

## **Media Release**

For immediate release

April 11, 2008

# **Women and Children at Risk for Their Lives in Family Law Disputes Law Reform Must Address the Reality of Women's experience of Family Violence**

(Vancouver) - West Coast Women's Legal Education Action Fund (LEAF) is deeply concerned about how our family law system is dealing with family violence.

"Family violence is not experienced equally by men and women," says Family Law Project Director Zara Suleman. "Family violence is almost always violence by men against women."

"Section 15 of the Charter expressly says that women are entitled to the 'equal *protection* of the law'," points out Alison Brewin, Executive Director of West Coast LEAF. "This lack of gendered analysis to violence against women and children allows the violence to continue."

West Coast LEAF is saddened to see yet another horrific example of this in the recent tragedy of the three children murdered in Merritt. Darcie Clark, the mother of the children had moved to Merritt to get away from her ex-husband after he had threatened her life.

This is not an isolated incident. It was in this same week in April 1996 in the Vernon Massacre that Rajwar Gakhal and nine members of her family were shot and murdered by her estranged husband. But the Vernon Massacre and the resulting Inquest did not see an end to such terrifying incidents of violence and murder of women and children in B.C. In fact we have continued to experience such tragedies. Some examples are:

- September 4<sup>th</sup>, 2007, in Victoria, B.C., Yong Sun Park, her son and her parents were all stabbed to death by her husband, Peter Lee.,
- October 19<sup>th</sup>, 2006, in Port Coquitlam, B.C., Gurjeet Ghuman was shot twice point blank in the head by her estranged husband as she dropped off her daughter. Gurjeet survived but is now blind.
- In 2003, Sherry Heron and her mother, Anna Adams were murdered at Mission Memorial Hospital by Sherry's estranged husband. Sherry had a restraining order in place while she was in the hospital.
- In 2003, in Nanaimo B.C. Denise Purdy was stabbed to death by her estranged husband.
- In 2002, in Quatsino, B.C. Sonya Handel's 6 children were drugged, strangled and shot and left to die in their burning home by their father Jay Handel. Crown identified that Mr. Handel was unable to deal with his wife's demands for a divorce.

"Women facing violence in their relationships who seek safety for themselves and their children by leaving their abusive partners are then still required in family law to ensure the children's access with the abusive ex-partner," says Angela MacDougall of Battered Women's Support Services. "In addition, the gap between criminal restraining orders and orders for joint or shared parenting arrangements conflict increasing women and children's vulnerability to violence."

“We need concrete changes to the criminal justice and family law systems that coordinate services to protect women and children in B.C.” demands Suleman, “Police, legal and court systems need to understand that safety issues for women facing violence in their relationships and the protection of their children are not separate issues but are fundamentally interconnected. We cannot address one without the other.”

Research indicates that women and children are most at risk when women are in the process of separating from their spouses. Furthermore facilitating custody and access places women and children at more risk for harm where the father has been abusive or violent to his spouse. Every week in Canada at least one woman is murdered by her ex-partner. [Statistics: [www.endingviolence.org/files/uploads/VAWIRFactSheet.pdf](http://www.endingviolence.org/files/uploads/VAWIRFactSheet.pdf) ]

Family law reform in B.C. has currently been engaging the issue of family violence in the recent Review of the *Family Relations Act*. West Coast LEAF is encouraged that such initiatives are being taken but worries that without an analysis that recognizes the inequality of women, the gaps between criminal and family law procedures, policies and protocols and the disproportionate impact of violence for women leaving abusive relationships and the invariably connected threat to their children, that tragedies such as those in Merritt will happen again and again.

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