



Why I will never stop my fight against Canada's morally corrupt Family Court system!

By Terry Lear

Recently, someone contacted me from England, asking me why I actively involved myself in the movement to reform Canada's Family Court system.

Some time ago, I decided that I wanted to help others anywhere who were suffering at the hands of the Family Court, rather than just tell my personal story. Many people do not know my true lengthy story of 17 years. I thought that I should pursue the government and the courts for all of the families and lives that have been destroyed by them. I did not realize at first, how universal this chronic problem is.

Some of my family and/or my friends' families will become victims if our shocking Family Laws are not changed.

I quickly learned that in order to get a response from any Canadian MP, I would have to speak in general terms of the population. Any reference that I might give to an MP or MPP regarding my particular case (which is a total mess) would immediately give them justification not to respond to me. Shockingly, most MPs and MPPs seemed more concerned about how not to get involved and how they could avoid creating any work for themselves. There has been a great deal of unjustified finger-pointing. I have the documented evidence in letters from those at the very highest levels. Most Members of Parliament are not fighting for the Rights and Freedoms of Canadian Citizens as they should be.

November 5, 1997, was a very serious and deeply sad point in my life. Our marriage separation happened 10 years earlier in April 1987. Now, I was devastated once again, getting absolutely nowhere in the Court. Both of my children, then 26 and 25 years old had been viciously alienated against me by my vindictive ex-wife. All I wanted was for my children to acknowledge my constant love and hard work for them but my ex-wife saw to it that they should

not praise me. Their letters and affidavits to the court only praised their mother. It was completely devastating for me.

I had paid \$200,000.00 of Child Support voluntarily from 1987 to 1994. My children did extremely well and completed University in 1994. They succeeded thanks to my many sacrifices and my working constantly at 70 hours per week for years to help them. I tried so very hard for them.

My ex-wife, of 17 years ago, confessed in court to alcoholism. However, she has used this to constantly demand, and still receive, never-ending Spousal Support. Rehab has not worked. It is all in the Court records. She has been Multi-Doctoring, and obtaining high quantities of the same prescriptions drugs. Multi-Doctoring is also illegal. It is known in medical circles as 'voluntary invalidism'. My ex-wife refuses to cooperate by not allowing any authorities access to her medical records for the sole purpose of investigation. Has she something to hide from us?

Judges have refused to address this serious issue. The Police are also refusing to launch an investigation at this time. Government MPs just ignore the correspondence. Nobody wishes to handle an extremely hot, or explosive, situation.

The Family Responsibility Office ordered me to make my medical records an "open book" to them, but not my ex-wife. Why? Insurance Companies demand and get access to medical records of those persons claiming benefits. Why was I denied access to my ex-wife's records while at the same time, I have been continually ordered to pay Spousal Support for so many years? It is obviously discrimination against me solely because I am a man and this persecution must cease. I, as a man, do not have any rights at all.

We were married for 17 years from 1969 to 1987. Almost 17 years later, we are still in court. We have now been in Court for the same amount

of time as we were married. There are about 14,000 pages of litigation. Even my own Lawyer sued me and took me to court when I ran out of money to pay him. I would end up going from Family Court to another Court miles away just to fight more persecution from him. It was a terrible nightmare and I accumulated a debt to the tune of approximately \$160,000.00 with no assets left.

The Court had threatened me with prison if I did not continue to pay my ex-wife Spousal Support. My debts meant nothing to the Courts. The Court's attitude was "So what if you have debts, just pay her and shut up!"

I am still paying my ex-wife from my pension even though my pension had been divided between us many years ago. This is called 'double-dipping' and I am due in court again in October to fight this matter once again. Due to marriage debts in 1987 which I had to pay 100% of, she then theoretically received 100% of my pension instead of the legal amount of 50%. Now she is demanding the rest of my pension earned by me after our separation/divorce. In my circumstances, one could really call it 'TRIPLE-DIPPING' rather than just 'double-dipping'.

On November 5, 1997, I walked alone late in the evening from the courtrooms and traveled to the St. George Underground Train Station in Toronto. There was hardly anyone around. I was extremely despondent and confused. I felt that my life was over and I really did not wish to live any more. I could not face going back to court yet again, and again, as I had done for so many years. I was totally finished. I also faced prison if I did not pay the Spousal Support. I decided that I was never going to go to any prison, not ever.

I stood at the tunnel entrance as a train was approaching very fast. Much is still faint and distant in my memory. A young girl noticed what I was about to do and stopped me from jumping in front of the train as it entered the station. It was a miracle she was there. I guess someone was watching over me. It took me many months to admit to myself that I needed help badly. After all, things like this always happen to someone else, not me. I was very ashamed to admit my poor mental health state to anyone.

I eventually saw my Doctor and she immediately sent me to a Psychiatrist. I have

been seeing him regularly for 5 years. I have another appointment this week. It has been an extremely difficult uphill battle and often it just becomes steeper. My Psychiatrist has kept me focused and realizes, obviously through so many other male patients, the enormity of this problem of anti-male bias in the Family Courts. Statistics prove that men are dying by suicide at an alarming rate approximately 4 times greater than women. Our anti-male Family Courts are to blame for a great many of these suicides.

These men are not wife abusers. They are hard-working and truly honest men. They are simply good fathers who want to be an equal part of their children's lives after a separation/divorce. Regrettably, too many mothers have been, and still are using Children as financial pawns for their own personal gain. There can be massive financial rewards of having custody of your Children after separation and divorce.

This is nothing less than a disgusting, abhorrent and totally unacceptable practice and must be stopped. Also, too many Judges and Lawyers are equally greedy by totally wiping out family assets with legal costs etc. Their own personal financial gain is paramount to them.

This whole facade of the trillion dollar Family Court system is definitely not in the "Best Interests of the Children". The only success of these laws has been to make lawyers, Judges, and others, incredibly rich. The unjust and careful wording of these laws is extremely ambiguous in order to leave the entire system open to rampant abuse and anti-male bias.

I have never seen my Grand-daughter Emma, and I probably never will because of my ex-wife and the court's treatment of me. I have not seen my daughter for ten years. I am not sure if they both still live in Canada. It hurts me very deeply indeed. Every day is so very difficult.

I was not allowed to be at either of my Children's weddings because of my ex-wife's obnoxious attitude. I hid behind a tree while I watched my daughter exit a Church in Elora, Ontario after her marriage ceremony. I was frightened to be seen by anyone (particularly my ex-wife) and I stayed far away. I knew my loving intentions would be twisted by my ex-wife and used against me in court. Another tragedy is that

I have never met my son-in-law. Is this right?

A week earlier, I had stood in the rain in a parking lot hiding, once again, hoping to catch just a glimpse of my son on his wedding day. I never did see him, not even for one second. It was devastating to me, I will never forget the hurt.

These were the very days that I had longed to be a part of for so many years but I was denied being able to participate for no reason other than "A Mother Rules". She won and I lost. Judges ignored my pleas for justice. After all, I was just the unimportant father of the Children and what does that matter? I was merely a disposable 'wallet'. Would it be morally important if I died?

On July 24, 2001, the left side of my body went completely numb and I collapsed with a mild stroke outside the courtroom doors just prior to yet another motion to fight this never-ending Spousal Support. I was already unable to work and on disability at that time with no known future date of return to work or future income. My life was already in ruins.

While I was in the ambulance, on my way to St. Michael's Hospital in Toronto, Justice Bolan actually increased the Spousal Support by 50% to \$1,500.00 per month without any justification. He had no information from me on my current financial status. He simply did not care.

Justice Bolan knew that I was ill and knew that I was not working at that time and my entire future health was uncertain. Justice Bolan knew that I was being taken by ambulance from the Court while he was writing his deplorable Court Order. He totally ignored Duty Counsel's justified request for an adjournment.

Justice Bolan, lawyers and many others in the court system literally 'stabbed me in the back' while I was sick and helpless. Only one or two people displayed compassion and concern for me. Justice Bolan had refused to order an adjournment and the Canadian Judicial Council protected him stating that he did nothing wrong.

In a later investigation, Justice Bolan did not tell the truth in a letter dated February 15, 2002 addressed to Chief Justice Scott of the Canadian Judicial Council by stating that "Mr. Lear had the ability to pay". Justice Bolan had no current financial information available from me. Many Judges say and do what they want and

they are never held culpable as you and I are. This must change now. People must write to their Members of Parliament and insist on these necessary immediate changes. How can the public ever receive any justice when Judges investigate Judges?

Justice Bolan did not even know whether I would survive the journey by ambulance to the hospital. His attitude was completely despicable. If a woman had collapsed in Court, I am sure that there would have been an adjournment.

While I was ill, 60% of my Disability Benefit (an excessive amount which is against the law) was garnished and given to my ex-wife. My Disability Benefit was only half of my salary anyway. What could I do? The Family Responsibility Office continued to harass me and threaten me with prison while I was very sick.

The actual amount being given to my ex-wife (because of arrears attributed to my illness) was \$21,000.00 gross per year and I was ordered to live on only \$14,000.00 gross per year. The apartment rent where I lived was \$12,000.00 per year. \$14,000.00 per year is even below minimum wage. Friends and family did not believe what was happening to me. Why the persecution?

I was sick for 7 months until February 2002. As soon as I returned to work my doctor stated that I should cease working altogether and he added that I would probably never work again. I have not been able to work since. My poor mental and physical health has been caused by the constant high stress and colossal time required to be in court. It is a completely hopeless situation.

Multiple medical reports from my doctor have been completely ignored by countless Judges although Justice Belch publicly admitted in June of this year that my case was "Agony". He adjourned my case for yet another Judge to deal with. Years ago, a Canadian radio station (CFRB) said "I had been taken to the cleaners". The persecution against me has still not stopped.

The current Judge, Madame Justice Backhouse ordered me to receive my pension (against my wishes) for the sole reason that my ex-wife could be paid from it, even though my ex-wife has no legal entitlement to it. A pension is an asset and must always be treated as such.

Justice Backhouse, knowing very well that I

was returning to England this summer, ordered me back into Court on October 20th, forcing me to stay in Canada (also against my wishes).

Madame Justice Backhouse also ordered me to pay thousands of dollars immediately for retroactive spousal support that she created instantly in June of this year. If I did not pay, I would go to prison. Why? How can you pay when you do not have the money? Did she want me to go to prison? My only crime has been that I was a truly loving father, who paid more than adequate child support voluntarily. In addition, I almost paid with my life.....

I have so much more to tell readers but it will keep for another time. The discrimination against me has still not ended.

Today, as part of my efforts to help others, I educate young people by telling them that they must force changes now, otherwise they too will become victims of this sick and shocking system. I constantly remind mothers that they may never see their grand-children. I also remind them that their sons may commit suicide if changes to our system do not happen immediately.

"THIS COULD HAPPEN TO YOU" is the crucial part of our message to the entire world.

The only way to end this nightmare which seriously affects so many children and families is by legislating "Equal Shared Parenting" into law.

My interminable mess of constantly supporting my ex-wife, who is refusing to change her life-style, would never have happened if "Equal Shared Parenting" had been legislated into law. The electorate must force this issue now.

I have just received a personal letter from the Office of the Prime Minister (John Howard) of Australia. His Government is now making the first steps towards the possible implementation of "Equal Shared Parenting". They have learned.

I have also been corresponding with the United Nations as the Canadian courts have been unable to resolve my case which is now into its 17th year. The United Nations will be informed of the court's decision on my case next month and then appropriate action will be taken if required.

The United Nations must be made aware that there is persecution and injustice happening daily inside Canada and other member countries

all around the world. Ironically, these are the very same countries which are perceived as being the most free. The truth must be told to everyone.

Some feminists now regret very deeply what they engineered several years ago. Their own sons and their grand-children are now suffering and ironically have become the ultimate victims of their shocking plans and deeds.

Last Thursday, September 11th, 2003 it was devastating for me to hear of the very sad news of the sudden death of Greg Kershaw. He was the first President of FACT (Fathers are Capable Too: Parenting Association). www.fact.on.ca

He was a wonderful father and a wonderful person. He was a true friend to the many who have faced the ravages of Canada's anti-male and anti-family, Family Court system. I knew him for many years and he was always eager to help expecting nothing in return. He often talked to me of his personal sufferings with the Courts and the government, right up until his very sad death.

I am quite sure that it was this constant persecution of him that was the cause of his premature death of a heart attack at age 44. He will be sadly missed always, by all of us.

His death is not the first, nor will it be the last, while our Family Court system is allowed to continue on, recklessly out of control.

A famous scholar and writer. Edmond Bourke once wrote, "All that it takes for evil to triumph over good is for good people to do nothing"

To those parents and grandparents who have joined in our fight for justice in Canada and around the world, please keep up your great work. You are now being noticed and the numbers are rapidly growing. Men and women are now joining together to fight this terrible war, where so many innocent children, grand-children and entire families are continually being destroyed every day. It must, and will, stop.

Terry Lear is a Family Court advocate who firmly believes that children must have equal time with both of their biological parents, through "Equal Shared Parenting" legislation. Terry continues to strongly support both Senator Anne Cools and Mr. Roger Gallaway, MP (Sarnia-Lambton, who both are actively involved in Ottawa fighting for children's rights.