

# LEGAL REGULATION OF PARENT AND CHILD RELATIONS

## Class activities\*

### Class 1 Jan. 6: Introduction

#### Discussion questions

- 1) What is the song about?
- 2) Why is she leaving home?
- 3) What are her parents' reaction when they find out?
- 4) Why do some children run away from home?
- 5) What are the legal implications of a minor that runs away from home?
- 6) What would you do if you saw a minor walking on the street alone at night?
- 7) What is the Amber Alert? How does it work in Ontario? Do you think it is effective? Why or why not?
- 8) Read the article about the Nightstop initiative. What is it about? Is it important? Would you host a homeless young person at home? Why? Why not? What other actions can you think of that would help young people at risk?

#### Nightstop

##### 9) Read the following article and discuss the Nightstop initiative

What's the latest frontier in the fight against homelessness? Your spare room

'If these people are reaching out to us to help us, maybe I'm worth something'

Nicole Ireland · CBC News · Posted: Mar 11, 2017 5:00 AM ET | Last Updated: March 11, 2017

Tim Grimes and Catherine Pawlick-Grimes are among the first families to open their spare bedroom to a homeless young person as part of the Nightstop program. (Nicole Ireland/CBC ) Catherine Pawlick-Grimes is excited as she leads the way into a second-floor spare bedroom

with a queen-size bed and adjoining bathroom, meticulously clean and ready for the guest she's expecting.

"We don't need five bedrooms anymore," says Pawlick-Grimes. She and her husband, Tim Grimes, raised three children in this large suburban home in Richmond Hill, Ont., north of Toronto. But their two daughters — ages 20 and 25 — have moved out, leaving only their 22-year-old son living with them as he goes to school.

The next person to spend the night in their daughter's old room could be the same age as any of their own kids, or even as young as 16. But unlike them, he or she will be sleeping in the immaculately made bed as an alternative to staying in a shelter or on the streets.

"I can't imagine someone just being on the street," Pawlick-Grimes says. "I said [to Tim], 'Oh we have to help, hon.' We have to help. We have a house here that's open. Why would we not?"

The couple is among about 20 households in York Region preparing to take in a homeless young person between 16 and 26 years of age who needs a safe place to spend the night. They've signed up for a "host homes" program called Nightstop that makes its Canadian debut on Monday.

According to the U.K.-based head of the program, more than 600 volunteer households opened their spare rooms to almost 1,400 young people across Britain last year.

"It's very much targeted at those young people who have suffered some kind of family or relationship breakdown and exhausted all their other options and have nowhere else to go," says Nicola Harwood of Nightstop U.K. "Ideally it's about preventing homelessness — so supporting those young people before they begin rough sleeping [outside]."

### **Slept on bathroom floor**

Jason Leconte, 22, wishes Nightstop existed in Canada two years ago. He had aged out of foster care and although he had a job and an apartment for a while, his mental health declined and he

lost both. For a while, Leconte got by staying with friends. But when that was no longer an option, he found himself homeless in York Region and took refuge in a coffee shop because it was too cold to sleep outside and he was afraid of going to a shelter. "When I ended up on that Tim Horton's bathroom floor, if there had been a community member that had said, 'You know, you can come stay with us,' I wouldn't have had to go through the shelter system," he says. "It's going to be a completely different experience walking through the doors of an institution and walking through the front door of a home." Leconte finally found the support he needed at 360°kids — the non-profit organization that's bringing Nightstop to York Region as its first Canadian location, with hopes of helping expand the program across the country.

Although 360°kids has built safe shelter space specifically for youth — where Leconte is staying while he goes to school — the demand for those rooms exceeds capacity, says spokesperson Lesley Sims, noting that the host home program offers a much less expensive alternative. "It's way too costly ... to build our way out of homelessness," she says.

Host families can take in a young person as often or as infrequently as they'd like on nights they pick according to their schedules, Sims says.

To avoid any potentially awkward conversations the next morning, youth are not allowed to ask the family directly if they can stay another night, but must speak to the program's co-ordinator, who sets up each night's accommodation. The program also provides case management support to the youth to help them reach a long-term housing solution. As intrusive as the notion of taking in a stranger for the night might sound at first, "it's actually a really simple volunteering opportunity," says Harwood.

"Your evening isn't vastly different to how it might be any other night of the week, where you'll be able to, you know, still have the same meals, still watch the same programs on TV, except you'll have someone in your spare room who ordinarily would have nowhere else to go."

'We had fears'

Still, it's natural for people to worry about safety, Harwood says.

"But once we go through a fairly robust service, a risk assessment we do and how we check both volunteers and young people, most volunteers are reassured fairly quickly," she says.

That was certainly the case for the Grimes family.

"Oh, we had fears," Pawlick-Grimes says. "You don't want anybody in your house that could harm you."

"Or get future access to the house," her husband adds.

Organizers say the home hosting program works — and is safe — because only youth assessed as "low risk" can participate, filtering out young people with an untreated drug addiction or with gang affiliations. Young people who come to 360°kids for emergency housing will be referred to the Nightstop program co-ordinator for placement with a participating family.

On the host family side, the co-ordinator does a home assessment and ensures they lock up alcohol, household chemicals and valuables. To protect the youth, the families must pass police and security checks and the home undergoes a safety inspection, checking for things like properly installed smoke detectors.

### **Students tackle youth homelessness**

The young person must also have their own private bedroom with a lock. Host families can't just offer up a sofa because couch surfing itself is actually a form of "hidden homelessness" Nightstop is trying to combat.

Host families go through a group orientation session, where they discuss their fears or uncertainties and role-play different situations.

"Maybe we'll say, 'Hey, we were going to play a board game, would you like to play?' They may not," says Pawlick-Grimes. "Some people just want a safe, quiet place to know that they're comfortable in and maybe just reflect for the evening. Or they might want to actually interact."

'We know it works'

The host home model is "the future" in preventing young people from entering homeless shelters and the streets — or getting them out of that dangerous world as quickly as possible, says Stephen Gaetz, a York University professor and director of the Canadian Observatory on Homelessness.

He is also the president of national anti-homelessness charity Raise The Roof, which plans to work with 360°kids to take the Nightstop program Canada-wide.

On any given night, between 6,000 and 7,000 youth between 13 and 24 years of age are homeless in Canada, according to the observatory.

Even one night of homelessness is one too many, Gaetz says — and that's where host homes can really make a difference.

"We know from research that incredible damage is done to young people when they wind up homeless for any length of time at all," Gaetz told CBC News.

We've got something that is evidence-based, we know it works.

- Stephen Gaetz

That damage shows up in the form of declining physical health, including malnourishment, and mental health, including higher risk of depression and suicidality, he says.

Young people who are homeless are more likely to be victims of crime and "incredible exploitation," he says.

"There's lots of people waiting, you know, drug dealers, pimps, to go after them."

A few Canadian organizations have started host home programs for homeless youth, but they are rare, says Gaetz. One program called Bridging the Gap in Halton Region, west of Toronto,

has about five host homes that offer longer-term stays. Another program to house LGBTQ homeless youth in Calgary launched in 2015.

### **Homeless LGBT youth to be matched with host families**

But no host home program in Canada has the three decades of experience and proven ability to be applied on a national scale that Nightstop does, Gaetz says.

He believes the program's arrival in Canada could represent a significant turning point in the fight against youth homelessness.

"We have a real chance if we want to make, you know, a big difference very quickly in Canada," he says. "It's not going to be bumbling along and experimenting. We've got something that is evidence-based, we know it works."

If these people are reaching out to us to help us, maybe I'm worth something.

- Jason Leconte

Although the host homes themselves provide inexpensive shelter, Gaetz says, the program's success relies on the accompanying case management for participating youth.

Funding that support, rather than building more shelters, is where governments need to direct their youth homelessness dollars, he says.

Leconte says as he gets closer to living independently once again, he may not need to use the host home program himself — but is moved by the fact that people in the community care enough to open their spare rooms to others like him.

"If these people are reaching out to us to help us, maybe I'm worth something."

## **Child abuse and neglect scenarios**

1. Cheryl is the mother of six-year old Kimberly. The police recently searched their apartment for drugs and found it to be a shooting gallery for heroin. Numerous syringes and needles were found and Cheryl and others present were arrested. Kimberly sat on the living room couch during the raid. There is no definite evidence that Cheryl is now using drugs, although she has a history of drug use and is currently in a drug rehabilitation program. She claims that her boyfriend comes into her apartment with his friends and they use drugs without her permission. Cheryl has a full time job as a secretary, and Kimberly is doing well in school.
2. Steve is a 10-year old adoptee. He was adopted at 6 months but has had a hard time adjusting, acting out often. 3 years ago things got worse when Steve's parents adopted another child, Amy, who is 2 years younger than Steve. John, Steve's father, is often in the hospital, suffering from a congenital heart condition. Julie, Steve's mom is forced to watch and take care of the kids alone. Recently, while Steve has been acting out, Julie has begun a new punishment suggested by her aunt. When Steve misbehaves she now makes him pour uncooked rice on the bathroom floor and makes him kneel on it for a quarter of an hour. He has been acting out less often.
3. Dave is a sixteen-year old and hates his parents. In fact, he doesn't have any love for the world in general. This is due to his parents making him kneel on rice when he was younger! Dave's Dad is an alcoholic. Dave's a smart kid and knows it. Often times when Dave's Dad gets drunk, Dave will argue and pick an intellectual topic to fight about, knowing his Dad will become very frustrated with the conversation. Often times, these conversations end with fights between Dave and his Dad. On more than one occasion Dave has suffered from a black or bloody eye. While both men throw fists, it's always impossible for Dave's Mom to tell who started the physical fight.
4. Paul is a single father going to law school. He actually does the reading assigned to him and often studies 8 hours each day after an 8-hour school day. His 5-year old daughter is in day care. Recently the day care has been criticized in the press as being physically abusive towards its children, but no formal charges have been filed. Paul can't afford any other day care center and refuses to remove his daughter.

5. Steven is a 4 year-old child who lives with his mother and father. Steven's mother, Angie, has an anxiety disorder and takes Valium, a CNS Depressant. Robert, Steven's father is a truck driver and is seldom home during the week. Steven has severe behavioral problems and violently acts out against his preschool teacher and his mother. One afternoon after an especially difficult day at preschool, Steven hit his mother in the face with a book. His behavior continued to escalate and he hit his mother again, causing her lip to bleed. Steven's mother, in an attempt to calm him, gave him two of her prescribed Valium pills and he fell asleep shortly thereafter. The next day at preschool, Steven told his teacher that his mother gave him pills that made him feel funny and fall asleep.
6. Wendy is a 15-year-old child living with her grandparents, Bill and Alice. Her mother, Tina, is incarcerated for theft and her father, Tony, is deceased. Wendy was diagnosed with ADHD when she was 9 years old and began taking Adderol. Wendy is a relatively responsible child and she takes her medication each morning on her own, under the supervision of her grandmother. The medication is stored in an unlocked bathroom medicine cabinet. On Wendy's birthday, she had two friends stay the night. After Wendy fell asleep, her friend Kim went to the medicine cabinet and found the Adderol prescription. Kim crushed 10 pills and snorted them. Her blood pressure elevated rapidly; and she went into respiratory distress. Alice found Kim lying on the bathroom floor and called 911.
7. Michelle is the mother of 17 year-old David. Michelle and David's father, Roy, divorced about a year ago. David and Roy visit on the weekends. Since the divorce, Michelle has begun abusing her prescription for OxyContin. Last weekend, David and Roy were visiting and had an argument about David's grades. David called his mother and said he wanted to come home. Roy was not pleased but agreed to allow David to drive back to his mother's home. When David arrived, Michelle was intoxicated. Michelle told David she understood how frustrating Roy could be. Michelle then offered David some of her OxyContin, and told David it helps her to escape when she is stressed. David took two OxyContin and then went to bed. On Monday, David's teacher overheard him telling the story to his friends. David was heard saying that his mother gave him the pills; and he was "wasted."
8. On the street a woman is yelling at her child inappropriately.
9. Mitchell is a 14-year-old child who has been diagnosed with Oppositional Defiant Disorder and General Anxiety Disorder. Mitchell is prescribed Xanax and is to take the medication

as needed. Mitchell's parents are very cautious about when he has access to the medication. The pills are kept in a locked box in the parent's bedroom. Mitchell discovered where the key to the box was hidden last week and began taking the pills when his parents were not home. During a session with his therapist, Mitchell admitted that he had been abusing his Xanax to get "high." He tells his therapist that his parents were not aware of the drug abuse.

10. Clayton is an 18-month-old child who lives with his mother, Andrea, and his father, Jeff. Andrea and Jeff are addicted to Opioid drugs and illegally purchase them from friends. The family is currently open with CAS because Clayton was born addicted to Opioids. The child's mother entered a drug treatment facility after the child was born. During that time, Jeff remained sober and cared for the child. Once Michelle came home, both began abusing Opioids again. Last weekend, during a party at the home, Jeff and Michelle were severely intoxicated and left an open pill bottle on the table. Clayton ate 10 Vicodin pills and became disoriented first and then unresponsive. A friend at the party noticed Clayton lying on the floor and called 911.
11. At the Station Mall you see a man and a woman calling their children names such as dumb and stupid and yelling very loud.
12. A teacher asks a child what happened to his leg after seeing a red mark. The child responds by saying his dad hit him with a belt.

## **Bill C-92 Federal Indigenous child welfare**

### **Read the following article and discuss Bill C-92**

Federal Indigenous child welfare Bill C-92 kicks in – now what?

National News | January 1, 2020 by Brett Forester

Brett Forester

APTN News

Call it the federal government's New Year's resolution to do better by Indigenous families.

An Act respecting First Nations, Inuit and Métis children, youth and families (Bill C-92) kicks into effect today.

Passed in June, Bill C-92 reworks the Indigenous child welfare system in Canada.

The Quebec government is challenging the bill's constitutionality. The province argues the legislation infringes on provincial jurisdiction.

The challenge looms while advocates and scholars continue raising questions about money, oversight, and vagueness of some of the bill's language.

Assistant Professor and co-lead of the Wahkohtowin Indigenous Law and Governance Lodge at University of Alberta, Hadley Friedland says C-92's new principles come into force regardless.

"They apply to everybody, no matter what anybody does," she notes.

She says she doesn't think Quebec will win the challenge, but the appeal may encourage provinces to drag their feet implementing it.

In November, Manitoba's minister of families claimed she was still in the dark about what to expect from the new legislation.

"We haven't seen provinces jump up and down and say, 'Yay we're going to implement this,'" Friedland remarks. "Because we don't have good mechanisms for enforcement, if they say, 'Well we're not sure what to do. We're waiting for the results of the Quebec challenge,' how do we enforce that law? How many resources are going to be needed to apply the law?"

Minister of Indigenous Services Marc Miller says that "until Indigenous laws are in place – services to Indigenous children will continue as before. However, every Indigenous child and family services provider will have to apply the basic principles set out in the Act."

“Change will not come overnight,” Miller states. “The only way to achieve this is to continue to work with our partners through this transition period to make sure the law works for First Nations, Inuit and Métis people, and most importantly, for their children.”

So what happens now?

Friedland worked to raise awareness around and effect changes to C-92.

She co-authored a Yellowhead Institute report card on the bill. The authors gave it a C for national standards; an F on funding; and Ds for accountability, jurisdiction, and data collection respectively.

She also testified about it before the Senate Standing Committee on Aboriginal Peoples in May.

Last week she co-authored an opinion article in the Montreal Gazette arguing Quebec is wrong to challenge the legislation.

She says the bill has two parts.

The first introduces a new set of what the government calls “national principles” governing the Indigenous child welfare system. The second part relates to the ways in which First Nations, Inuit, and Métis can exercise their inherent jurisdiction over children in their communities.

These national principles kick into immediate effect, so the best thing for communities to do now is “really know those national standards and understand what they put in place that is going to be different, or more, than provincial laws,” Friedland says.

Judges and social workers will apply the new national principles if, beginning today, an Indigenous community doesn’t have in place its own laws legislating the provision of child and family welfare services.

The bill contains a key principle of the “best of interests of the child.” The legislation recognizes the importance of preserving cultural, familial, and territorial connections. The act also mentions the need for “substantive equality” but does not define this term.

The second part of the bill deals with jurisdiction. If Indigenous groups wish to exercise their right to inherent jurisdiction, they must negotiate a “coordination agreement” with Indigenous Services Canada (ISC) and the relevant provincial authorities.

Section 22 of the new legislation states that Indigenous laws will prevail over federal and provincial laws whenever conflict between them emerges once these co-ordination agreements are in place – that is, unless the Indigenous laws contravene the Constitution, the Human Rights Act, or the best interests of the child.

#### Strengths and weaknesses of the legislation

Friedland says the act is a positive response to advocacy work, decades of research, testimony from ‘60s Scoop survivors, and calls from First Nations, Inuit, and Métis children.

She calls the recognition of inherent jurisdiction a “huge positive step.”

The legislation also addresses the Truth and Reconciliation Commission’s (TRC) fourth call to action which demands the government “enact Aboriginal child-welfare legislation that establishes national standards for Aboriginal child apprehension and custody cases.”

But there are critical concerns remaining about money (The bill includes none.), implementation, and oversight.

Interpreting the child’s best interests is a sticking point as well.

“Throwing in best interests of the child can gut everything positive in this bill,” warns Friedland. “Every single phrase includes this.”

That is, any vagueness or uncertainty about what constitutes a child's best interests may cause problems.

"It's often non-Indigenous decision makers who make that call. Basically, best interests of the child – even with the factors in this act – leave you with almost limitless discretion," Friedland elaborates.

"And time and time again, what we see is judges basing best interests of the child probably on how they grew up. They're picturing how they grew up and what they found useful, and that's how they make their decision. The way courts and social workers have applied best interests of the child has just been so harmful to Indigenous children and families."

Friedland also says the bill could leave social workers confused.

"There's been no education. We've seen next to nothing come out from the federal government explaining how this is supposed to work. About two days ago Indigenous agencies sent a technical information package. That was sent two or three days ago. Talking to front line social workers, they have no idea what they're supposed to be doing differently. So that education piece is missing."

Yesterday, Cindy Blackstock – who in the past called C-92 a "colonial Faustian bargain" – suggested a few more New Year's resolutions for the government. She tweets at the government "to act instead of promise" and to "end the injustice for kids." "New year's reconciliation resolution suggestions for the government. To act instead of promise; to understand that discrimination should not be easier for gov't than equity. End the injustice for kids- implement the Spirit Bear Plan. @JustinTrudeau"

It's not yet clear how many Indigenous communities already have laws in place to take over child welfare provision, or how many intend to negotiate co-ordination agreements.

Nishnawbe Aski Nation (NAN) voiced its opposition to C-92, citing concerns over the principle of best interests as well as a lack of guaranteed funding.

“The bill fails to affirm exclusive First Nation jurisdiction over our children and implies that non-Indigenous governments can determine outcomes for Indigenous children,” Grand Chief Alvin Fiddler says in a February press release. “This legislation does recognize the need for children in care to maintain strong connections to their communities, but ultimately it continues to enforce a status quo system that can override First Nation jurisdiction.”

In the May, NAN followed up by submitting its concerns to the senate’s Aboriginal peoples committee. The submission again called for money and a “break from the way in which ‘best interest of the child’ has been used in relation to First Nations children, families, and nations.”

The House of Commons adopted some, but not all, proposed amendments.

### **Classes 3 Jan. 20 Sexual assault and minors**

Prepare the content of a website that provides advice on the legal aspects of sexual relations for High School students. Briefly describe the legal framework, include case law, prepare FAQs with their answers, and links with further legal information.

### **Student-teacher relations**

- Since 2000, numbers of intimate relationships between teachers and students have skyrocketed. Teacher arrests are at all-time highs. Why does this happen? Why are so many public school teachers, administrators, and coaches choosing to become romantically and sexually involved with teenage students and players?
- A 14-year-old student in Florida wrote his cellphone number on a classroom chalkboard because he wanted a classmate he liked to call him. The student indeed was contacted – not by the girl but allegedly by his 32-year-old teacher. Within days, police said, the two

were involved in a sexual relationship. Is there a correlation between these relationships and communication and social technologies?

- Should teachers engaged in a romantic/sexual relation with a student be more severely punished than if individuals who not teachers?
- Are there more cases of female or male teachers seducing students? Why?
- What compels female teachers to seduce kids? What about male teachers?
- Do an online search and discuss the following cases: Mary Kay Letourneau, Debra Lafave, Sandra Binkley.

'I wish someone had told me the relationship with my teacher was not my fault'

One in six of us know of someone who has had an affair with their teacher. A few end in prosecution, others in marriage. But what are the consequences for the teenagers involved? Here are some of their stories

The consequences of a pupil's relationships with a teacher can be devastating. Photograph: Barbara Evripidou/SWNS.com

### Amelia Hill

Sophie has always cursed the teacher who seduced then abused her when she was a schoolgirl. But she did not realise he had done anything potentially illegal until she read about the case of 15-year-old Megan Stammers, who was found and taken into protective care on Friday after fleeing to France with her married maths teacher, who was arrested. Now Sophie is contemplating calling the police. In Sophie's case, the teacher is still teaching teenage girls at a prestigious private school a few miles from her house. She, on the other hand, struggles every day to cope with the effects his violence and oppression had on her teenage self.

"He ruined me, sexually, emotionally and in every other way possible," she says. "I was naive and innocent, and he was perverse. The sex was aggressive and sickening, but I was infatuated: he was this older man. All the girls fancied him. I'll be honest: we were all after him.

"He told me he was in love with me, but then he crushed me until I was a complete emotional wreck. He was obsessively possessive and I was completely under his thumb. I had been this bubbly, strong and independent teenager. He destroyed me."

When Sophie first saw the reports about Stammers and her 30-year-old teacher, Jeremy Forrest, it brought back strong feelings. Then, to her surprise, she felt relief. "I have realised, for the first time, that my teacher was a sexual predator," she says. "In one way, it makes me feel less mad for having suffered so much over something that happened so long ago, and for not having been able to get my life back together since.

"But," she adds, "it can't heal me or change the consequences. Most of my relationships since then have been really awful and violent. I can't trust men in positions of authority. I was predicted four A-grades at A-level and had great plans for university. But I dropped out of education and have never come to anything. It all started with him. If he had not done what he did to me when I was too young to know what was going on, my life now would be very different."

The teacher was 25 when he seduced Sophie, a 17-year-old student, in 1992. He was her form tutor. The relationship was intense: her parents knew about it and she frequently stayed at his house. But they had to keep it a secret in school. "We'd ignore each other during the day," says Sophie. He dumped her nine days before her A-levels – and then invigilated at her exams. Sophie didn't achieve anything like the grades she had been predicted but still got into university.

Then he rekindled the relationship. When it ended a second time, she fell apart, dropping out of university and into a life of chaos and self-destruction. "He broke me," she says. "But now I've read that he did do something genuinely wrong in the eyes of the law. All these years later, he still deserves to be punished for what he did, doesn't he? Is it my responsibility to try to protect the girls at the school he's now teaching at?"

Sophie, however, will not be able to see her abuser prosecuted for what he did. The Sexual Offences Act 2003 made it an offence for a person over 18 in a position of trust to have a sexual relationship with a child under 18, regardless of whether the relationship is consensual and even if the person does not teach the child. Prior to that act, the age of consent – 16 – was the only issue.

Teaching unions claim pupil-teacher affairs are "very rare". Between 1991 and 2008, 129 teachers were prosecuted for relationships with pupils, according to reports. But a 2007 YouGov survey of 2,200 adults said one in six knew of someone who had had an "intimate relationship" with a teacher while at school.

One school has dealt with no fewer than five incidents. When, in 2009, Christopher Reen, 31, a classroom supervisor at Headlands school in Bridlington, was jailed for three years and four months after admitting six counts of sexual activity with a 15-year-old female pupil, it emerged that four former staff at the same school had faced the courts in recent years over inappropriate sexual conduct.

Hollie was raped and exploited by her teacher. There has never been a prosecution. She has, however, fought for years to get him struck off the teachers' register – something she finally achieved in August this year. "Three years ago I started trying to put right something that happened between 1999 and 2001, while I was a pupil at a school in remote Scotland," she says. "Between the ages of 15 and 17, I was groomed – though there wasn't a word for it then – and entered into a relationship with my 40-year-old male religious studies teacher. The relationship became nasty, violent, obsessive and physically and sexually abusive."

Hollie's parents eventually found out about the relationship. It took just one conversation for them to make her realise she had been manipulated and abused. "We reported him to the police, the school, the education department, the council and the General Teaching Council for Scotland," says Hollie. "They all received a full report from me detailing the extent of what had happened. I moved to England where I was originally from. No one from these organisations contacted me. I was a mess and couldn't go through with prosecution, but I always stuck to my story. They all knew what the allegations were, but none of them did anything to investigate. Everything was brushed under the carpet. The teacher moved and continued teaching in a different part of Scotland."

Hollie had a complete breakdown. "I literally believed I was worthless," she said. "I got into some not particularly healthy relationships and had problems with alcohol and self-harm."

Three years ago, Hollie found the courage to address what had happened. The police investigated for more than a year and ultimately charged the teacher with, she thinks, rape and assault. "But

they were unable to prosecute because of Scotland's laws about corroboratory evidence and the accused's right to silence," says Hollie. "The teacher sat through a six-hour interview, replying 'No comment' to every question."

The legal case was also complicated because although it is now illegal for a teacher to have a relationship with a pupil, their relationship began eight weeks before the date this law came into effect. "So they couldn't prosecute him for that," she says. Nevertheless, the teacher was suspended by the council in April 2010 and finally struck off the teaching register last month. "He has been put on to the list of those barred from working with children as a result of my evidence and the police investigation," says Hollie.

"It hurts more, the older I get," she says. "The closer I get to the age he was, the more I realise how awful it was, what he did. I see how he manipulated my 15-year-old self and I realise how someone of my age would know, absolutely, that it was completely wrong and inappropriate to get into a relationship with someone of that age.

"I wish that someone had told me, when I was 15, that if the teacher in question really loved me, he would never act on it. And I wish someone had told me that it was never, ever my fault."

Professor Pat Sikes of the University of Sheffield has studied pupil and teacher relationships, and challenges the notion that girls are necessarily powerless or exploited in them, pointing out that a significant proportion end up marrying or living together in an enduring and solid relationship.

She should know: Sikes first fell in love with her husband when she was 14 and he was her 22-year-old teacher. Their sexual relationship, however, did not begin until he left the school when she was 16. While stressing that girls need to be protected against predatory male teachers, her study concludes that this should not be "through blanket laws that have the effect of making all women into weak, potential victims".

Others describe relationships with teachers that were on the cusp of inappropriate and caused parents and other teachers concern – but were ultimately a positive experience.

Sapphire had an intense, albeit non-sexual, relationship with her maths teacher between the ages of 13 and 18. "I don't tell people about our relationship because, looked at through the eyes of someone who wasn't there, it sounds like a clear-cut case of, at best, weirdness and at worst, manipulation and near-abuse," she says. "In fact, that wasn't the case at all."

Sapphire's relationship with her teacher grew during their one-to-one, after-school classes. "I was weak in maths and he took it upon himself to teach me so well that I went on to study it at A-level," she says. "After those lessons, we would talk about all sorts of intellectual and creative things. From him, I learned that the opposite sex could be gentle, empathetic, clever, interesting and interested. I never had the slightest interest in boys of my own age because, by comparison, they were sexually crass, emotionally unreliable and intellectually dull. To this day, I'm grateful for that."

As Sapphire got older, however, the teacher became more intense. He prevented her leaving his class when her grades improved enough to move into a higher set, insisting that he would tutor her himself to pass the exams. "I began to find it all a bit overwhelming, and backed off," she remembers. "There was a parents' evening around then and my dad picked up on the atmosphere between us. He joked about it afterwards, saying it was like we'd had a lover's tiff. I think my parents were a bit confused by it all. They knew nothing explicitly wrong was going on and so they didn't quite know what to do about it."

Soon afterwards, however, Sapphire's mother insisted she move to a different class. "There were rumours in the staffroom about us and my teacher was warned to back off," she says. "He did as he was told, but I missed him. He was a really important part of my life." She started going back to his classroom after school once a week. "We just talked," she says. As she neared 18, however, the relationship shifted. She began to grow away from him and he became neurotic and, she says, "slightly stalkerish".

"I got the impression that things were nearing a climax. I had the definite feeling that he was expecting something to happen after so many years of what I began to suspect was what he thought of as having 'waited'. I found the thought of him waiting really creepy and realised I had potentially got into something I hadn't genuinely understood," she says.

He sent Sapphire 18 red roses on her birthday and appeared at her class's leaving party. "My friends formed a protective ring around me and every time he came near, they spirited me away," she says. She left school and never saw him again. Two decades on, she feels fondness and sadness for him. "I think he was a vulnerable man," she said. "I vaguely worry that he remembers our relationship with pain. I hope he doesn't."

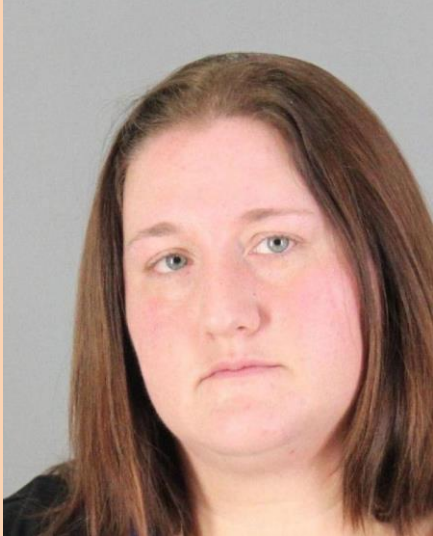
Katherine has even fonder memories of her relationship with a teacher. She was 15 when Tom came to teach at her girls' school. She moved to a sixth-form college at 16. A week later, Tom asked her out on a date. "There weren't many male teachers at our school so we were all very aware of this 23-year-old new staff member," says Katherine. "He never taught me, but all my friends fancied him. I wasn't particularly taken by him until we went for that drink."

Two years after their first date, they were married. They had two children and the marriage lasted for 30 years, until 2002, when Tom died. Katherine says laws that prevent teachers and pupils having relationships are correct. "He must have been noticing me when I was still a pupil at his school, but we occasionally said to each other how lucky it was that he was no longer my teacher," she says. "Had I stayed at that school, nothing would ever have happened between us because that would have been completely wrong."

Some of the teachers at her old school, however, continued to disapprove of the relationship, refusing to go to their wedding. "Their reaction was a complete surprise to me and meant nothing. I wasn't dazzled by Tom. I suppose I was flattered at first, because he was a teacher and an older man – but only for that first date," she says. "Our relationship was completely normal. Completely ordinary."

## Teacher convicted of sex act with second student in East Palo Alto classroom

A 35-year-old teacher was convicted this week of performing sexual acts with two teenage male students inside her East Palo Alto charter school classroom.



Danielle Matko

Danielle Matko of Belmont was found guilty Tuesday on four counts stemming from encounters with a 15-year-old student from East Palo Alto Aspire Phoenix Academy in late 2015, according to the San Mateo County District Attorney's Office.

Matko, who was an English teacher at the school at the time of her arrest in December 2015, was convicted of one count of oral copulation with a minor and three counts of lewd acts on a minor age 14 or 15.

Wednesday, Matko was convicted of one count of lewd act on a minor stemming from an incident with a second student, also 15.

Matko is facing a sentence of about six years behind bars and will have to register as a sex offender, according to San Mateo County Chief Deputy District Attorney Karen Guidotti. Matko is scheduled to be sentenced Dec. 1.

"Female teachers who commit offenses such as this are fairly few and far between," Guidotti said. "But we see it."

Officials with East Palo Alto Aspire Phoenix Academy referred all questions regarding Matko to the charter school's corporate communications department.

“East Palo Alto Phoenix Academy is committed to the safety and security of each of our students,” spokesperson Morgan Searcy said in a statement. “When the allegations were first made in this case, we chose to terminate employment of Ms. Matko. We also cooperated with law enforcement’s investigation of the allegations.”

Matko denied the allegations and did not testify during the trial, Guidotti said. Her attorney did not return a message seeking comment.

All of the purported crimes are believed to have taken place between Sept. 1 and Nov. 14, 2015 in Matko’s classroom, during free periods and after school, authorities said. Prosecutors say Matko was talking with one of the boys in her classroom when she showed her bare breasts and allowed the student to touch them. She also touched the boy sexually, according to prosecutors. On another occasion, she performed oral copulation on the boy.

Prosecutors allege Matko showed the first victim and a second 15-year-old student her bare breasts on another occasion.

One key piece of evidence was a cell phone screen shot Matko’s naked torso taken by one of the boys, Guidotti said.

“There was no doubt it was her,” Guidotti said.

The allegations surfaced after the boys told friends about them, and one of the friends contacted a legal-aid attorney, who in turn notified police.

## **Teacher accused of having sexual relations with student who allegedly tried to kill himself**

By [Kristine Phillips](#) October 5

A high school teacher in Maine who for months faced rumors of having a sexual relationship with a student is now facing criminal charges.



Jill Lamontagne. (Kennebunk Police Department)

Jill Lamontagne, 29, was indicted Tuesday on 14 sexual assault charges, including six counts of gross sexual assault, a Class C felony punishable by up to five years in prison, Chief Robert MacKenzie of the Kennebunk Police Department said. She's also charged with six counts of sexual abuse of a minor and two counts of unlawful sexual contact, both Class D misdemeanors.

The charges came nearly four months after the then-17-year-old tried to commit suicide "because of a girl," according to a copy of a protection order obtained by the Portland Press Herald. The document does not specify the

identity of the girl, though it said that the teen told family members he loved Lamontagne and that they had sex multiple times.

Investigators in Kennebunk, a small coastal town in the southern part of Maine, were first alerted of a possible sexual relationship between a teacher and a student in April, but they were unable to corroborate the allegations, MacKenzie said. The case was revisited sometime between late spring and early summer, when investigators received additional information. MacKenzie said he's unable to comment on what that information is.

The teen, who is now 18, said that the sexual encounters happened in the classroom, in Lamontagne's house and in her car, and that he told friends about the relationship while he was drunk, documents say. He also said he does not want Lamontagne to go to jail. The Washington Post generally does not identify victims of sexual assault.

Scott Gardner, Lamontagne's attorney, was not available for comment Thursday afternoon, but he [told the Press Herald](#) that the allegations were merely high school rumors based on the "fantasies of an emotionally troubled" teen.

"The charges are completely untrue, period," Gardner [said](#).

The teen was hospitalized June 9 after he had ingested a mixture of Tylenol, ibuprofen, cold medicine and Warfarin, a blood thinner. The following day, he told relatives that rumors about his relationship with Lamontagne were true and that he was "sorry for all the bad things he did," according to court documents.

Later that month, a judge granted the protection order, which barred Lamontagne, who is married with children, from having any contact with the teen.

Lamontagne turned herself in Wednesday and is out on bail, MacKenzie said. She taught health at Kennebunk High School for five years, according to [Seacoastonline.com](http://Seacoastonline.com).

District Superintendent Katie Hawes did not immediately return a call seeking comment Thursday, but [Seacoastonline.com](http://Seacoastonline.com) reported that Lamontagne was placed on leave in April, when school officials first learned of the allegations. She went back to work, but was placed on leave again June 12, three days after the teen was hospitalized. She resigned last month.

Local Headlines newsletter

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Lamontagne is scheduled to appear in court in December. Gardner, the defense attorney, said she intends to plead not guilty.

#### **Class 4. Jan. 27 News articles**

- 1) What happened?
- 2) What do you think of the parents' decision to let their children go to the park?
- 3) What was the police reaction?
- 4) What happened the second time?
- 5) When should children walk to school alone?
- 6) When can children be left home alone?
- 7) What about riding on public transportation?
- 8) What is the appropriate age for children to have a Facebook page or use social media?
- 9) Are there other activities that are considered wrong now but totally normal and appropriate just a few decades ago?
- 10) Should there be curfews for children to be out at night? Why or why not?

## Maryland family under investigation for letting their kids walk home alone

It's starting to feel a little bit like Groundhog Day when it comes to parents under attack for letting their children do things on their own. The latest case? A Silver Spring, Maryland, couple is facing a neglect investigation for letting their 10-year-old son and 6-1/2-year-old daughter walk home from a playground, about a mile from their house, by themselves on a Saturday afternoon in late December. The story immediately brought to mind the South Carolina mom arrested for letting her 9-year-old daughter play at the park alone while she worked at a McDonald's and a Florida mom arrested after letting her 7-year-old walk to the park alone. Is it just me or have things suddenly gotten way out of hand when parents are being arrested -- or investigated -- for doing what was considered totally normal and appropriate just a few decades ago? **'I'm a free-range parent'** I asked Danielle Meitiv, the mother at the center of this latest national story, about her parenting philosophy.

"The funny thing is, it's so funny to call it a philosophy," Meitiv said.

"In terms of crime, I lived in a more dangerous time period and my parents lived in a more dangerous time period ... so it just never occurred to me that this has to be a philosophy." Growing up in Flushing, Queens, in New York, she would go to the bowling alley or library at a young age by herself. "The idea that a parent would escort you somewhere, I mean my mother would have cracked up, 'What are you, nuts?'"

As Meitiv's kids got older, she and her husband grew more aware of the whole concept of helicopter parenting -- and the idea that kids had to be supervised all the time. She started looking up information and found the book "Free-Range Kids" by Lenore Skenazy and began following her online blog, too.

"So from that, I would say, 'Yeah, I'm a free-range parent,' " she said. "Again, to me, the idea is, what happened to just parenting?"

'World's Worst Mom'

Skenazy, a New York mom, television host, speaker and author, was called the worst mother on the planet and meaner things than we could include in this article after she wrote a story in 2008 on why she let her 9-year-old son take the subway by himself.

After the uproar about her parenting, she wrote the book and started a blog, and now hosts a show called "World's Worst Mom?" airing at 9 p.m. ET Thursdays on the Discovery Life Channel.

Skenazy actually broke the story on Reason.com about the Meitivs being under investigation by Montgomery County's Child Protective Services after they let their children walk home from a playground by themselves.

"We've been encouraged in our society to do what I call worst-first thinking, which is come up with the worst-case scenario first and proceed as if it's likely to happen, and that's what happened with the Meitivs," Skenazy said.

"Someone sees two children alone, and they leap to 'Oh, my God, they're neglected. What if they're run over by a Mack truck? What if they're kidnapped? There are predators all around.' " Crime rates are way down from when many of us were kids in the '70s; rape, murder, burglary and arson are all down, said Skenazy, so it's not exactly true to think today's world is scarier than when I walked four blocks to the candy store when I was in the first grade.

"And if we are going to say, 'Oh, my God, I would never let my kid walk outside; something bad could happen,' well, I hope you're saying that 'Oh, my God, I would never put my kid in the car, something bad could happen,' because the No. 1 way children die in America is as car passengers, and yet we seem to keep that 'danger' in perspective, but we can't keep the same perspective when it comes to letting our children walk outside," she added.

'The next evolution in their ranging'

The afternoon that thrust the Meitivs into the national spotlight was as normal as you can get. Alexander Meitiv and the kids were heading home after synagogue (Danielle was in New York for a family event) when they passed the playground the kids had been begging to go to for weeks.

This playground was going to be "the next evolution of their ranging," Meitiv said. She and her husband felt they were ready, and so he dropped them off at the playground and told them to return home in a little while.

About halfway on their walk home, the children were stopped by two police vehicles, Meitiv said. When officers asked whether they were lost or in trouble, the kids told them they were

fine, that their parents knew where they were and that they are allowed to walk home by themselves, she said.

The police drove the kids home to the Meitivs' house. Rafi Meitiv, who's 10, called his mother crying, "Mommy, the police are here. I'm afraid they're going to arrest Daddy," she remembered him saying.

Alexander Meitiv was not arrested, but a few hours later, someone from Child Protective Services arrived and said the family needed to agree not to let the children be unsupervised until the matter was resolved within the agency, or the children would be taken into the custody of Child Protective Services.

After a number of calls with CPS, and after CPS allegedly interviewed the Meitivs' children without their knowledge and without a parent being present, they are still waiting to have an in-office meeting with the agency.

Brutally Honest: Is it OK to let your children fail?

"This is no joke," said Danielle Meitiv. "The threat that they can take my kids is real."

The Montgomery County Health and Human Services Department said it is bound by state confidentiality laws preventing it from commenting on a specific case.

"Like all Departments of Social Services in Maryland, Montgomery County Child Protective Services is required to respond to all calls from community members and law enforcement about possible neglect," the statement said.

Most states don't have laws on the books regarding how old a child must be to be left alone. Maryland is one of the few that does, stating that children under 8 years old may not be left unattended in a house or car. There isn't anything stipulated within the law about kids being alone outside.

This is not the first time the Meitivs have been approached by CPS. In October, a few days after Danielle Meitiv let the kids play at a playground around the block from their house and walk home by themselves, two CPS workers came to her door after they were contacted by someone mostly likely from the neighborhood, Meitiv said. That case was eventually closed.

"We have no problem with people looking out for our kids. That's actually what people always did, look out for each other," Meitiv said. "It's the idea that looking out for them then becomes reporting them to the police and making it criminal ... that it becomes somehow this is neglect. My kids were playing at the park."

## Reaction from parents nationwide

The story has gotten a ton of traction online, with many parents expressing outrage about another case of a parent under investigation for letting children do things on their own.

"The parents in the above referenced story have the right to raise their kids as they wish. I do not think it is a CPS issue," wrote Annette Lanteri, a lawyer and mom of two girls in Bayport, New York, in an email.

"I personally give them credit for allowing their kids to have freedom at such a young age."

Cherylyn Harley LeBon, a mom of two, said that whether she decides to let her children walk to the park alone is "simply her business," not her neighbors'.

"And if there is a bona fide question of neglect in my household, then Child Protective Services should be notified. Anything less than that is government overreach," said Harley LeBon, a writer, strategist and former senior counsel to the Senate Judiciary Committee.

Laura Beyer, a mom of two grown daughters, said she doesn't believe the parents were negligent in this case, because the children were "obviously capable" of simply walking to and from the park.

"My thought is if those of us who care for others would simply 'keep an eye on' children as we drive to and fro, they would be safe nonetheless," Beyer said. "If you see a child walking and he or she is being approached by what seems to be a stranger, pull to the side of the road and ask if he or she is OK."

But some parents are asking questions about how young is too young to leave kids alone and how much one's community should play in that decision.

Terry Greenwald, a father of three in Alaska, said, "In a small town where the parent feels their children are safe, I'd understand a parent allowing some freedom, at least more so than someone living in a larger city.

"The world is a dangerous place, though, and we all need to protect ourselves and our children, especially our children," said Greenwald.

The Meitivs hope their story helps get the message out that parents today may too often overestimate the danger and underestimate their kids.

"Our children need the freedom to grow into the happy, healthy, confident adults we want them to be, so we should trust our kids more," Meitiv said.

## Parents in trouble again for letting kids walk alone

Andrea McCarren, WUSA-TV, Washington Published 8:11 a.m. ET April 13, 2015 | Updated 12:03 p.m. ET April 13, 2015

SILVER SPRING, Md. — Maryland parents accused of child neglect for [letting their kids roam around their neighborhood](#) had to retrieve them from the county's Children's Protective Services after police removed the youngsters from a park.

At about 4:55 p.m. ET Sunday, Montgomery County police received a call to check on the welfare of Danielle and Sasha Meitiv's children — Rafi, 10, and Dvora, 6 — at a park here. Officers found the children unattended and brought them to the agency as part of protocol, they said.

Montgomery County police and county Children's Protective Services are jointly investigating the Meitivs of Silver Spring for allowing their children to walk repeatedly around the neighborhood alone. The parents say they know where their children are but are allowing them independence.

Officers picked up the children about two blocks from home, Rafi said, telling them they would drop them off at home. Instead, the two sat in a patrol car for 2½ hours then were taken about 10 miles away to Children's Protective Services offices in Rockville, Md.

The Meitivs said they had taken the children to the park at around 4 p.m. and told them to be home by 6 p.m. When the children hadn't returned by 6:30, the Meitivs started looking frantically for them.

Social workers did not contact them until after 8 p.m., the couple said. Their children were released to them at 10:30 p.m.

"I can't believe we're going through this again," Danielle Meitiv said. "They've been missing since 6 o'clock. Somebody called 911, the police called CPS, they decided to bring the kids here and they didn't call us."

To take the children home, the Meitivs had to sign a safety plan that prohibits them from leaving their children unattended, they said.

"We asked them why did they not bring them home," Sasha Meitiv said. "They just said, 'We decided the safety of the children was more important.' "

Maryland law prohibits children younger than age 8 from being unattended in a dwelling or car but makes no reference to outdoors. A person must be at least 13 years old to supervise a child younger than 8.

In December, the couple was accused of neglect for allowing the children to walk around their suburban Washington neighborhood together unaccompanied by an adult. In one instance, Rafi and Dvora were walking from a playground two blocks from home; in another, the park was about a mile away.

Those actions have sparked a debate about what now has been dubbed free-range parenting and what 50 years ago was considered letting children play.

In February, Children's Protective Services found the Meitivs responsible for "unsubstantiated" child neglect, and the couple has appealed. The decision means the agency will keep a file on the family for at least five years.

It also left open the question on what would happen if someone again called police to report that the children were walking without adult supervision.

"I'm not going to risk my kids being snatched again by CPS," Danielle Meitiv said. "If they had let our kids go home, they would have been in bed two hours ago."

Here are the rules about putting kids on a bus alone: there aren't any

A Vancouver father's complaint taps helicopter vs. free-range parenting debate

By Yvette Brend, CBC News Posted: Sep 08, 2017 7:00 AM PT Last Updated: Sep 08, 2017 8:03 AM PT

A Vancouver father-of-five trained his children to ride transit alone, only to be shut down by social services. But hold on a tick. It's more complicated than that. (Adrian Crook/5 Kids 1 Condo)

Yvette Brend

But there is more to this tale than stolen childhood autonomy.

Adrian Crook blogs about urban condo life and says he spent two years training his children — aged seven to 11 — to take the bus on their own, which experts say is statistically safer than driving them to school.

But somebody complained.

To his shock, provincial child welfare officials investigated and wrote Crook a letter saying he couldn't let unsupervised children under age 10 out in the community alone.

His plight drew outrage from parents calling it an example of authorities stealing children's freedom, touching a nerve in the modern debate over parenting styles: helicopter versus free-range.

It's important to note, this situation is quite specific.

The Crook family

Crook shares custody of his five children and admits their mother probably doesn't approve of letting their children ride transit alone. Social workers also cited him for physical discipline — specifically ear pulling.

Provincial child welfare officials investigated after Adrian Crook let his children ride transit alone and made him promise to supervise any child under age 10 in the community. (Adrian Crook/Instagram)

The rules in Canada

The Crook situation aside, here are the rules in Canada for parents who want to leave children alone at home or on the bus: There aren't any.

The Ministry of Children and Family Development confirmed with CBC there is no specific age legislation in B.C. or in Canada that stipulates when a child can be left unsupervised.

It depends on a lot of factors.

If the ministry gets a complaint, then social workers assess the situation.

They consider a series of issues, ranging from the child's comfort level to the time of day, safety measures in place, the child's maturity, how long the child was left, whether they were alone, whether they had access to responsible adults and a way to contact parents and any historical concerns affecting the family.

Adrian Crook lives in a condo downtown with five children and feels that it is important they learn to navigate transit on their own. (Adrian Crook/5 Kids 1 Condo)

"We look into the circumstances, assess the risk to the child (or children) and the parent's ability to provide care," the MCFD told CBC in an email.

In the end, Crook was deemed a "safe" parent, but he recognizes why others, including his ex-wife, might disagree.

"I don't think she likes it much. We have differences of opinion about urban versus suburban life."

The case has opened up fears among many parents. Some of them now fear they'll be targeted by social services for letting a child walk to school alone.

Is 10 the magic age?

Across Canada, courts have wrestled with the issue.

A 2015 B.C. Supreme Court ruling dealt with a Terrace mother who left her eight-year-old unsupervised after school.

The judge cited experts on the "risks to children under the age of 10 due to their limited cognitive ability."

While this has become a loose guide, no real rules exist to help parents determine when it's legal to let their child walk or ride a bus to school alone.

Furious father pretends to KIDNAP his children to teach his babysitter a lesson after finding her asleep on the job

Father was picking up paperwork when he found the babysitter taking a nap

He decided to take children with him to make it look like they'd gone missing

Messages shared online show babysitter frantically calling and texting him

When he finally told the truth, he said he was going to police to press charges

By Emily Chan For Mailonline

PUBLISHED: 10:24 BST, 3 September 2017 | UPDATED: 11:18 BST, 3 September 2017

When you leave your children with someone, you rely on them completely to make sure they're safe.

But one father was left furious after discovering that his babysitter had fallen asleep on the sofa - and decided to teach her a very cruel lesson.

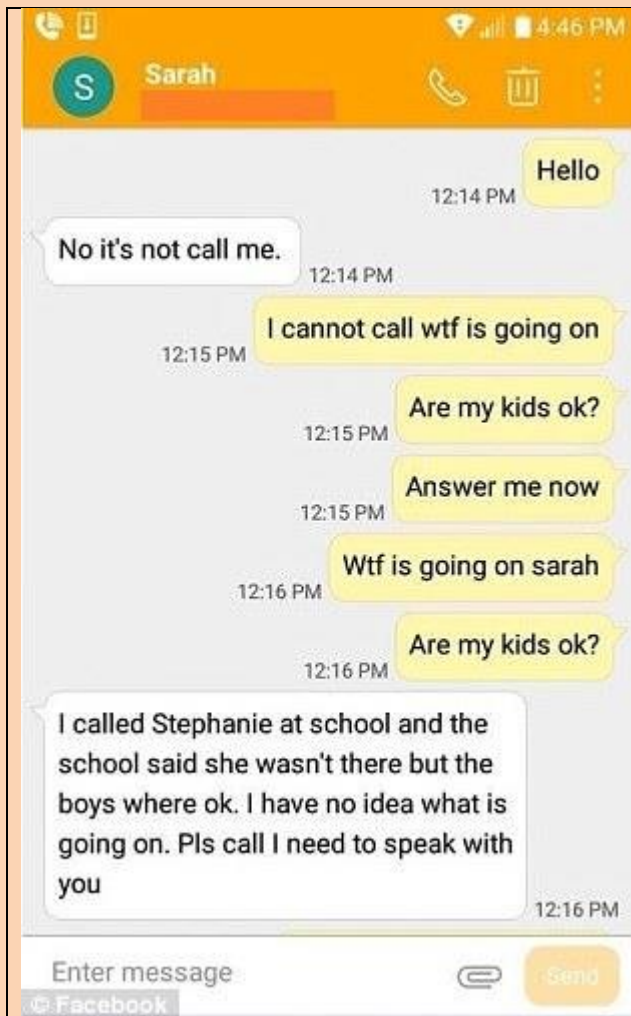
The man, named only as Christopher and believed to be based in the US, had already left for work when he realised that he'd forgotten some paperwork at home.

When he went back to fetch it, he discovered the babysitter, identified only as Sarah, taking a nap on the sofa.

A father decided to teach his babysitter a lesson after finding her asleep on the sofa (pictured)



+6



+6

Messages shared on Facebook show how the babysitter started frantically calling and texting her boss after realising the children were missing

After taking a photograph as evidence, the father decided to take his children with him, in order to make it look like they'd been kidnapped.

Messages shared on Facebook showed how the babysitter began frantically calling and texting her boss after discovering that the children were missing.

After ignoring several phone calls from Sarah, Christopher messaged her: 'Whats up? Hello? Why you blowing me up??'

When Sarah told him to 'Call me now', he refused, claiming he had no signal and asking again 'Whats up?'



+6

Christopher then questioned the babysitter 'Where are my f\*\*\*\*\* kids Sarah', to which she responded 'If I knew I wouldn't be blowing up your phone!!!'





Sarah explained that she'd called the police, who told her to call her employer. Christopher then finally told her the truth, before adding that he'd be 'pressing charges'

Christopher then told Sarah to tell him what was going on, writing 'I cannot call wtf is going on. Are my kids ok?', adding 'Answer me now'.

Sarah then explained how she'd called his wife's school, with one of her colleagues telling her that 'the boys were ok'.

When the father then asked his babysitter 'Where are my f\*\*\*\*\* kids Sarah', she responded: 'If I knew I wouldn't be blowing up your phone!!'

He then asked whether she'd called the police, with Sarah replying that she had. She said the police had told her 'call your employer they probably know what's going on.'

Christopher finally told her the truth, saying: 'I took my f\*\*\*\*\* kids at 10. Get out of my f\*\*\*\*\* house! I may be pressing charges on you for neglecting my f\*\*\*\*\* kids.'

He added that she was 'fired' and that he was on his way to the police station.

The exchange between the pair has gone viral online, with social media users divided over whether the father had overreacted.

It is not believed that the police took the case any further.

- 1) What happened?
- 2) What did the babysitter do? Should she be legally responsible?
- 3) What was the father's reaction? Is he legally guilty?
- 4) What do you think of the babysitter's conduct?
- 5) What do you think of the father's conduct?

### **Class 5 Feb. 3 Parental abduction of children**

#### **Scenarios**

1. Monica and Chandler had a 5-year daughter: Casey. They lived in New York. They divorced soon after their daughter was born. Monica and Chandler had joint custody of their daughter. So, Casey lived half of the time with her mother and half of the time with her father. After the divorce, Chandler moved to England. Monica and Chandler agreed that their daughter would live with her mother from September to June and spend July and August in England with Chandler. Last year, Monica got a job as a food critic for Trip Advisor, which required travelling extensively around the world. In late April, Monica

asked her mother, who lived in Tampa, Florida, to take care of her daughter while she was away. In July, Chandler had to fly to Tampa to pick up his daughter and take her to England. In September, he refused to return his daughter to the United States arguing that he had – joint- custody- and that Monica had not exercised custody, as their daughter did not live with her mother while in the States.

2. Tucker and Maria lived in Canada all their lives. They had a son, John, aged 12, who also lived all his life in Canada with his parents. Tucker got a job in Moscow, Russia. The family moved, but Maria and John felt very stressed as they don't speak Russian and they don't know the culture. In his first months at school, John failed all his subjects. This caused him great anxiety, as he was a stellar student back home. He didn't make any friends in Russia. So, Maria left a note to Tucker telling him that she decided to split up and that she was taking John back home with her. Tucker filed a claim in Russia under the Convention. Maria argued that it was in the best interest of their son to keep him at home in Canada.
3. Tucker and Maria lived in Canada all their lives. They had a son, John, aged 12, who also lived all his life in Canada with his parents. Tucker got a job in Moscow, Russia. The family moved, but Maria and John felt very stressed as they don't speak Russian and they don't know the culture. In his first months at school, John failed all his subjects. This caused him great anxiety, as he was a stellar student back home. He didn't make any friends in Russia. So, Maria left a note to Tucker telling him that she decided to split up and that she was taking John back home with her. Tucker filed a claim in Russia under the Convention. Maria argued that it was in the best interest of their son to keep him at home in Canada. John objected to remaining in Russia.
4. Tucker and Maria lived in Canada all their lives. They had a son, John, aged 12, who also lived all his life in Canada with his parents. Tucker got a job in Moscow, Russia. The family moved, but Maria and John felt very stressed as they don't speak Russian and they don't know the culture. In his first months at school, John failed all his subjects. This caused him great anxiety, as he was a stellar student back home. He didn't make any friends in Russia. So, Maria left a note to Tucker telling him that she decided to split up and that she was taking John back home with her. Tucker filed a claim in Russia under the

Convention. Maria argued that it was in the best interest of their son to keep him at home in Canada. John objected to returning to Canada.

5. Cecilia and Chris lived and married in Ontario. When they broke up, Chris took their children, aged 15 and 17, to live with him in South Africa. Cecilia made a claim requesting the return of her children to Canada.
6. Paul and Larry got married and lived in Ontario. They adopted a son, aged 3. Paul went on a 7-day business trip to Australia and learned that Larry had taken their son to live in the United Kingdom, where he was originally from. Paul made a claim in Australian courts requesting the immediate return of their son to Canada.
7. A German man married an Argentine woman in Denmark. They had a daughter who was born in Argentina. When the girl turned 4 months old, the family moved to live in Germany. After 2 years, the couple separated and the mother was granted the child's full custody by a German lower court. Later, the mother and child traveled to Argentina, and from there, the mother notified to the German court she and her daughter were going to establish their permanent residence in Argentina.
8. A child lived with his parents in Canada. The mother left Canada with a child to live in Austria. The father made a claim under the Convention. The mother showed evidence of the father's proven violence against her as well as his unemployment and history of substance abuse.
9. Marissa and Franco lived in Ontario. They broke up and on September 1, 2018 and that day Marissa took their son, Sam, who was 15 years and 6 months old, to Poland. Yesterday, Franco made a claim before the courts to request the return of their son to Canada.
10. In September of 2019, an Austrian mother and an American father had their last common residence in Michigan (USA). On October 30, 2019 the mother unilaterally removed their 2-year old child to Austria. On October 31, the father issued return proceedings in Austria. The mother argued that she was her main person of reference and that returning the child could cause a massive trauma affecting her development. She further argued that the child had become alienated from the father.
11. A woman married a German doctor, Hans-Peter Volkmann, in London and their first son, Alexander, was born a year later. Volkmann then decided that the family should move to Germany for two years, which they did. Their second son, Constantin, was born in

Germany. The marriage broke up; and they legally separated: the children would live with their mother in London and visit their father during their school holidays. At first, all worked well. The children adapted quickly to their London life. They continued their schooling at the French Lycée and spent holidays with their father in Germany. Last July, the children left for their summer holidays. Without warning, four days before they were due to return to London, their father announced that he was not sending them back to England. He then disappeared with the boys.

12. Both parents are from Ontario. They divorced; and the mother obtained custody of the children, who spend their holidays in August with their father according to a court order. Last year, the father took both children to Disneyworld in Orlando, USA. He was to return them on August 31. The children insisted that they also wanted to spend a week visiting Universal Studios, located also in Orlando. The children texted their mother saying they were coming back a week later. They stayed in Orlando to visit Universal Studios. On September 2, the mother filed a claim before the courts.
13. Both parents are from Ontario. They divorced; and the mother obtained custody of the children, who spend their holidays in August with their father according to a court order. Last year, the father took both children to Disneyworld in Orlando, USA. He was to return them on August 31. The children insisted that they also wanted to spend a week visiting Universal Studios, located also in Orlando. Neither the children nor the parent communicated with the children's mother; and they stayed in Orlando to visit Universal Studios. On September 2, the mother filed a claim before the courts.
14. Both parents are from Ontario. They divorced; and the mother obtained custody of the children, who spend their holidays in August with their father according to a court order. Last year, the father took both children to Disneyworld in Orlando, USA. He was to return them on August 31. The children insisted that they also wanted to spend a week visiting Universal Studios, located also in Orlando. The children texted their mother saying they were coming back a week later. The mother texted his ex-husband back saying the children had to come home as per the court order. They stayed in Orlando to visit Universal Studios. On September 2, the mother filed a claim before the courts.
15. Both parents are from Ontario. They separated and they agreed that the mother would keep custody of the children, and that the children would spend their holidays in August with

their father. There is no court order, as they amicably reached this agreement. He was to return them on August 31. The children insisted that they also wanted to spend a week visiting Universal Studios, located also in Orlando. The children texted their mother saying they were coming back a week later. They stayed in Orlando to visit Universal Studios. On September 2, the mother filed a claim before the courts.

16. Both parents are from Ontario. They divorced and the mother obtained custody of the children, who spend their holidays in August with their father according to a court order. Last year, the father took both children to Disneyworld in Orlando, USA. He was to return them on August 31. On August 31, there was a hurricane affecting Florida. As a consequence, all flights to Canada were cancelled. Florida authorities advised against driving during the hurricane. The father and children returned on the first available flight on September 3.
17. A couple married in Scotland and agreed to separate the following year. Each sought custody of their seven-month-old child. The Scottish court granted interim custody to the mother and interim access to the father and ordered that the child remain in Scotland pending a final court order. A few days later, the mother, who was originally from Winnipeg, left Scotland with the child to visit her parents in Manitoba. Once there, she decided to stay permanently in Canada and applied for custody of her child in Manitoba. She argued and proved that that the child had already “settled into” his Canadian environment and that it would be in the child’s interest to remain with her in Canada.
18. A couple, residing in Ontario, married in August 2015. The mother had a child by a previous relationship who was adopted by the husband. In November 2017, they moved to England where a second child was born. The couple separated in 2019. The wife moved to Canada with the children. The husband applied for the return of the children to England under The Hague Convention. The mother argued that the elder girl suffered from a debilitating disease and that she would under better care in Canada and that moving back to England would entail a grave risk of harm for the elder child.
19. The parents, Paola and Reuben had moved to the United States with their young child, Samantha, from El Salvador, the mother's native country. Two years later, the mother took the child back to her country for a vacation and then refused to return to the States. In supporting her claim, she argued that the child was never habitually resident in the States.

She claimed that the original move to America had been only temporary and that she and the father had agreed that they would return to the mother's native country after a year or two.

20. Leyda Cuellar (plaintiff) and Richard Joyce (defendant) were married and had a daughter, K.C., in Panama. Joyce took K.C. to the United States without Cuellar's knowledge. Cuellar filed a petition under The Hague Convention to have K.C. returned to Panama. Joyce argued that a return would harm K.C. Specifically, Joyce stated that Cuellar was poor and lived in a Panamanian slum with no running water, and K.C. had become attached to her new home and would suffer psychological harm from a return to Panama.

### **Website presentation**

Build and present a website with legal information, tips, FAQ, and cases dealing with the international parental abduction of children. Include an explanation of The Hague Convention on the Civil Aspects of International Child Abduction. Also include the case of Gabriela Arias Uriburu.

### **Class 6 Feb. 10: Dating violence**

#### **Lindsay's story: Discussion Questions**

- Was that really rape?
- When did their sexual activity turn into sexual assault?
- Was Lindsay a typical victim?
- Was Raymond a typical offender?
- Is rape sex?
- Does Raymond believe that what he did is rape?
- What should happen to Raymond?
- What did Lindsay want from him?
- What did Raymond want from her?

## **Presentation**

Prepare a presentation about teen dating violence. Use some of these questions for your presentation.

- What is dating violence?
- What are the signs of dating violence? What are some examples of dating violence?
- What are the consequences of dating violence? Why does it occur?
- Who is at risk for dating violence?
- Can men be victims of dating violence? Can women be controlling and abusing?
- What is the connection, if any, between alcohol and dating violence? Is alcohol misuse an issue on campus?
- In a relationship where there is dating violence do you question why the couples stay together? Why do they stay together or why don't they break up?
- Can relationship control ever be a good thing? Why or why not?
- How personality traits such as jealousy, hypermasculinity, and anger impact the various forms of interpersonal violence. Is jealousy in a relationship helpful or harmful? What is toxic masculinity?
- How can teen dating violence be prevented?

**Class 9 Feb. 24: Test**



**Class 10 March 2 Gender change and children**

## How should parents react to children questioning gender roles?



[Radhika Sanghani](#)

12 APRIL 2016 • 9:41AM

Almost 1,400 children applied to have gender reassignment surgery in the UK last year, with referrals for young transgender people doubling.

The statistics from The Tavistock Clinic in London suggest that society is becoming more accepting of gender dysphoria as young people experiencing difficulties in the development of their gender identity are starting to get the help they need.

But it's still a tricky issue for many parents who are trying to understand whether their child is going through 'a phase' or is struggling with gender identity issues. It's something that even Angelina Jolie may understand.

In 2014, her then eight-year-old daughter said she no longer wanted to be known as Shiloh – she'd rather be called John. Her dad, Brad Pitt, disclosed in an interview that when he would call her 'Shi', she'd interrupt him saying, 'I'm John'.

Now the whole family address her as John (so we will too), and at her mum's *Unbroken* film premiere, she wore a suit and tie to match her older brothers Pax and Maddox. Back in 2010, Jolie told *Vanity Fair*: "She wants to be a boy. So we had to cut her hair. She likes to wear boys' everything. She thinks she's one of the brothers."

For many parents, behaviour like this can be a bit of a minefield. Of course, **lots of girls like the same toys, clothes and games as boys**. But what about when a child seems to 'want to be' a member of the opposite sex? Does this hint at **gender dysphoria, or identity issues**? Or is it just a natural part of growing up?

Linda Blair, a clinical psychologist and author of ***The Happy Child***, says it's important not to overreact: "It could be so many other things that I wouldn't jump to that conclusion," she says.

For a child like John, her desire to be a boy could simply stem from having three brothers (although she does have two sisters, as well).

"Usually with a child, especially children with older siblings of the opposite gender, it's normal to want to copy them and be like them," explains Blair. "That's quite a normal phase for a lot of kids."

As a middle child (she's eight, and has two younger siblings, three older ones) it could also be a desire for attention.

"A lot of times kids in the middle of a large family are looking desperately and legitimately for ways to get attention. So they'll do whatever it takes to get it."

More importantly, parents should remember that experimentation is a normal part of any child's development. Most three to six year olds are obsessed with the idea of 'male' and 'female' - and the concept of 'mummy and daddy' - and this fascination can endure for some children.

### **It's natural for kids to explore genders**

"To explore what it means to be both genders is also totally normal," says Blair. "But the problem is we have suppressed it for so many generations, that people are still uncomfortable with it. You can't become what you are until you know what you're not."

She says it's even worse for young boys who want to wear dresses and show their emotions, as their parents can struggle to accept it. She explains that research shows mums tend to still act warmly towards a 'boyish' girl, but often cool off towards a 'girlish' boy.

**Mermaids**, a charity that provides support to families whose children have gender identity issues, says the majority of its calls from parents concern boys.

"This is probably not because gender-variant behaviour is more common in boys but because a little girl who's a tomboy tends to be less of a concern than a little boy who plays with Barbies," the charity **told the NHS**.

But this attitude can be incredibly damaging for the child and is something that Blair thinks that parents need to work at accepting.

## **Parents need to just wait and see**

“My reaction to a parent who’s saying 'my girl’s in jeans and doesn’t act like a girl', or 'my boy’s in dresses', is to say: watch, accept and see.

"Then, if it’s an attention issue, it’ll go away. If it’s exploration then they’ll have permission to do that. If it’s real, you’re giving them the time they need to make up their minds.”

Because, of course, these could also be signs that a child does have a serious gender identity issue, and could grow-up to be transsexual or transgender. Blair explains that if the signs have been going on for years, parents should approach a GP who can direct them to a gender identity clinic. This is especially important as their child reaches puberty and can more easily express themselves.

## **Don't rush the process**

Before puberty, Blair says there’s no real need for a parent to take their child to see anyone.

“I think welcome it and see where it goes. There’s nothing that needs to be done. There’s nothing to be frightened of because it’s a really gradual process. [Even if the child needed hormone blockers] it would probably take two years of discussions.

“The worst thing is to rush it. This is such a major fundamental decision.”

It’s why she says that parents who are worried about their child’s gender behaviour should try their hardest to accept it, without involving doctors.

But on the [NHS website](#), Ady Davis, a psychosexual therapist with the North-East Gender Dysphoria Service suggests that if a young person or child is showing signs of depression or distress, then parents should approach a doctor.

## **Accept your child for who they are**

“If your child is very strongly identifying with the opposite gender to the point where it’s causing the child or the family distress, seek help,” he says. “Signs of distress in a young person or child can include self-harm, destructive behaviour and depression.”

However, the most important thing for parents to remember is that there are no real ‘warning signs’ their child will become transgender or transsexual.

It might be a natural part of exploration, a reaction to siblings and the family set-up. And even if their child does continue to have those feelings, they may not opt for surgery. They may end up cross-dressing, or simply taking hormone blockers. It’s why Blair stresses that all parents can really do at such an early stage is accept their child for who they are:

“Whoever your child is, they're not someone who's ever been here before or will be here again. That's more to celebrate than worry about. We think we know so much about genes and what we pass on. But this is an amazing person you don't know - and you're going to get to know them.”

From the outside, it seems the Jolie-Pitt clan are happy to let John's fascination with dressing as a boy take its natural course.

As Blair adds: "That's the most important thing".

### **Discussion questions**

- 1) Discuss the main ideas in the article.
- 2) What do you think of gender change in children? What should be the parent's attitude?
- 3) Should the state regulate gender change of children?
- 4) Is gender change irreversible? Can people change genders several times?
- 5) Why is it socially acceptable to change one's gender but not considered acceptable to change one's racial identity?
- 6) How do people react to gender change?
- 7) Malcolm spoke with Dr. Tinker about the way his culture looked at gender. Are there any resources to support transgender people in the community?

### **Class 11 March 9 Presentations**

#### **Do a presentation about one of the following topics:**

1. Visitation
2. Marriage and minors
3. Child adoptions
4. Surrogacy
5. Child custody and access
6. Grandparents' access rights
7. Minors and testamentary succession

8. Minors and intestate succession.
9. Minors and marriage

## **Class 12 March 16 Parent's loss of child custody**

### **Obese Ottawa dad loses custody of kids**

Man weighed 525 pounds before losing 180 pounds, but he's still too heavy for court

An Ottawa man says the court will not allow him to regain custody of his two sons because he is obese.

The man, 38, who can't be identified under the Child and Family Services Act, is currently in a custody battle with the Royal Ottawa Hospital's family court clinic.

That clinic does court-ordered assessments on parents and can use obesity as a factor when deciding if they are fit to raise children.

The man is fighting to see his two boys ages 5 and 6 after they were seized from his ex-wife's house last year. She was sent to hospital for treatment of a suspected overdose, he said.

Lost about 180 pounds

The man told CBC's The Current Tuesday he weighed 525 pounds at that time, but then lost about 180 pounds. He said he is still working hard to lose weight and is now 380 pounds.

"I haven't seen my youngest son since February of last year and I haven't seen my eldest son since September of last year," he said.

"I believe the weight was a determining factor in my custody case. They picked the one thing they could use as a quantitative number. I'm a fantastic father, I love my kids wholeheartedly."

The man said he was offered a gastric bypass surgery, paid for by taxpayers, which could have helped in his weight loss, but he refused.

"I wanted to do it on my own so I would respect the weight loss myself," he said.

The two boys remain under the protection of the Children's Aid Society.

'I almost ate myself to death'

The man said he understands their concerns if he was bed-ridden and unable to care for his children, but he said he is far from that. He also said he has stopped smoking marijuana.

He admitted he has become angry at children's welfare authorities for using his weight to keep the two boys under government supervision.

"I was in a terrible relationship and I ate and ate and ate. I was under so much stress; I almost ate myself to death. But that's not the case today," he said.

"I'm an able, intelligent adult that has a desire to take care of his kids. It is absolutely ridiculous that they're using my weight against me."

### **Italian couple loses custody of child after strict vegan diet lands him in hospital**

By Rebecca Joseph National Online Journalist,

A 14-month-old toddler in Italy has been taken away from his parents after a strict vegan diet reportedly led to a severe case of malnutrition.

Doctors said the child's weight was only slightly higher than that of a newborn, and blood tests revealed that his calcium levels were "the minimum needed to survive," reports the Italian news site The Local.

The toddler, whose name hasn't been reported, was brought to the Fatebenefratelli hospital in Milan by his grandparents on July 2. A local judge said the child's parents fed him "a strict vegan diet which was incompatible with his young age," without any dietary supplements. At the hospital, the child had to undergo emergency surgery when it was discovered that he had a congenital heart condition. Officials say though the condition wasn't caused by his diet, the low levels of calcium may have aggravated it.

"This forces us to reflect on uncommon feeding regimes, even if in this case it was complicated by a cardiac malformation," the hospital's director of paediatrics, Luca Bernardo, told The Telegraph.

"It is not a problem to choose different or unusual kinds of nutrition and we certainly do not want to enter into a discussion of the merits of the decision. But since birth, the baby should have had support in this case with calcium and iron."

The case was reported to social services when parents refused to change his diet, The Local reports.

His parents then lost custody of him, and he remains in the custody of the hospital.

It's unclear whether parents have been accused of mistreatment, but a restrictive diet can be considered neglect in Italy, the news site says.

This is the fourth time the country has encountered such a problem in the past two years.

In June, a two-year-old girl was hospitalized in Genoa and put in intensive care for days after she was found with low levels of vitamin B12 and haemoglobin as well as poor responsiveness. She has reportedly recovered well since her admittance.

In 2015, police investigated a couple after an 11-month old baby was diagnosed with malnutrition.

Another case saw the court order a mother to cook meat for her son after a father complained about his diet.

Italian media reports say around 2.8 per cent of the population adhere to a strict vegan diet, which doesn't allow any consumption of animal products.

**Obese 12-year-old girl is taken off her mother after doctor says her BMI is at a 'dangerously high level'**

**The identity of the child and her weight cannot be revealed for legal reasons**

**The local council has begun legal proceedings against her mother**

**A Leicester-based judge has ruled she be kept in foster care during the case**

An obese 12-year-old girl has been taken from her mother after doctors found her BMI is at a 'dangerously high level'.

The child, who cannot be named for legal reasons, was taken into foster care when medical and social staff started to fear for her safety.

Her mother could lose custody of her after the local council took out legal action against her.

Details of the case have emerged in a ruling by Judge Clifford Bellamy, who discussed preliminary issues at a private family court hearing.

Judge Bellamy, who is based in Leicester, said no-one involved in the case could be identified, and the exact weight of the youngster remains unknown.

He explained that a doctor had examined the girl a few months ago and concluded her body mass index was at a 'dangerously high level'.

She has been taken into care, while decisions about her long-term future are in the hands of social services. The judge said medical experts will give evidence on the state of her health at a later hearing. Alarming figures show a third of children are overweight or obese when they leave primary school. Public Health England has urged parents to use free NHS resources and the traffic light label system on food packaging to cut down on fat, salt and sugar.

## Divorcing parents could lose children if they try to turn them against partner

### Measures being trialled to prevent 'parental alienation' feature penalties including permanent loss of contact with child

**Amelia Hill**

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Fri 17 Nov 2017 19.00 GMT Last modified on Mon 27 Nov 2017 13.35 GMT

Divorcing parents could be denied contact with their children if they try to turn them against their former partner, under a "groundbreaking" process being trialled by the Children and Family Court Advisory and Support Service (Cafcass).

The phenomenon where one parent poisons their child against the other is known as parental alienation, the ultimate aim of which is to persuade the child to permanently exclude that parent from their life. Cafcass said it had recently realised parental alienation occurred in significant numbers of the 125,000 cases it dealt with each year.

Sarah Parsons, the assistant director of Cafcass, said: "We are increasingly recognising that parental alienation is a feature in many of our cases and have realised that it's absolutely vital that we take the initiative. Our new approach is groundbreaking." The new approach will initially give parents the chance to change their behaviour with the help of intense therapy. Alienating parents who do not respond will not be allowed to have their children live with them.

In addition, contact between the parent and child could be restricted or refused for a number of months. In the most extreme cases, the alienating parent will be permanently banned from any contact with their child.

Parental alienation is estimated to be present in 11%-15% of divorces involving children, a figure thought to be increasing. Other research has found that about 1% of children and adolescents in North America experience parental alienation.

UK judges are increasingly recognising the phenomenon. One wrote about a case where she was forced to transfer residence to re-establish a relationship between a child and an alienated parent. "I regard parental manipulation of children, of which I distressingly see an enormous amount, as exceptionally harmful," she said in her summary.

Parental alienation occurs on a spectrum from mild to extreme, all of which can be extremely damaging to the children involved. Experts admit they are only now beginning to understand the range of ways it manifests itself. Parsons said: "We have

reached a much clearer position on parental alienation recently, which we want to send a very clear, strong message about. “The current, popular view of parental alienation is highly polarised and doesn’t recognise this spectrum. We want to reclaim the centre ground and develop a more nuanced, sophisticated understanding of what’s going on.”

Parental alienation occurs almost exclusively when parents are separating or divorcing, particularly when legal action is involved. It is, however, different to the common acrimony between divorcing parents and is internationally recognised as a distinctive form of parental psychological abuse and family violence, undermining core principles of the Universal Declaration of Human Rights and the UN convention on the rights of the child.

In the US and Canada, “parenting coordinators” are ordered and supervised by courts to help restore relationships between parents and children identified as alienated. In Mexico and Brazil, alienating a child from a parent is a criminal act.

Until now, cases of parental alienation in the UK have relied on Cafcass caseworkers recognising incidents on a case-by-case basis. Many parents, however, say their experiences of alienation have been missed or compounded by the social work and family court system, often leading to permanent estrangement from their child.

From spring 2018, all frontline Cafcass caseworkers will be given a new set of guidelines called the high conflict pathway, which will itemise the steps social workers must take when dealing with cases of suspected alienation. The pathway will spell out exactly when children should be removed from the alienating parent and placed with the “target parent”.

The guidelines, which will also affect how cases are dealt with in family courts, were sent out at the beginning of this month to judges, lobby groups including Families Need Fathers, experts, doctors and lawyers for a three-month consultation. Alongside the guidelines, Cafcass has developed a 12-week intense programme called positive parenting, designed to help the abusive parent put themselves in their child’s position, and give them skills to break their patterns of behaviour.

A trial of it will start shortly, with 50 high-conflict families being sought across the country. After an evaluation in spring, the programme will be rolled out nationwide.

If it does not work, psychiatrists, psychologists and mental health experts will be brought in. If the alienating parent continues to perpetuate the abuse, however, contact with their child will be limited to supervised visits.

In extreme cases, care proceedings will be initiated and the parent will lose contact with their child. “Our priority, however, is to preserve the relationship with both parents,” Parsons said.

Jerry Karlin, the chair and managing trustee of Families Need Fathers, said Cafcass's new approach was "very welcome news".

"The demonising of a parent has long been recognised as damaging the child not only at the time of separation, but reaching into his or her adult life," he said. "Parental alienation is identified as the single biggest issue among those who come to FNF seeking help."

Case study – Robert (not his real name)

"I've lived through and witnessed the inexorable alienation of my older daughter over the past five years, which has culminated in complete loss of contact. I will not have seen or heard from her for three years this coming January. We had a fantastic, loving relationship for the first 12 years of her life.

"I know from what my younger daughter has told me that in numerous insidious and not so insidious ways, my ex-wife put an intolerable amount of stress on my eldest daughter. It eventually became too emotionally traumatic for her to see me. She eventually sent me a short email, saying she wanted to break off all contact with me. I've not heard from her since.

"The pain of being subject to parental alienation as a target parent is a truly soul-destroying thing to live through. In my darkest days, I can remember being out driving at night and thinking that maybe I just wouldn't turn the wheel when I came to the bend with the high stone wall. This is a horrible form of child abuse that is struggling to get out from under the rock of prejudice and ignorance."

## Discussion questions

- 1) What is custody? What are the different types of custody in Ontario?
- 2) What is access? What are the different types of access? Who can have access?
- 3) What are the factors to determine the best interests of the child (sec. 24 of the Children's Law Reform? Do you agree? Are there any other factors that should be taken into account?
- 4) What happened in each of the articles?
- 5) What do you think about these cases?
- 6) How would you rule in these cases?
- 7) Do an online search of other cases of loss of custody.
- 8) What is the Office of the Children's Lawyer? What does it do?
- 9) What is mobility in Family Law?

10) What is the holding in the following cases: *Gordon v. Goertz*, 1996 CanLII 191 (S.C.C.) (mobility, best interests of the child, variation of custody and access orders, material change in circumstances), *Young v. Young*, 1993 CanLII 34 (S.C.C.) (religion, rights of an access parent, best interests of the child), *Kaplanis v. Kaplanis*, 2005 CanLII 1625 (Ont. C.A.) (joint custody, best interests of the child), *Ladisa v. Ladisa*, 2005 CanLII 1627 (Ont. C.A.), *Linton v. Clarke*, 1994 CanLII 8894 (Ont. Div. Ct.) (assessments)?

### **Class 13 March 23 Child labour**

#### **Discussion questions**

- 1) What is child labour?
- 2) Is all child labour wrong?
- 3) Why do children work?
- 4) At what age do people usually begin to work in your home town?
- 5) Should children and adolescents work? Or should they go to school only?
- 6) What are the international and local regulations dealing with child labour?
- 7) Is there child labour in Sault Ste. Marie?
- 8) Governments often claim to be making strides to end 'the worst forms of child labor.'  
What jobs would you put into the 'worst forms' category?
- 9) Are there examples of the 'best forms' of child labor?
- 10) Is it important to find out where our goods are made? Would you be prepared to pay more for your clothes and goods if you knew they were made under ethical working conditions?
- 11) Create the FAQ section of a website on child labour rights and ethical manufacturing.

**Class 14 March 30 Submission of final take-home**



**\* TRIGGER WARNINGS**



Some materials in this course may be sensitive. Course materials, including lectures, class activities, hypotheticals, scenarios, examples, court cases, and films shown in class, may have mature content, including violent, sexual, and strong language content.

## **Disclaimers**

Except for newspaper articles and court cases, all class activities are hypothetical and fictitious. Any resemblance to actual persons, institutions, or events is purely coincidental. The views and opinions expressed in the articles assigned for reading in this course, as well as those expressed in videos shown in class, are those of the authors or the individuals who made those opinions and do not necessarily reflect the position of the course professor. Questions, follow-up questions, examples, and comments made within the context of class activities do not purport to reflect the opinions or views of the course professor. All such articles, comments, questions, examples, and activities are meant solely to facilitate the discussion and study of Law. They are not meant to advocate or promote any crime or unlawful action. Neither are they meant to advance any ideological perspective. Discretion advised before signing up for this course.