



Toronto Star, March 2002

By Heather McGregor, Executive Director of the YWCA of Greater Toronto
AND Pamela Cross, Executive Director of Metropolitan Action Committee
on Violence Against Women and Children (METRAC)

For the past several weeks, Ontarians have read almost daily about children murdered by their parents. Jay Handel in British Columbia has been charged with first-degree murder in the deaths of his six young children, post-partum psychosis sufferer Andrea Yates was convicted of murder in the drowning deaths of her five children, Oregon father Robert Bryant apparently killed his four children, his wife and himself, and Peter Currie allegedly abducted his two-year-old daughter Alexis and has been charged with her murder. More recently, John Hogan of California, is reported to have fatally shot his daughter and his three step children.

We search to find a common thread in what seems to be incomprehensible. Some wonder if there may be a “killing parent gene.” Others say that family mediation would have saved Alexis Currie’s life.

We believe that the answer is simpler. At the heart of these tragic situations is a persistent pattern of the domination of women. Simple solutions that prevent that pattern from becoming lethal are within our grasp, and have been ignored.

In the Handle and Yates cases, descriptions of multiple unwanted pregnancies and isolated women and children guarded by domineering fathers might have guided us to this conclusion. Instead the debates centred on Andrea Yates, missing the point that a mother could be both a victim of something and have committed crime.

We are told that Robert Bryant and Jay Handle had reputations as violent and controlling men, Hogan, like the other two was separated from his wife, and his motive, the papers tell us, was to “hurt his wife as deeply as possible”. Peter Currie had been charged with assaulting his spouse. Both Currie and Bryant were apparently walking time bombs that had

been given weekend access to their children after separation from their spouses. The Currie family situation is particularly disturbing. It follows a pattern of judgements in custody and access cases that leave women and children vulnerable to what amounts to state-sanctioned abuse.

Our question is this: why was a man who was charged with assaulting the mother of his children and ordered to stay away from her given the leeway to kill one of those children? The answer is chillingly simple: because our courts do not yet acknowledge the reality of violence against women.

Since 1997, in Ontario alone, there have been 271 recommendations developed directly as a result of the deaths of women at the hands of their partners or former partners. The most recent of these was the inquest into the death of Gillian Hadley, which ended in 58 recommendations just over a month ago.

The Hadley jury recommendations are all worthy of immediate implementation. Among them are recommendations for significant changes to the determination of custody and access in cases of woman abuse.

Current judicial attitude is that “wife abuse” is something “between” the grownups; that it has no impact on the children, and that the end of the relationship will bring an end to the violence. On the contrary, research is clear that the end of a relationship often sparks an intensification of the abuse, and that children are frequently used as pawns by the abuser to continue to exert control over his former partner. The absence of abuse towards the children before separation does not guarantee its absence afterwards.

Far from protecting women and children from a known abuser, the legal climate has family lawyers often counselling their battered female clients to keep quiet on the issue of violence for fear of looking spiteful and vengeful. The legal system is dedicated to the notion that all children benefit from having maximum contact with both parents, often with no allowances for situations where this contact could, in fact, be deadly. Judges will seldom grant custody to a parent unless she assures the court that she will support and encourage her ex-partner’s access to the children.

Far from being mysterious, Alexis Currie’s death occurred under circumstances about which we know a great deal. Application of this understanding at the public policy level might have saved a life. Instead of applying this substantial work accomplished with public funds, we see our government attack courageous public servants, such as Madame Justice Lesley Baldwin who queried then Attorney General Jim Flaherty about his intentions on following through with juries’ recommendations. Justice Baldwin now faces a challenge to her judicial credibility for daring to follow

through with her work as the chair of a domestic violence implementation task force that has also had its work ignored.

The Hadley jury warned Ontario that domestic violence is a crime different from others in three important ways: the likelihood of repeat violence is common, it is predictable and the victim is known in advance.

We know as much as we need to know about woman abuse, its impact on children and how to prevent more deaths. Yet the deaths continue. What Ontario policy and decision-makers seem to lack is the political will to act on recommendations we already have.



United Way