

October 19, 1998

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Members of the Canadian House of Commons
House of Commons
Ottawa, Ontario
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Dear Members of Parliament

CUSTODY AND ACCESS

I am writing this letter to express my concerns about the terrible injustices that are occurring to families involved with separation or divorce through the courts. A family member has informed me that the government is currently studying the issues of custody and access.

I am 86 years old, born and raised in Canada. I have raised 12 children, have 30 grandchildren twenty great grandchildren with another great grandchild soon to be born.

Divorce and separation has affected my family as it has many other families. In 1994 three of my grandchildren from one of my sons, were given to their mother under a sole custody award by the courts. From the moment the court made its misguided decision to award sole custody, our family entered a period of emotional suffering and financial hardship. Stress was high, especially on the children.

For 3 1/2 years under a sole custody arrangement there was turmoil in our family caused by a vindictive and uncooperative mother. From what I could see, the primary motivation by the mother of the children was money, not the interests of the children. The court in its decision to put the children into the hands of a vindictive and controlling parents, did nothing other than give one parent the license to abuse another family. Of course it was the children who suffered the most.

After four years, when my son's assets had been consumed by the legal process, and the lawyers and the mother could see that there really was no more money to be had, they came to a final settlement without the involvement of the court. They came to an agreement where they shared the children on a equal 50/50 basis at both of their homes. The children go to school from both of their parent's homes.

Since my son and his wife have entered into a shared parenting arrangement things have been greatly improved. My stress has all but disappeared, and both my son and daughter-in-law are now on the way to getting their lives back on track. My son and his former wife now communicate and share in the decision-making with the children. The children are much happier now and there has been a noticeable improvement in all aspects of their lives. With my son having the children for significant periods of time, I am able to see the children much more often than when sole custody was in effect.

I have witnessed both sides of the fence. The application of shared parenting has worked miracles in our family where sole custody to the mother caused nothing but emotional and financial destruction to our family.

As an experienced parent, grandparent and great grandparent with extensive experience with many family relationships, including those involving divorce, I firmly believe that children must be given the love and affection of both their parents, especially when they are young. I believe that neither parent should have the rights to sever the relationship between a child and the other parent or family. Neither parent should be allowed the exclusive control over the other.

I worry if some of my grandchildren and great grandchildren will have to go through the same anguish that I have had to go through in my generation. All in our family shares my same concern about the issues surrounding parenting. We are all in agreement that current system of justice in family court is failing our families.

I urge all our politicians to help ensure that my descendents will not have to go through what I have had to. I urge our government to make shared parenting the only presumption when parents separate and divorce. Give both parents the chance to parents with custody being taken away from the parent who refuses to work cooperatively with the other parent. This as a consequence will put an end to the vindictive behavior by any parent. This is the best way to eliminate the destruction of our families.

Yours truly,

Mrs. Anne Ford