



Family Law

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LAWYER

Q

I heard about a recent case where a husband had to pay \$150,000 out of his half of the matrimonial home because of family violence. Is this true?

A

Yes. A.A. was ordered by Superior Court Justice Renu Mandhane to pay his ex-wife, K.A., \$150,000 for a 16-year pattern of physical abuse, coercion and control. This amount is separate from child and/or spousal support payments. The case is not published to protect the children's identity.

A.A. and K.A. married in India and moved to Canada in 2002. They separated in 2016 when the father left the wife and children. The children have been estranged from their father since 2017. Justice Mandhane stated : *"I accept that the father used physical violence at the beginning of the marriage to condition the mother to obey him, that the mother became more vulnerable and the father more violent after immigrating to Canada, that the mother did not leave the relationship at first because of family expectations and later because of the children, and that she was generally socially and financially dependent on the father."*

This ruling coincides with the new emphasis in the federal Divorce Act on the harms caused by family

violence. The husband engaged in a long-term, harmful pattern of conduct designed to terrorize or control. When the husband left, he closed their joint bank accounts and cancelled the wife's credit card, while knowing he was the only source of family income.

Justice Mandhane wrote that a new civil wrong of family violence would help *"to remove the economic barriers facing survivors that try to leave violent relationships and access justice."* Spousal violence causes physical and psychological harm including depression, anxiety, and low career advancement.

If you think this applies to you, come see us.

Your friends at Shank Law.



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