

**IN THE SUPREME COURT OF CANADA  
(ON APPEAL FROM THE COURT OF APPEAL FOR ONTARIO)**

**B E T W E E N:**

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(Respondent)

and

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(Appellant)

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(Pursuant to Rule 42 of the *Rules of the Supreme Court of Canada*)

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## PART I – OVERVIEW

1. Family violence is violence against children. A novel tort, or the reconfiguration of existing torts, must consider family violence in its complete context. Children suffer the highest levels of abuse, victimization, and violence within the family.<sup>1</sup> Violence against children is unjustifiable and preventable.<sup>2</sup> It requires heightened degrees of protection because of a child’s vulnerability and dependence on their family for care and support.
2. Family violence distorts and violates the “universally accepted goal”<sup>3</sup> of protecting children from harm. Children’s experience of family violence is not merely incidental to intimate partner violence (IPV). Family violence occurs when someone uses and abuses this power to harm, intimidate, or coercively control those with lesser power within the family. Existing approaches to tortious liability often fail to ensure that children have meaningful and direct access to remedies that capture the distinct harms they experience. The evolution of the law must remedy this failure, and must consider children’s dignity, equality, and security in accordance with international human rights norms and *Charter* values, ensuring that justice is accessible to all who survive family and gender-based violence.

## PART II – QUESTION IN ISSUE

3. Justice for Children and Youth (“JFCY”) submits that in determining whether to recognize the tort of family violence, the Court must consider:
  - a. Children’s unique experiences of family violence; and
  - b. Children’s equitable access to justice and the rule of law.

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<sup>1</sup> *Report of the independent expert for the United Nations study on violence against children*, UNGA, 61st Sess, [UN Doc A/61/299](#) (2006) at 47-48, 50-56 [Report of the Independent Expert].

<sup>2</sup> United Nations Committee on the Rights of the Child, *General Comment No 13 (2011): The right of the child to freedom from all forms of violence*, [CRC/C/GC/13](#) at para 3 [CRC-GC 13].

<sup>3</sup> *Winnipeg Child and Family Services v KLW*, [2000 SCC 48](#) at [para 73](#) [KLW].

### PART III – STATEMENT OF ARGUMENT

#### A. Children are Uniquely and Distinctly Harmed by Family Violence

##### (i) Family Violence Causes Distinct and Lasting Harm to Children

4. Children’s experiences of family violence, and the barriers they experience in seeking relief, are pressing, substantial, and “cry out for a remedy.”<sup>4</sup> Like other forms of family violence, violence against children is widely recognized and universally condemned, yet poorly understood, and even more poorly protected. Recourse for victimization and maltreatment is extremely limited: only 7% of Canadians who experience physical or sexual abuse as children ever report the abuse to the authorities.<sup>5</sup> Neglect and other forms of violence within the family often play a part in the death of young children, including in cases not recorded as homicide.<sup>6</sup> As a result, the scope and impact of domestic violence on children, recognized by both Benotto JA and Mandhane J as “devastating” in the decisions below,<sup>7</sup> remains largely unknown.
5. While family is in the primary position to protect a child from harm, the majority of violence children experience occurs in the context of the family.<sup>8</sup> Six out of ten Canadians report experiencing at least one incident of physical, sexual, or emotional abuse, neglect, or exposure to violence, before the age of 15.<sup>9</sup> Approximately three in ten Canadians report childhood experiences of physical or sexual abuse so severe that it may reach the threshold of a criminal offence.<sup>10</sup> One

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<sup>4</sup> *Jones v Tsige*, [2012 ONCA 32](#) at [para 69](#); *Ahluwalia v Ahluwalia*, [2023 ONCA 476](#) at [para 47](#) [*Ahluwalia* (OCA)].

<sup>5</sup> Canada, Juristat, *Profile of Canadians Who Experienced Victimization During Childhood, 2018*, by Loanna Heidinger (Statistics Canada, 12 December 2022) online at: <https://www150.statcan.gc.ca/n1/pub/85-002-x/2022001/article/00016-eng.htm> [Profile of Canadians Victimization].

<sup>6</sup> Report of the Independent Expert, *supra* note 1 at [p 51](#).

<sup>7</sup> *Ahluwalia* (OCA), *supra* note 4 at [para 99](#); *Ahluwalia v Ahluwalia*, [2022 ONSC 1303](#) at [para 43](#) [*Ahluwalia* (ONSC)].

<sup>8</sup> CRC-GC 13, *supra* note 2; Report of the Independent Expert, *supra* note 1, at [47](#).

<sup>9</sup> Canada, Statistics Canada, *What Do We Know About Physical and Non-physical Childhood Maltreatment in Canada*, by Danielle Bader & Kristyn Frank, (Statistics Canada, 25 January 2023) at 2, online at: [https://www150.statcan.gc.ca/n1/en/pub/36-28-0001/2023001/article/00001-eng.pdf?st=EORx\\_FI](https://www150.statcan.gc.ca/n1/en/pub/36-28-0001/2023001/article/00001-eng.pdf?st=EORx_FI).

<sup>10</sup> Profile of Canadians Victimization, *supra* note 5.

in four Canadians experience serious physical violence, normally at the hands of a caregiver.<sup>11</sup> Violence resulting in the death of a child was perpetrated by parents in 90% of cases.<sup>12</sup>

6. The most marginalized children frequently experience the most severe abuse: gay, lesbian, and bisexual children are two times more likely to experience serious sexual or physical abuse within the family, and First Nations, Inuit and Métis children are 1.5 times more likely to experience serious physical or sexual abuse.<sup>13</sup> Children who experience intersecting forms of marginalization and discrimination may additionally face barriers seeking support, protection, and legal recourse.
7. As this Court stated in *Barendregt*, children exposed to family violence are at risk of emotional and behavioural problems throughout their lives.<sup>14</sup> The effects of family violence are “insidious and are not usually visibly manifested.”<sup>15</sup> Family violence can harm a child’s physical, emotional, and psychological well-being and development, with myriad short- and long-term impacts.<sup>16</sup> The harm perpetuated by coercive control and the breach of trust within family relationships may, in some cases, be more damaging than individual acts of violence. It is the distortion of what relationships of trust and compassion look like, and the normalization of violence in families. Canadians who were victimized as children are four times more likely to be victimized as adults. Those who experienced multiple forms of abuse are over thirteen times more likely to be victimized as an adult.<sup>17</sup>

**(ii) Children’s Unique Experiences Must be Specifically Addressed to Properly Account for the Harms of Family Violence**

8. Violence against children is paradigmatic of family violence as a whole. It subverts the assumption that our best interests lie with our family, as a locus of stability, security and love. When a person is incapable because age, disability, or illness, the law presumes that family is better positioned than any third party to make decisions that safeguard the individual’s best interests; that family

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<sup>11</sup> *Ibid.*

<sup>12</sup> Canada, Department of Justice, *Risk Factors for Children in Situations of Family Violence in the Context of Separation and Divorce*, by Peter Jaffe et al, (DOJ, February 2014) at 11-13 online at: <<https://www.justice.gc.ca/eng/rp-pr/cj-jp/fv-vf/rfcsfv-freevf/rfcsfv-freevf.pdf>> [Risk Factors for Children].

<sup>13</sup> Profile of Canadians Victimization, *supra* note 5.

<sup>14</sup> *Barendregt v Grebliunas*, [2022 SCC 22](#) at [para 143](#) [*Barendregt*].

<sup>15</sup> *Friesen v Friesen*, [2023 SKCA 60](#) at [para 37](#) [*Friesen*].

<sup>16</sup> *Ibid.*

<sup>17</sup> Profile of Canadians Victimization, *supra* note 5.

will exercise control, in caregiving ways, to ensure our safety and well-being when we are unable to do so ourselves.<sup>18</sup> Family violence distorts the relationships of privilege and trust within a family to deny another person’s agency, capacity, dignity, safety, well-being or self-respect.

9. The failure of existing modes of liability to distinguish everyday care from harmful coercive control obscures the devastating impact of family violence on a family’s most vulnerable members, especially children. *Appropriate* control is ubiquitous in a family’s interactions with children; it may be necessary to provide care, guidance and safety. *Coercive* control is abusive. Children are more, not less, harmed by violent and abusive exercises of coercive control precisely because of their unique dependence on the day-to-day guidance and support of caregivers. Violence against children is often normalized when harm and coercion are not properly distinguished from appropriate care, control, and discipline.
10. Equating all forms of family violence with IPV risks misapprehending the harm of family violence as a whole, and fails to account for the rights of children. Children’s experiences are not merely the extension of women’s experiences in intimate partnerships. Children experience violence directly at the hands of a range of family members. Child abuse is often present in cases of IPV.<sup>19</sup> However, this only accounts for some of the children who experience family violence. Children’s experience goes beyond the abuse captured in typical family litigation between spouses. It includes situations where only children have been harmed, and children who experience violence and harm perpetrated by extended family members, step-parents, and in alternative care settings.<sup>20</sup>
11. The complexity and breadth of children’s experiences exposes the interconnected nature of family violence. Family violence may occur in direct acts of violence, or indirectly through exposure to acts of violence towards mothers, children, or siblings, or through the use of ongoing threats to exercise coercive control. Recognizing civil liability for IPV in isolation from its context within family violence results in inadequate and unfair outcomes, specifically for children, given the complex and interconnected nature of family violence as a whole. For example, courts have

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<sup>18</sup> See e.g. *Succession Law Reform Act*, [RSO 1990, c S 26](#); *Health Care Consent Act, 1996*, [SO 1996, c 2, Sch A](#).

<sup>19</sup> Risk Factors for Children, *supra* note 12 at [14-28](#).

<sup>20</sup> Statistics Canada, “[Census in Brief: Portrait of children’s family life in Canada in 2016](#)”, (Released on August 2, 2017); See e.g.: *SB v SB*, [2008 ABQB 78](#); *J(LA) v J(H)*, [1993 CanLII 8657 \(ONSC\) \[J\(LA\)\]](#); *Paddy-Cannon v Attorney General (Canada)*, [2022 ONCA 110](#) ; *KAK v British Columbia*, [2011 BCSC 1391](#).

compensated a child for “pain and suffering” arising from an assault against a parent in the context of ongoing emotional harm, when the child “returned to the house to see his mother bloodied and bruised and terribly distraught”<sup>21</sup>, and have compensated a mother for exploitative and abusive conduct, including behaviour directed towards the children;<sup>22</sup> however, no claim was made for the violence or harms inflicted on the children.

12. The complexities of family violence are equally visible where a child is individually targeted and subjected to differential abusive treatment in the family. In many cases where child victims seek compensation, family violence has been perpetrated with the knowledge, and even assistance of other family members.<sup>23</sup> This kind of complexity compounds the shame, stigmatization, and isolation of the victim.
13. The recognition of a new freestanding tort or evolution of existing torts must be structured to address children’s unique harms caused by family violence in accordance with *Charter* values and a child’s section 7 and section 15 rights.<sup>24</sup> This Court has made clear that the “recognition of the inherent vulnerability of children has consistent and deep roots in Canadian law.”<sup>25</sup> A child depends “on their parents or other caregivers for the necessities of life, as well as for their physical, emotional and intellectual development and well-being,”<sup>26</sup> and a child’s best interests are “presumed to lie with the parent.”<sup>27</sup> The interruption or destruction of the bonds of trust, security and attachment<sup>28</sup> between a child and their family through acts of violence engage the child’s *Charter* protected interests.
14. Children are some of the most vulnerable victims of family violence. This Court’s recognition of their agency and rightful entitlement to make claims and be awarded compensation is essential to providing for their protection within families and within the justice system. Structuring a tort of

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<sup>21</sup> *Valenti v Valenti*, [1996 CanLII 8082 \(ON SC\)](#) at [paras 67, 81-82](#).

<sup>22</sup> *Yenovkian v Gulian*, [2019 ONSC 7279](#).

<sup>23</sup> See e.g. *AC v YJC*, [2003 CanLII 2464 \(ON SC\)](#) [AC]; *RLL v RL*, [2001 BCCA 386](#) [RLL]; *Y(AD) v Y(MY)*, [1994 CanLII 16655 \(BC SC\)](#) [Y(AD)]; *J(LA) supra* note 20; *LW c DW*, [2022 QCCS 1728](#) [LW].

<sup>24</sup> *Canadian Charter of Rights and Freedoms*, Part I of the *Constitution Act, 1982* being Schedule B to the *Canada Act 1982* (UK), 1982, [c 11](#).

<sup>25</sup> *AB v Bragg Communications Inc*, [2012 SCC 46](#) at [para 17](#).

<sup>26</sup> *KLW*, *supra* note 3 at [paras 72-73](#).

<sup>27</sup> *Ibid* at [para 13](#).

<sup>28</sup> *Ibid* at [para 86](#).

family violence so as to ensure it is inclusive of and accessible to children promotes their dignity and security interests, and the equal value and worth of all members of the family.

## **B. Modes of Liability Must Ensure Equitable Access to Justice for Children**

### **(i) Children Experience Barriers to Addressing the Harms of Family Violence**

15. Access to justice for children, and their ability to seek meaningful remedies for harm and the violation of their rights, is an essential pre-requisite to the protection of children from all forms of violence.<sup>29</sup> The inability to seek an effective remedy amounts to a perpetuation of the harms of family violence. Meaningful opportunities for children to exercise agency and be recognized as people with unique interests in tortious claims arising from family violence are essential to ensure access to justice. To account for their vulnerability within families, and to ensure equitable treatment, children must be provided with heightened levels of recognition and protection.<sup>30</sup>
16. The UN Committee on the Rights of the Child recognizes that meaningfully addressing a child's right to freedom from violence requires a "paradigm shift towards respecting and promoting the human dignity [...] of children as rights-bearing individuals rather than perceiving them primarily as "victims"". <sup>31</sup> In the family context, the law often operates as though children are only subjects of protection, not people with agency, with standing to make claims. As an example, a child who is sexually abused by their parent can be compelled as a witness in the criminal trial against that parent, but typically has no standing in family litigation regarding their parenting time with the abuser, and cannot sue their parent without a litigation guardian.
17. Existing legal structures frequently fail to protect children from abuse, particularly where violence manifests as the abusive exercise of coercive control by a family member. A child "cannot exercise their rights independently, particularly at a young age."<sup>32</sup> A child is limited in their right to, *inter alia*, hold property, to seek employment, and to enter a contract, impeding a child's ability to exit violent family circumstances. Children face unique challenges to have their voice heard in abusive

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<sup>29</sup> *United Nations Convention on the Rights of the Child*, 20 November 1989, [Can TS 1992 No 3](#) (entry into force 2 September 1990) at art 12; *Access to Justice for Children: Report of the United Nations High Commissioner for Human Rights*, OHCHR, 25th Sess, [A/HRC/25/35](#) (2013) at para 3 [Access to Justice for Children Report].

<sup>30</sup> *Ontario (Children's Lawyer) v Ontario (Information and Privacy Commissioner)*, [2018 ONCA 559](#) at [para 88](#) [*OCL v IPC*].

<sup>31</sup> CRC-GC 13, *supra* note 2 at [para 3](#).

<sup>32</sup> *KLW*, *supra* note 3 at [para 75](#).

situations. Reporting violence is complex for any child, particularly when the abuse is perpetrated by a family member. Without supports, children may be unable to report, and may be discouraged from or fearful of disclosing violence. Younger children may struggle to verbalize what happened to them.<sup>33</sup>

18. In the rare cases where these claims are litigated, children are uniquely vulnerable to neglect or to violations of their rights. Children do not have party status in family or child welfare proceedings, and “often have no capacity to act without their parents or legal representatives, which is particularly problematic in cases of a conflict of interest.”<sup>34</sup> This is manifest in circumstances where “parents or legal representatives may be the direct or indirect perpetrators of breaches of many children’s rights.”<sup>35</sup> In spite of the legal principle that children can retain and instruct counsel as soon as they are capable<sup>36</sup> this remains a practical, and at times financial barrier. Ensuring a child’s access to justice requires a clear statement from this Court that a child must be able to effectively and meaningfully participate in the legal process and, whenever possible, be heard from directly, including in civil proceedings.<sup>37</sup>
19. The experience of litigation may itself become a vehicle through which a child experiences abuse, particularly in circumstances where a child’s experiences are manipulated, denied, or exploited, and fears are silenced or ignored. This Court has recognized the significant impact of protracted family litigation on the well-being of children, and “the cloud of uncertainty and the hardship and stress a child must endure.”<sup>38</sup> Children may be weaponized by a parent, or by both parents, over the course of litigation. As recognized by the UN High Commissioner for Human Rights, “parents involved in separation or divorce may seek to use their interpretation of their children’s rights to pursue their own interests, rather than their children’s.”<sup>39</sup>
20. In recognizing a new tort of family violence or in defining the scope of existing torts, this Court must allow for children’s ability to recover for the unique harm they experience, assessed distinctly

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<sup>33</sup> Profile of Canadians Victimization, *supra* note 5.

<sup>34</sup> Access to Justice for Children Report, *supra* note 29 at [para 16](#).

<sup>35</sup> *Ibid* at [para 38](#).

<sup>36</sup> *OCL v IPC*, *supra* note 30 at [paras 55, 69-71, 88](#); *Justice for Children and Youth v JG*, [2020 ONSC 4716](#), at [paras 42-43, 51-53](#).

<sup>37</sup> Access to Justice for Children Report, *supra* note 29 at [para 46](#).

<sup>38</sup> *Barendregt*, *supra* note 14 at [para 67](#).

<sup>39</sup> Access to Justice for Children Report, *supra* note 29 at [para 38](#).



from a claimant parent. As this Court noted in *Barendregt*, family violence allegations are “notoriously difficult to prove”<sup>40</sup>. This can be particularly so for children, who as a result of their age and vulnerability, may be unable to recall or demonstrate their injuries, many of which may not be manifested until years later. These barriers are exacerbated by a caregiver’s unique control over the factual narrative of a child’s life, including access and, in some cases, control over a child’s records, including educational, medical, and even child protection records.

**(ii) Torts Must be Responsive to Unique Harms Suffered by Children**

21. Developing effective remedies accessible to children through the recognition of a new tort or the evolution of existing torts is essential to address the substantial violation to a child’s physical and psychological integrity interests resulting from family violence.
22. Ensuring that the principle of the rule of law applies as fully to children as it does to adults is necessary to ensure respect for children’s human dignity.<sup>41</sup> Actions recognized as tortious when directed towards adults are equally, if not more, tortious when directed towards children. Where there is compensable conduct, children must be recognized as distinct and appropriate claimants, for whom remedies and compensation can and should be awarded.
23. Children do not “belong” to their caregivers. However, within the context of the family, a caregiver has the legal power to profoundly affect all aspects of a child’s life – including where the child lives, goes to school, and receives medical care. A parent can administer reasonable discipline according to law, and can require children to do certain kinds of work without financial reward. In these ways, although Canadian law has distanced itself “from the ancient juridical conception of children as chattels of their parents [...] our society is far from having repudiated the privileged role that parents exercise in the upbringing of their children.”<sup>42</sup>
24. The use and abuse of lawful or reasonable powers of control with which a caregiver is entrusted to care for, guide, protect, and instruct, to instead exploit, manipulate, isolate, and harm, characterizes children’s experience of family violence. Following the abolition of the doctrine of

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<sup>40</sup> *Barendregt*, *supra* note 14 at [para 144](#); *Friesen*, *supra* note 15 at [para 80](#).

<sup>41</sup> Access to Justice for Children Report, *supra* note 29 at [para 3](#).

<sup>42</sup> *B(R) v Children’s Aid Society of Metropolitan Toronto*, [1995 CanLII 115 \(SCC\)](#) at p 372 [*B(R)*].

parental immunity,<sup>43</sup> there can be no residual suggestion that children cannot bring claims in tort to recover for the harms of family violence. The infliction of harm by a person who has the lawful authority to exercise power is entitled to heightened protection, yet it is frequently discounted or ignored within the scope of tortious liability. Recovery by children for these harms, direct and indirect, must be clearly within the courts' purview.

25. The development or evolution of torts must recognize how patterns of conduct that may not be recoverable as individual incidents, including exercises of parental authority, may become tortious through their repetition, abuse, and frequency. For children this may include coercively controlling a child through the exercise of parental authority, such as forcibly confining a child and isolating them from adult support, withdrawing or transferring a child's school,<sup>44</sup> or removing them from the purview of child welfare authorities.<sup>45</sup> A parent may financially exploit a child or require them to perform inappropriate, or abusive labour.<sup>46</sup> A child or teenager may suffer serious injury arising from physical or sexual abuse, and be denied medical treatment to avoid drawing the attention of service providers and professionals.<sup>47</sup>
26. The general failure to recognize violence as tortious when it is undertaken under the guise of parenting or discipline results in the normalization of harm that on its face is criminal in nature, and falls outside of the scope of reasonable parental authority. Very few lawsuits seek liability for physical abuse at the hands of a parent,<sup>48</sup> although physical abuse is the most common form of victimization of children.<sup>49</sup> In the few reported cases that exist, many parents openly admit to "physical discipline" that on its face meet today's threshold of criminal liability, such as using physical objects as weapons in the context of corporal punishment,<sup>50</sup> or using physical violence such as "spanking" on children passed the age of reasonable chastisement.<sup>51</sup> The ongoing normalization within the jurisprudence of family violence employed to harm, humiliate, or

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<sup>43</sup> See e.g. *Family Law Act*, [RSO 1990, c F3](#) at [s 65](#); *Canadian Foundation for Children, Youth and the Law v Canada (Attorney General)*, [2004 SCC 4](#) [*Canadian Foundation*].

<sup>44</sup> See e.g. *LW*, *supra* note 23 at [paras 82-83](#), [112-113](#).

<sup>45</sup> See e.g. *J(LA)*, *supra* note 20.

<sup>46</sup> See e.g. *Rosenthal v Rosenthal*, [2014 ONSC 317](#) at [para 23](#).

<sup>47</sup> See e.g. *P v F*, [1996 CanLII 8434 \(BC SC\)](#) at paras 8-9.

<sup>48</sup> See e.g. *Y(AD)*, *supra* note 23 at [para 93](#).

<sup>49</sup> Profile of Canadians Victimization, *supra* note 5.

<sup>50</sup> *Y(AD)*, *ibid* at [para 19](#); *RLL*, *supra* note 23 at [para 6](#); *AC*, *supra* note 23 at [para 27](#).

<sup>51</sup> See e.g. *Calin v Calin*, [2019 ONSC 3564](#) at [para 221](#) [*Calin*].

seriously injure a child through actions that surpasses “transitory and trifling” coercive force<sup>52</sup> cries out for a response and judicial guidance.

27. The most severe violence against children often takes place through an abuse of trust and exploitation of familial intimacy that isolates, silences, shames, and manipulates a child, and is, in and of itself, a profound harm. Like “grooming” in the context of sexual assault,<sup>53</sup> these actions prey on a child’s vulnerability to normalize abuse. Through “threats and bribes that enforce secrecy,”<sup>54</sup> it deprives a child’s relationships of closeness and trust, and their belief that those they love and depend upon – their family – will keep them safe from harm. It demands clarity as to how it is to be considered as an element of tortious liability, a breach of fiduciary duty,<sup>55</sup> and as a factor in fixing damages.
28. Clear direction from the Court is needed to recognize the harms of family violence, whether through novel or evolving torts, including the complexity of children’s experiences of violence within family relationships. The harms of family violence, including patterns of ongoing abuse and coercive control, result in “suffering and pain a child should never experience, much less at a father’s hands”<sup>56</sup> that may reshape the course of a child’s life, and must attract liability. Recognition that children suffer distinct damages, and may bring independent claims is necessary to protect children from harm, and ensure that the harms children suffer are compensated.

#### **PART IV – SUBMISSIONS ON COSTS**

29. JFCY seeks no costs and asks that no costs be ordered against it.

#### **PART V – ORDERS REQUESTED**

30. JFCY takes no position on the disposition of the appeal.

**ALL OF WHICH IS RESPECTFULLY SUBMITTED this 6<sup>th</sup> day of January 2025.**




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Katherine Long, Mary Birdsell and Jane Stewart  
Counsel for the Intervener, Justice for Children and Youth

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<sup>52</sup> *Canadian Foundation*, *supra* note 43.

<sup>53</sup> See e.g. *R v Woodward*, [2011 ONCA 610](#) at [para 43](#).

<sup>54</sup> *M(K) v M(H)*, [1992 CanLII 31 \(SCC\)](#) [*M(K)*].

<sup>55</sup> *Ibid.*

<sup>56</sup> *Calin*, *supra* note 51 at [para 339](#).

## PART VII – TABLE OF AUTHORITIES

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<p>United Nations, <i>Convention on the Rights of the Child</i>, <a href="#">Can TS 1992 No 3</a> (entry into force 2 September 1990) Art 12</p> <p>Nations Unies, <i>La Convention relative aux droits de l’enfant</i>, <a href="#">Can TS 1992 No 3</a> (entrée en vigueur le 2 septembre 1990) Art 12</p>	15
<p>United Nations General Assembly, <i>Report of the Independent Expert for the United Nations Study on Violence Against Children</i>, UNGAOR, 61st Sess, <a href="#">UN Doc A/61/299</a> (2006) Para 38-47</p>	1, 4, 5
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