

Case Scenario #2

N's Experience with the Family Law System

N was in an abusive relationship with her ex (P). N's children were also physically and sexually abused by P and N comes from a family of origin with a history of abuse. N reported the violence and sexual abuse against herself and her children by P, but no charges were ever laid.

Eight years ago, N decided to leave P when her twins were two and went to a shelter; she was their primary caregiver since their birth. P swore then that he would never let her have the kids. P had taken all the money she had, used up her credit and left her in financial disarray. N got a restraining order against P but was denied legal aid while the restraining order was in force. The restraining order was not effective. Her ex managed to acquire her children's health cards and

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N had a legal aid lawyer for her custody dispute, but N's lawyer would not write her affidavit for her. N had to write her own affidavit, in the evening hours when her babies were asleep, while she was living in a shelter. P had the resources to hire a lawyer and he hired a lawyer known as a "father's rights" lawyer.

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P was granted joint custody of their twin children. The children were to alternate living with N and P every week. As a result N is in constant communication with P which enables him to continue to abuse her. N says that the abuse was made worse by the legal situation. Her experience with the family system destroyed N's emotional and psychological wellbeing, her career and her life. N was left with Post Traumatic Stress Disorder (PTSD) and depression.

8 years has passed since N first left her ex. Her children are now 10 years old and continue to live with both parents one week on and one week off. N does not feel as though she truly has joint custody because the children are enrolled in school and all of their extra curricular activities are scheduled in P's neighborhood. N has accepted that the situation is out of her control. She still suffers from PTSD and depression but is trying to re-establish her career and get her life back.

N feels that the family law system favors men who can understand, play by and manipulate the rules without emotion. In N's experience, the system does not understand the way abuse works.



West Coast LEAF Family Law Project Scenarios are based on true stories – the real, lived experiences of women navigating BC's Family Law justice system. This story has happened and is happening to a woman in BC.