probably in grade 9 at this point, with a lot of things happening in your own life.

Were you consulted? Were you ever brought into a room or interviewed by forensic interviewers? How was it assessed, and how were you consulted by therapists during this process?

Witness 2: I was simply brought into a room and asked particular questions about how I was finding my relationship with my dad. How were the relationships with both of my parents? What memories did I have of the two of them together or separately? Also, I was asked quite frequently what my mom's reactions to abusive instances were, which I realized later was them getting information about what to use against my mother in court for retaliation.

Ms. Michelle Ferreri: Just for clarification, did that happen under the reunification therapy when you were being asked those questions? Is that when that happened? Did it happen before, through the court system, or did it happen strictly under the reunification therapy?

Witness 2: I was asked very similar questions by both reunification therapists I saw and by the assessor I saw, all three of whom were, you know, advised by the court for me to see.

Ms. Michelle Ferreri: You were a child; you were 14. Were you told, or do you know now, who chose these therapists? Was it your mom or your dad? Were they appointed? How were they decided on? Do you know?

Witness 2: I don't know.

Ms. Michelle Ferreri: That's fair.

One of the things we see, and I'm sure everyone in this committee can attest to it, is that children are often used as leverage in a messy divorce, and it is abuse. There's no other word to really describe it other than that. The resentment or the personal feelings of the parents are taken out on the children, and they are left with the trauma and the pain. What you had to deal with is not fair. I think it's just important that you know that; adult problems are not your fault.

Is there anything you would recommend to this committee to ensure that children aren't used as leverage in divorce and in abusive relationships?

Witness 2: I think it's about understanding that another reason why that's the case is that the abusive parent knows that affecting the children, whom the other parent loves dearly, is another way to get to the non-abusive parent. Abusing the children is another way to abuse the non-abusive parent. I think believing children, listening to their ideas when they talk about abuse, listening to their experiences and, again, providing them with a children's lawyer and the support that they need throughout this process are highly important, too, because this is something that is obviously extremely traumatic.

Having additional supports like that.... When you're being told every time you go into these sessions that you're a liar, that you're defiant, that you have disordered thinking.... When you're told this constantly, even though you know your truth and you know your story, a part of you starts to believe it. I think it's important to have those resources that you can reach out to, like a children's lawyer, so that this does not affect your mental health in even worse ways than it already has.

• (1800)

The Chair: Thank you for that.

Sonia, you have five minutes.

Ms. Sonia Sidhu (Brampton South, Lib.): Thank you, Madam Chair.

Thank you to all the witnesses.

Thank you, Witness 2. You're helping other kids. I'm sorry you went through a lot, but thank you for your strength and for the courageous testimony that you're giving to us today.

We heard about the removal of reunification therapy. I think all witnesses have said that. I know that my colleagues were also talking about education and training, taking education and training initiatives to the justice system to empower school education. What do you think? Can you elaborate on what should be done?

I will start with Ms. Illingworth.

Ms. Heidi Illingworth: I think there needs to be a lot of training for legal system actors around how children are often weaponized by abusers. This is all about controlling the mothers and maintaining control. A tactic that they use is trying to separate the mother from the children. This is a gendered form of abuse. We have to provide education around this to police, Crown attorneys, judges and everyone, including defence lawyers and people working in the family court systems, so that they understand how, in these situations, the mother and the child or children can be jointly abused.

I'll leave it there and let others answer as well.

Ms. Sonia Sidhu: Can I get your feedback on the 2023 report of the UN special rapporteur, Reem Alsalem, on parental alienation? The report adds a victim-centred approach, and that is that the best interest of the child must take precedence over all other criteria. Do you agree with this recommendation, and how can this be established here in our family courts?

Witness 1 can answer that.

Witness 1: Are you asking what can be done in the family courts to help victims?

Ms. Sonia Sidhu: Yes. Do you think the victim-centred approach is a good approach?

Witness 1: Absolutely, I think it's important.

I think the first misstep that happens, in the majority of these cases, is the lack of recognition from the outset that this is a case of abuse. Most of these cases get labelled as high conflict, where the assumption is that both parties are equally responsible for what's going on. The way to have a victim-centred approach would be to not.... I mean, all of us can be educated, but putting that education into action is what's really needed, so that, from the very beginning, every professional involved with these cases is supporting the victims and believing the victims, the women and children.

Ms. Sonia Sidhu: Thank you.

I think Michelle talked about collecting data on coercive control. I know that, in Australia, it is incident-based and they collect the data so they are able to capture the ongoing nature of coercive control in everyday life. In your opinion, is it even possible to collect this data in a database? Earlier we heard about broadening the definition of abuse. What kind of definition are you looking for?

Any of the witnesses can answer that.

• (1805)

Witness 1: I think it has to be expanded, especially in this post-litigation scenario, to include all of the forms of post-litigation abuse that occur, whether it be undermining the mother, bankrupting her by continuing to bring her to court or using the children through alienation accusations and reunification therapy.

There are so many things that can be included, like financial abuse, spiritual abuse, isolation, monitoring and stalking. Again, it's very difficult to collect data on it. A lot of it is so nuanced and covert, so collected data has to show a pattern of abuse over time.

I feel like this issue is of some urgency in Canada, and I'm not sure how long a longitudinal study could go on for before we have the data. I feel like we know this exists already in Canada and across the world.

The Chair: Thank you very much for sharing that.

Thank you, Sonia.

Next, we have Andréanne.

You have two and a half minutes.

[*Translation*]

Ms. Andréanne Larouche: Thank you very much, Madam Chair.

I looked at the Canadian Femicide Observatory for Justice and Accountability website, as it was mentioned during one of the rounds of questions. It says that 122 women and girls were killed by violence in 2024. That number is abhorrent. It means that, on average, a woman or girl is killed every two days somewhere in this country, mostly by men. In other words, on average, a woman is killed by her male partner once a week.

Those numbers are truly chilling.

The Observatory site raises, of course, the issue of coercive control legislation—we've already discussed that, Ms. Illingworth—but also, interestingly, the issue of public health. It would be good to offer a continuum of services to victims. The legislation makes it possible to recognize victims earlier, but also—perhaps afterwards—to allow them to receive support services from community groups or even within the health care system.

Ms. Illingworth, in your comments you touched on the issue of investment. Beyond the legislative side, you mentioned the need for enough investment and transfers, not only within the justice system to train judges, for example, but also in the health care system, to support victims.

Is that correct?

[*English*]

Ms. Heidi Illingworth: I absolutely agree with you that a public health approach to violence is needed. We are seeing epidemic levels of intimate partner violence, and we need to take a coordinated and holistic approach to respond to it. We can't just make changes in the family law system and to the Criminal Code. We need to have robust social supports for survivors, including health care and all of the services they need to access in the aftermath, including emergency shelters and safe, affordable housing to rebuild their lives free from violence and in safe ways.

We need crisis intervention services to be better funded. We need mental health supports to help recovery, and we need legal aid so that we don't have situations like the one Witness 3 described where she couldn't be adequately represented. The consequences of that are so serious.

We need a continuum of care for survivors.

The Chair: Thank you so much for sharing that.

Leah, you have two and a half minutes.

Ms. Leah Gazan: Thank you so much, Chair.

We've heard disturbing testimony today. I am just looking at the NAWL report. One concerning finding is that the situation in terms of parental accusations of parental alienations has in fact worsened. The report says:

"Parental alienation" is a controversial concept used in clinical and legal settings to describe children who refuse or resist contact with a parent. Despite its lack of scientific validity, this theory "has gained considerable traction and has been widely used to negate allegations of domestic and sexual abuse within family court systems on a global scale".

I know that we spoke about getting rid of reunification therapy, but because parental alienation is still being allowed to be used, I'm also concerned that it's going to make victims of violence—without this step put in place, without getting rid of parental alienation—less likely to report abuse or pursue things legally to protect themselves and their children, if ultimately parental alienation will be used to further victimize victims of coercive control.

I'm wondering if Witness 1 could speak about it—and maybe, if we have time, Ms. Illingworth.

● (1810)

Witness 1: Are you asking me if I think that parental alienation should also be banned, in addition to the therapies?

Ms. Leah Gazan: No. I am asking whether, because it isn't banned right now, as a result it is causing reverse harm in terms of making victims less likely to report abuse.

Witness 1: Oh, absolutely, 100%. There are women who are even counselled by their lawyers not to raise abuse for fear that the reaction will be parental alienation allegations. A lot of women now.... I mean, I've thought about it in my own case. What would have happened had I not even raised it from the beginning? I think even children.... This is silencing women and children, and it's just going to continue as long as alienation is being favoured in the court system.

There's a great study out of the University of New Brunswick that looked at cases in Canada where both alienation and abuse were alleged. It shows that as soon as alienation is raised, the case goes in favour of the parent, most commonly the father, who accuses the mother of alienation.

The Chair: Thank you for sharing that.

[*Translation*]

Ms. Vien, you have five minutes.

Mrs. Dominique Vien: Thank you very much, Madam Chair.

I will continue with Witness 2.

I don't want us to part ways having only discussed the sad situations you've experienced, as that would leave us with a bitter taste. You're 18, you're young, though these events are still recent in your life.

How will you approach the next few years? Do you need counselling now? How are you regaining control of your life?

[English]

Witness 2: That's an interesting question. I think it's by doing what I'm doing exactly at this moment: relearning that I know my story, relearning that I know my truth and that I know what I went through, and speaking out about it for the young girls and young children who are still in the court system and cannot speak out.

Now that I'm 18, I think it's important to do that locally in my community. At my school, I did this, and now I have the opportunity, which I'm incredibly grateful for, to do it on a much larger scale. That has definitely helped me a lot in terms of controlling my life.

[Translation]

Mrs. Dominique Vien: Thank you very much.

Madam Chair, I will share my time with my colleague. She would like to ask a quick question.

I want to thank all the witnesses who appeared before us today.

• (1815)

[English]

Ms. Michelle Ferreri: Thank you.

I just want to take an opportunity to thank all of you today. It really is courageous. It's important testimony. I just wanted to have that on the record.

Witness 1, because this is a study on coercive control, if you're comfortable, would you mind sharing with the committee—so we can have it on record—examples of your relationship and when coercive control started to show, what it was and how it escalated?

Witness 1: It started in my dating relationship with extreme jealousy. Every phone conversation started with, "Have you talked to any guys?" I was restricted and isolated in terms of interacting with other men in my personal and professional life. It escalated to making comments on my physical appearance, feeding on that insecurity. There was one episode of him putting his hand on my neck to hold me down on a bed.

From there it escalated, whereby he was constantly monitoring my spending, calling me names, putting me down, making negative comments, telling me that the best thing that ever happened to me wasn't being a doctor but marrying him, and telling me that I don't make very much money. It was a lot of disparaging comments.

Then it escalated to me being fearful of him physically. There were very threatening, ominous looks and threatening words, so progressively I became more isolated. I was walking on eggshells and always trying to please him.

Ms. Michelle Ferreri: I want to put on the record right now that this witness, whose identity is protected for her protection, is a physician. This is an educated, brilliant woman. For people watching, I think they wonder how that could happen to somebody so smart. There's this misconception out there that coercive control only happens to a certain demographic or a certain group of people. Nothing could be farther from the truth.

I guess I would give you this opportunity now to share how you think this can happen to the brightest of women.

Witness 1: I think it's because of its insidious and covert nature. I think men like this prey on women whom they admire and who they feel are respected. They like aligning themselves with those women. In order to keep them, they slowly but surely degrade their self-confidence and self-esteem. Women become ensnared and manipulated and end up being almost enamoured by this person because they feel as though they're lucky to have him. Over time, they start to believe the negative things he says.

I also feel, from a health care perspective, that women who work in areas where they're caring for others are prime targets. Look at Dr. Jennifer Kagan, for example, and her horrific experience. You're a prime target for these men because sometimes they're a little bit flawed and you therefore kind of take them under your wing like you would...in a nurturing manner.

As I said earlier, this has no boundaries. This is truly an epidemic in this country that needs to be addressed.

The Chair: Thank you, Dominique and Michelle.

I believe the last round is with Lisa for five minutes.

Ms. Lisa Hepfner: Thank you very much.

Once again, we just so appreciate this testimony today. I think it's really valuable.

We've talked about this a little bit today. There is some concern that if we criminalize coercive control, it could be used against victims. It could be used against women. Do any of you have thoughts about how to prevent that from happening? In the U.K., for example, that has been a problem, when they introduced a coercive control bill.

Heidi, you look like you have an answer.

Ms. Heidi Illingworth: I don't have the answer per se, other than to say that there will need to be robust education of frontline officers, like the patrol officers responding on scene. That's a huge task that has to be part of any law that is brought forward. There needs to be training of judges. There needs to be training of Crown prosecutors. There needs to be training of all legal professionals, not just in the criminal law context, because we know that this flows over into the family law context as well.

I don't know that training is the only answer. I think there's public education work to do as well. I think it is going to be a challenge. Implementing laws is always a challenge, and there tend not to be dollars associated with that, with training and changes that need to happen, and that's a problem. We need to think about that, absolutely, because we don't want to see what happens with mandatory charging policies, for example, to continue to be a problem if coercive control is criminalized.

• (1820)

Ms. Lisa Hefner: That's a really important point, because how do we monitor it? How do we see if this is happening? It's usually up to the victim to understand what she is going through and then to complain about it, and how do you monitor that? How do you look for that? How do you find that?

I don't know if you have any of those answers today, but I'm interested in your perspective.

Ms. Heidi Illingworth: I don't know if I have good answers to that, but on measuring the impacts of the legislation, we've called for that with the Canadian Victims Bill of Rights. It's a challenge, but it needs to happen. There needs to be some form of monitoring and some form of complaints procedure associated with this. We don't want to see a chilling effect preventing people from reporting, coming forward and seeking assistance.

Ms. Lisa Hefner: I'll open this up to Witness 1, Witness 2 or Witness 3.

Do you have any concerns or thoughts about how coercive control can be legislated? Do you foresee any impacts or do you have any fears that it could be used against you? Do you have any other thoughts about that as a law?

Witness 3: Definitely. In terms of parental alienation, right now, we're labelled as "alienators". From the family court's perspective, we're labelled as someone who's engaged in coercive control and would, therefore, be criminally charged for that.

Definitely, for the alienation, there would have to be wording—and I can only speak to family court—in the legislation for coercive control that includes that once parental alienation is brought forward or if there was previous abuse.... I'm not exactly sure about the legislation or the wording, but those two would go hand in hand.

Ms. Lisa Hefner: I think I've heard the concern from other people, too, that parental alienation and coercive control go hand in hand. If you, as the mother, are being labelled as the alienator, you're going to face the charges of coercive control, not necessarily the abusive partner.

Does anybody have ideas about how to mitigate that risk?

Witness 1: Ideally, we'd be putting some type of wording in it to prevent that from happening, like some type of subparagraph that specifically mentions parental alienation or alienation-type accusations. Again, people aren't necessarily using the word "alienation" now. They're kind of skirting around it but accusing the mother of the same type of thing.

I think it has to be pretty black and white in order to prevent further harming women.

The Chair: Thank you very much.

Thank you very much, Lisa.

That concludes today's testimony. I'd like to thank all of the witnesses for sharing.

At this point, is the committee in agreement to adjourn the meeting?

Ms. Emmanuella Lambropoulos: I have a question. How many meetings are left on this issue?

The Chair: We have half a meeting on Monday.

Ms. Emmanuella Lambropoulos: We have half a meeting left on this. How many witnesses do we have?

• (1825)

The Chair: We have four witnesses.

Ms. Lisa Hefner: Thank you again to all of the witnesses. Your testimony today has been very valuable.

Ms. Leah Gazan: Thank you, witnesses.

The Chair: Thank you, witnesses.

Is the committee in agreement to adjourn?

Some hon. members: Agreed.

The Chair: The meeting is adjourned.

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